

# **HALIFAX REGIONAL MUNICIPALITY**

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## **HALIFAX REGIONAL COUNCIL COUNCIL MINUTES April 13, 1999**

### **PRESENT:**

Deputy Mayor Larry Uteck  
Councillors: Bill Dooks  
Gordon R. Snow  
David Hendsbee  
Ron Cooper  
Harry McInroy  
Jack Greenough  
Condo Sarto  
Clint Schofield  
John Cunningham  
Jerry Blumenthal  
Graham L. Downey  
Sheila Fougere  
Russell Walker  
Bill Stone  
Graham Read  
Stephen D. Adams  
Bob Harvey  
Peter Kelly  
Reg Rankin  
Jack Mitchell

### **REGRETS:**

Mayor Walter Fitzgerald  
Councillors: Bruce Hetherington  
Barry Barnet

### **STAFF MEMBERS:**

Mr. Ken Meech, Chief Administrative Officer  
Mr. Wayne Anstey, Municipal Solicitor  
Ms. Barb Moar, Acting Municipal Clerk  
Ms. Patti Halliday, Assistant Municipal Clerk

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**1. INVOCATION**

At the request of Deputy Mayor Uteck, Councillor Mitchell led his colleagues in the citation of the Invocation at 6:00 p.m.

**2. PROCLAMATIONS**

**2.1 National Pesticide-Free Week**

On behalf of Deputy Mayor Uteck, Councillor Walker proclaimed April 19-25, 1999 to be National Pesticide Free Week. On behalf of the RATE Committee, Councillor Walker acknowledged the Sacred Heart Environmental Committee, members of which were present in the gallery.

Miss Nicole MacDonald, Student, John W. MacLeod Flemming Tower School, addressed Council regarding the proclamation, and invited all members of Council, their families, and members of the community, to join in a walk to celebrate National Pesticide Free Week, on Sunday, April 25, 2:30 p.m. - 3:30 p.m., at Point Pleasant Park. The rain date will be May 2, 1999 at the same time and place.

**2.2 Khalsa Day**

On behalf of Deputy Mayor Uteck, Councillor Blumenthal proclaimed April 14, 1999 as Khalsa Day in the Halifax Regional Municipality.

**Recognition - Youth LIVE**

Councillor Rankin reported that HRM's Youth LIVE Centre for Youth Development has been selected as the award winner in Nova Scotia for the 1999 Canada's Top Employer of Youth Awards. These awards are sponsored by the Federal-Provincial-Territorial Forum of Labour Market Ministers, and are coordinated by The Conference Board of Canada. Deputy Mayor Uteck extended congratulations to Mr. Allan Wayne, Community Projects Coordinator, Youth LIVE, and the employees of Youth LIVE.

**Recognition - HRM Volunteers**

The following HRM Volunteers were recognized by Council: Ms. Evelyn Hebb, Mrs. Carollyn Harvey, Ms. Clarita Cane, Ms. Nikki Kelly, and Ms. Betty Malo, and presented with a plaque of appreciation from Deputy Mayor Uteck. As the plaques were presented, a representative from the respective Community Council detailed the individual's volunteer work in the Municipality, and, on behalf of Council, expressed thanks and appreciation for their contributions.

**Acknowledgement**

At a later point in the meeting, Deputy Mayor Uteck reported that former Councillor Ron Hanson has been discharged from the hospital after a long stay, and is feeling much better. On behalf of Council, the Deputy Mayor extended best wishes and encouragement to Mr. Hanson for continued improved health.

**3. APPROVAL OF MINUTES - March 30, April 6, 1999**

**MOVED by Councillors Blumenthal and Cunningham that the minutes of March 30 and April 6, 1999 be approved, as circulated. MOTION PUT AND PASSED UNANIMOUSLY.**

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

The following items were added to the agenda:

- 13.1 Legal Matter - Countryview Limited
- 13.2 Legal Matter - Board of Atlantic Winter Fair
- 13.3 Councillor McInroy - Information Item #4 - Municipal Services to Native Lands (Cole Harbour)

**MOVED by Councillors Sarto and Greenough that the Order of Business, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.**

**5. BUSINESS ARISING FROM THE MINUTES - NONE**

**6. MOTIONS OF RECONSIDERATION - NONE**

**7. MOTIONS OF RESCISSION - NONE**

**8. CONSIDERATION OF DEFERRED BUSINESS - NONE**

**9. PUBLIC HEARINGS**

**9.1 Case 00038 - Development Agreement to Permit an Apartment Building at 6116 Almon Street**

- A staff report prepared for Donna Davis-Lohnes, General Manager, Planning Services, regarding the above, was before Council for consideration.

With the use of overheads, Mr. Gary Porter, Planner, presented the staff report, which recommended the approval of a development agreement to permit an apartment building at 6116 Almon Street, as attached to the staff report dated March 19, 1999.

Deputy Mayor Uteck called for speakers from the public either in favour or against the proposed development agreement.

**Mr. Elie Chader, Applicant**

Mr. Elie Chader, the applicant, addressed Council regarding the proposed development, making the following comments:

- The development is an upscale residential project offering a large selection of units.
- Presently, the site contains several derelict commercial sheds along the north and east perimeters. The remainder of the site contains paving and abandoned foundations.
- The site is currently abandoned and does not benefit the Municipality or the neighbourhood.
- The proposed building is estimated to cost approximately \$5 million and would benefit the Municipality through substantial tax revenue.
- The neighbourhood would benefit by the upscale development as it would favour stability and would establish a healthy dynamic in the local residential market. It would also provide the neighbourhood with an alternative form of residence.
- An upscale development and a more stable neighbourhood would also favour market appreciation in the area.

Deputy Mayor Uteck thanked Mr. Chader for his comments.

**Mr. Randy King, Resident, Dartmouth**

Mr. King referred to the public information meeting held in November 1998, in particular, a question regarding the additional traffic flow that a new development would create. Mr. King inquired what consideration has been made to extend Windsor Terrace to St. Albans Street to alleviate some of the traffic flow problem.

In response, Mr. Porter stated there is really no opportunity to extend the street grid on this project. However, there is another plan amendment process that is currently being considered for the entire block. Mr. Porter noted at the public information meeting there were also residents who did not want to see this street extended. When an opportunity arises for the street to be extended, Mr. Porter stated there will need to be further discussion.

Deputy Mayor Uteck thanked Mr. King for his comments.

The Deputy Mayor called three times for additional speakers. Hearing none, the following motion was placed on the floor.

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

**COUNCIL DECISION**

**MOVED by Councillors Blumenthal and Schofield that:**

- 1. Halifax Regional Council approve a development agreement to permit an apartment building at 6116 Almon Street, as attached to the staff report dated March 19, 1999 as Appendix "A".**
- 2. Council require that the development agreement shall be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Council and any other bodies as necessary, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.**

Councillor Read expressed concern regarding maximum density. The Councillor stated he did not believe this requirement should be changed on a piecemeal basis until such time the Planning Strategies have been reviewed to suggest that the public is in agreement that the density limit in this part of the Municipality should be raised.

Councillor Read stated this particular proposal would certainly be an asset to the area, but suggested it would be even better if it had remained at a density limit of 125 persons per acre. The Councillor noted it is likely that other parts of the area along Gladstone Street will eventually evolve into residential areas, and some degree of spaciousness should be maintained between the buildings that are occupying high density residential areas. In closing, Councillor Read stated he believes the density provision is a major issue, and, therefore, cannot support this recommendation.

Councillor Blumenthal spoke in support of the development, noting it will provide many benefits to the North End. The Councillor stated, through a development agreement, the residents of the area will receive the proper type of development. Councillor Blumenthal stated he is very satisfied with previous work done by this developer and has indicated this to the residents. In closing, Councillor Blumenthal requested Council's support in approving this development agreement.

**MOTION PUT AND PASSED.**

(Councillor Blumenthal left the meeting at 6:30 p.m. to attend a community activity on behalf of the Deputy Mayor.)

**9.2 Case 00120 - Application by the Municipality to Rezone Lot 12, located at the Intersection of Green Road and St. Margaret's Bay Road in Lakeside**

- A staff report prepared for Donna Davis-Lohnes, General Manager, Planning Services, regarding the above, was before Council for consideration.

With the use of overheads, Mr. Gary Porter, Planner, presented the staff report which recommended that Council approve the rezoning of the property at PID No. 40049991 in Lakeside from R-2 (Two Unit Dwelling) Zone to R-4 (Multi-Unit Dwelling) Zone. Mr. Porter noted it appears the property was inadvertently zoned R-2, rather than R-4, through a mapping error or oversight.

Deputy Mayor Uteck called three times for speakers from the public either in favour or against the staff recommendation. Hearing none, the following motion was placed on the floor:

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

**COUNCIL DECISION**

**MOVED by Councillors Rankin and Mitchell that Council approve the rezoning of the property at PID No. 40049991 in Lakeside from R-2 (Two Unit Dwelling) Zone to R-4 (Multi-Unit Dwelling) Zone. MOTION PUT AND PASSED UNANIMOUSLY.**

**9.3 Amendments to the Existing Subdivision By-Laws of the former City of Halifax and Dartmouth, Halifax County and Town of Bedford**

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.
- Correspondence from Earle B. Richardson, Development Manager, Clayton Development Ltd., requesting Council to defer consideration of the proposed amendments until such time as the harmonized Regional Subdivision By-Law is brought forward for consideration, was before Council for consideration.



Mr. Rick Paynter, Manager, Construction Services, presented the staff report which recommended that Council approve amendments to the existing Subdivision By-Laws of the former City of Halifax and Dartmouth, Halifax County and Town of Bedford, as outlined within the staff report dated February 8, 1999.

Mr. Paynter noted the authority does not presently exist to allow staff to charge a services inspection fee in the former units, with the exception of the former City of Halifax. The rate charged in the former City of Halifax is 2.5 percent of the estimated cost of services to be installed in a particular subdivision. Staff is proposing to regionalize that inspection services fee at a rate of 2 percent.

Deputy Mayor Uteck called for members of the public wishing to speak either in favour or against the recommendation.

**Mr. Barry Zwicker, Wallace MacDonald & Lively Ltd.**

Mr. Zwicker addressed Council, noting he is also the local President of Urban Development Institute (UDI). In his presentation, Mr. Zwicker made the following comments:

- The fee previously only applied to the former City of Halifax, and not the other former municipal units.
- The Subdivision By-law presently requires full-time on-site inspection while all services are being installed, to be paid for at the expense of the developer. This proposal will add another cost for inspection over and above those currently being done by a professional engineer.
- The money for this is also being required up front based upon the estimated construction value.
- There is no formula contained in the by-law that indicates how the refund of unused fees will be calculated.
- There are serious implications as a result of the proposed servicing specifications currently under review, and the upcoming new subdivision by-law, which will cumulatively affect the development industry and need to be considered.
- The Halifax Regional Water Commission also charges an inspection fee.

Mr. Zwicker suggested that Council defer any decision on these amendments pending the following:

- A staff report determining the added value to the end product as a result of conducting this inspection
- Rationalization of the amount required up front based on real experience.

- Inclusion in the by-law of a procedure or formula of how the charge will be determined.

Deputy Mayor Uteck thanked Mr. Zwicker for his comments. The Deputy Mayor called three times for additional speakers either in favour or against the staff recommendation. Hearing none, the following motion was placed on the floor:

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

### **COUNCIL DECISION**

Councillor Sarto spoke in support of the staff recommendation stating it is fair and equitable.

Responding to a question of Councillor Hendsbee, Mr. Kulvinder Dhillon, Director, Engineering and Transportation Services, replied the new subdivision by-law is not expected to be before Council for at least another year.

In response to a question of Councillor Greenough, Mr. Paynter stated the amount of time an HRM inspector would be on the site would depend on the size and complexity of the subdivision. He further stated that staff is prepared to open the books to any developer who would like to see an accounting of how the charges are being put against their deposit. Mr. Dhillon noted the actual cost charged will be the direct salary cost of the staff, as well as travel, spent on that particular project. Any remaining amount of the deposit will be refunded to the developer.

Responding to questions of clarification from Councillor Cooper, Mr. Paynter estimated the revenue that would have been generated had the 2 percent fee been in place in 1998 would be about \$400,000. The cost to Construction Services to deliver the audit inspection program would have been about \$160,000 - \$180,000. If there was any surplus due back to the developer, this would be done before the final endorsement process is issued. The Water Commission would also be charging its costs to the \$400,000.

Councillor Schofield inquired if the money intended to be obtained from this charge for the balance of this year has been included in the budget as revenue. Staff replied in the affirmative. The Councillor stated he did not think this matter should be finalized until after the new subdivision by-law is in place. Councillor Schofield suggested if one percent was charged this year it would cover the cost.

Councillor Dooks expressed concern with the effect these changes will have on rural development, stating any type of development in the rural area will be impossible. Mr. Dhillon stated staff believes this proposal is a fair equitable way of the dealing with all developers across HRM. Mr. Dhillon acknowledged the cost will go up in certain instances where the streets have to be paved, but it is hoped the developer will recover those costs by selling the lots. Councillor Dooks stated Council needs to look at development in the outer core, noting there needs to be special attention and by-laws governing development. The Councillor stated people will not move to the rural area due to the increased cost, and those living there now will not be able to afford to stay. In closing, Councillor Dooks stated Council is giving staff the wrong direction and this will not work.

Deputy Mayor Uteck stated it has been Council's intention to utilize the existing infrastructure, and when it is expanded, those using it will pay for it. The Deputy Mayor stated the general tax rate cannot be overtaxed for new development. He noted rural development will require fewer services, resulting in less inspection and less cost.

Responding to questions of Councillor Stone, Mr. Dhillon stated staff is examining if a dual role is possible for the same inspector between HRM and the HRWC to reduce costs. Mr. Paynter noted both the HRM and HRWC would charge their costs against the deposit, and the developers can come in anytime to see what is being charged. Councillor Stone suggested an itemized billing would help to clarify the actual amounts that are being charged for the developers.

Councillor McInroy noted Council needs to be aware of the fact it has previously endorsed this in principle, and there are serious implications to not generating the revenue contained within the budget.

Speaking in support of the proposal, Councillor Harvey stated HRM will be collecting an approximate 35 percent return on the cost of this subdivision audit inspection program, which is nothing more than collecting for the service being provided.

Councillor Hendsbee expressed concern with the numerous inspections required for developments. The Councillor suggested once a development has been turned over to the Municipality it is its responsibility to maintain it through the general tax rate. Councillor Hendsbee suggested there could be a split in the fees or only 1 percent charged to those outside the serviceable boundary area. The Councillor also expressed concern with charging for time travelling to and from the site, particularly for the remote rural areas. With respect to refunding any balances to the developer, Councillor Hendsbee stated there needs to be a policy in place with respect to providing a return on the unused deposit.

In response to questions of Councillor Greenough, Mr. Dhillon stated the 2 percent is based on the cost of the value of the work. In an unserviced area, the value will be less, and therefore the deposit required will be smaller.

**MOVED by Councillors Sarto and Greenough that Council approve the amendments to the existing Subdivision By-Laws of the former City of Halifax and Dartmouth, Halifax County and Town of Bedford, as outlined within the staff report dated February 8, 1999, and Appendix A attached to the report. MOTION PUT AND PASSED.**

Later the in meeting, a **Notice of Motion of Reconsideration** regarding this matter was served by Councillor Hendsbee, seconded by Councillor Dooks. The Motion of Reconsideration will be discussed at the April 20, 1999 meeting of Regional Council.

## **10. CORRESPONDENCE, PETITIONS**

### **10.1 Petitions**

#### **10.1.1 Councillor Read**

Councillor Read submitted a petition from residents of Sunset Avenue in support of the proposed paving of this street. The Councillor requested that this petition be forwarded to Engineering and Transportation Services.

## **11. REPORTS**

### **11.1 MEMBERS OF COUNCIL**

#### **11.1.1 Councillor McInroy - By-Law Enforcement (evening & weekend scheduling)**

Councillor McInroy requested that staff prepare a report on the feasibility of having by-law enforcement officers on duty evenings and weekends. The Councillor suggested there could be a flexible or staggered work schedule, as opposed to having people working overtime or seven days a week. Councillor McInroy stated HRM by-laws are applicable seven days a week, and, therefore, should be enforced seven days a week. The Councillor noted those who violate by-laws by particular activities that they undertake as a sideline, most likely work the same hours as our by-law enforcement officers; so, therefore, the activity would take place on evenings and weekends. If enforcement is extended to evenings and weekends, Councillor McInroy stated residents should be made aware there would be a contact number, as well as a person, that would be available seven days a week. The Councillor noted that currently, if a violation occurs on the weekend and cannot be viewed until Monday, a lot of times it is too late, especially in

cases of levelling of trees, regrading of large tracts of land, etc. Some other areas of concern mentioned by Councillor McInroy were as follows: burning, autobody repair or painting, dumping of garbage, derelict vehicles, grade alterations, and a variety of building permit violations and land use by-law violations.

Council agreed that this matter should be referred to staff for a report.

Councillor Stone noted a lot of people take advantage of the weekends when there are no by-law enforcement officers available. The Councillor requested that the staff report include information regarding what staff are responsible for each by-law, as well as a contact number. Councillor Stone also questioned if HRM has enough by-law enforcement officers to enforce all the by-laws.

#### **11.1.2 Councillor Fougere - Commercial Businesses and Residential Zoned Properties**

Councillor Fougere clarified that her concern is not in reference to typical home based businesses, but rather with the growing infiltration of commercial initiatives into residential properties and residential areas. The Councillor reported that over the last eight months she has received numerous calls regarding this issue. Some of the problems encountered include the following: unoccupied residential houses and garages being used as storage space for food stuffs for restaurants, people constructing wooden sheds in their backyards which transport trucks come and pick up and take out to be sold elsewhere, problems with commercial traffic on residential streets, etc. Councillor Fougere noted this is a growing problem, particularly in District 14. The Councillor noted HRM By-Law Enforcement staff have been very astute in trying to track this problem. However, they often encounter difficulty in contacting the owners and getting them to comply. Councillor Fougere noted this is a cyclical problem, and requested a staff report detailing the entire procedure required to be followed through to resolution.

In response to comments of the Deputy Mayor, Mr. Anstey stated there was a study in the former City of Halifax with respect to home based businesses as well as some reports generated with respect to commercial vehicles on streets.

Responding to a question of Councillor Schofield, Mr. Anstey stated the restrictions on home based businesses differ from municipality to municipality. Councillor Schofield requested that the staff report also refer to the former municipalities and how they differ with respect to this issue. Councillor Sarto requested that the staff report also address parking of commercial vehicles in residential areas.

Council agreed to the request for a staff report on this matter.

**11.2 CHIEF ADMINISTRATIVE OFFICER**

**11.2.1 Tender 99-301 Materials Testing and Inspection 1999**

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

**MOVED by Councillors Greenough and Schofield that Regional Council award Tender No. 99-301, Materials Testing & Inspection 1999 to Maritime Testing Ltd. based on the unit prices quoted for a total tender price of \$80,528.75 with funding provided as outlined in the Budget Implications section of the staff report dated April 1, 1999.**

In response to a question of Councillor Hendsbee, Mr. Paynter stated this is an annual testing program that is directly tied to the Capital Budget and covers a wide variety of laboratory testing requirements.

**MOTION PUT AND PASSED.**

**11.2.2 Tender 99-302 Video Inspection of Sewers 1999/2000 & 2000/2001**

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

**MOVED by Councillors Walker and Sarto that Regional Council award Tender No. 99-302, Video Inspection of Sewers 1999/2000 & 2000/2001, to Herritt Communications Ltd. based on the unit prices quoted for Year 1 and Year 2 for a Total Project Cost of \$177,491.00 with funding provided as outlined in the Budget Implications section of the staff report dated April 1, 1999. MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2.3 Hazardous Waste Services (Request for Proposals No. 99-014)**

- A staff report prepared for Brian Smith, Director, Business Operations, regarding the above, was before Council for consideration.

**MOVED by Councillors Rankin and Mitchell that:**

1. **Halifax Regional Council engage Philip Environmental (Atlantic) Ltd. to operate the Household Hazardous Waste Depot program and to transport and manage hazardous materials from the Otter Lake facilities in accordance with the requirements, terms and conditions and their response to Request for Proposals No. 99-014.**

- 2. Halifax Regional Council engage Matrix Environmental for processing of hazardous materials at the Otter Lake facilities in accordance with the requirements, terms and conditions and their response to Request for Proposals No. 99-014.**

In discussion of the motion, Councillor Hendsbee inquired about mobile depots. Mr. Mark Bernard, Manager, Waste Resources, replied there are no mobile depots proposed in this year's Operating Budget. Councillor Rankin noted an application has been made to the Resource Recovery Fund for funding to install a mobile unit for hazardous waste. The Councillor further noted there may be an opportunity to revisit the curtailment of Saturday service at the Chain Lake Drive depot, due to the achievement of a 20 percent saving over the existing pricing structure by choosing the recommended proponent. Responding to a question of Councillor Cooper, Mr. Bernard stated the 20 percent savings will translate into allowing three or more Saturdays of service than would normally have been the case.

Councillor Cooper suggested further study should have occurred with respect to how these savings could have been utilized, and suggested a further report should be requested to address this issue and the cost of a mobile depot, if one was available. Deputy Mayor Uteck suggested this should be referred to the Solid Waste Resource Advisory Committee. Councillor Hendsbee requested that this report also address the possibility of holding special mobile depots from time to time. Council agreed to the request for a report.

**MOTION PUT AND PASSED.**

**11.2.4 First Reading - Amendment to By-Law B-400 Respecting Burglary, Robbery and Fire Alarm Systems**

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.
- Notice of Motion for First Reading regarding an amendment to By-Law B-400, Respecting Burglary, Robbery and Fire Alarm Systems, was served on March 30, 1999 by Councillor Stone.
- Copies of By-Law B-401, an Amendment to By-Law B-400 Respecting Burglary, Robbery and Fire Alarm Systems, were circulated to members of Council.

**MOVED by Councillors Stone and Sarto that By-Law B-401, an Amendment to By-Law B-400 Respecting Burglary, Robbery and Fire Alarm Systems, be given First Reading.**

Councillor Cooper requested that the proposed revenue amounts that will be collected be confirmed before the By-Law comes back to Council for Second Reading.

**MOTION PUT AND PASSED.**

**11.2.5 First Reading - Amendment to By-Law S-200 Respecting Smoking in Public Places**

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.
- Notice of Motion for First Reading of By-Law S-201, an Amendment to By-Law S-200, Respecting Smoking, was served by Councillor Harvey on March 30, 1999.
- Correspondence from Mr. John O'Hearn, Grafton-Connor Group; Ms. Susan Bartlett, President, Director, TIANS Board of Directors, and Ms. Judith Cabrita, Managing Director; Mr. Robert Cowan, Chair, Public Issues Committee, Canadian Cancer Society, Nova Scotia Division; Ms. Joan Fraser, Executive Director, Heart and Stroke Foundation of Nova Scotia; and, Mr. Luc M. Erjavec, Government Affairs Manager, Atlantic Canada, Canadian Restaurant and Foodservice Association, regarding the above, was circulated to Council.

**MOVED by Councillors Harvey and Walker that By-Law S-201, an Amendment to By-Law S-200, Respecting Smoking, be given First Reading.**

Councillor Rankin suggested this matter should be referred back to the Smoking By-Law Committee for further review.

**MOVED by Councillors Rankin and Adams that this matter be referred back to the Smoking By-Law Committee for further review and a report back to Council in five weeks.**

Councillor Rankin noted HRM already has the most stringent Smoking By-Law in Nova Scotia. The Councillor stated the Committee is representative of the various views and positions on this issue, and should have an opportunity to review this recommendation before being discussed by Council.

Councillor Harvey noted the proposed amendments reflect the view of Council as expressed on July 14, 1998, when the issue left the hands of the Committee. He suggested this matter should now remain with Council and be put forward for full public comment at a public hearing.



In support of the deferral, Councillor Cooper suggested it may result in a workable solution.

In closing the debate, Councillor Schofield stated it is his understanding from Committee members that there was to be another meeting before this matter was brought to Council, and, therefore, was in favour of the deferral.

**MOTION PUT AND PASSED.**

**11.2.6 Former Halifax County Municipality Lot Grading By-Law Number 70/Former Town of Bedford Grade Alteration By-Law Number 23290**

- Notice of Motion for First Reading of By-Law R-101 Respecting Repeal of By-Laws, was served by Councillor Cooper on March 30, 1999.
- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

**MOVED by Councillors Cooper and Sarto that By-Law R-101, Respecting Repeal of By-Laws, be given First Reading. MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2.7 First Reading - By-Law B-500 Respecting Building Service Connections**

- Notice of Motion for First Reading of By-Law B-500, Respecting Building Service Connections, was served by Councillor Kelly on April 6, 1999.

**MOVED by Councillors Kelly and Mitchell that By-Law B-500, Respecting Building Service Connections, be given First Reading.**

Councillor Kelly stated this by-law clearly indicates the property owner will be responsible from their home to the property line, and the Municipality will be responsible from the property line to the connection.

In response to a question of Deputy Mayor Uteck, Mr. Dan English, Acting Chief Administrative Officer, stated the newspaper advertisement could be worded in such a way that the public, particularly residents of the former County, will be aware that if this particular proposal is not adopted, then it is a possibility that the original staff proposal would be reconsidered. Councillor Harvey noted if it were to be reconsidered, a new public hearing would be required as it would be a substantial change.

Councillor Stone stated the intent of the by-law has to be clear in the advertisement as the title alone does not clearly define it. Councillor Hendsbee suggested the definition of "street line" should also be clarified.

**MOTION PUT AND PASSED.**

**11.2.8 First Reading - Amendment to By-Law S-600 Respecting Solid Waste Resource Collection and Disposal**

- Notice of Motion for First Reading of By-Law S-601, an Amendment to By-Law S-600 Respecting Solid Waste Resource Collection and Disposal, was served by Councillor Rankin on April 6, 1999.
- A staff report prepared for Brian Smith, Director, Business Operations, regarding the above, was before Council for consideration.

**MOVED by Councillors Rankin and Mitchell that By-Law S-601, an Amendment to By-Law S-600 Respecting Solid Waste Resource Collection and Disposal, be given First Reading. MOTION PUT AND PASSED.**

**11.2.9 Administrative Order 17 - Remuneration for Members of Council**

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

**MOVED by Councillors Greenough and Sarto that Council approve, in principle, and direct staff to arrange for the formal adoption of Administrative Order 17 (attached as Appendix "A" to the staff report dated March 30, 1999) as a policy pursuant to Section 23 of the *Municipal Government Act*. MOTION PUT AND PASSED.**

**12. MOTIONS**

**12.1 Councillor Adams**

- A Notice of Motion was served by Councillor Adams on April 6, 1999 for the following: that Council direct staff to initiate the process to amend the Mainland South MPS with the assistance of the community. This will help to alleviate any additional impact on Planning Staff and to develop a future model for MPS amendments throughout HRM.

Councillor Adams noted a Program and Service Review Committee meeting is scheduled for May 5, 1999, and requested that this matter be deferred until after that meeting.

**MOVED by Councillors Adams and Mitchell that this matter be deferred pending the May 5, 1999 meeting of the Program and Service Review Committee. MOTION PUT AND PASSED UNANIMOUSLY.**

**13. ADDED ITEMS**

**13.1 Legal Matter - Countryview Limited**

- This matter was discussed during the In Camera Session held prior to the Regular Session.

**MOVED by Councillors Greenough and Sarto that the In Camera recommendation be adopted. MOTION PUT AND PASSED UNANIMOUSLY.**

**13.2 Legal Matter - Board of Atlantic Winter Fair**

- This matter was discussed during the In Camera Session held prior to the Regular Session.

**MOVED by Councillors Adams and Snow that the In Camera recommendation that Deputy Mayor Uteck, on behalf of Council, write a letter of support to the Provincial Government regarding the Atlantic Winter Fair, requesting that they release the covenants and restrictions on the Atlantic Winter Fair property, so they can finance the race track and future ventures under the existing Board structure. MOTION PUT AND PASSED UNANIMOUSLY.**

**13.3 Councillor McInroy - Information Item #4 - Municipal Services to Native Lands (Cole Harbour)**

- An Information Report prepared for Ken Meech, Chief Administrative Officer, regarding the above, was before Council for its information.

In response to a question of Councillor McInroy, it was noted that staff would be bringing a further report to Council regarding this matter in two to three weeks. Councillor McInroy requested that this report include responses to the following:

- The Councillor would like to see HRM work towards uniform municipal services to the reserve lands equal to the service levels provided to neighbouring properties.
- The Councillor noted in addition to the two cul de sacs, there is a gas bar, two convenience stores, a VLT gambling building and a Band Office building located on Caldwell Road, which is also native land.

- With respect to Waste Resources, Councillor McInroy asked if information could be provided regarding the commercial operations.
- Regarding Metro Transit, Councillor McInroy stated whatever subsidy is required for Metro Transit service throughout the area is subsidized through property taxes in addition to what is recovered from the fare boxes. He suggested this could be included as part of a service arrangement in this case.

Council agreed that the upcoming staff report should include a response to Councillor McInroy's questions.

**14. NOTICES OF MOTION**

**14.1 Councillor Hendsbee**

Councillor Hendsbee served a **Notice of Motion of Reconsideration** for April 20, 1999, seconded by Councillor Dooks, with respect to Item 9.3 Amendments to the Existing Subdivision By-Laws of the former City of Halifax and Dartmouth, Halifax County and Town of Bedford.

**14.2 Councillor Adams**

**TAKE NOTICE** that at the next regular meeting of the Halifax Regional Council to be held on April 20, 1999, I intend to introduce a motion to request staff to explore the feasibility of the Halifax Regional Police Service assuming responsibility for policing services in the former District 5 area of District 18.

**15. ADJOURNMENT**

**MOVED by Councillors Greenough and Sarto that the meeting adjourn at 8:10 p.m.  
MOTION PUT AND PASSED UNANIMOUSLY.**

Barb Moar  
Acting Municipal Clerk