

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES May 8, 2001

PRESENT:

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

REGRETS:

Councillors: Harry McInroy
Bruce Hetherington
Sue Uteck
Stephen D. Adams

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

Acknowledgment

On behalf of Council, Mayor Kelly extended birthday wishes to former Mayor Walter Fitzgerald and former Councillor Graham Downey.

2. **PROCLAMATIONS**

2.1 **Falun Dafa Day - May 13, 2001**

May 13, 2001 was proclaimed to be Falun Dafa Day.

2.2 **Fibromyalgia Awareness Day - May 12**

May 12, 2001 was proclaimed to be Fibromyalgia Awareness Day.

2.3 **Salvation Army Red Shield Month - May 2001**

The month of May 2001 was proclaimed to be Salvation Army Red Shield Month.

3. **APPROVAL OF MINUTES - April 24, 2001**

MOVED by Deputy Mayor Blumenthal, seconded by Councillor Fougere, that the minutes of April 24, 2001, be approved, as circulated. MOTION PUT AND PASSED UNANIMOUSLY.

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

The following item was added to the agenda:

12.1 Proposed Townhouse Development - Memorial Drive

The following items were deferred:

9.3.2 Presentation - Conseil scolaire acadien provincial (CSAP) Supplementary Education Funding

10.3.8 Cat By-Law

Councillor Streach requested that Item 10.3.9 Pesticide By-Law - Formalize Designation of Inspector be deferred to next week as Councillors Adams and Hetherington were not present.

MOVED by Councillor Streach, seconded by Deputy Mayor Blumenthal, that Item 10.3.9 Pesticide By-Law - Formalize Designation of Inspector be deferred to next week. MOTION PUT AND PASSED.

Councillor Goucher requested the following item be brought forward to the Regular Agenda for the May 15th meeting:

- C Information Item #3 - Memorandum from Director, Public Works and Transportation Services dated April 30, 2001 re: CN Train Whistle Elimination - Shore Drive Area

Councillor Goucher inquired about the status of an item on the Status Sheet regarding deed transfer tax and parkland. Mr. Meech agreed to look into this matter and have something brought forward shortly. The Councillor requested that it be put on next week's agenda.

5. BUSINESS ARISING OUT OF THE MINUTES

6. MOTIONS OF RECONSIDERATION - NONE

7. MOTIONS OF RESCISSION - NONE

8. CONSIDERATION OF DEFERRED BUSINESS

**8.1 Administrative Order SC-25 Respecting Closure of a Portion of Kearney Lake Road (deferred May 1)
Motion - Councillor Whalen**

MOVED by Councillor Whalen, seconded by Councillor Walker, that Council adopt Administrative Order SC-25 Respecting Closure of a Portion of Kearney Lake Road. MOTION PUT AND PASSED UNANIMOUSLY.

9. CORRESPONDENCE, PETITIONS & DELEGATIONS

9.1 Correspondence

9.1.1 Request from Voluntary Planning Task Force on Non-Resident Land Ownership

- C A memorandum from K. R. Meech, Chief Administrative Officer, to Mayor Kelly and

Members of Council, regarding the above, was before Council for its consideration.

Mr. Ken Meech, Chief Administrative Officer, advised Council that a number of hearings will be held from April 30th to May 17th, at the request of the Provincial Government, on the issue of non-resident land ownership. Mr. Meech stated the item was before Council to determine whether or not it would like a presentation prepared and presented to the panel.

MOVED by Councillor Goucher, seconded by Councillor Sloane, that staff put together a package and presentation, on behalf of HRM, to forward to the Voluntary Planning Task Force on Non-Resident Land Ownership.

Councillor Cunningham stated there should be some further discussion as to what position Council will take on this matter, and suggested the matter should be referred to May 15, 2001 Committee of the Whole meeting.

MOVED by Councillor Cunningham, seconded by Councillor Sarto, that this matter be referred to the May 15, 2001 Committee of the Whole meeting. MOTION PUT AND PASSED UNANIMOUSLY.

9.2 Petitions

9.2.1 Councillor Sarto - Collins Grove Playground

Councillor Sarto served a petition containing approximately 82 signatures of residents in support of a playground for the area bordering 73-81 Collins Grove, Dartmouth.

9.2.2 Councillor Johns - Connection to HRM water supply for Beaver Bank Windsor Junction Cross Road

Councillor Johns served a petition containing approximately 17 signatures of residents requesting a connection and hook up to the HRM water supply, which would include the area known as Beaver Bank Windsor Junction Cross Road.

9.2.3 Councillor Streach - Correspondence re: Guinness Book of World Records

Councillor Streach read correspondence regarding a terminally ill child who is attempting to get into the Guinness Book of World Records for receiving the largest number of business cards. The Councillor encouraged his fellow Councillors and any one else to send their business cards to: Craig Sheppard, c/o Make a Wish Foundation, 320 Perimeter Center East, Atlanta, Georgia 30346.

9.3 Presentations

9.3.1 Taxi Commission - Darshan Virk

Mr. Darshan Virk made a presentation to Council regarding the Taxi and Limousine Committee. A copy of his presentation was submitted for the record. Mr. Virk requested that he be permitted to make a further presentation as he did not believe five minutes was sufficient time.

Responding to a question of Councillor Johns, Mr. Virk stated he has not met with the Chair of the Taxi and Limousine Committee since receiving a letter from him requesting such a meeting. Councillor Johns suggested arranging that meeting would be the proper avenue to follow at this time. Councillor Mosher agreed that Mr. Virk should respond to the letter from the Chair, sent over a month ago, in hopes to reach a joint solution to the problems.

Mayor Kelly thanked Mr. Virk for his presentation and encouraged him to follow up on the suggestion to arrange a meeting with the Chair of the Taxi and Limousine Committee.

Responding to a question of Councillor Warshick, Mr. Peter James, Regional Coordinator, By-Law Enforcement noted that a staff report will be brought forward within two months regarding taxi issues previously raised, including dispatch. Councillor Streach requested that this report also include comment regarding deregulation of the taxi industry in HRM.

9.3.2 Conseil scolaire acadien provincial (CSAP) Supplementary Education Funding

- i) Claude Renaud**
- ii) Janine Saulnier**

This item was deferred during Approval of the Order of Business.

10. REPORTS

10.1 GRANT COMMITTEE

10.1.1 Capital Pledges Program - Art Gallery of NS

C A report from the Grant Committee, regarding the above, was before Council for its consideration. The report recommended that Council approve a capital pledge in the amount of \$250,000 from the HRM Capital Pledges Program, to be paid from the retirement of current commitments. The payment shall be in two installments of \$130,000 in 2002-2003 and \$120,000 in 2003-2004.

Ms. Peta-Jane Temple, Grant Program Coordinator, presented the report to Council.

MOVED by Councillor Sloane, seconded by Councillor Walker, that Council approve a capital pledge in the amount of \$250,000 from the HRM Capital Pledges Program, to be paid from the retirement of current commitments. The payment shall be in two installments of \$130,000 in 2002-2003 and \$120,000 in 2003-2004.

In discussion of this issue, Mr. Meech advised Council that the Multi-Year Financial Strategy does not permit Council to make future financial commitments. He suggested the staff recommendation should be reworded to indicate it would be the Grant Committee's intention to recommend future funding in the next fiscal year.

Mayor Kelly noted the normal process to deal with an issue such as this would be to refer it to Financial Services staff for a report.

MOVED by Councillor Sloane, seconded by Councillor Warshick, that this matter be referred to Financial Services staff for a report. MOTION PUT AND PASSED.

10.2 REGIONAL HERITAGE ADVISORY COMMITTEE

10.2.1 Case 00299 Approval of Substantial Alterations to a Municipally Registered Heritage Property/Application for a Development Agreement to Permit a Commercial Recreation Use at 991 Beaver Bank Windsor Junction Cross Road:

Council dealt with 10.2.1 ii) and 10.2.1 iii) before addressing 10.2.1 i).

ii) Report from North West Community Council re: Substantial Alterations

C A report from the North West Community Council, which recommended that Council approve the substantial alterations to a municipally registered heritage property; in particular, permit the alteration of the property to a miniature golf course and associated uses, was before Council for its consideration.

MOVED by Councillor Johns, seconded by Councillor Meade, that Council approve the substantial alterations to a municipally registered heritage property; in particular, permit the alteration of the property to a miniature golf course and associated uses.

In response to a question of Councillor Sloane, Mr. Austin French, Regional Coordinator, Planning and Development Services, stated this type of change to a heritage property, brought through the development agreement process, is reviewed by staff and the Heritage

Advisory Committee, and the decision is made by Regional Council. Mr. French advised Council that the development agreement has already been approved by the North West Community Council, subject to approval of Council of the substantial alteration.

Councillors Harvey, Johns and Fougere spoke in support of the motion, stating the alterations will likely enhance this property.

Closing the debate, Deputy Mayor Blumenthal reiterated that he was still not in favour of the study if it was specific to Metro Transit and not a transportation strategy.

MOTION PUT AND PASSED.

iii) Report from North West Community Council - Traffic Concerns - Intersection of Beaver Bank Road and Beaver Bank Windsor Junction Cross Road

C A report from the North West Community Council, regarding the above, was before Council for its consideration.

MOVED by Councillor Johns, seconded by Councillor Goucher, that Council be advised of the public's concerns with the intersection of Beaver Bank Road and Beaver Bank Windsor Junction Cross Road and highlight Section (e), Page 6 of the staff report dated March 19, 2001. Further, that Regional Council request Traffic Authority to provide a report on this issue. MOTION PUT AND PASSED UNANIMOUSLY.

i) Report from Regional Heritage Advisory Committee re: Development Agreement

C A report from the Regional Heritage Advisory Committee, which recommended that Council approve the Development Agreement and the inclusion of a phrase that if an extension to the development agreement is granted, the public process will be renewed, was before Council for its consideration.

Councillor Johns stated this is a subsection of Item 10.2.1 (ii), and the recommendation from Planning and Development Services took the Heritage Advisory Committee's recommendation into consideration in its recommendation regarding the substantial alterations.

MOVED by Councillor Johns, seconded by Councillor Fougere, that Council approve the development agreement and the inclusion of the phrase that if an extension to the development agreement is granted, the public process will be renewed.

Councillor Johns stated staff have advised him that this recommendation should be defeated as it is worded, as it has already gone through public participation with PAC and North West Community Council. If this motion was adopted, and if there were any changes, the process would have to recommence from the beginning. The Councillor stated staff has requested that any changes requested by the developer should be dealt with through Development Services.

Councillor Harvey noted the phrase “and the inclusion of the phrase that if an extension to the development agreement is granted, the public process will be renewed” is now the subject of a staff report being prepared for Council as a result of a separate request last week by the Heritage Advisory Committee. The Councillor suggested Council should wait until the staff report is received before making any decision on this matter. With regards to the first part of the Heritage Advisory Committee recommendation, Councillor Harvey stated this was taken into account in the previous item.

Mr. Wayne Anstey, Municipal Solicitor, advised Council that the development agreement comes under the jurisdiction of the Community Council, not Regional Council. Therefore, it is his understanding that the Community Council has already approved the development agreement, subject only to the approval of the substantial alteration. Mr. Anstey stated it appears that everything that has to be done with respect to this issue, and recommended that the motion be withdrawn. Both the Mover and Secunder of the motion agreed to Mr. Anstey’s suggestion.

MOTION WITHDRAWN.

Councillor Fougere stated the concern of the Heritage Advisory Committee is with respect to other development agreements that have been extended, and the terminology “substantially in conformance” being taken quite liberally which seriously affects the heritage integrity. The Councillor noted a similar report has been requested by the Chebucto Community Council, as this matter is a serious concern of the heritage community.

10.3 CHIEF ADMINISTRATIVE OFFICER

10.3.1 Tender for Traffic Paint - Joint Tender with Province of Nova Scotia

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

MOVED by Councillor Mosher, seconded by Councillor Sarto, that Council award Tender #60087794 for traffic paint to Laurentide Atlantic Ltd. for a total tender price of \$57,508.00 plus net HST.

Councillor Cunningham requested that the painting process be expedited for safety reasons.

Deputy Mayor Blumenthal stated he hoped that the streets will be repaired before they are painted. Mr. Kulvinder Dhillon, Director, Public Works and Transportation Services, stated some will have to be painted beforehand for safety reasons, but there will be coordination between repairing and painting.

MOTION PUT AND PASSED UNANIMOUSLY.

10.3.2 Tender 01-204 St. Michael's Avenue to McIntosh Run - Sanitary Sewer

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

MOVED by Councillor Mosher, seconded by Councillor Walker, that Council:

- 1. Approve an increase of \$86,165.00 in Account CGR00493, Easement - St. Michael's to Pinegrove - Sanitary Sewer, with funding from the Sewer Redevelopment Reserve.**
- 2. Award Tender No. 01-204, St. Michael's Avenue to McIntosh Run - Sanitary Sewer, Halifax, to A.C.L. Construction for materials and services listed at the unit prices quoted for a Tender Price of \$518,585.00 plus net HST and an allowance of 10 percent for contingencies for a Total Project Cost of \$607,117.00, with funding authorized as per the Budget Implications Section of the staff report dated April 24, 2001.**

Responding to a question of Councillor Hines regarding contingencies, Mr. Rick Paynter, Manager of Design and Construction Services, stated the contingency allowance in all capital works expenditures is to accommodate the budget requirements for quality control materials testing and to accommodate any extensions or unforeseen items that are encountered in the field during construction. Mr. Paynter noted an additional report on this issue is forthcoming to Council in the near future.

In response to a further question of the Councillor, Mr. Paynter stated quality control and materials testing is a service HRM provides as part of the implementation of the capital works program.

Mr. Paynter responded to questions of clarification from Councillors Smith and Warshick and Deputy Mayor Blumenthal.

MOTION PUT AND PASSED UNANIMOUSLY.

10.3.3 Tender 01-216 Sidewalk Renewals - Western Region

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

MOVED by Councillor Fougere, seconded by Deputy Mayor Blumenthal, that Council award Tender No. 01-216 Sidewalk Renewals - Western Region to Ocean Contractors Limited for materials and services listed at the unit prices quoted for a Tender Price of \$157,120.00 plus net HST and an allowance of 10% contingencies for a Total Project Cost of \$183,943.37, with funding authorized as per the Budget Implications Section of the staff report dated April 26, 2001.

Deputy Mayor Blumenthal expressed concern regarding the sodding work done on Novalea Drive. The Deputy Mayor noted the sidewalk was done on this street two years ago and the sodding has still not been repaired. In response, Mr. Paynter stated he would follow up on this matter with staff.

MOTION PUT AND PASSED UNANIMOUSLY.

10.3.4 Tender 00-387 Royal Mast Way (East Side) - New Sidewalk, Bedford

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

Councillor Goucher stated this sidewalk passes in front of some residences on Royal Mast Way, which are on a reduced frontage. On a few of these homes, the sidewalk is impeding the ability for people to park their cars in front of their homes because they would be halfway into the sidewalk. A meeting of the involved parties was held in the fall to address this particular concern. It was agreed at that time that the driveways of these four or five homes directly affected would be aligned and the forthcoming contract would include a realignment charge, through an area rate. Councillor Goucher stated he did not want this contract delayed any further, and put forth the following motion:

MOVED by Councillor Goucher, seconded by Councillor Walker, that Halifax Regional Council:

- 1. Approve the recovery of Local Improvement charges for the new concrete sidewalk on Royal Mast Way in Bedford, by an amount of \$26,086.00 to be applied to the general area rate of District 21.**

2. **Award Tender No. 00-387, Royal Mast Way (East Side) New Sidewalk Bedford, to Northstar Construction Ltd., for materials and services specified at the unit prices quoted for a Tender Price of \$54,226.51 plus net HST plus 10 percent contingencies for a Total Project Cost of \$63,483.00 with funding provided as outlined in the Budget Implications Section of the staff report dated April 27, 2001.**
3. **The cost for driveway realignments be included in the Local Improvement Charges as they are incurred. MOTION PUT AND PASSED UNANIMOUSLY.**

10.3.5 Tender 2001-024 Cole Harbour/East Dartmouth Skateboard Facility

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

MOVED by Councillor Cooper, seconded by Councillor Sarto, that:

1. **Council award Tender #2001-024 - Cole Harbour/East Dartmouth Skateboard Facility to Force Construction Ltd., for materials and services specified at the unit prices quoted for a tender price of \$82,981.91 including applicable taxes, plus a 10 percent contingency for a total amount of \$91,280.10 as presented in the budget implications section of the staff report dated May 8, 2001.**
2. **Council authorize the transfer of funds in the amount of \$25,000 from Account #CRESPOOL to Account #CPC00682 Skateboarding Facilities.**

Councillor Smith spoke in support of the motion, stating he hopes a similar facility will be built in District 9 in the future. Also speaking in support of the motion, Councillor Warshick stated he hopes a staff report will be done after this facility is completed to see if this is something HRM wants to explore in other areas.

MOTION PUT AND PASSED UNANIMOUSLY.

10.3.6 Proposal 01-027 Metro Transit Strategy

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

MOVED by Councillor Fougere, seconded by Councillor Goucher, that Regional Council authorize the award of Proposal #01-027 for consulting services in connection with the preparation of a Metro Transit Strategy to IBI Group in the

amount of \$92,945.00 plus H.S.T.

Deputy Mayor Blumenthal stated he would not support the study unless it was for a total strategy for transportation and not just transit. The Deputy Mayor questioned why consultants were needed for a study on Metro Transit. In response, Mr. Ken Silver, Planning and Development Coordinator for Metro Transit, stated this study will provide background material for the regional planning work on transportation.

Speaking in support of the study, Councillor Rankin stated no extra money has been spent on transit since amalgamation, yet the Municipality has experienced substantial growth. The Councillor stated that the study should translate into enforceable policies resulting in an equitable level of service.

Also speaking in support of the motion, Councillor Fougere stated Metro Transit staff are fully occupied with the day to day operations of the service. The Councillor stated it is money well spent to focus on the initiatives for transit in the future, and the report clearly states that issues to be addressed will ensure that public transit service is successfully integrated into the upcoming regional planning exercise.

Councillor Sarto stated he views this study as an integral part of the overall transportation system in the core area and beyond.

Responding to a question of Councillor Streach, Mr. Silver stated public input will be sought through a variety of means, and he assured that the consultants will be made aware that a component of this will be with respect to the rural areas. Mr. Meech clarified that this does not mean the rural areas will be solicited with respect to expanding the service. The study is intended to address the existing system and possible improvements. Councillor Streach stated he was only suggesting that alternatives and ways to help those in the rural areas be sought.

Councillor Warshick requested that, in future, a breakdown of the points used in the scoring system be included in the staff reports to Council.

Councillor Smith suggested that the consultants should be made aware of the existence of the Metropolitan Chamber of Commerce Task Force on Transportation.

Speaking in support of the motion, Councillor Colwell stated he hopes Park & Ride facilities will be addressed in the study. In response, Mr. Silver stated the concept of Park & Rides will be considered, but he noted this is a high level study and specific locations will not necessarily be addressed.

Mr. Meech stated the purpose of the study is to obtain an objective view of transit as there may

be alternate ways to provide some level of service to the rural areas. He noted that the funding for this study was included in the budget approved for this fiscal year.

MOTION PUT AND PASSED.

10.3.7 Appointment of Development Officer

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

MOVED by Councillor Cooper, seconded by Councillor Sloane, that Regional Council appoint Sean Audas as a Development Officer for the Halifax Regional Municipality as required by Chapter VIII, Section 243 (1) of the Municipal Government Act. MOTION PUT AND PASSED UNANIMOUSLY.

10.3.8 Cat By-Law

This item was deferred during Approval of the Order of Business.

10.3.9 Pesticide By-Law - Formalize Designation of Inspector

This item was deferred to May 15th during the Approval of the Order of Business.

10.3.10 Repairs to Fire Station #11 - Patton Road

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

MOVED by Councillor Johns, seconded by Councillor Streach, that Council approve the use of a total of \$28,000 from accounts CBF00040 Herring Cove Road Station #6 Repairs and CBF00042 Bayers Road Station #5 Repairs for repairs to Station #11 Patton Road. MOTION PUT AND PASSED UNANIMOUSLY.

10.4 MEMBERS OF COUNCIL

10.4.1 Councillor Hines - Fees for Gymnasium Rental at Lockview High School

Councillor Hines stated this is an issue arising as a result of P3 schools and the putting of the use of the facilities in the private sector. As a result, the P3 school in District 2, Lockview High, as well as other P3 schools throughout HRM have set different standards regarding the use of their gymnasium facilities. The Councillor noted there is a basketball program,

involving over 200 children, that would be charged \$40 per hour to use the P3 facility. Councillor Hines noted he is working with a developer who is willing to support the Fall River Basketball Program, and stated he would like to see the same community spirit extended by Scotia Learning. Therefore, the Councillor put forth the following motion:

MOVED by Councillor Hines, seconded by Councillor Warshick, that the Mayor, with Council's support, send a letter to Scotia Learning, the owner of the P3 School, Lockview High, and request a resolution to this problem, which severely affects the youth basketball association in Fall River, and request that they come forth with an offer to greatly reduce gym rentals.

Councillor Rankin spoke in support of the motion, and suggested the examination should be widened as there are a number of P3 schools. The Councillor suggested that Council has an obligation to examine an issue of equitable access, noting this would involve public, community and P3 schools. Councillor Rankin stated the issue that should be addressed is equitable access throughout HRM, and asked that this be addressed in a staff report.

Also speaking in support of the motion, Councillor Johns noted many community groups, such as Boy Scouts, are forced to use their fund raising money to pay for these facility rentals rather than programming.

Councillor Goucher noted he has communicated with the various parties involved in this issue. The Councillor stated most of the P3 schools have double gyms, and the fee of \$40 is for the double gym, and a single gym is \$20. Included in this charge is the cost of a door monitor and custodian. Councillor Goucher stated that the fee being charged by Scotia Learning is below the actual cost. Although he supported equal access, the Councillor noted the matter involves the private sector, and he questioned how HRM could request them to provide the service at a loss. Councillor Goucher suggested this may be something to be discussed with Scotia Learning and the Halifax Regional School Board so the playing level could be addressed. The Councillor noted the P3 school in Bedford is booked solid for gymnasium use. Councillor Goucher stated the School Board does the actual booking for the P3 schools at a set fee. The Councillor suggested more parties should be brought into this issue, other than Scotia Learning, such as the School Board and the Province of Nova Scotia.

Based on the discussion, Councillor Hines agreed to refer the matter to staff for a report.

MOVED by Councillor Hines, seconded by Councillor Warshick, that the matter be referred to staff for a report regarding the approach Council needs to take with respect to this issue, and the parties that need to be involved.

Councillor Whalen noted that Scotia Learning is the owner for all P3 schools in HRM. The Councillor stated it is her understanding that the P3 school in Clayton Park West allocates a certain period of time each week for community groups at no cost. Councillor Whalen noted

there is a scouts/cub group that is charged \$800 per year to use a public school gym, which is not an insignificant amount.

MOTION PUT AND PASSED UNANIMOUSLY.

10.4.2 Deputy Mayor Blumenthal - Transit Shelters

Deputy Mayor Blumenthal stated residents have expressed concerns to him regarding vandalism at bus shelters across HRM. The Deputy Mayor requested a staff report with respect to the different types of bus shelters that can be constructed throughout the Municipality.

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

Councillor Sloane expressed concern with the problem of spray painting on the shelters. The Councillor noted there appears to be a problem with graffiti across the Municipality, and asked if it would be possible to have a report on this as well. In response, Mayor Kelly noted this issue had been raised in the past, and there will be a follow up this year in terms of last year's campaign. However, he suggested the issue could be expanded upon in this report if the mover of the motion agreed. Deputy Mayor Blumenthal agreed it could be added, but noted this report is with respect to bus issues.

Councillor Sloane also inquired if the report could address the issue of security at bus shelters and the possibility of using security cameras.

Councillor Goucher expressed concern with the vandalism at bus shelters occurring to the level that the bus shelter is removed. The Councillor suggested there must be some better method to prevent this vandalism.

Closing the debate, Deputy Mayor Blumenthal reiterated that something needs to be done to address the vandalism issue, particularly at bus stops due to their need, particularly during the winter months.

MOTION PUT AND PASSED UNANIMOUSLY.

10.4.3 Councillor Rankin - Reserve Lands in Hammonds Plains

Councillor Rankin advised Council that there is currently an application before the Department of Indian and Northern Affairs for certain lands in the Hammonds Plains area to be converted to reserve lands under the Indian Act. The lands are currently owned by the Department of National Defence.

Councillor Rankin noted it has been reported in the newspaper that the applicant, Indian Brook Reserve, is contemplating, at least in part, commercial development on this site. The Councillor stated he has some concerns, stating the MPS process was aimed to curb growth on the existing lands. Councillor Rankin stated HRM is now in a position to regulate growth. The Councillor stated it has come to his attention that there has been a commercial development, with the status of reserve, near Truro. This commercial development advertises that there would be no business occupancy tax, a 24 hour opening and it would be free of municipal planning controls and restrictions on hours of operation.

Councillor Rankin stated he does not reject the concept of a reserve, at this point; however, this would have an impact on traffic, Sunday shopping, etc. The Councillor suggested Indian Affairs should stay the application, relative to conversion of lands to reserve. Councillor Rankin stated it is his understanding comment from the Municipality is invited, and, therefore, requested that staff bring forward a report as soon as possible, taking into account these concerns.

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

Speaking in support of the motion, Councillor Hines suggested it would also be appropriate for staff to determine, if possible, if it is the intent, if a reserve is established, to observe the taxation laws of the Municipality and contribute its fair share. The Councillor stated he would like to have this addressed in the staff report before any recommendation is made regarding the establishment of a reserve.

Also speaking in support of the motion, Councillor Goucher suggested, if these lands are converted, that it be done in conformance with the MPS of the area. The Councillor stated this is a main concern for him and asked that it be addressed in the report.

Closing the debate, Councillor Rankin stated he is not opposed to commercial development initiatives, but stated there is a time and place. The Councillor stated these lands are located within the community and it is incumbent upon Council to register its concerns. Councillor Rankin stated Indian Affairs has the obligation to take into consideration the wider public interest, and asked that Mr. Geoff Regan, MP, be sent a letter requesting that his office intercede, particularly with respect to the stay of application until a report can be sent to them.

MOTION PUT AND PASSED UNANIMOUSLY.

11. MOTIONS - NONE

12. ADDED ITEMS

12.1 Proposed Townhouse Development - Memorial Drive

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

MOVED by Deputy Mayor Blumenthal, seconded by Councillor Sloane, that Halifax Regional Council authorize staff to set a date of June 05, 2001 for a public hearing for consideration of HRM Administrative Order SC-26 concerning the closure of a portion of Memorial Drive and approve the sale of Lot D-3, subject to approval of the closure of the portion of the street to be conveyed to Longwave Development Ltd. in exchange for Lot D-2K being conveyed to the Regional Municipality plus cash to the Municipality of \$10,700; and subject to the rezoning of Lot D-3 to permit townhouse development; and,

That the closure of the portion of Memorial Drive (Lot D-3) be subject to the closing of the Agreement of Purchase and Sale for conveyance of the parcel to Longwave Developments Ltd., and;

That the details of the staff report dated April 27, 2001 relating to the financial terms of the transaction not be released to the public until the transaction has closed. MOTION PUT AND PASSED UNANIMOUSLY.

13. NOTICES OF MOTION

13.1 Councillor Mosher - Administrative Order 23

TAKE NOTICE that at the next regular meeting of Halifax Regional Council to be held on Tuesday, May 15, 2001, I intend to introduce a motion to amend Administrative Order 23 Respecting Pesticides, Herbicides and Insecticides Excluded from the Pesticide By-Law. The purpose of this amendment is to have Chemfree products added to the list of permitted pesticides.

14. ADJOURNMENT

MOVED by Deputy Mayor Blumenthal, seconded by Councillor Sloane, that the meeting adjourn at 8:00 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

Municipal Clerk