

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES April 10, 2001

PRESENT:

Mayor Peter J. Kelly
Deputy Mayor Jerry Blumenthal
Councillors: Stephen Streach
Gary Hines
Ron Cooper
Harry McInroy
Brian Warshick
Condo Sarto
Bruce Hetherington
Jim Smith
John Cunningham
Dawn Sloane
Sue Uteck
Sheila Fougere
Russell Walker
Diana Whalen
Linda Mosher
Stephen D. Adams
Brad Johns
Bob Harvey
Len Goucher
Reg Rankin
Gary Meade

REGRETS:

Councillor Keith Colwell

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. <u>INVOCATION</u>	

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

2. PROCLAMATIONS - NONE

3. APPROVAL OF MINUTES - NONE

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

The following items were added to the agenda:

- 12.1 Deputy Mayor Blumenthal - Trees, Property Damage
- 12.2 Councillor Warshick - Letter of Congratulations
(At the request of the Councillor, this item was deleted from the agenda as the letter had already been sent.)
- 12.3 Recommendation from April 5, 2001 Committee of the Whole re: Cell #3 Otter Lake
- 12.4 Recommendation from April 10, 2001 Committee of the Whole re: Moving Forward - Management of C & D Materials
- 12.5 Property Matter - Sale of Municipal Land Adjacent to Indian Lake Golf Course in Goodwood - Purchase and Sale agreement
- 12.6 Data/records Management System - Tonnage Figures at Otter Lake

The following item was deferred:

- 10.1.1 Greater Halifax Partnership - Update on Activities/Achievements to Date

MOVED by Councillor Hetherington, seconded by Deputy Mayor Blumenthal, that the Order of Business, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

5. **BUSINESS ARISING OUT OF THE MINUTES**
6. **MOTIONS OF RECONSIDERATION - NONE**
7. **MOTIONS OF RESCISSION - NONE**
8. **CONSIDERATION OF DEFERRED BUSINESS**
- 8.1 **Property Matter - Street Closure & Sale of Land - Adjacent Esso Service Centre at 111 Kearney Lake Road (deferred April 3rd)**

C This matter was discussed during an In Camera Session held on April 3, 2001, and was now before Council for ratification.

MOVED by Councillor Whalen, seconded by Councillor Walker, that:

1. **Council authorize staff to set a date of May 1, 2001, for a Public Hearing for consideration of HRM Administrative Order SC-25 concerning the closure of a portion of Kearney Lake Road, identified as the cross-hatched area of Attachment "A" of the staff report dated March 19, 2001 and approve the sale of the portion of Kearney Lake Road, subject to approval of the street closure, to Imperial Oil Limited containing approximately 535 square feet (exact area to be determined by survey), at a price of \$4,000.**
2. **The closure of Kearney Lake Road be subject to the closing of the Agreement of Purchase and Sale for conveyance of the parcel to Imperial Oil Limited.**
3. **The In Camera staff report not be released to the public until, and if, the recommended transaction is finally concluded. MOTION PUT AND PASSED UNANIMOUSLY.**
- 8.2 **Contract Negotiation - Mirror Contract Arrangements (deferred April 3rd) Data/Records Management System - Tonnage Figures at Otter Lake (Added Item 12.6)**

C This matter was discussed during In Camera Sessions held on April 3, 2001, and April 10, 2001, and was now before Council for ratification.

MOVED by Councillor Streach, seconded by Councillor Rankin, that Regional Council approve the four (4) year fixed contract with MIRROR Nova Scotia. MOTION PUT AND PASSED UNANIMOUSLY.

8.3 Downtown Parking Garage (deferred from March 27th) (supp report)

C A supplementary staff report prepared for Dan English, Deputy Chief Administrative Officer, and George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

MOVED by Councillor Sloane, seconded by Councillor Fougere, that Council approve an increase to the Guaranteed Maximum Price for this project in the amount of \$136,000 for building enhancements as set out in Appendix A of the staff report dated April 5, 2001, to include design elements that will enable the project to more fully satisfy the policies and intent of the Municipal Planning Strategy, as well as enhance the integration of this project.

Ms. Kate Carmichael, Director, Downtown Halifax Business Commission, addressed Council regarding this issue making the following points:

- C No building has been developed in the downtown area over the last fifteen years that does not have substantial commercial at ground.
- C The Downtown Halifax Business Commission has been involved in the development of this site for the last two years.
- C The evaluation team's recommendation had a 1.5 point difference between the first and the third proponent. It was suggested that the best proponent be chosen, and then commercial at ground could be negotiated during the development agreement process.
- C The display windows will not reduce the opportunity for graffiti on the building.
- C The retail on Salter Street may not meet the MPS as it is not accessible from Salter Street. The only access is internal.
- C Information regarding the breakdown of the \$529,000 cost for retail on Granville has been requested but not provided.
- C The rent projection of this retail space was quoted to be \$10.00 per square foot, whereas the lowest being paid at the moment in this area is \$12.50 per square foot.
- C The neighbourhood depends on pedestrian traffic and pedestrians do not walk by parking garages.

In closing, Ms. Carmichael urged Council to put commercial at ground on Granville Street.

Mayor Kelly thanked Ms. Carmichael for her comments.

Responding to a question of Councillor Goucher, Mr. Roger Wells, Regional Coordinator, Planning and Development Services, stated if Council approves the staff recommendation, Planning staff will be satisfied that the development satisfactorily addresses the Municipal Planning Strategies for the area.

Councillor Goucher expressed concern with the process in terms of the contract coming to Council before the public consultation process. The Councillor stated the matter should have gone to the public first, then the changes made, and then brought to Council as a complete package. Although he appreciated the concerns of the Downtown Halifax Business Commission, Councillor Goucher stated he could not support the additional cost for 1,000 feet of retail space.

Speaking in support of the motion, Deputy Mayor Blumenthal stated he hopes more discussion takes place in the future with regard to alternative methods of transportation to the downtown.

Councillor Streach spoke in support of the staff recommendation, stating it is a compromise.

Responding to a question of Councillor Smith, Mr. Wells stated the extra lighting is primarily for architectural design treatment. Councillor Smith echoed Councillor Goucher's concerns regarding the process.

Councillor Uteck stated she would reluctantly support the staff recommendation. However, the Councillor stated she would hold staff to its recommendation that any RFP for the Tex Park portion of the site make commercial mandatory.

Councillor Harvey also expressed concerns regarding the process. The Councillor stated he would support the staff recommendation in the hope that development of the rest of the block will make up for any deficiencies.

Councillor Warshick suggested Council should have waited for the forthcoming traffic report before dealing with this issue. Responding to questions of the Councillor, Mr. Wells stated he is not aware of any consideration given to the downtown businesses providing the trees and benches. With respect to the planting and care of the hanging baskets, Mr. Wells stated this will be discussed in terms of long-term maintenance, and the BIDC may be approached. Mr. Ken Meech, Chief Administrative Officer, noted this project will, over time, provide the revenues to absorb the costs associated with this facility. With respect to the responsibility of the display windows, Mr. Wells stated it will be up to HRM as the owner and leaser of these spaces. However, he noted they could be rented out to businesses, such as Neptune Theatre. With the use of the original December 10, 2000 drawing, Councillor Warshick addressed the issue of pedestrian access points, noting they are already clearly identified. As a complete package, the Councillor stated he could not support the motion.

Councillor Hetherington stated the proposal, with the exception of the display windows, already meets the MPS, and the additional expense of \$72,000 is only for enhancements. Based on this, the Councillor stated he could not support the motion.

Speaking in support of the motion, Councillor Rankin stated the \$136,000 meets the basic standards of the Municipal Planning Strategy.

Speaking against the motion, Councillor Hines stated he would not support it as long as contingencies are included.

Councillor Uteck clarified the enhancements to the project are not extras as they are required in order to meet the Municipal Planning Strategy.

Councillor Goucher stated it is incumbent upon Council to ensure that any development that is approved conforms with the MPS.

Speaking in support of the motion, Councillor Sloane stated the cost for retail on Granville Street is too high. However, the Councillor stated she wants to be sure the remainder of the block is developed commercially.

Speaking against the motion, Councillor Johns stated he could not support an expenditure of \$15,400 for brackets and hanging baskets.

Closing the debate, Councillor Sarto spoke in support of the motion stating the enhancements are nothing more than what is called for by the MPS.

MOTION PUT AND PASSED.

9. CORRESPONDENCE, PETITIONS & DELEGATIONS

9.1 Petitions

9.1.1 Councillor Cunningham - Soccer Facilities

Councillor Cunningham submitted 77 letters from residents of District 10 in support of improved soccer facilities in the local area.

9.1.2 Councillor McInroy - Soccer Facilities

Councillor McInroy submitted five letters from residents in support of improved soccer facilities.

9.1.3 Councillor Smith - Soccer Facilities

Councillor Smith submitted 17 letters from residents of District 9 in support of improved soccer facilities and the proposal for a new all weather field.

9.2 Presentations

9.2.1 Ali Roshani - Taxi Issues

As Mr. Roshani was not present, this item was not addressed.

9.2.2 Limitation & Business - Taxis

i) Ed Flewwelling

Mr. Ed Flewwelling made a presentation to Council regarding the taxi industry. In his presentation, Mr. Flewwelling made the following comments:

- C Under the current Committee structure, the taxi industry will be damaged for years to come unless Council becomes up-to-date with what is, and has been, taking place, so it can knowledgeably deal with the situation.
- C The Municipality needs to have a hearing into the current Taxi Committee, its enforcement arm, and the Hotel Standards Committee, as the public and industry have no input on this Committee, yet brokers do.
- C The Chair of the Taxi Committee is attempting to change limitations, change city cars working the airport, stop limitation in the County, structure the whole industry to the hotel standards; and, yet, not allow the industry to have the resources to comply, by making it very difficult for new drivers to enter the industry and by not allowing transferability.
- C Every city that has deregulated the taxi industry has experienced problems and inevitably brought limitation and transferability back. However, the short period of deregulation created chaos that takes years to correct.
- C With regard to the claim of hoarding of roof lights, there are only two people in all of HRM that have more than ten taxi roof lights or owner licenses.
- C According to the Committee, the issue of wheelbase size involves about 1/10 of one percent of all vehicles in the taxi industry.

Mayor Kelly thanked Mr. Flewwelling for his comments.

ii) David Withrow

Mr. Withrow made a presentation to Council regarding the amendment to By-Law T-108 regarding wheelbase size. In his presentation, Mr. Withrow made the following comments:

- C Based on information contained in a report regarding this issue, which incorrectly listed cars that would pass the new size requirements, Council passed the amendment.
- C Since that time, further information has been provided to the Taxi Committee showing the irrelevance of wheelbase size to comfort, luxury or interior dimensions of a vehicle.
- C Acting on this new information, the Committee then advised Regional Council to abolish the amendment; however, the Chair of the Committee did not supply the full details to Council as to how the decision had been reached, and stated his personal opinion as to why the amendment should not be abolished.
- C At the next Committee meeting, it was stated that the by-law had been adopted and would not be discussed further.
- C When requested by Mr. Withrow, a list of HRM taxi drivers was not provided yet he advised this information had been provided to the Casino for invitational purposes.
- C At the February 17th meeting of Council, the Chair of the Committee stated that, to date, no one had been affected by the wheelbase limitation. Mr. Withrow stated the methods used to take this measurement varies, as do the results; therefore, the method to determine wheelbase size is not very reliable.
- C At the February 19th meeting of the Committee, the Chair stated there were only 27 small cars that caused this problem in the first place.
- C The following vehicles will now be eliminated from the industry: mid-size Cadillacs, Audis, Volvos, some General Motor cars, and the 1990 Ford Buick Century, which was incorrectly reported as passing the new size standards.
- C Measured correctly, many of the cars currently operated by many taxi drivers would no longer be able to enter the taxi industry.
- C High fuel emissions from larger vehicles should have been taken into consideration in this matter.

In closing, Mr. Withrow submitted some photographs of vehicles that will no longer be eligible to enter the taxi industry.

Mayor Kelly thanked Mr. Withrow for his comments, noting the information will be provided to Council as well as the Taxi Committee.

10. REPORTS

10.1 GREATER HALIFAX PARTNERSHIP

10.1.1 Update on Activities/Achievements to Date - Stephen Dempsey (oral)

This item was deferred to a future meeting.

10.2 REGIONAL HERITAGE ADVISORY COMMITTEE

10.2.1 Heritage Case H00036 - Application for the Demolition of 62 Queen Street, Dartmouth NS (A Registered Heritage Property)

C A report from the Regional Heritage Advisory Committee, regarding the above, was before Council for its consideration.

MOVED by Councillor Cunningham, seconded by Councillor Sloane, that Council REJECT the application to demolish 62 Queen Street, Dartmouth, a registered heritage property.

Councillor Cunningham noted that this is a very unique house in Dartmouth situated on block with other heritage properties. The Councillor stated an apartment building built on this site would be completely out of character for the neighbourhood.

Speaking in support of the motion, Councillor Hetherington noted if the property is not sold, it can be demolished in December 2001.

In response to a question of Councillor Sloane, Mr. Kevin Barrett, Planner, explained the terms of the Heritage Property Act with respect to the one year waiting period, noting the Municipality would have to approach the Province for any changes.

Councillor Streach and Deputy Mayor Blumenthal spoke in support of the motion.

Councillor Harvey spoke in support of requesting a review of the Heritage Property Act by the Province, particularly as it relates to municipally registered properties, to strengthen the protection of these properties.

Responding to a question of Councillor Warshick, Mr. Barrett stated this particular property may not be eligible for provincial registration at this time as the application for demolition has already been submitted. However, he noted this is something that could be examined in the future for other properties.

In response to a question of Councillor Sloane regarding a possible streetscape plan, Mr. Barrett stated this is an option but an application still needs to be submitted for this to be considered. The Councillor encouraged the property owners in the area to pursue this opportunity.

MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillor Sloane, seconded by Councillor Hetherington, that staff be requested to prepare a report to address the following:

- a) an approach to potential amendments to the Provincial Heritage Property Act to extend the one year waiting period
- b) how owners can utilize the provincial heritage registration process to protect their properties
- c) information on the HRM heritage registration evaluation process and point system as compared to the provincial process. **MOTION PUT AND PASSED UNANIMOUSLY.**

10.3 CHEBUCTO COMMUNITY COUNCIL

10.3.1 Case 7350 - Request for Amendments to the Halifax MPS and Land Use By-Laws Concerning By-Right Development of Non-Conforming Uses (First Reading and Set Date for Public Hearing - May 1, 2001)

- C A report from the Chebucto Community Council, dated April 10, 2001, regarding the above, was before Council for its consideration.

MOVED by Deputy Mayor Blumenthal, seconded by Councillor Fougere, that Council give First Reading to the proposed amendments to the Halifax Municipal Planning Strategy and the Peninsula and Mainland Halifax Land Use By-Laws, as contained in Appendix A of the staff report dated March 6, 2001, and schedule a Public Hearing for May 1, 2001.

Councillor Cooper expressed concern that the definition of “non-conforming use” was being deleted from the Land Use By-Laws. Mr. Roger Wells, Regional Coordinator, Planning Services, explained that the current definition in the By-Laws was inconsistent with the definition contained in the Municipal Government Act, and that is why it is being deleted. Councillor Cooper suggested the Municipal Government Act definition should be put in the By-Laws in place of the current definition, and put forth the following amendment:

MOVED by Councillor Cooper, seconded by Councillor Goucher, that the motion be amended so that the definition of “non-conforming use” in the Municipal Government Act will be included in the Peninsula and Mainland Halifax Land Use By-Laws. MOTION PUT AND PASSED UNANIMOUSLY.

The vote was then taken on the main motion, as amended.

MOTION PUT AND PASSED UNANIMOUSLY.

10.4 CHIEF ADMINISTRATIVE OFFICER

10.4.1 Tax Exemption for Nursing Homes and Long-Term Care Facilities

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

Councillor Hetherington spoke in support of the staff recommendation, but suggested the following alternative from the staff report should also be included: *The Mayor write a letter to the Minister of Health requesting that property taxes for these institutions be included in the per diem rates as are other facility operating costs. The letter is to be copied to the Premier and local MLAs asking for their support. The timing of such a request coincides with the provincial government's recent announcement of a budget increase for provincial health services.*

MOVED by Councillor Hetherington, seconded by Councillor Warshick, that Council:

- 1. Refer all verbal or written requests regarding tax exemption to the Tax Exemption for Non-Profit Organizations Program (By-Law T-200) and the standard application process;**
- 2. Maintain the current HRM Policy on Tax Exemption for Nursing Homes, January, 1999 whereby all nursing homes and homes for long-term care within HRM are taxed at 100% of the residential rate;**
- 3. Defer any further consideration of taxation of nursing homes or long-term care facilities to the formal review of By-Law T-200. The current by-law is due to expire in March 2002. A staff report will be brought before Council prior to March 2002 with recommendations and proposed policy and procedures.**
- 4. The Mayor write a letter to the Minister of Health requesting that property taxes for these institutions be included in the per diem rates as are other facility operating costs. The letter is to be copied to the Premier and local MLAs asking for their support. The timing of such a request coincides with the provincial government's recent announcement of a budget increase for provincial health services.**

Councillor Fougere expressed concern that any increase in the per diem rate will also increase the fee charged to private pay residents of these long-term care facilities. Councillor Hetherington stated if the Province picked up the cost of the property tax, the rate would not have to be increased.

MOTION PUT AND PASSED UNANIMOUSLY.

10.4.2 Requirement for Criminal Record Reports for Taxi License Renewals

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

Mr. Peter James, Regional Coordinator, By-Law Enforcement, presented the staff report which recommended that Council not proceed with First Reading and the formal process of amending the Taxi and Limousine By-Law to permit the filing of a statutory declaration in lieu of a criminal records report from a police agency on the renewal of drivers' licenses.

Councillor Adams stated he did not support the staff recommendation, and put forth the following motion:

MOVED by Councillor Adams, seconded by Councillor Mosher, that Council proceed with First Reading and the formal process of amending the Taxi and Limousine By-Law to permit the filing of a statutory declaration in lieu of a criminal records report from a police agency on the renewal of drivers' licenses.

Councillors speaking in support of the motion made the following comments:

- C There is a discrepancy in the fee charged for the criminal records check between HRM Police Services and the RCMP.
- C Of 1,100 criminal records checks conducted, only four contained reasons for suspensions.
- C The statutory declaration would give a level of comfort to the public.
- C Other organizations do not require annual checks.

Councillors speaking against the motion made the following comments:

- C Many parents use taxis for their children and safety is an issue.
- C The fee could be pro-rated after a certain number of years.
- C The cost of the criminal records check is not significant.
- C The practice of paying an annual fee for something is a common practice in other occupations.
- C The de-regulation of the taxi industry should be examined in the future.
- C A number of organizations require a similar criminal records check.
- C The issue of background checks is a matter of due diligence on part of the Municipality.

MOTION PUT AND DEFEATED.

**10.4.3 First Reading By-Law T-117 Respecting the Regulation of Taxis and Limousines (Advance Taxi Fares)
Motion - Councillor Adams - Move First Reading**

- C A report from the Taxi and Limousine Committee, regarding the above, was before Council for its consideration.
- C An Information Report prepared by Wayne Anstey, Municipal Solicitor, regarding the above, was before Council for its information.

MOVED by Councillor Adams, seconded by Councillor Johns, that Halifax Regional Council approve, in principle, By-Law T-117, attached as Schedule "A" to the Committee report dated March 27, 2001, and instruct staff to arrange for its formal introduction before Regional Council for adoption. MOTION PUT AND DEFEATED.

**10.4.4 First Reading By-Law S-103 An Amendment to S-100 Respecting Sewer Charges
Motion - Councillor Uteck - Move First Reading**

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

MOVED by Councillor Uteck, seconded by Councilor Hetherington, that Council give First Reading to By-Law S-103 An Amendment to By-Law S-100 Respecting Sewer Charges. MOTION PUT AND PASSED UNANIMOUSLY.

10.4.5 Halifax-Mexico Community Alliance - Relationship with Halifax Regional Council

- C A staff report prepared for K. R. Meech, Chief Administrative Officer, regarding the above, was before Council for its consideration.

MOVED by Councillor Rankin, seconded by Councillor Cunningham, that Council commend and support this unique community alliance and recognize the volunteer work and spirit which has forged strong ties between our community and the Campeche Region of Mexico for the benefit of both communities. Further, that HRM continue to consult with the Alliance in all activities focussed on Mexico, and seek out the Alliance's advice and support its efforts in all future education, cultural and business relations with the Campeche Region of Mexico.

Responding to a question of Councillor Walker, Mr. Meech stated this matter was discussed with the Greater Halifax Partnership, and it was decided that this was the best approach for Council to deal with this issue. With respect to the membership of this Committee, Mr. Meech advised that HRM is not involved in the appointments to this Committee as it is not an HRM committee.

Mayor Kelly clarified the motion is to support the Committee in its initiative and approach, but it does not involve any financial commitment at this time. Mr. Meech added that any specific commitment requests would be brought back to Council on an individual basis.

Some Councillors expressed concern with the motion of support. Others noted that this project is no different than other twinning relationships, such as that between HRM and Hakodate, Japan.

MOTION PUT AND PASSED.

10.5 MEMBERS OF COUNCIL

10.5.1 Councillor Mosher:

i) Sewage Treatment Plant Options

Councillor Mosher requested a staff report regarding an assessment of solar aquatics and living machine technologies as sewage treatment plant options, specifically applied to the Halifax Harbour Solutions Project. The Councillor noted the Halifax Harbour Solutions Committee has determined that this is not an applicable system and are pursuing a forced sewage treatment plant option. The Committee, through a series of public consultations, has determined that a phased series of smaller treatment plants would provide the most environmentally friendly and cost effective solution, based on environmental studies and ocean modelling exercises.

As a follow up to last week's meeting and a conversation the Councillor had with the Halifax Director of the Sierra Club, she asked that staff address the comments in the Sierra's Club handouts, which Councillor Mosher stated she believes to be very misleading. The Councillor referred to correspondence from the Sierra Club dated March 15, 2001, and asked that the staff report address the following:

- C why a P3 proposal was chosen
- C the comment in the Sierra correspondence that "only a natural tertiary treatment can substantially lower total suspended solids, fecal coliform counts, oxygen demand, and heavy metals" and why HRM has chosen advanced primary
- C HRM's future plans for treating rainwater
- C why HRM is not looking at the option of solar aquatics

- C examine some of the current solar aquatics systems listed in the handout from the students of the Dalhousie School of Architecture, and to address the land mass problem and why it would not be feasible for the Harbour Solutions Project
- C how the team evaluated the option for the Halifax Harbour and how the alternative of four plant solutions was selected
- C the future implementation of higher levels of treatment, separation of storm water and sewage collection, and further treatment of outflows
- C what types of subdivisions could use solar aquatics

Councillor Mosher stated the Harbour Solutions Project is very important to HRM, and expressed concern with misleading information being provided to the public. The Councillor suggested HRM should work with the Sierra Club, and similar organizations, to ensure the public has all the proper information and that this important project is completed.

MOVED by Councillor Mosher, seconded by Councillor Adams, that this matter be referred to staff for a report.

Councillor Johns requested that background information regarding the Sierra Club, whether or not they are a non-profit organization, and what kind of fund raising are the currently involved with, be addressed in the staff report.

MOTION PUT AND PASSED UNANIMOUSLY.

ii) NSP and Tree Trimming

Councillor Mosher requested a staff report regarding NSP and tree trimming to new CSA standards around power lines, and whether or not HRM and NSP plan to address this issue, and is there a plan to correct this. A copy of the Councillor's comments was submitted for the record.

MOVED by Councillor Mosher, seconded by Councillor Uteck, that this matter be referred to staff for a report. MOTION PUT AND PASSED UNANIMOUSLY.

10.5.2 Councillor Walker - Request to move Info Item #3 (March 27th) to Regular Council agenda for Discussion

- C An Information Report prepared for Kulvinder Dhillon, Director, Public Works and Transportation Services, was before Council for its consideration.

Councillor Walker stated he would like to have the Municipality pay the costs of a plumber if a problem in the service connection is determined to be the fault of HRM. The Councillor

noted the funding for this would come from the waste water bill. Later in the meeting, Councillor Walker gave a Notice of Motion with respect to this issue.

11. MOTIONS - NONE

12. ADDED ITEMS

12.1 Deputy Mayor Blumenthal - Trees, Property Damage

With the use of photographs, Deputy Mayor Blumenthal illustrated some property damage caused by fallen trees during the recent ice storm. The Deputy Mayor noted one property damage situation involved a tree that is 49 percent on HRM property, and 51 percent on the homeowner's property. Therefore, the Municipality will not bear any responsibility for removal of the tree, which is estimated at a cost of over \$1,000. Deputy Mayor Blumenthal requested a staff report explaining why the cost would not be shared 50/50 between HRM and the property owners in these situations.

MOVED by Deputy Mayor Blumenthal, seconded by Councillor Sloane, that this matter be referred to staff for a report. MOTION PUT AND PASSED UNANIMOUSLY.

12.2 Councillor Warshick - Letter of Congratulations

This item was deleted from the agenda during Approval of the Order of Business.

12.3 Cell #3 - Otter Lake

C This item was before Committee of the Whole on April 5, 2001, and was now before Council for ratification.

MOVED by Councillor Rankin, seconded by Councillor Meade, that, as recommended by Committee of the Whole, the portion of the Capital Budget that pertains to the construction of Cell #3 at Otter Lake be approved by Council in advance of the overall Capital Budget for 2001-2002, in order to avoid added expense if the construction start date is delayed. MOTION PUT AND PASSED UNANIMOUSLY.

12.4 Moving Forward - Management of C & D Materials

C This item was before Committee of the Whole on April 10, 2001, and was now before Council for ratification.

MOVED by Councillor Rankin, seconded by Councillor Hines, that whereas the proposal from staff and the SWRAC concerns a License By-Law which will deal with the transfer and process of construction and demolition debris.

Be it resolved that Council agrees to:

- 1) separate the process to enable a License By-Law to be put in place while the planning policies are being refined and further to direct staff to enable a License By-Law to be put in place within 30-60 days;
- 2) the new License By-Law will enable the three existing operations and current sites to be issued a license for transfer and processing of construction and demolition debris;
- 3) and during the License By-Law process the next step is to work together to develop the appropriate land use policies and criteria for implementation and have these policies and criteria adopted in the Municipal Planning Strategies for HRM.

Councillor Walker stated he did not believe Recommendation #3 was necessary. In response, Councillor Rankin stated its purpose is to reaffirm Council's motion of November 2000 and to move forward.

MOTION PUT AND PASSED.

12.5 Property Matter - Sale of Municipal Land Adjacent to Indian Lake Golf Course in Goodwood - Purchase and Sale agreement

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

MOVED by Councillor Meade, seconded by Councillor Fougere, that:

1. Council authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale whereby approximately 24 acres of Halifax Regional Municipality land located east from the present Indian Lake Golf Course in Goodwood as generally shown on Attachment "A" of the March 28, 2001 staff report, be conveyed to Indian Lake Golf Course Incorporated for the amount of \$1,000.00 per acre, and any additional taxes and adjustments that may be applicable at the Closing Date, for the purpose of accommodating the

expansion of the existing golf course operation. The price will be prepaid to the Municipality in the form of cash payment or, if accepted by municipal staff, a portion of the purchase price as set out in the report may be paid in the form of site improvements to the adjacent municipal lands.

2. The Closing of the Agreement of Purchase and Sale be conditional upon the restoring of the character of the disturbed municipal land located near the intersection of Old St. Margaret's Bay Road and Old Coach Road and an area located between the property of 165 Old Coach Road and Big Indian Lake in Goodwood Community according to the terms and conditions set out in Attachment "C" of the March 28, 2001.
3. This report not be released.

MOTION PUT AND PASSED.

12.6 Data/records Management System - Tonnage Figures at Otter Lake

This was addressed under Item 8.2.

13. NOTICES OF MOTION

13.1 Councillor Rankin - First Reading By-Law L-200

TAKE NOTICE that at the regular meeting of Regional Council to be held on Tuesday, April 24, 2001, I propose to introduce for First Reading, By-Law L-200, Respecting Licensing of Construction and Demolition Debris Recycling and Disposal Operations.

13.2 Councillor Walker - Cost of Plumber

TAKE NOTICE that at the next regular meeting of Regional Council to be held on Tuesday, April 17, 2001, I intend to introduce a motion to have the cost of a plumber and cost of a video analysis paid for by HRM if they are held responsible for the blockage. The funds are to be acquired from the waste water portion of the water bill.

13.3 Councillor Walker - First Reading By-Law T-206

TAKE NOTICE that at the regular meeting of Regional Council to be held on Tuesday, April 24, 2001, I propose to introduce for First Reading By-Law T-206 New Applications/Status Changes to By-Law T-200: Tax Exemption for Non-Profit Organizations 2001-2002, the

purpose of which is to add/delete organizations and to make administrative corrections to the by-law.

14. ADJOURNMENT

MOVED by Councillor Hetherington, seconded by Deputy Mayor Blumenthal, that the meeting adjourn at 9:00 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

Vi Carmichael
Municipal Clerk