

HALIFAX REGIONAL COUNCIL
MINUTES
September 11, 2007

PRESENT:

Mayor Peter Kelly
Deputy Mayor Sue Uteck
Councillors: Steve Streach
Krista Snow
David Hendsbee
Harry McInroy
Gloria McCluskey
Andrew Younger
Bill Karsten
Becky Kent
Jim Smith
Mary Wile
Patrick Murphy
Dawn Sloane
Sheila Fougere
Russell Walker
Debbie Hum
Linda Mosher
Steve Adams
Brad Johns
Robert Harvey
Gary Martin
Reg Rankin
Gary Meade

STAFF:

Mr. Dan English, Chief Administrative Officer
Mr. Wayne Anstey, Acting Chief Administrative Officer
Ms. Mary Ellen Donovan, Municipal Solicitor
Ms. Jan Gibson, Municipal Clerk
Ms. Julia Horncastle, Legislative Assistant

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1. INVOCATION

The meeting was called to order at 3:30 p.m. with the Invocation being led by Councillor Meade.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

MOVED by Councillor Younger, seconded by Deputy Mayor Uteck, that this item be addressed following the public hearings. MOTION PUT AND PASSED.

3. APPROVAL OF MINUTES - NONE

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

Additions

- 13.1 Councillor Mosher - Request for Report - Update - Private Property Tree By-Law/Urban Forest Master Plan
- 13.2 Property Matter - Proposed Administrative Order SC-47, Respecting Closure of a Portion of Military Road, Purcell's Cove - Sale of a Portion of Military Road Right of Way - PID#40934499

Councillor Streach Requested item 8.1 be addressed at the evening session.

Councillor Sloane requested items 11.2.1 and 11.2.2 be moved up on the agenda and addressed after deferred business.

Councillor Mosher requested item 13.1 be moved up on the agenda and addressed after deferred business.

MOVED by Councillor Younger, seconded by Councillor Snow, that the Order of Business, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

5. BUSINESS ARISING OUT OF THE MINUTES - NONE

6. MOTIONS OF RECONSIDERATION - NONE

7. MOTIONS OF RESCISSION - NONE

8. CONSIDERATION OF DEFERRED BUSINESS

8.1 Councillor Streach - Request for Letter to the Honourable Peter MacKay re: Parallel Highway - Sheet Harbour to Newcombe's Brook, Ship Harbour

At the request of Councillor Streach under the approval of the Order of Business, this item was deferred to the evening session.

8.2 Councillor Younger - Request for Report re: Grass Cutting - Municipal Rights of Way

Councillor Younger noted this is matter is being brought before Council to address the matter of whether HRM resources are better expended cutting some of the right of way spaces as opposed to the cost and effort in terms of having By-law Officers out passing out tickets and placed the following motion.

MOVED by Councillor Younger, seconded by Councillor Karsten, that staff prepare a report outlining the following:

- 1. Are HRM resources better expended cutting right of way spaces as opposed to the cost and effort in terms of bylaw officers trying to force residents to cut the grass,**
- 2. The pros and cons of returning to the previous methods and the cost implications of doing this. Also what the parameters are for cutting grass in right of ways,**
- 3. The areas in the suburbs where there are vacant properties as well as the inside of the roadside,**
- 4. What would it cost to go back to the standard prior to the bylaw coming into effect,**
- 5. Cutting on main roads,**
- 6. The pros and cons of not having dirt and grass between the curb and sidewalk on major collector roads,**
- 7. Grass on sidewalks in backyards where there is no access due to a wall being in place.**

MOTION PUT AND PASSED.

8.3 In Camera Recommendation - Property Matter - Case 00955: Cobequid Road and Glendale Drive, Sackville - Sale of HRM Parkland

- This item was discussed at the September 4, 2007 In Camera session and was before Council for ratification.

MOVED by Councillor Harvey, seconded by Councillor Meade, that Regional Council:

- 1. Authorize the Mayor and Municipal Clerk to enter into an agreement of Purchase and Sale with 3051129 Nova Scotia Limited for the sale of HRM lands PID#00361493, PID#00637652 and a portion of PID#00356790, subject to holding a public hearing as required under Section 273(13) of the Municipal Government Act and approval of the business terms and conditions in the private and confidential report dated August 27, 2007;**
- 2. Set a date for a public hearing;**
- 3. Approve an increase to Capital Project Account CP 300845 (New Park Development Bundle) in the amount of \$61,250 as per the Budget Implications Section of this report and further authorize the Mayor and Clerk to execute an agreement of Purchase and Sale for the purchase of 4300 square feet of 927 Sackville Drive for this purpose;**
- 4. Authorize a withdrawal from Q107 Parkland Reserve of \$61,250**

MOTION PUT AND PASSED UNANIMOUSLY.

8.4 In Camera Recommendation - Legal Matter - Lot 111, Ahmadi Crescent, Bedford

- This item was discussed at the September 4, 2007 In Camera session and was before Council for ratification.

MOVED by Councillor Harvey, seconded by Councillor Karsten, that Regional Council:

- 1. Approve the terms of an agreement between HRM and Pinnacle Developments Limited as described in the staff report dated herein; and**

2. Not release the August 27, 2007 private and confidential report to the public.

MOTION PUT AND PASSED UNANIMOUSLY.

11.2.1 Case H00203: Application to Consider 5516 North Street, Halifax as a Municipally Registered Heritage Property

- A report dated August 3, 2007, on the above noted, was before Council.

MOVED by Councillor Sloane, seconded by Councillor Wile, that Halifax Regional Council set a public hearing date for October 16, 2007 to consider the registration of 5516 North Street as a municipally registered heritage property. MOTION PUT AND PASSED.

11.2.2 Case H00204: Substantial Alteration to 5820 Spring Garden Road, Halifax

- A report dated August 3, 2007, on the above noted, was before Council.

MOVED by Councillor Sloane, seconded by Councillor Wile, that Regional Council approve the substantial alterations to 5820 Spring Garden Road, Halifax, as outlined in the June 28, 2007 staff report, and recommend that the former historic fence and entry way be re-created. MOTION PUT AND PASSED.

13.1 Councillor Mosher - Request for Report - Update - Private Property Tree By-Law/Urban Design Forest Master Plan

Councillor Mosher stated that due to the fact that the Regional Plan is in place and HRM is looking at environmental sustainability it would be an update for the public and placed the following motion.

MOVED by Councillor Mosher, seconded by Councillor Sloane, that the Urban Forest Master Plan and Tree Retention on Private Lands come forward to a Committee of the Whole council session for a presentation to Council. MOTION PUT AND PASSED.

9. PUBLIC HEARINGS

9.1 By-Law N-200, Respecting Noise - Exemption Application - Heritage Gas

Ltd.

This item was addressed during the evening session. (See page 14)

9.2 Property Matter - Transfer of Title to Former Housing Demonstration Project Properties to City of Halifax, Non-Profit Housing Society (Harbour City Homes)

This item was addressed during the evening session. (See page 15)

9.3 Property Matter - Sale of 2275 Brunswick Street, Halifax, to City of Halifax Non-Profit Housing Society (Harbour City Homes)

This item was addressed during the evening session. (See page 15)

9.4 Harmonized By-Law A-300, Respecting Animals

This item was addressed during the evening session. (See page 16)

10. CORRESPONDENCE, PETITIONS AND DELEGATIONS

10.1 Correspondence - None

10.2 Petitions - None

11. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.1 Tender 07-273 - Intersection Improvements - Central Region and Sidewalk Renewals - East and West Regions

- A report dated August 27, 2007, on the above noted, was before Council.

MOVED by Councillor Kent, seconded by Councillor McCluskey, that Council award Tender No. 07-273 Intersection Improvements - Central Region and Sidewalk Renewals - East and West Regions to Lafarge Canada Inc. for a Total Tender Price of \$162,280.10 (net HST included) with funding from Capital Account Nos. CTR00905 - Intersection Improvement Program, CKU00783 - Sidewalk Renewals and CDG00271 - Capital District Downtown Streetscapes, as outlined in the Budget Implications

section of the August 27, 2007 report. **MOTION PUT AND PASSED.**

11.1.2 Tender 07-274 - Burnside Industrial Park Intersection Improvements - East Region

- A report dated August 27, 2007, on the above noted, was before Council.

MOVED by Councillor Smith, seconded by Councillor McCluskey, that Council:

- 1. Approve the transfer of \$846,040 from Capital Account No. CTV00725 - Lacewood Four Lane/Fairview Interchange to Account No. CTU00817 - Burnside/Commodore Intersection Expansion Program, as outlined in the Budget Implications section of the August 27, 2007 report.**
- 2. Award Tender No. 07-274 Burnside Industrial Park Intersection Improvements - East Region to Dexter Construction Company Limited for a Total Tender Price of \$878,215.64 (net HST included) with funding from Capital Account Nos. CTU00817 - Burnside/Commodore Intersection Expansion Program, as outlined in the Budget Implications section of the August 27, 2007 report.**

MOTION PUT AND PASSED .

11.1.3 Tender 07-126 - Supply & Delivery of Eight Phase Signal Controllers, Cabinets, Accessories and Signal Timers

- A report dated August 28, 2007, on the above noted, was before Council.

MOVED by Councillor Karsten, seconded by Councillor Kent, that Council award Tender No. 07-126, Supply & Delivery of 8 Phase Signal Controllers, Cabinets Accessories and Signal Timers to Tacel Ltd. for a Total Tender Price of \$114,840.58 (net HST included) with funding from Capital Account No. CTU00337 - Controller Cabinet Replacement as outlined in the Budget Implications section of the August 28, 2007 report. **MOTION PUT AND PASSED .**

11.1.4 Amendment to By-Law S-423 by Resolution, Respecting Local Improvement Charges, New Paving Projects Outside the Core Area - 2006

- A report dated August 24, 2007, on the above noted, was before Council.

MOVED by Councillor Meade, seconded by Councillor Wile, that Council amend the approved By-Law S-423 respecting charges for Street Improvements from Capital Account No. CXU00585, New Paving of Subdivision Streets Outside the Core Area - 2006 to reflect a revised reference of subsection (11) to subsection (13). MOTION PUT AND PASSED .

11.1.5 New Municipal Charter for Halifax Regional Municipality

- A report dated August 27, 2007, on the above noted, was before Council.

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

- 1. Approve the Discussion Paper and that it be forwarded to the Province of Nova Scotia for consideration.**
- 2. Approve in principle the concept of a municipal *Charter* and direct staff to work towards obtaining a new legislative relationship between HRM and the Province.**

Councillor Mosher stated this would allow the municipality to resolve many issues in a more timely manner without being grouped with the other municipal units throughout the province. She noted this would also allow HRM to address its mandate and allow the municipality to better deal with the needs of the taxpayers.

Councillor Sloane stated the charter would allow HRM to do what it needs to in order to ensure the citizens concerns are dealt with timely and efficiently. A charter would give the authority back to the elected officials at the municipal level. It would allow the municipality to do more for the people without lengthy waiting periods and red tape.

Deputy Mayor Uteck stated this would eliminate the need for administrative amendments.

Councillor Harvey suggested that the request for the charter should also include a request to change the name from Halifax Regional Municipality to the City of Halifax as that is the name commonly used outside the municipality.

Councillor Mosher stated the Charter could be used to strengthen individual neighbourhood and community values as well as providing the ability to establish new revenue tools to support goals and priorities plus enter into an agreement with the federal government bypassing the province.

MOTION PUT AND PASSED .

11.1.6 Case 01048 - Amendment to the Bedford West Secondary Planning Strategy

- A report dated September 4, 2007, on the above noted, was before Council.

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

- 1. Authorize staff to initiate a review process to consider amending the Bedford West Secondary Planning Strategy minimum lot frontage requirements for single unit dwellings requirements from 40 feet to 34 feet and minimum lot size requirements from 4,000 to 3,400 square feet; and**
- 2. Instruct that the MPS amendment process include a public participation program in accordance with the Public Participation Resolution, adopted by Regional Council on February 25, 1997.**

MOTION PUT AND PASSED .

11.1.7 First Reading Proposed By-Law T-219, An Amendment to By-Law T-200, Respecting Tax Exemptions for Non-Profit Organizations - City of Halifax Non-Profit Housing Society (Harbour City Homes) Settlement of Claim and Arrears

- A report dated August 30, 2007, on the above noted, was before Council.

MOVED by Councillor Walker, seconded by Councillor Younger, that Council waive the requirement for a notice of motion and proceed with first reading. MOTION PUT AND PASSED.

MOVED by Councillor Walker, seconded by Councillor Karsten, that Council give First Reading to Proposed By-Law T-219, An Amendment to By-Law T-200, Respecting Tax Exemptions for Non-Profit Organizations - City of Halifax Non-Profit Housing Society (Harbour City Homes) Settlement of Claim and Arrears. MOTION PUT AND PASSED .

11.2 HERITAGE ADVISORY COMMITTEE

11.2.1 Case H00203: Application to Consider 5516 North Street, Halifax as a

Municipally Registered Heritage Property

This item was addressed during the afternoon session. (See page 6)

11.2.2 Case H00204: Substantial Alteration to 5820 Spring Garden Road, Halifax

This item was addressed during the afternoon session. (See page 7)

11.3 MEMBERS OF COUNCIL

11.3.1 Councillor McCluskey - September 4, 2007 Information Item #4 - Commonwealth Games Bid

- An information report dated August 29, 2007, on the above noted, was before Council.

Mr. Dan English, Chief Administrative Officer, advised the province and HRM will be releasing information. He noted both the province and HRM have received legal opinions and there are no constraints that would preclude the disclosure of information. There are two sets of information, the reports and architectural drawings some of which are with Commonwealth Games Canada in Ottawa which are accessible by HRM upon request. The financial and administrative records are in Dartmouth in the 2014 offices. He advised HRM and the province are developing ways by which these can be accessed and provide information. He advised that legal counsel has cautioned that in releasing information FOIPOP legislation has to be taken into consideration. He noted that financial detail is at the 2014 offices and HRM will be acquiring the services of someone to go to those offices and assemble detail as it relates to the financial statements and provide that information to Council. He stated detail on items such as travel costs, the cost of special or specific events, organizational charts with position titles, job descriptions, classification and positions, consultant fees etc. will be provided.

Mr. English noted that at the present time the 2014 Committee has not surrendered its certificate of incorporation which will be done on November 1st. He noted 2014 has not as yet appointed a liquidator which is required under provincial legislation under the Winding of Companies Act. He stated once the liquidator is appointed HRM and the province will deal with the liquidator in terms of accessing information. He stated the province and HRM are prepared to release as much information as legally and administratively possible to do.

MOVED by Councillor Karsten, seconded by Councillor Sloane, that this item be deferred to the September 18th Council session. MOTION PUT AND PASSED.

It was requested Mr. English provide an information memo in the agenda package for the 18th meeting.

12. MOTIONS - NONE

13. ADDED ITEMS

13.1 Councillor Mosher - Request for Report - Update - Private Property Tree By-Law/Urban Forest Master Plan

This item was addressed during the afternoon session. (See page 7)

13.2 Property Matter - Proposed Administrative Order SC-47 - Respecting Closure of a Portion of Military Road, Purcell's Cove - Sale of a Portion of Military Road Right-of-Way - PID#40934499

- This item was addressed at an earlier In Camera session and was now before Council for ratification.

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

- 1. Authorize staff to set a date for a public hearing for consideration of HRM Administrative Order #SC-47 concerning the closure of the Military Road right-of-way, Purcell's Cove, as shown on Attachment "A" to facilitate the sale of surplus lands as outlined herein;**
- 2. Not release the August 20, 2007 private and confidential report to the public until the transaction has been closed.**

MOTION PUT AND PASSED.

14. NOTICES OF MOTION

Councillor Mosher

Take Notice that, at the regular Regional Council meeting to be held on October 16, 2007, I propose to introduce, for introduction by Council as a Policy pursuant to Section 315 of the Municipal Government Act, Administrative Order SC-47, the purpose of which is to effect closure of a portion of Military Road, Purcell's Cove, Nova Scotia

Councillor Younger

Take Notice that at the next regular meeting of the Halifax Regional Council to be held on September 11, 2007, I intend to introduce a motion to amend Administrative Order One to limit special community announcements and acknowledgements to one (1) minute per Councillor per meeting, as well as to add any other guidelines determined appropriate by Council for such announcements.

Councillor Younger

Take Notice that at the next regular meeting of the Halifax Regional Council to be held on September 11, 2007, I intend to introduce a motion to amend Administrative Order One the effect of which will be to exclude the Mayor in calculation of quorum on municipal committees where the Mayor sits as an ex-officio member.

Council recessed at 4:30 p.m.

Council reconvened at 6:00 p.m. with all members of Council present.

9. PUBLIC HEARINGS

9.1 By-Law N-200, Respecting Noise - Exemption Application - Heritage Gas Ltd.

- A report dated August 27, 2007, on the above noted, was before Council.

Staff Sgt. Robin McNeil, HRP, presented the report to Council.

Mayor Kelly called for those wishing to speak either in favour of or opposition to the proposed exemption.

Mr. Michel Sarrouy, Heritage Gas, stated that the application is for drilling at the foot of Marginal Road across from Mulgrave Park and Nivens Drive in Dartmouth just south of Tufts Cove generating station. He advised the work will take approximately twelve weeks and Heritage Gas would like to have the option of working through the night from October 15th to November 15th. He advised the driller has been asked to provide some noise abatement measures. He advised all landowners in the area are currently being contacted.

Ms. Ann Stuart, Dartmouth, speaking on behalf of the residents of 281 Windmill Road, advised they were not notified until yesterday. She questioned whether the work would be taking place on a twenty four hour basis. In response, Mr. Sarrouy advised they may not need to work beyond a twelve hour day but are requesting the exemption in the event that it may be

needed to meet deadlines.

Mayor Kelly called three times for any additional speakers. Hearing none, the following motion was placed.

MOVED by Councillor McCluskey, seconded by Councillor Johns, that the public hearing close. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillor Sloane, seconded by Councillor Johns, that Regional Council approve Heritage Gas Limited's application (attached as Appendix "A" to the August 27, 2007 staff report) for an exemption from the provisions of By-Law N-200, Respecting Noise pursuant to the contents of this report and any matters at the hearing. MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Martin left the meeting at 6:30 p.m.

9.2 Property Matter - Transfer of Title to Former Housing Demonstration Project Properties to City of Halifax, Non-Profit Housing Society (Harbour City Homes)

- An extract from the August 7, 2007 Regional Council minutes was before Council.
- A report dated August 3, 2007, on the above noted, was before Council.

Ms. P.J. Temple, Tax & Grants, presented the report to Council.

Mayor Kelly called three times for those wishing to speak either in favour of or opposition to the proposed exemption. Hearing none, the following motion was placed.

MOVED by Councillor McCluskey, seconded by Councillor Kent, that the public hearing close. MOTION PUT AND PASSED.

MOVED by Councillor Walker, seconded by Councillor Sloane, that Regional Council authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale whereby title to 2014-2020 Maynard Street, 2386-2388 Gottingen Street, 2350-2361 Gottingen Street, 2444-2450 Barrington Street, Halifax, and 2421 Creighton Street, Halifax, be conveyed to Halifax Non-Profit Housing Society for the sum of \$1 each, subject to site survey and legal description, and as per the conditions stated in the August 3, 2007 report. MOTION PUT AND PASSED.

9.3 Property Matter - Sale of 2275 Brunswick Street, Halifax, to City of

Halifax Non-Profit Housing Society (Harbour City Homes)

- An extract from the August 7, 2007 Regional Council minutes was before Council.
- A report dated August 3, 2007, on the above noted, was before Council.

Ms. P.J. Temple, Tax & Grants, presented the report to Council.

Mayor Kelly called three times for those wishing to speak either in favour of or opposition to the proposed exemption. Hearing none, the following motion was placed.

MOVED by Councillor Johns, seconded by Councillor Younger, that the public hearing close. MOTION PUT AND PASSED.

MOVED by Councillor Walker, seconded by Councillor Sloane, that Regional Council authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale whereby the property located at 2275 Brunswick Street, Halifax, be conveyed to the City of Halifax Non-Profit Housing Society for the sum of \$1, plus certain costs associated with this conveyance, subject to site survey and legal description, and the terms and conditions set out in the staff report dated December 4, 2006. MOTION PUT AND PASSED.

9.4 Harmonized By-Law A-300, Respecting Animals

- A supplementary report dated September 4, 2007, on the above noted, was before Council.

Sgt. Robin McNeil, HRP, presented the report to Council.

Council recessed at 7:20 p.m.

Council reconvened at 7:30 p.m.

Mayor Kelly called for those wishing to speak either in favour of or opposition to the proposed exemption.

Ms. Janet Chernin, Halifax, stated there does not seem to be any definition for animal service officers nor a minimum requirement for training of handlers and suggested this be included as part of the By-Law. She stated the definition of shelter keepers is very vague and there is no clarification of the qualifications one should attain to hold this position. She also expressed concern with the lack of definition for the term attack noting, many dogs appear to be threatening when they are scared, cornered or in flight mode. She stated only a vet should be the only person to put an animal down. She suggested fines be reviewed so that they

reflect the seriousness of any infraction.

Ms. Cathy Prothro, Dartmouth, stated this was a proactive approach to the issue of responsible pet ownership. She stated police should be given the necessary tools and training needed to ensure public safety as well as the safety of officers and animals. She encouraged Council to adopt the Calgary model. She stated a court hearing should be required to designate an animal as dangerous or to destroy an animal. The By-Law could be more comprehensive in terms of ownership responsibilities. She stated there needs to be education and enforcement.

Ms. Laura Dobson, Dartmouth, She noted there is not enough money at the present time to enforce the current By-Laws and resources could be put to a better use than to shelter cats. She stated this will penalize responsible pet owners and people who cannot afford to pay the fines.

Jennifer Richardson, Dartmouth, spoke in support of the By-Law and stated that funding to enforce the By-Law should come from all taxpayers and not just responsible pet owners.

Ms. Bridget Curran, Halifax, stated the By-Law is short sighted and will result in extermination of animals. She said the majority of the problems are not as a result of responsible pet owners. She noted that shelters and adoption facilities are currently full and do not have room for more cats.

Ms. Denise McKay, Lower Sackville, expressed concern with the lack of options available for prohibited reptiles. She proposed the incorporation of a grandfather clause to provide for care of prohibited reptiles in order to allow the owners to keep them to the end of their lifespan. She suggested adding a clause that Boa Constrictors and Iguanas are not prohibited.

Mr. Larry Centa, Armdale, stated that if this By-Law is implemented there will be a serious cat problem and result in fighting between neighbours. He stated he does not see a need to register cats.

Mr. James King, Fairview, stated he feels the costs associated with the implementation of the By-Law would be prohibitive and tax dollars could be better spent elsewhere.

Ms. Lucinda MacLeod, Spryfield, stated this By-Law will not work as people will not be willing to pay the fines especially if they cannot afford to. She suggested other methods such as capture, spay or neuter, and release. She stated there is a need to start an education program at an early stage with school age children.

Mr. George Anderson, Dartmouth, stated he has raised money to assist with feeding of stray cats.

Ms. Claire Fougere, Dartmouth, stated she has spent many years trapping and finding homes for cats. She noted there are no funds available to have these cats fixed and people will not provide a home to a cat that is not fixed.

Ms. Valerie Carr, Dartmouth, stated she rescues and finds homes for cats but it can be very expensive to have them fixed. She suggested that there be a spay, neuter and release program put in place for cats.

Council recessed at 8:25 p.m.
Council reconvened at 8:30 p.m.

Mr. Neil Meister, Timberlea, stated has been a better public acceptance of reptiles over the past number of years. He stated the By-Law does address some of the concerns expressed by owners of reptiles and amphibians; however, there are serious concerns regarding which species are to be prohibited and those which are not. The omission of a grandfather clause has upset many reptile owners. Requiring owners of prohibited species to register their animals within a three month period would be reasonable. He would support microchip identification of such things as large snakes and lizards. He stated the prohibition of spiders and scorpions seems excessive.

Ms. Corrine Gritten, Dartmouth, spoke in favour of the By-Law noting there is an unregulated cat shelter operating in her neighbourhood which has caused many problems such as cat faeces in both flower and vegetable gardens.

Ms. Allison Chubbs, Dartmouth, spoke against the By-Law particularly against the cat portion. She stated she has concerns with the fact that tax dollars are being used for animal control noting, cats serve a purpose as well as keep pests under control. She stated you put the lives of cats at risk when you have mandatory cat licensing and this would serve as a tool for roundup and killing campaigns and penalize the responsible cat owners. She suggested a fine be imposed on those found to be dumping cats and kittens as well as a marketing program about the importance of spaying or neutering your cat.

Ms. Angela Miller, Lower Sackville, stated the section on tethering pet rabbits should be removed from the By-Law. Many areas have found that cat licensing does not work and will result in an increase in abandoned and homeless cats.

Mr Adam Conrod, Porters Lake, stated reptile owners should not have to give up those pets.

Mr. Sean MacLean, Halifax, stated the By-Law will do little to remedy the cat population.

Ms. Cora Mankowski, Halifax, noted that owners of cats are guilty in theory but not responsible under the By-Law. She stated if the fees were less to have a cat spayed or neutered it would be an incentive to pet owners. She noted the license fees are a deterrent to many pet owners and the equality between cats and dogs needs to be encouraged.

Ms. Maureen Tate, Dartmouth, expressed concern with the money that would be generated from dog licenses going into the general coffers. She stated if she is going to be taxed extra because she had animals, then the money should be used for a spay/neuter/release program. She stated she did not feel it was appropriate for HRM to be telling her whether or not she should vaccinate her dogs in order to get a license.

Mr. Hugh Chisholm, Hubley, this is a reactive document and suggested HRM take a more proactive approach. He suggested a spay and neuter program funded through licensing would be a better use of taxpayers dollars. He noted the indoor cats are not a problem and does not see a need for those pet owners to register and license their cats.

Ms. Lee Steeves, Canadian Kennel Club, stated dogs and cats have an important place in society but there is a huge job managing them within society. All dogs registered under the Canadian Kennel Club have a micro chip or tattoo. She stated this By-Law will negatively impact the pure bred dog and cat world such that the kennels that exist in HRM will no longer be able to exist inside the city or the owners will have to stop breeding. She noted the By-Law defines owners of pets that show at dog shows as a kennel.

Ms. Valerie Roger, Beaver Bank, stated the definition of a kennel needs to be addressed as under the By-Law it includes premises where animals are harboured or bred as a commercial service or for exhibition purposes. This means if you adopt a dog from the pound and as soon as you compete in agility with the dog you are, under the definition in the By-Law, a kennel and you must obtain a development permit and pay \$100 per year because you compete in agility with your dog. She encouraged attempts to hold cat owners responsible to the same level as dog owners. She expressed concern with the ability of animal control officers to destroy a dog without any conviction in a court of law. She stated the only way an impounded animal can become a threat is through staff negligence and therefore unnecessary for an impounded dog to be put down because of aggressive behaviour.

Council recessed at 9:20 p.m.

Council reconvened at 9:30 p.m.

MOVED by Councillor Sloane, seconded by Councillor Wile, the Council extend beyond 10:00 p.m. to all for all speakers to be heard. MOTION PUT AND PASSED.

Ms. Sonya Higgins, Eastern Passage, expressed concern with the ability given for anyone to rent a trap. She stated she agreed with the implementation date being 2009 in order to educate the public. She stated if all the cats currently on the streets are eliminated more irresponsible owners will continue. Unaltered cats outside will continue to breed. She stated that this By-Law is a punishment as it relates to cats, as responsible cat owners know what needs to be done.

Ms. Joan Sinden, Spryfield, stated under the definition of attack the words “give the impression of threatening” is much too vague.

Mr. Mike Evong, Bedford, spoke against the By-Law as those people who are against cats are the only ones who speak up. He stated this By-Law will provide an opportunity for those who do not like cats to be able to trap them.

Mr. Neil Benneworth, Halifax, stated that the application of this By-Law to cats is a waste of money and ineffective. He stated there is a need for a By-Law for dogs as they can be dangerous but cats are not.

Mr. Mike MacDonald, Cole Harbour, expressed concern with the portion of the By-Law dealing with reptiles and stated a grandfather clause should be put in place to allow for owners to license their pets.

Ms. Janet Hartman, Dartmouth, stated that if more cats were kept indoors by responsible pet owners there would be no need to trap them.

Mr. Ryan Walker, Dartmouth, stated he disagreed with the By-Law and saw it as a discrimination against certain species. He stated he agreed with registration fees if they were being put towards spaying and neutering or trap and release programs.

Ms. Kathrine McInyre, Bedford, expressed concern that shelter keepers and animal control officers can make a decision to destroy an animal. She stated the term kennel is not properly defined or regarded. She suggested any monies collected as a result of the By-Law should be put towards a spaying/neutering and capture and release program. The By-Law is harsher on pet owners than it is on animal abusers.

Ms. Marsha Parker, Halifax, stated the By-Law looks upon dogs as being useful and having a function yet cats are looking on as having no function.

Ms. Annette Daigle, Harrietsfield, spoke in opposition to the By-Law stating she pays to have her dog licensed but will not be paying to have her indoor cats licensed. She stated this By-Law will have the effect of many pet owners tossing their cats to the street resulting in a stray

cat explosion. She stated the By-Law will become a tool for neighbours to use against each other.

Mr. Frank Embree, Dartmouth, spoke in support of a trap, spay/neuter and return program.

Ms. Monica Crucavich, Dartmouth, spoke against the By-Law stating the licensing will pose an added burden on low income residents and pensioners who will be unable to license their cats.

Mayor Kelly called three times for any additional speakers. Hearing none, the following motion was placed.

MOVED by Deputy Mayor Uteck, seconded by Councillor Sloane, that the public hearing close. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillor Adams, seconded by Councillor Hendsbee, that all commentary and concerns be forwarded to staff to be addressed in a supplementary report. Further, all Council discussion and decision be deferred until September 18, 2007.

MOVED by Councillor Adams, seconded by Councillor Hendsbee, that the question now be put. MOTION PUT AND PASSED.

MAIN MOTION PUT AND PASSED.

15. ADJOURNMENT

The meeting was adjourned at 10:20 p.m.

Jan Gibson
Municipal Clerk

The following information items were circulated to Council.

1. Proclamation - Self-Help Awareness Day - September 14, 2007
2. Proclamation - Team H2V Day - September 14, 2007
3. Proclamation - Terry Fox at Work Day - September 14, 2007 and Terry Fox Run Day - September 16, 2007
4. Memorandum from the Municipal Clerk dated September 7, 2007
re: Requests for Presentation to Council - None