

# **HALIFAX REGIONAL MUNICIPALITY**

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## **HALIFAX REGIONAL COUNCIL MINUTES September 26, 2000**

**PRESENT:**

Mayor Walter Fitzgerald  
Deputy Mayor John Cunningham  
Councillors: Stephen Streach  
Keith Colwell  
Ron Cooper  
Harry McInroy  
Jack Greenough  
Condo Sarto  
Bruce Hetherington  
Clint Schofield  
Jerry Blumenthal  
Graham L. Downey  
Sue Uteck  
Sheila Fougere  
Russell Walker  
Bill Stone  
Graham Read  
Stephen D. Adams  
David Merrigan  
Bob Harvey  
Peter Kelly  
Reg Rankin  
Jack Mitchell

**ABSENT WITH REGRETS:** Councillor Gordon R. Snow

**STAFF MEMBERS:** Mr. Ken Meech, Chief Administrative Officer  
Mr. Wayne Anstey, Municipal Solicitor  
Ms. Vi Carmichael, Municipal Clerk  
Ms. Patti Halliday, Assistant Municipal Clerk

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**1. INVOCATION**

Mayor Fitzgerald called the meeting to order at 6:00 p.m. with the Invocation.

**Kate Carmichael - Blood Donor Clinic**

Ms. Kate Carmichael, Executive Director, Downtown Halifax Business Commission, advised Council that there will be a Blood Donor Clinic, in her name, held on Friday, October 6, 2000. Ms. Carmichael encouraged members of Council and the public to attend if possible. For those wishing to make an appointment, she advised this can be done by calling 424-1418.

Mayor Fitzgerald and Deputy Mayor Cunningham expressed thanks to Ms. Carmichael and requested the support of both the public and Council to participate in this important clinic.

**Acknowledgements**

Councillor Stone acknowledged the presence in the gallery of Matthew White, a member of Canada's National Duathlon Team (10 km run, 40 km bike race, 5 km run), who will soon be participating in the World Championships in France. On behalf of Council, Councillor Stone wished him the very best of luck.

Mayor Fitzgerald noted that Councillor Blumenthal was recently chosen as Vice President of the Union of Nova Scotia Municipalities. On behalf of Council, the Mayor wished the Councillor well in his duties.

**2. PROCLAMATIONS**

**2.1 Autism/Persuasive Development Disorder (PDD) Awareness Month - October, 2000**

Mayor Fitzgerald proclaimed the month of October 2000 as Autism/Persuasive Development Disorder (PDD) Awareness Month.

**2.2 Welcome Wagon Week - October 1-7, 2000**

Mayor Fitzgerald proclaimed the week of October 1 - 7, 2000, as Welcome Wagon Week.

**3. APPROVAL OF MINUTES - NONE**

**4. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS OR DELETIONS**

The following items were added to the agenda:

- 13.1 Councillor Hetherington - Review of By-Law M-200
- 13.2 Councillor Sarto:
  - i) City Owned Trees - Bel Ayr Avenue
  - ii) Traffic on Settle Street
- 13.3. Councillor Read:
  - i) Motorcycle Helmets
  - ii) Bicycle Helmets
- 13.4 Councillor Uteck - Water Concerns, District 13
- 13.5 Councillor Rankin - Paving, George Samuel Drive (Kingswood)
- 13.6 Councillor Walker - Request to move Information Item #4 - Green Cart Pick Up to the Regular Council agenda
- 13.7 Councillor Kelly - Grave Stone Placement Policy
- 13.8 Report from Peninsula and Western Region Community Council - Case 00212 Amendment to the MPS and Land Use By-Law Atlantic Street, Brussels Street and McLean Street
- 13.9 Property Matter - Easement - Atlantic Superstore, Bedford Highway Access
- 13.10 Property Matter - Purchase of 3279-85 Dutch Village Road
- 13.11 Property Matter - Discovery Centre
- 13.12 Councillor Kelly - Access-a-Bus Operations
- 13.13 Councillor Merrigan - Information Item #6, Fire Services Restructuring

Councillor Blumenthal requested that Information Item #4, Letter from Premier John Hamm re: shipyards, be added to the October 3<sup>rd</sup> Regional Council agenda.

**MOVED** by Councillors Hetherington and Blumenthal that the Order of Business, Additions and Deletions, be approved, as amended. **MOTION PUT AND PASSED UNANIMOUSLY.**

**5. BUSINESS ARISING FROM THE MINUTES**

**6. MOTIONS OF RECONSIDERATION - NONE**

**7. MOTIONS OF RESCISSION - NONE**

**8. CONSIDERATION OF DEFERRED BUSINESS**

**9. PUBLIC HEARING**

**9.1 Street Closure, Duck Pond Road, Lakeside  
Administrative Order SC23 - Motion - Councillor Rankin**

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

Mr. Tom Crouse, Real Estate Officer, presented the staff report.

Mayor Fitzgerald called three times for members of the public wishing to speak either in favour of or against the street closure. Hearing none, the following motion was put on the floor:

**MOVED** by Councillors Hetherington and Greenough that the Public Hearing be closed. **MOTION PUT AND PASSED UNANIMOUSLY.**

**COUNCIL DECISION**

**MOVED** by Councillors Rankin and Hetherington that Council approve the closure of Duck Pond Road, Lakeside Industrial Park, as shown on Attachment "A" of the staff report dated September 18, 2000, subject to the closing of the Agreement of Purchase and Sale for conveyance of the street right-of-way to Sobeys Capital Inc., subject to the terms and conditions as set out in the staff report dated September 18, 2000. **MOTION PUT AND PASSED UNANIMOUSLY.**

**10. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**10.1 Petitions**

**10.1.1 Councillor Hetherington - Portland Estates Traffic Safety**

**i) 3-Way Stop Sign**

Councillor Hetherington served a petition containing approximately 89 signatures of residents of Portland Estates requesting a 3-way stop sign at the intersection of Rosehill Drive and Diana Grace Blvd. The Councillor requested that the petition be forwarded to Traffic Services.

**ii) Bike Lane**

Councillor Hetherington served a petition containing approximately 78 signatures of residents of Portland Estates requesting a painted line on the Portland Estates Boulevard to indicate a bike lane. The Councillor requested that the petition be forwarded to Traffic Services.

**iii) 4-Way Stop Sign**

Councillor Hetherington served a petition containing approximately 78 signatures of residents of Portland Estates requesting a 4-way stop sign at the intersection of Portland Estates Boulevard West and Wedgewood Court. The Councillor requested that the petition be forwarded to Traffic Services.

**10.1.2 Councillor Fougere - Correctional Facility**

Councillor Fougere served a petition containing approximately 550 signatures, to be added to the 312 names previously presented, of residents in opposition to the proposed development of a halfway house at the corner of Windsor and Young Streets, Halifax. The Councillor requested that the petition be forwarded to the Solicitor General of Canada.

**10.1.3 Councillor Streach - Cellular Phone Service in Musquodoboit Valley**

Councillor Streach served a petition containing approximately 557 signatures of residents in support of a cellular tower being erected and cellular phone service being made available in the Musquodoboit Valley. The Councillor requested that a letter be sent to MTT by the Mayor expressing Council's support for this request.

**10.1.4 Deputy Mayor Cunningham**



i) **Tim Horton's - 205 Portland Street**

Deputy Mayor Cunningham served a petition containing 14 signatures of residents surrounding the Tim Horton's at 205 Portland Street, requesting that this establishment be closed and entrances to and from it be blocked off between the hours of 10:30 p.m. and 6:00 a.m. due to the noise and crowd problem. The Deputy Mayor requested that this petition be referred to staff and a meeting between himself and staff be arranged as soon as possible.

ii) **Crossing Guard - Harbourview Community**

Deputy Mayor Cunningham served a petition containing over 70 signatures of residents requesting the installation of a crossing guard at the corner of Hare Lane and Windmill Road. The Deputy Mayor requested that this petition be referred to staff and a meeting between himself and staff be arranged as soon as possible.

**10.1.5 Councillor Merrigan - Old Sackville Road Short-Cutting Study**

Councillor Merrigan served a petition containing approximately 130 signatures of residents in the vicinity of the proposed closing of the Old Sackville Road who are opposed to this road closure. The Councillor requested that the petition be forwarded to Traffic Services.

**10.1.6 Councillor Adams - Herring Cove Ratepayers' Association**

Councillor Adams submitted correspondence from Brian Dempsey, Chair, Herring Cove Ratepayers' Association regarding the upcoming infrastructure program and the provision of water and service infrastructure to the community of Herring Cove. The Councillor requested that this correspondence be copied and distributed to staff and members of Council.

**10.2 Presentations**

**10.2.1 Mr. George McDaniel, Lack of Paving of Gravel Roads and Resurfacing of Existing Paved Roads**

Mr. George McDaniel, Board of Directors, Haliburton/Highbury Homeowners' Association, made a presentation to Council outlining concerns of residents of the Haliburton/Highbury, Highland Park, Maplewood on the Lakes and Three Brooks subdivisions (approximately 1,500 families) over the lack of paving of gravel roads, and resurfacing of existing paved roads over the last two years. Mr. McDaniel stated the reciprocal agreement with the Province with respect to road maintenance is not working properly, and frustration among

the residents is growing. Mr. McDaniel suggested the agreement needs to be cancelled or revisited as it is unfair and wasteful. He further stated that the residents of his area feel abandoned by HRM, and suggested HRM should maintain all HRM streets, while the Province maintains its own roads.

Mayor Fitzgerald thanked Mr. McDaniel for his presentation.

Councillor Rankin noted redress of this situation was requested by Council in August 2000. The Councillor stated it is his understanding from the Department of Transportation that formal notice of an intent to change this agreement may be required on or before October 1, 2000. Councillor Rankin stated it was not HRM's intention when the agreement was made that there would be no roads paved outside the urban core. The Councillor noted that time is of the essence with respect to this issue, and Mr. Ken Meech, Chief Administrative Officer, indicated a staff report would be presented to Council next week.

#### **10.2.2 Mr. Ron Jefferson, Water Problems, Maplewood on the Lakes Subdivision**

Mr. Ron Jefferson, Executive Committee, Maplewood on the Lakes Residents' Association, made a presentation to Council providing details of the water problems, affecting approximately 240 homes, experienced throughout this neighbourhood. Mr. Jefferson stated the problems are getting worse year after year as more homes are developed in this area. Personally, he has spent almost \$20,000 since moving into the area to help alleviate the problem, which is not yet resolved. In closing, Mr. Jefferson requested Council's support in putting this situation at the top of its priority list, and stated the residents are willing to assist if necessary.

Mayor Fitzgerald thanked Mr. Jefferson for his comments and stated it is within the realm of possibility for the Water Commission to consider this.

In response to Mr. Jefferson's presentation, Councillor Rankin submitted a survey, conducted in the affected neighbourhood with approximately 90 percent return, and over 85 percent in favour of paying a reasonable price for the necessary extension in the worst section of the subdivision. The Councillor requested that the petition be forwarded to staff for a report. Mayor Fitzgerald stated a report can be brought forward to Council next week.

### **11. REPORTS**

#### **11.1 MEMBERS OF COUNCIL**

##### **11.1.1 Councillor Schofield**

i) **Pinecrest Drive Park**

Councillor Schofield requested a staff report regarding the lack of maintenance in Pinecrest Drive Park, particularly with respect to under-brushing and lighting. The Councillor noted this was the location of the murder of a Dartmouth youth last year, and several requests have been made in the past for this park to be under-brushed to make it safer. Councillor Schofield requested a staff report advising when this can be done. Council agreed to the request for a report.

ii) **Municipal Rewards for Major Unsolved Crimes**

Councillor Schofield noted that approximately seven months ago, he requested a staff report exploring the possibility of offering municipal rewards for major unsolved crimes in HRM. The Councillor stated he has spoken to the community and the family of the murdered youth mentioned in the above item, and this is a request that they have asked him to bring forward. Councillor Schofield noted he has also raised the issue with Crime Stoppers, and they have indicated that perhaps there is a way this can be done. Therefore, the Councillor requested that this matter be referred to staff for a report.

Council agreed to the request for a staff report.

11.1.2 **Councillor Blumenthal**

i) **Carts in the Hydrostone Area**

Councillor Blumenthal requested that this matter be referred to staff for a response as to how to resolve the problem of stolen grocery carts, and other vehicles, being used to scavenge curbside recyclables, resulting in lost revenue for the Municipality and safety concerns for the residents.

Councillor Stone advised that he has heard similar concerns in his District, and suggested staff could zero in on specific garbage pickup days to address the problem. The Councillor noted he has already discussed this suggestion with Solid Waste staff in his area.

Councillor Uteck noted District 13 has requested parents to save recyclables for donation to the schools as extra fundraising dollars.

Council agreed to the request for a staff report.

ii) **By-Law Enforcement**

Councillor Blumenthal requested a staff report with respect to strengthening the current By-Law regarding unsightly properties, and the possibility of fining violators immediately instead of issuing a warning letter. The Councillor expressed concerns with the maintenance of properties by some landlords, and suggested it is time the laws need to be made more strict.

Councillor Stone stated he believes the new call centre phone line has made significant improvements in customer service, and encouraged the public to use this line when issuing a complaint with respect to by-law enforcement. The Councillor complimented staff on this new system that appears to be working quite well.

Council agreed to the request for a staff report.

### **11.1.3 Councillor Merrigan**

#### **i) Recreation Facilities for Mobile Home Parks**

Councillor Merrigan noted District 19 probably has the largest number of mobile home parks in HRM that do not have proper recreation facilities. The Councillor requested a staff report to determine how better recreation facilities can be facilitated for mobile home parks, working with the mobile home and park owners, particularly in District 19.

Councillor Hetherington suggested that part of the problem is the land on which mobile home parks are located, and the roadways within them, are private property belonging to the park owners and are not open to the public. The Councillor suggested the staff report may want to consider this issue as well.

Council agreed to the request for a staff report.

#### **ii) Removal of one of the two ambulances**

Councillor Merrigan requested that this matter be referred to staff for a report to determine what is taking place with respect to rumours that one of the ambulances for the Beaver Bank/Sackville/Fall River area is being removed as of October 1, 2000. Councillor Streach requested that the report also address a similar situation in Sheet Harbour.

Council agreed to the request for a staff report.

### **11.1.4 Future of Rural Firefighting Service**

Councillor Streach spoke about the future of the rural firefighting service in HRM, stating it is his opinion that the firefighters' position on this issue was borne of frustration, lack of communication and a feeling of simply no where else to turn. The Councillor stated these volunteer departments are made up of members of the community, who give freely of their time, and risk their lives to protect others, asking no more than mutual respect and the right to serve. Councillor Streach noted he has spoken about unity within the Municipality, on many occasions, and promotion of cooperation and working together for the common good. Since last week, the Councillor advised that he has been contacted by numerous other volunteer departments throughout the Municipality, all with varying opinions on the matter.

Councillor Streach questioned why there cannot be two fire services, both answerable and accountable to Council, but responsible to their individual departments and members. The volunteer firefighters in HRM are 1,000 strong and their concerns need to be addressed.

Councillor Streach stated if something is not done now, the Municipality will end up with a fractured fire service, a divided community and a broken spirit on part of the volunteers. Therefore, the Councillor requested the support of Council for the following motion:

**MOVED by Councillors Streach and Kelly that Council instruct the Chief Administrative Officer and Chief Eddy to prepare an Administrative Order to allow the creation of a new service within the Municipality, and possibly leading to discussions for the possible creation of an HRM Volunteer Firefighting service.**

Councillor Merrigan stated he understands the frustration on both sides of this issue, and a way to make this service work needs to be found. The Councillor stated the rural areas have some problems that are not experienced by other areas of the Municipality serviced by paid professionals. Councillor Merrigan stated the volunteer fire departments grew from necessity and the support of the residents. The Councillor stated all the policies and procedures created for the paid service will not work for the rural areas, and suggested the two groups need to come together to work out some type of agreement to determine who is responsible for what.

Councillor Kelly spoke in support of the motion, acknowledging that there is an increased frustration throughout the volunteers. The Councillor stated the volunteers want to be treated as equals, but want staff to understand the whole process cannot be standardized from the core area.

Deputy Mayor Cunningham expressed concern with the motion on the floor, and suggested it may be premature at this time. The Deputy Mayor stated he does not believe the answer to the problem is the creation of a new service. However, Deputy Mayor Cunningham

agreed that a report is very much in order and further discussion will need to take place as to how the situation can be improved.

Also speaking against the motion, Councillor Stone agreed there are areas that need to be examined and discussed, and he asked Chief Eddy for his comments on the procedure to deal with issues and concerns such as this. In response, Chief Eddy stated there is a Conflict Resolution Policy in place in the Fire Services, which was circumvented in this latest issue. The Chief stated he is prepared to address the issues and concerns, but noted there are some issues that are legislated by the Department of Labour, Occupational Health and Safety, and other areas, which needs to be communicated to the departments. Chief Eddy suggested, as a starting point, that his office go out to all of the areas to speak to all of the firefighters, not just the Fire Chiefs, to discuss this matter. With respect to the creation of one wholly volunteer service, the Chief stated it is difficult for him to support this concept as it is worded, as he is also aware of other Chiefs who are in support of having things remain as is.

Councillor Mitchell stated the volunteers are only looking for fairness. In response, Chief Eddy agreed there are concerns that need to be addressed, but there are many different opinions as to how this should be done.

Councillor Mitchell suggested this matter should be referred to staff for a report. In response, Councillor Streach offered to amend his motion to direct staff to prepare a report, further to the comments made at this meeting, as to how staff can proceed and resolve the situation. With respect to the creation of a new volunteers service, the Councillor stated he will put forth a Notice of Motion later in the meeting. The Councillor stated he did not see a problem with two firefighting services, such as is the case for policing in the Municipality. Councillor Streach stated the firefighters are only asking for an allowance of differences, and not a separation from the Municipality.

In response to an inquiry of Councillor Mitchell regarding the time frame required to prepare a report, Chief Eddy stated it would require a minimum of one month to ensure the proper consultation is conducted.

Councillor Read spoke in support of the referral to staff for a report to determine the best way to address this issue.

Councillor Walker advised Council that he has also received many comments regarding this issue, and spoke in support of a staff report, stating this matter needs to be resolved as quickly as possible.

Also speaking in support of a report, Councillor Blumenthal stated adequate time is required to ensure that all angles of the issue are examined.

Councillor Greenough stated he also believes it is premature, at this time, for a dual serve but agreed that more dialogue and discussion is required. The Councillor suggested the matter also be referred to the Executive Management Team for assessment and review.

Councillor Colwell spoke in support of referring the matter to EMT, noting there are problems in his area that need to be addressed, such as purchasing, communications, etc., and asked that these be included in the staff report.

Closing the debate, Councillor Streach stated his motion was not intended to be divisive, but was an attempt to create harmony and unity from a volatile situation. The Councillor agreed to table his motion, pending the receipt of a formal report from staff.

**MOVED by Councillors Streach and Mitchell that the matter be referred to staff for a report. MOTION PUT AND PASSED UNANIMOUSLY.**

## **11.2 CHIEF ADMINISTRATIVE OFFICER**

### **11.2.1 Tender 00-284 Westwind Ridge Paving, Sackville**

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

**MOVED by Councillors Merrigan and Harvey that Council:**

- 1. Approve the recovery of Local Improvement Charges for Westwind Ridge by frontage charge as per Council's policy.**
- 2. Award Tender No. 00-284, Westwind Ridge Paving to Basin Contracting Limited for materials and services listed at the unit prices quoted for a Tender Price of \$175,632.60 and a Total Project Cost of \$201,977.00, with funding authorized as per the Budget Implications Section of the staff report dated September 19, 2000. MOTION PUT AND PASSED UNANIMOUSLY.**

### **11.2.2 Request for Proposal No. 00-030 Employee and Family Assistance Program**

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

**MOVED** by Councillors Blumenthal and Downey that RFP No. 00-030, Employee & Family Assistance Program, be awarded to CHC - Working Well for a cost of \$38.50 per employee per year for a three year term. Annual cost is approximately \$62,370.00 plus HST. This is a full service confidential Employee and Family Assistance Program, including contract management, promotion, trauma response, health information services, and support and training for supervisory and peer referrals. Additional counselling services, for employees or events not covered by the flat rate, will be provided at a cost of \$110.00 per hour plus HST. **MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2.3 1st Quarter 2000/2001 Financial Report - Solid Waste Resources Financial Forecast**

- An Information Report prepared for Brian T. Smith, Director, Solid Waste Resources, regarding the above, was before Council for its information.

With the use of overheads, Mr. Brian Smith, Director, Solid Waste Resources, presented the staff report.

Councillor Uteck suggested the Tenancy Act should be amended to require landlords to post garbage regulations in their buildings so all tenants are made aware of them. With respect to the summer compost issue, the Councillor suggested between the months of November and April, the green bins should be picked up once every three weeks, to allow for weekly pickup during the summer months.

Councillor Kelly expressed concern with the possibility haulers blending the commercial waste with the residential waste. The Councillor stated he has heard rumours that this is occurring and questioned if this has been fully explored. In response, Mr. Smith advised Council that one hauler was terminated due to such a practice in the past. He suggested if any member of Council has evidence that this is occurring, it would be appreciated if it was forwarded to staff. Councillor Kelly suggested that staff needs to fully investigate this issue to ensure that the haulers are living up to their obligations.

(Mayor Fitzgerald left the meeting at 7:40 p.m. and Deputy Mayor Cunningham assumed the Chair.)

Councillor Walker expressed concerns with respect to the possibility that the Municipality is paying two, and maybe three, times for garbage. An example he cited was organic material being removed from the front-end processor and taken to Otter Lake and being charged for both. The Councillor requested that staff look into this matter to see if this is, in fact, taking place.



Councillor Colwell requested that staff look into the possibility of allowing residents to use a container for both newsprint and cardboard to make it easier for disposal.

(Mayor Fitzgerald returned to the meeting at 8:05 p.m., and assumed the Chair.)

Responding to a question of the Councillor regarding the suggestion of household hazardous waste being dropped off at the Enviro-Depots, Mr. Smith advised this is currently under discussion, and he agreed to follow up on it to determine the status of the issue.

Councillor Cooper suggested increased monitoring of the contents of black bag waste be conducted to ensure they do not contain organic material.

With respect to performance bonds, Councillor Kelly requested that, at some point, information be brought back to Council with respect to lump bonds and assurances that all commercial accounts are up to date.

Councillor Cooper inquired about possible stewardship with the local newspapers. Mr. Jim Bauld responded that there have been ongoing discussions with the newspapers and the Department of the Environment. He agreed to follow up on this to obtain a projection for the completion of this project.

It was agreed that the concerns raised during the discussion be forwarded to staff for a response.

#### **11.2.4 Road Salts - Priority Substance List**

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

**MOVED by Councillors Streach and Hetherington that Halifax Regional Council approve the following:**

- 1. That a letter be sent to the Minister of Environment before October 11, 2000, requesting Environment Canada not consider road salts as "toxic" under Section 64 of the Canadian Environment Protection Act. Further, that Environment Canada promote the adoption of the Transportation Association of Canada's Salt Management Guide (December 1999) by all Canadian municipalities as the best practices method of addressing the road salt concerns related to patrol yard operations, roadway applications, snow disposal, and ferrocyanides controls.**

2. That the Mayor send a letter to the Federal of Canadian Municipalities requesting them to write to the Minister of the Environment in support of this position on behalf of all Canadian municipalities.
3. That copies of these letters be forwarded to Environment Canada and the Transportation Association of Canada.

Councillor Read attempted to put forth an amendment to the motion, but it was ruled out of order.

**MOTION PUT AND PASSED.**

**11.2.5 Debenture Issue**

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

**MOVED by Councillors Greenough and Cooper that the Mayor and Municipal Clerk be authorized to sign the Resolution for Pre-Approval of Debenture Issuance subject to Interest Rate confirmation, not to exceed 8%, to enable Halifax Regional Municipality to issue a debenture in the amount of \$14,000,000.**

Ms. Dale MacLennan, Director, Finance, responded to a question of clarification from Councillor Cooper. In response to concerns raised by Councillor Kelly, Ms. MacLennan agreed to, in the future, provide Council with breakdown information as to the purpose of these debenture issues.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2.6 Machinery and Equipment Tax**

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

**MOVED by Councillors Hetherington and Greenough that the Mayor write the Minister of Finance for the Province of Nova Scotia requesting:**

- a) that reconsideration be given to the Province's decision to eliminate the direct support to business through the payment of machinery and equipment taxes; and,

- b) **that should the Province wish the Municipality to provide direct support to industry in the future that it provide funding to the municipality by sharing consumption taxes levied by the Province.**

Councillor Hetherington expressed concerns with respect to the condition of the Imperial Oil property in Dartmouth, noting when it was required to pay the machinery and equipment tax in the past the level of maintenance was much better. The Councillor suggested the savings from not paying this tax could be used to clean up the property.

Councillor Greenough stated it was his understanding that production costs at Imperial Oil were much greater than others across the country, and that was the reason for taking away this tax. The Councillor suggested the tax should not be reinstated for this reason.

Councillor Blumenthal suggested this was another form of downloading from the Province.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2.7 Sanitary Sewer Line - License Renewal Shearwater**

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

**MOVED by Councillors Hetherington and Greenough that Council authorize the Mayor and Municipal Clerk to execute a five (5) year license agreement with Her Majesty the Queen in right of the Department of National Defence providing an easement for a trunk sewer on the Shearwater site as provided for in this report dated September 28, 2000. MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2.8 Case 00274 - Request to Amend the Dartmouth Municipal Planning Strategy and Land Use By-Law Respecting Townhouse Developments**

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration. The report recommended that Halifax Regional Council:
  1. Request staff to initiate the process to consider amendments to the Dartmouth Municipal Planning Strategy (MPS) and Land Use By-Law (LUB) to enable proposals for townhouse developments, that do not provide street frontage for each individual unit, to be considered.

2. Request staff to follow the public participation program as approved by Council in February 1997.

Mr. Mitch Dickey, Planner, presented the staff report to Council.

Speaking against the staff recommendation, Councillor Schofield stated if townhouses are to be built in this area they need to have a street frontage. The Councillor noted this is an area where there have been, and still are, many problems, and suggested that the proposed amendments to the MPS and LUB not be approved by Council.

**MOVED by Councillor Schofield and Deputy Mayor Cunningham that Council not approve the proposed amendments to the Dartmouth Municipal Planning Strategy (MPS) and Land Use By-Law (LUB) to enable proposals for townhouse developments, that do not provide street frontage for each individual unit.**

Councillor Read spoke in support of the motion stating the density problem of this area should be addressed first.

Also speaking in support of the motion, Deputy Mayor Cunningham stated the time is not right for increased density in the Highfield Park area. The Deputy Mayor inquired what type of development would be permitted in this area as of right. In response, Mr. Dickey stated the land is currently zoned C-2 and there would be a number of options. If the developer puts in a public street, he will be able to achieve almost the same density, and an as-of-right development will not provide the public with the opportunity to have input on the design and maintenance of the facility.

Councillor Sarto spoke in support of the motion stating significant density already exists in that particular area.

Speaking against the motion, Councillor Uteck stated she would prefer the process to go forward so as the public will be aware of all available options. Councillor Harvey agreed and inquired if the play area would still exist if there was to be an as of right development. In response, Mr. Dickey stated that is a difficult question to answer, noting the public street would take up some land and there would be no requirement to save a certain portion of space. The potential exists that the play area would not exist.

Councillor Hetherington spoke in support of the motion, stating increased density is not what the residents of Highfield Park want. The Councillor stated the residents of the area have requested that Council take a leadership role in this issue.

Speaking against the motion, Councillor Streach stated Dartmouth is in need of development and the staff recommendation should go forward.

Councillor Greenough also spoke in support of the motion.

Closing the debate, Councillor Schofield stated Highfield Park is now probably one of the better apartment subdivisions in the Municipality. The Councillor stated he understands why the developer wants to develop this land and he has the right to do so. Councillor Schofield stated the residents are only asking that this development be done in the correct way, providing a proper road and frontage for each townhouse.

Responding to a question of Councillor Read, Mr. Dickey stated it is his understanding that the height of the surrounding apartment buildings is 4 storeys.

**MOTION PUT AND PASSED.**

**11.2.9 Case 7350: Request to Consider Amendments to the Halifax Municipal Planning Strategy and Land Use By-Laws Concerning By-Right Development of Non-Conforming Uses**

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

**MOVED by Councillors Fougere and Uteck that Halifax Regional Council request that:**

- 1. Staff initiate the process to consider amending the Halifax Municipal Planning Strategy and Land Use By-Laws respecting non-conforming uses as suggested in Appendix D;**
- 2. Public Participation be undertaken in accordance with the Public Participation Resolution adopted by Halifax Regional Council on February 25, 1997.**

Mr. Gary Porter, Planner, responded to a question of Councillor Cooper with respect to the definition of non-conforming use.

Councillor Fougere provided Council with the background information as to why this matter has come forward.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2.10 Case 00263: Request for an Amendment to the Sackville Municipal Planning Strategy - 1620- Highway 1 (Atlantic Gardens), Middle Sackville**

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

**MOVED by Councillors Merrigan and Kelly that Halifax Regional Council:**

1. **Approve the request to initiate the process to amend the Sackville Municipal Planning Strategy and Land Use By-Law for the property situated at 1620 Highway 1, Middle Sackville, to allow for possible further expansion of Atlantic Gardens;**
2. **Request staff to follow the public participation program as approved by Council in February 1997. MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2.11 Sidewalks - Royal Mast Way and Hammonds Plains Road**

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.
- An addendum to the above staff report, prepared by Ken Meech, Chief Administrative Officer, was circulated to Council.

**MOVED by Councillors Kelly and Rankin that Council:**

1. **Delete Project CYR00997 - Holland Avenue Upgrading Phase I from the Approved 2000/01 Capital Budget and transfer the remaining funds in the amount of \$199,510.00 allocated to that project to the CRESPOOL Account.**
2. **Approve a new Capital Project, New Sidewalk Construction, Royal Mast Way and Hammonds Plains Road in the total amount of \$190,000.00, and authorize a transfer in the amount of \$190,000.00 from Account No. CRESPOOL, the Capital Pool, to this new proposed project to allow staff to proceed with project design and tendering.**
3. **Approve the recovery of Local Improvement Charges for new sidewalk construction on Royal Mast Way in the estimated amount of \$7,800.00, and for new concrete curb & gutter and sidewalk on Hammonds Plains Road in**

**the estimated amount of \$21,000.00, as a general area rate to be applied to the entire area of District 21.**

Responding to a question of Councillor Kelly regarding the \$10,000 contribution by the developer towards the stormwater project, Mr. Rick Paynter, Manager, Design and Construction Services, stated this initial contribution was made some time ago before amalgamation, and was not factored in. The current letter of credit on file, which was available, was used in its place. Mr. Kulvinder Dhillon, Director, Public Works and Transportation Services, noted if the \$10,000 can still be accessed, it will be put back into the CRESPOOL account.

Councillors Walker and Stone expressed concern as to how this motion will affect other capital projects waiting for approval. Councillor Kelly explained that this project has been brought forward due to safety concerns. Councillor Harvey stated the process needs to be flexible to deal with changing circumstances such as new schools being constructed.

Speaking in support of the motion, Councillor Greenough stated safety of children needs to come first.

**MOTION PUT AND PASSED.**

**12. MOTIONS - NONE**

**13. ADDED ITEMS**

**13.1 Councillor Hetherington - Review of By-Law M-200**

Councillor Hetherington requested a staff report regarding the Mobile Home and Mobile Home Park license fee and how these fees might be eliminated. Councillor Hetherington noted the Maple Ridge Mobile Home Park recently received a bill for \$6,400 which was due on March 31, 2000. The Councillor noted this is the only park in the Municipality that has such a fee. Councillor Walker requested that staff check to see if the mobile home parks in Fairview and Spryfield also pay this fee.

**MOVED by Councillors Hetherington and Schofield that this matter be referred to staff for a report. MOTION PUT AND PASSED UNANIMOUSLY.**

**13.2 Councillor Sarto:**

**i) City Owned Trees - Bel Ayr Avenue**

Councillor Sarto requested that this matter be referred to staff to examine and remove the dead branches that appear to be a hazard to properties on Bel Ayr Avenue, particularly near civic numbers 16 and 26-28. The Councillor noted the most critical situation is at civic number 24. Councillor Blumenthal noted many other areas of the Municipality are experiencing similar problems, and requested that this issue be examined as a whole.

**ii) Traffic on Settle Street**

Councillor Sarto expressed concerns regarding increased traffic on Settle Street due to shortcutting and requested that this matter be referred to staff for a report regarding diverting this increased traffic.

**13.3 Councillor Read:**

**i) Motorcycle Helmets**

Councillor Read noted he has observed a significant number of riders using helmets that do not meet the provincial standards, and requested an Information Report on the enforcement of provincial standards for motorcycle helmets. Council agreed to the request for a staff report.

**ii) Bicycle Helmets**

Councillor Read requested an Information Report regarding the enforcement of regulations requiring bicycle riders to wear approved bicycle helmets. The Councillor stated he has witnessed a significant number of bicycle riders not wearing helmets. Council agreed to the request for a staff report.

**13.4 Councillor Uteck - Water Concerns, District 13**

Councillor Uteck noted residents of District 13 have been experiencing water discolouration problems throughout the summer months. Mr. Bob White, Superintendent, West Region, Halifax Regional Water Commission, made a presentation to Council in response to the concerns raised regarding the ongoing water problems, primarily in District 13. With the use of an overhead, Mr. White explained the new cleaning and lining program being implemented throughout the Municipality in the distribution system. Mr. White stated this program was started as a pilot project in 1993 in District 14 and, due to its success, the program has been adopted. Mr. White reviewed other short term measures being taken to help alleviate the water problem, such as flushing.



Councillor Fougere spoke in support of the cleaning and lining program, noting it has had positive results in District 14.

**13.5 Councillor Rankin - Paving, George Samuel Drive (Kingswood)**

Councillor Rankin requested a staff report to consider a special request for the paving of George Samuel Drive in the Kingswood Subdivision due to wheelchair accessibility problems for one of the residents. Council agreed to the request for a staff report.

**13.6 Councillor Walker - Green Cart Pick Up**

Councillor Walker requested that the following questions regarding the Information Report be referred to Solid Waste staff for a response:

- Question #3 - Councillor Walker stated he does not believe many residents are aware they can contact the hauler to empty the bin, once the excess material is removed, for a fee. The Councillor questioned if this is a desirable practice in that the contractor could be perceived as rejecting a cart to come back for the extra fee.
- Question #4 - When were the lifters in District 15 last checked?
- Question #5 - The Councillor stated he is aware of bins that do have water in them and wanted to point this out to staff.

Councillor Walker requested that staff look at a process to be put in place, if a cart is rejected for two consecutive pickups, that staff be notified by the haulers so they can visit the resident to determine the cause and possibly correct it.

Council agreed to the request for a staff report.

**13.7 Councillor Kelly - Grave Stone Placement Policy**

With the use of photographs, Councillor Kelly illustrated a problem currently being experienced by a resident of Dartmouth with respect to a grave stone placement in Mount Hermon Cemetery. The Councillor submitted the photographs and a letter from the resident, and requested that the matter be referred to staff for a report requesting clarification of the policy of grave stone placement for multiple lots in HRM cemeteries and an explanation as to why the resident's request cannot be fulfilled.

Council agreed to the request for a staff report.

**13.8 Report from Peninsula and Western Region Community Council - Case 00212 Amendment to the MPS and Land Use By-Law Atlantic Street, Brussels Street and McLean Street**

- A staff report from the Peninsula and Western Region Community Council, regarding the above, was circulated to Council for its consideration.

**MOVED by Councillors Blumenthal and Fougere that Regional Council give First Reading to the proposed amendments to the Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-Law, (text and map) as contained in Appendix A of the staff report dated September 21, 2000, and schedule a Public Hearing for October 17, 2000.**

Councillor Walker suggested this matter be deferred for one week to allow Council the opportunity to review the report before voting on this motion.

**MOVED by Councillors Walker and Kelly that this matter be deferred for one week. MOTION DEFEATED.**

The vote was then taken on the Main Motion.

**MOTION PUT AND PASSED.**

**13.9 Property Matter - Easement - Atlantic Superstore, Bedford Highway Access**

- This matter was discussed during an In Camera Session held prior to the Regular Session, and was now before Council for ratification.

**MOVED by Councillors Kelly and Stone that Halifax Regional Council authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale for the granting of easement rights to Loblaw Properties Ltd. for Parcel "X" as illustrated on Attachment "A" according to the terms and conditions set out in the September 13, 2000 staff report; and, that the September 13, 2000 staff report not be released to the public until, and if, the recommended transaction is closed. MOTION PUT AND PASSED UNANIMOUSLY.**

**13.10 PROPERTY MATTER - PURCHASE OF 3279-85 DUTCH VILLAGE ROAD**

- This matter was discussed during an In Camera Session held prior to the Regular Session, and was now before Council for ratification.

**MOVED by Councillors Walker and Stone that Halifax Regional Council authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale for the purchase of 3279-85 Dutch Village Road based on terms contained in the Discussion Section of the September 18, 2000 staff report with funds for the purchase from Capital Account #CTU00028; and, that the September 18, 2000 staff report not be released to the public until, and if, the recommended transaction is finally concluded. MOTION PUT AND PASSED UNANIMOUSLY.**

**13.11 PROPERTY MATTER - DISCOVERY CENTRE**

- This matter was discussed during an In Camera Session held prior to the Regular Session, and was now before Council for ratification.

**MOVED by Councillors Downey and Uteck:**

- 1. THAT Halifax Regional Municipality provide 1/3 of the private sector support requested by the Discovery Centre, matching the provincial and federal contributions through Canada-Nova Scotia Agreement for Economic Diversification. Funding is for one year subject to conditions set out in the September 22, 2000 staff report (\$134,000); and,**
- 2. THAT Halifax Regional Municipality waive the rental arrears of \$170,000. This amount represents arrears up to March 31, 2000; and,**
- 3. THAT any future requests for funding go through the HRM Business Planning process as a budget modification to ensure the request is balanced against other priorities; and,**
- 4. THAT the September 22, 2000 staff report be released to the public. MOTION PUT AND PASSED.**

**13.12 Councillor Kelly - Access-a-Bus**

Councillor Kelly noted he raised this issue at Council a couple of months ago, but it is yet to be resolved. The Councillor stated the issue at the time was the Stroke Club had not been unable to use this service, and the Club is now at a point where it may be dissolved because of this issue. The second point the Councillor raised was with respect to a resident, who wished to attend a special 45<sup>th</sup> Wedding Anniversary function during the last couple of weeks, and was unable to book the Access-a-Bus on two different weekends. Councillor Kelly stated that since that time, the person is now in hospital in serious condition and the family is upset that this family event did not take place, and they want to know why they could not obtain the services of the Access-a-Bus. The third point raised

by the Councillor was with respect to the call in procedure. Councillor Kelly stated he has received some complaints that the queue capability is no longer available, and he questioned why this is the case and if this capability will be restored. Council agreed to his request for a report to address these three issues.

**13.13 Councillor Merrigan - Information Item #6, Fire Services Restructuring**

Councillors Merrigan and Streach requested that the implementation of the district chiefs issue be re-examined. Chief Mike Eddy responded that the restructuring is in process. Three people have already been re-deployed and interviews for the district chief positions commenced last week to establish a short list. Chief Eddy noted these positions will have other tasks as well, and the rank of the position is just above Captain. He agreed to review and discuss the matter, and suggested if there are major issues, revamping of the structure may take place.

**14. NOTICES OF MOTION**

**14.1 Councillor Streach - Rural Volunteer Fire Departments**

**TAKE NOTICE** that at a future meeting of the Halifax Regional Council, and further to a staff report prepared in consultation with the Rural Volunteer Fire Departments, I intend to introduce a motion that will address the wishes of these departments and could allow for the provision of fire protection by them to their residents pursuant to the Provincial Safety Act and further to the Municipal Government Act, if after consultation this is still the direction they wish to go.

**15. ADJOURNMENT**

**MOVED** by Councillors Hetherington and Blumenthal that the meeting adjourn at 10:00 p.m. **MOTION PUT AND PASSED UNANIMOUSLY.**

Vi Carmichael  
Municipal Clerk