

**HALIFAX REGIONAL COUNCIL
COMMITTEE OF THE WHOLE**

MINUTES

FEBRUARY 12, 2002

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

REGRETS: Councillor Diana Whalen

STAFF: George McLellan, Chief Administrative Officer
Wayne Anstey, Municipal Solicitor
Vi Carmichael, Municipal Clerk
Sandra Shute, Assistant Municipal Clerk

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1. **CALL TO ORDER**

The meeting was called to order at 1:00 p.m.

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

MOVED by Councillor Hetherington, seconded by Councillor Goucher to approve the Order of Business as presented. MOTION PUT AND PASSED.

3. **REGIONAL PLANNING PRESENTATION**

Anne Meucke, Director of Regional Planning provided additional information pertaining to the Regional Planning process and addressed some of the issues that arose at the last presentation on January 29, 2002. The presentation covered:

- C Links to HRM 20/20 recommendations
- C Links to Council's priorities
- C Outline of Phase 1 - issues, analysis, growth options
- C 1998 to 2000 Subdivision approvals (included green areas on mapping)
- C Settlement Forms
- C Historical trends
- C Broad Issues pertaining to change - redistribution of population between the urban, suburban and semi-rural area
- C Phase 1: Growth and its implications
- C Scope of Regional Planning decisions
- C Resourcing, deliverables, timing, milestones, resourcing
- C Examples of decisions that Council will be faced with in the future.
- C Three months extension to Phase 1 schedule
- C Revisions to public consultation - extension of time limits for consultation
- C Consultation Plan - approval being sought from Council
- C Request for Council to approve in principle the establishment of a Partnership Committee, recognizing it will be an integral component of the consultation process
- C Structure of Partnership Committee
- C Approvals from Council
- C Risk in terms of scope, cost or time line

Councillor McInroy referred to the green areas identified by Ms. Meucke and noted the tremendous pressure to go in a certain direction with regard to extension to service boundaries if there is excess capacity. He noted there were some landholders who are "not in the game" but whose lands are equal, if not more obvious, in terms of being included. Specifically, the lands on the west side of Caldwell Road between Caldwell Road and Morris Lake, which have been excluded for years from the serviceable boundary, were

not a logical exclusion but they were not owned by any of the movers and shakers in the development industry. He asked what kind of things would be brought to the process to make the exercise as objective as possible.

Mr. Austin French, Manager, Community/Regional Planning advised, in response, that the green areas were selected by a staff team who tried to avoid any discussion around property ownership. He acknowledged, however, that the first four Master Plan areas were driven by pressure received from developers. The specific area Councillor McInroy was referring to could yet be included. Staff intended to talk to the three Planning Advisory Committees about this and seek feedback. He felt the reason the lands in question referenced by Councillor McInroy were not included at this stage would be because the assumption is that it has already been assessed through the Morris/Russell Lake Master Plan process. Staff was not opposed to looking at the area in question again, however.

Councillor McInroy said he did not want it to appear that he was lobbying to have that parcel included; however, throughout the years of boundary adjustments in the former Halifax County Municipality, the property was never considered to be a priority because the plain fact was that it was owned by three private owners who did not have development interests beyond wanting to sell the land to someone else who did. He asked what could be done to make the process more objective.

Mr. French advised further that in the past the onus was on the private developer to extend services and the bigger players tended to have the money to do so. The Capital Cost Contribution program which is currently evolving is specifically designed to get beyond that. Since the proposal would be for costs to be spread among various landowners, it would bring an element of equity to the process of expansion of the services.

In response to a question from Councillor Uteck as to how Regional Planning will tie in with plans of District Capital and the Waterfront Development Corporation, Ms. Meucke advised that staff feels that existing planning processes of this nature should proceed as activities that have been underway for a long time should not be cut off. In terms of other work around the harbour, staff was seeking to coordinate with Waterfront Development, Canada Lands, the Capital District Task Group and the Port Corporation to prepare a harbour plan in Phase 2.

In response to a question from Councillor Uteck regarding whether or not the plan to build a trail on the lands in front of the Nova Scotia Hospital would be allowed to proceed, Ms. Meucke advised that the Waterfront Development Corporation has control over the land and they want to proceed. What is required, however, over the long term is to figure out the balance of residential, recreational, industrial, commercial activities that should be happening around the harbour. Since this is a working harbour, there should be marine related industrial lands designated and not end up with homogenous land uses that could cut out a lot of activities.

Councillor Uteck referred to allocation of planning staff to Regional Planning and asked for clarification regarding what would happen with MPS changes. In response, Paul Dunphy, Director of Planning and Development advised that in terms of the overall department, most of the staff are focused on day-to-day administration such as permits and subdivisions and Regional Planning would have no effect on those processes. Planning staff and technical support staff were divided up last year: one to deal with applications for rezonings and Development Agreements and the other to shift their focus from community plans to regional issues such as Capital Cost Contribution or regional plan amendment issues such as C & D. Regional Planning staff are limited so they should be focused so there is no increase in cost or increase in time frame. Wherever possible, Regional Planning staff will deal with Master Plans, the Harbour waterfront, and MPS amendments. Site specific plan amendments will be dealt with on their own merits.

Councillor Uteck referred to the flat line or slight increase in population of the core and a change over of housing stock on the Peninsula which was not reflected. She asked how to get the School Board to recognize the fact that there are young families moving onto the Peninsula. This was a concern because the School Board is proposing to close more schools on the Peninsula.

In response to Councillor Uteck, Ms. Meucke advised that part of the challenge of Regional Planning is to identify the kind of policies that would encourage people to move back into the urban core where the services and amenities already are and, in fact, are being underutilized at present.

Mr. Dunphy then advised that the Census information would be coming out in July which would show demographics as opposed to gross population. With regard to the Peninsula, the big reason for the population remaining flat is decreasing size of families but that does not stop development activity; it just spreads the population into more dwelling units and changes the visual character of the area.

Councillor Cooper asked if people came in to initiate changes to any of the Plans in the Municipality, how would they be affected by Regional Planning. He added that North West Community Council had expressed concerns to Program and Service Review regarding adequate staffing.

Mr. Dunphy responded that, in terms of people making applications, whether they are a large scale developer or a small property owner, staff will deal with them as they always have, on a priority basis. Currently, there are two Planner vacancies in the planning applications group, which does affect the workload now. It was expected to fill those vacancies April 1 but they have been left vacant until then so there is no deficit in the department. Planning department has been projecting a deficit because of a decline in revenues since September 11.

In response to a question from Councillor Cooper regarding the Capital District and Waterfront Development projects, Ms. Meucke advised that the development on the waterfront would be encouraged under Regional Planning. It would bring more people downtown to live, provide new amenities and new types of civic space on the waterfront. There did not appear to be a conflict between what is happening and what Regional Planning is seeking to do. In terms of the work of the Capital District, it was concluded that the best basic division of responsibility is for the Capital District to deal with relatively local and short term issues and infrastructure upgrading. If Capital District feels that certain policies are required to revitalize the District, they would have to be looked at in Regional Planning terms. If there are found to be long term implications, Regional Planning would request that the policies be rolled into the Vibrant City, Healthy Communities portion of the Regional Planning process. If they are essentially local and only affect the area, then it could go ahead.

In response to a question from Councillor Cooper as to whether or not the green areas would be looked at in future for development, Ms. Meucke advised that they were areas immediately adjacent to the current servicing boundary and in many cases are very large land assemblies and are potential areas for future applications for service extension. They would have to be looked at in terms of costs for sewer and water, the road network and transit.

Councillor Cooper stated it was evident that there were no substantial green areas within the Harbour East Community Council area. He asked what were the implications and what would it mean to the developers in that area for the future. The Integrated Servicing Study indicated a possible expansion of the Eastern Passage plant in 2008/09. He asked would there be a possible stoppage of development in the Harbour East area.

Mr. French, in response, advised that the Port Wallis/Dartmouth North area is within the Harbour East Community Council area, and is the largest of the green areas. The current Morris Lake/Russell Lake Master Plan already addresses a substantial part of the area. He asked if Councillor Cooper was looking for staff to look at the Eastern Passage Plan area.

Councillor Cooper stated most of the horseshoe in the Port Wallis area was probably in the area outside Harbour East and was probably in District 2/Fall River. There was no indicated consideration of growth in Eastern Passage or Westphal.

Mr. French, in response, advised that beyond the Morris/Russell Lake Master Plan analysis, there is no indication within the current terms of reference to go beyond that. This could be reexamined and discussion could take place with the Planning Advisory Committees before moving forward.

Councillor Cooper stated that the Integrated Servicing Study has already indicated time lines for expansion of the Eastern Passage plant. If that is now in jeopardy, then the people and developers who live in that area should be told. He requested that staff look at this and at the earliest possible date.

Councillor Warshick referred to the Port Wallis area of District 6 and the portion next to it which has been expanded. He advised there are some land assemblies there. He pointed out there was a District Boundaries Advisory Committee but there was nothing in the report about consultation with them. What could happen in the green area in his District could well have a impact on what the Boundary Committee decides to do. He suggested that the Boundary Committee should be kept up to date.

Councillor Warshick then referred to the makeup of the Partnership Committee and expressed surprise there was a recommendation to have a Councillor from each of the Community Councils. He stated there had been discussion not long ago with regard to the Airport Authority makeup and he thought there had been a precedent set there to no longer go by geographical boundaries as it was all one HRM.

Mr. George McLellan, Chief Administrative Officer responded that different formats should be allowed in relation to the outcomes required. Regional Planning was more related to the stakeholders in geographic areas.

Councillor Sloane expressed concern re growth in the downtown and possible school closures and with the fact that the School Board would not have the latest Census information before them when making a decision. Subsequently, Mayor Kelly indicated that senior staff would deal with the growth aspects of this matter.

Councillor Hines referred to design and management of future development of septic systems. At some point, industry is going to have to be consulted regarding on site sewage as well as well water management in preparation of the Regional Plan. Staff should be aware that there is competition between the on site sewage people at the grass routes level and APENS. Consultation should not always take place with APENS. As well, staff should be careful when considering suggestions from ground water management people because there might be a negative effect on the plan.

In response to a request from Councillor Colwell to provide further information, Ms. Meucke advised that one of the things that causes dispersal of population in rural areas is large lots required for septic systems. Another possible way to proceed would be to have a common septic management system. This would allow clustering to take place which means that in future it might be possible to consider transit service. As well, some people who move out from the urban area may not know they are on a septic system or, if they do, know how to manage it. A better information program for people in rural areas will be considered as well as licensing systems.

Councillor Colwell stated he was concerned that there might not be any more development in the rural areas because they do not want any more septic fields. It was a choice of life style; some people want a big lot and do not want to be on top of their neighbour. He did not want to see development stifled in the rural areas to take a few cars off the road. Many people operate their business from their home in the rural area and do not come downtown every day. The light green area indicates that everybody works downtown but they do not.

In response to a question from Councillor Walker dealing with Phase 1 which would be presented to Council in March, 2003, Ms. Meucke advised that at that time Council would receive presentation on a number of alternative growth scenarios and their implications in terms of service delivery and the need for additional infrastructure investment. Council would eventually choose one to pursue. The whole time frame would be three to four years. The detail in terms of actual cost and phasing will come in Phase 2 which would come to Council in 2004. In Phase 2, infrastructure and transportation would be the highest priority.

Councillor McInroy again referred to the lands on Caldwell Road and described the serviceable area which did not include these lands. In his opinion, planning should be based on principle, not people. Eastern Passage has hundreds of acres within the serviceable boundary which can be serviced by right and developed. He stated it was premature to include a slide like the green areas in the presentation like this and staff should look at this more thoroughly. It was obvious the 100 acres on Caldwell Road was missing.

Mr. French stated that the areas selected on the map are large holding zones on the edge of the Municipality's servicing boundary and all identified in previous Municipal Planning Strategies as potential areas for future growth. It is not the intention to imply that any one of those, or all of them, would be a growth area or that there might not be growth elsewhere. It is not the only analysis occurring relative to development capacity and it is premature to rule out other options for growth.

There being no further comments from Council, Mayor Kelly thanked staff for their presentation.

4. TAX STRUCTURE COMMITTEE UPDATE

Councillor Cooper, Chair of the Tax Structure Committee, introduced this issue.

Bruce Fisher, Manager, Financial Planning and Gordon Roussel, Budget Coordinator were in attendance. The following information was provided to Council:

C Which services everyone cost shares.

- C Which services not everyone pays for, leading to three tax rates - urban, suburban and rural.
- C Average residential assessment for a single dwelling unit.
- C Tax base in 2001.
- C Tax rates for Fire Service.
- C Tax rates for Streetlights.
- C Tax rates for Transit.
- C Tax rates for Recreation.
- C Tax rates for Fire, Crosswalks and Streetlights.
- C Committee Work - Principles.
- C Committee Work - Other jurisdictions
- C Committee Work - Councillor's Requests
- C Review of Services - Local Improvements Charges
- C Review of Services - Sidewalks
- C Review of Services - Fire
- C Review of Services - Recreation Facilities
- C Review of Services - Streetlights
- C Review of Services - Crosswalk Guards
- C Review of Services - Transit
- C Review of Services - Hydrants
- C Tax Structure Models for Discussion - single, dual and triple rate
- C Outstanding Issues
- C Timing of Changes

Mr. Fisher advised, in summation, that the Committee would be looking for direction from Council on the basic principles of the tax structure, the models and the timing of the types of decisions that would have to be made.

In response to a question from Councillor Sarto, Mr. Fisher advised that area rates cover capital and operating in their respective areas.

In response to another question from Councillor Sarto, Mr. Fisher advised it was possible for Councillors to submit suggestions to the Committee and, as well, any Councillor could attend Committee meetings.

Councillor Adams referring to the single rate, said he would be interested in seeing specific examples of this. With regard to assessment, he was still looking for a reason why Council could not make application to the provincial government to get rid of assessment and instead base taxes on the tax paid previous and then increase or decrease on that particular tax. When a property is sold, that is when market value is determined.

In response, Mr. Fisher advised that Councillor Adams' issue was already flagged as one that has to be responded to by the Committee.

At the request of Councillor Cooper, Mr. Fisher elaborated on service levels and what happens when something goes from an area rate to the general rate.

Councillor Streach stated he felt the Committee was on the right track. He then asked for clarification regarding regional recreational facilities and their criteria. In response, Mr. Fisher advised of the criteria being considered at this time.

In response to a question from Councillor Fougere as to the time line of 2003/04 tax year and assessment issues, Mr. Fisher confirmed the 2003/04 time line but advised that part of the difficulty was that HRM does not control assessment. Grants Committee has been asked to look at some of the issues that surround assessment.

Councillor Rankin referred to Fire Services where there are various levels of service, even within Districts, resulting in significant implications for the communities in terms of culture. Things would be very much centralized if services are standardized and communities should understand those implications. He felt there should be representation from the Community Councils because of the number of Fire Departments. As well, there was the question of what constitutes mandatory services. He asked if this would serve to open an artificial demand once services are generalized and service levels are defined in an enhanced way.

Councillor Meade also referred to Fire Services where there is a difference in rates for Black Point, Prospect, etc. If there were one rate, all fire departments in his District could want paid men.

Mr. McLellan stated he anticipated that everybody would want more but that should not hold back consideration of the policy. Staff and Council will continue to measure in terms of HRM's abilities and the needs of the residents.

Councillor Meade referred to streetlights in District 23. He stated that staff was unaware there was no area rate in District 23. He requested that this be checked out to see who is paying an area rate and who is not.

Mayor Kelly thanked staff for their presentation and advised that Council would be looking forward to their final report.

5. **ADJOURNMENT**

The meeting adjourned at 3:10 p.m.

Vi Carmichael
Municipal Clerk