

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL
MINUTES
May 29, 2007

PRESENT:

Mayor Peter Kelly
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
Russell Walker
Debbie Hum
Linda Mosher
Brad Johns
Robert Harvey
Gary Martin
Reg Rankin
Gary Meade

REGRETS:

Deputy Mayor Sue Uteck
Councillors: Sheila Fougere
Steve Adams

STAFF:

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 6:00 p.m. with the Invocation being led by Councillor Walker.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENT

Councillor Johns reminded residents of Districts 19 and 20 of the public information meeting scheduled for Wednesday, May 30th at 7:00 p.m. at Weir Field, Upper Sackville to discuss the proposal for the old Oldands property.

Councillor Sloane thanked those who came to the event at Uniacke Square. She advised bike rodeos will be taking place on Saturday, June 2nd, from 10:00 a.m. to 1:00 p.m. at the Halifax Forum; Sunday, June 3rd, from noon to 2:00 p.m. at Basinview Drive Elementary School and, Sunday, June 10th, from noon to 2:00 p.m. at Ian Forsythe, Oxford and Park West schools.

Councillor Karsten advised a mobile hazardous waste depot for residential material will be set up in the Micmac Mall parking lot from 9:00 a.m. to 4:00 p.m. on Saturday, June 2nd.

Councillor Murphy advised the Bloomfield Art Show will take place on Thursday, May 31, 2007.

Councillor Rankin advised there will be a tax reform workshop on Wednesday at 7:00 p.m. in the Firefighters Community Hall on Hammonds Plains Road and on Thursday at 9:00 a.m. in the Halifax Forum.

Councillor Hendsbee thanked the Lake Echo Lions Club for their street clean up and litter campaign. He further advised that the Lake Echo and Cole Harbour Lions will be holding a dog walk on Sunday, June 3rd at the Shubie Park ballfield.

Councillor Mosher congratulated the Majorettes on a successful year and encouraged residents to attend the Greek Fest planned for June 8, 9 and 10.

Councillor Kent updated Council on the progress of the clean up of McNabs Island and expressed appreciation to staff on their coordination of the clean up. She noted a beach clean up of the island is planned for Sunday, June 3rd.

Councillor Snow thanked those who participated in the neighbourhood garbage clean up in District 2. She advised that at 6:30 p.m. on Wednesday, May 30th there will be a transit and transportation meeting at the St. Johns United Church Hall, Fall River.

Councillor McCluskey reminded everyone of the Downtown Dartmouth clean up scheduled

for June 6th.

Councillor Wile advised that on May 17th a reception had been held at City Hall to announce the grand prize winner of the "Why I Say No to Smoking" contest.

Councillor Sloane advised there will be a clean up of Downtown Halifax on June 6th starting at 11:00 a.m.

Mayor Kelly advised June 3rd is Canada Forces Day and HRM will be hosting an event in Grand Parade on Friday, June 1st at 9:00 a.m.

3. APPROVAL OF MINUTES - May 8, 2007

MOVED by Councillor Wile, seconded by Councillor Younger, that the minutes of May 8, 2007 be approved. MOTION PUT AND PASSED UNANIMOUSLY.

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

Additions

- 13.1 Proclamation - Canadian Forces Day - June 3, 2007
- 13.2 Councillor McCluskey - Civic Addressing Process
- 13.3 Councillor Younger - Request to add May 29, 2007 Information Item #6 to the agenda - "Compact Flourescent Lights - Mercury Disposal - Banning of Incandescent Light Bulbs"
- 13.4 Eastern Passage Wastewater Treatment Facility - Expansion and Upgrade
- 13.5 Proposed By-Law S-900, Respecting the Establishment of Controlled Access Streets for Streets Within the Halifax Regional Municipality
- 13.6 Property Matter - Expropriation of Sewer Easement, Lower Sackville
- 13.7 Property Matter - Access Agreement, Capital District Health Authority

Councillor McCluskey requested item 13.2 be deferred to the next Regional Council meeting.

MOVED by Councillor Sloane, 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 - NONE

9. PUBLIC HEARINGS

9.1 Change in Use of Portion of HRM Property at Baker Drive and Norm Newman Drive, Dartmouth

- An extract from the May 1, 2007 Regional Council minutes was before Council.
- A report dated April 20, 2007, on the above noted, was before Council.

Mr. Ken Reashor, Manager, Traffic and Right of Way Services, presented the report to Council.

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

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

MOVED by Councillor Karsten, seconded by Councillor Kent, that Council approve the Change in Use: Parkland to Street Right Of Way - Intersection of Baker Drive and Norm Newman Drive, Dartmouth, as shown on Attachment "A" of the April 20, 2007 staff report.

In response to Councillor McCluskey, staff advised this will not increase parking on Norm Newman Drive.

MOTION PUT AND PASSED UNANIMOUSLY.

9.2 By-Law S-422, An Amendment to By-Law S-400, Respecting Charges for Street Improvements

- An extract from the May 1, 2007 Regional Council minutes was before Council.
- A report dated April 11, 2007, on the above noted, was before Council.

Mr. Dave Hubley, Manager, Design and Construction Services, presented the report to Council.

Mayor Kelly called three times for anyone wishing to speak either in favour of or in opposition to the By-Law. Hearing none, the following motion was placed.

MOVED by Councillor Walker, seconded by Councillor Sloane, that the public

hearing close. **MOTION PUT AND PASSED UNANIMOUSLY.**

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

1. **Approve and apply (where applicable) the new Local Improvement blended costs for Capital Projects in the 2006/07 fiscal year as per Schedule "A" attached to the April 11, 2007 staff report minus engineering fee.**
2. **Approve, the adoption of By-Law Number S-422, Respecting Charges for Street Improvements, as attached to the April 11, 2007 staff report.**

Ms. Cathie O'Toole, Acting Director, Finance, referenced Schedule A and advised the budgetary impact would be a reduction in revenue for 2007/08. The objective of the engineering fee was to provide increased capacity and to enhance the ability to do these projects as well as bring equity.

In response to Councillor Meade, staff advised the revenue would be utilized to increase staff levels within Design and Construction Services.

MOTION DEFEATED.

The motion as per the staff report was now placed.

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

1. **Approve and apply (where applicable) the new Local Improvement blended costs for Capital Projects in the 2006/07 fiscal year as per Schedule "A" attached to the April 11, 2007 staff report.**
2. **Approve, the adoption of By-Law Number S-422, Respecting Charges for Street Improvements, as attached to the April 11, 2007 staff report.**

MOTION PUT AND PASSED UNANIMOUSLY.

10. CORRESPONDENCE, PETITIONS AND DELEGATIONS

10.1 Correspondence

10.1.1 12 Wing Headquarters Shearwater re: Sea King Helicopter Landing and Flypast, Portland Estates Elementary School

- Correspondence from Colonel A.D. Blair, Wing Commander, 12 Wing Shearwater, on the above noted, was before Council.

MOVED by Councillor Karsten, seconded by Councillor Walker, that Regional Council grant permission to 12 Wing Shearwater for a Sea King Helicopter Landing and Flypast, Portland Estates Elementary School, on Wednesday, June 6, 2007 with Thursday, June 7, 2007 being approved as the alternate date. MOTION PUT AND PASSED UNANIMOUSLY.

10.2 Petitions

Councillor Snow served a petition on behalf of the homeowners of Steve Subdivision in Wellington appealing the taxes being charged for pollution control.

Councillor Streach submitted correspondence from Ledwidge Lumber regarding the amount of land in HRM that is used as protective areas and how it is negatively impacting the lumber industry and requested it be forwarded to staff for response.

11. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.1 Tender 07-030 - Street Light Maintenance Various Locations - Two (2) Year Contract

- A report dated April 26, 2007, on the above noted, was before Council.

MOVED by Councillor Younger, seconded by Councillor Sloane, that Council:

- 1. award Tender No. 07-030 to Black & McDonald Limited for material and services listed at the unit prices quoted for a Total Tender Price of \$453,355.16 (net HST included) for year One (1) of the contract, June 1, 2007 to May 31, 2008 with funding from Operating Account No. R825 6399- Street lighting, as outlined in the Budget Implications section of the April 26, 2007 report.**
- 2. approve the award for Year Two (2) of the contract, June 1, 2008 to May 31, 2009 to Black & McDonald Limited for \$465,823.79 (net HST included) contingent upon an annual performance review and budget allocation.**

In response to Councillor McCluskey, staff advised it is a unit price contract and depending on the maintenance requirements, the costs could be higher.

In response to Councillor Hendsbee, staff advised the contract is for street lights HRM owns and maintains in Halifax and Dartmouth. He questioned why there was a different maintenance standard for the lights inside and outside the core area.

Councillor Streach stated that many of the lights being installed by Nova Scotia Power are burning out soon after installation and questioned whether HRM was receiving second quality products. He requested follow up on this. He suggested staff bring Nova Scotia Power before Council to address this issue. He further expressed concern with the amount of money being spent when there are people on staff who deal with this matter.

Mr. Reashor reiterated that this tender was in regard to the lights that HRM maintains and not those maintained by Nova Scotia Power. He advised HRM staff is working with Nova Scotia Power on the matter.

Councillor Streach requested information be provided on how many lights are owned by HRM and how many belong to Nova Scotia Power.

Councillor McCluskey requested a report be provided on the work involved and a listing of how much work was done by the contractor and how many lights they had to replace.

Mr. Labrecque advised staff will provide information on the burn rate for the lights. He further noted this contract is not just for bulbs but also includes cable etc.

Mayor Kelly requested the information be provided to Council.

Councillor Sloane requested information be provided as to whether HRM is on a flat rate and, if so, does that mean maintenance is not included. In response, staff advised maintenance is included and it is on a flat rate.

Councillor Younger requested information on maintenance costs for the decorative lights.

MOVED by Councillor Snow, seconded by Councillor Sloane, that this issue be deferred. MOTION DEFEATED.

MAIN MOTION PUT AND PASSED.

11.1.2 Tender 07-050 - Two (2) 2007 Ice Resurfacers & Tender 07-051 - Three (3) 2007 Articulated Municipal Tractors

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

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

1. award Tender No. 07-050, for Two (2) 2007 Ice Resurfacers to Monarch Enterprises Limited for a Total Tender Price of \$159,560.00 (net HST included) with funding from Capital Account No. CVD00413 as outlined in the Budget Implications section of the April 30, 2007 report.
2. award Tender No. 07-051, for Three (3) 2007 Articulated Municipal Tractors to Saunders Equipment Ltd. for a Total Tender Price of \$307,976.00 (net HST included) with funding from Capital Account No. CVD00413 as outlined in the Budget Implications section of April 30, 2007 report.

MOTION PUT AND PASSED UNANIMOUSLY.

11.1.3 Tender 07-052 - Two (2) 2008 Crew Cab and Chassis Trucks with Stake Dump Body

- A report dated May 17, 2007, on the above noted, was before Council.

MOVED by Councillor McCluskey, seconded by Councillor Snow, that Council award Tender No. 07-052, for Two (2) 2008 Crew Cab and Chassis Trucks with Stake Dump Body to Chebucto Ford for a Total Tender Price of \$101,706.00 (net HST included) with funding from Capital Account No. CVD00413 - Fleet Vehicle Replacement as outlined in the Budget Implications section of the May 17, 2007 report. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.4 Tender 07-207 - Windsor Street and Kempt Road, Intersection Improvements - West Region

- A report dated May 18, 2007, on the above noted, was before Council.

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

1. award Tender No. 07-207, Windsor Street at Kempt Road - Intersection Improvements - West Region to Dexter Construction Company Limited for material and services listed at the unit prices quoted for a Total Tender Price of \$2,329,634.80 (net HST included) with funding from Capital Account No. CTV00725 - Lacewood Four Lane/Fairview Interchange, as outlined in the Budget Implications section of the May 18, 2007 report.
2. approve the appointment of CBCL Limited to assist HRM staff with any technical inquiries relating to the projects design during the construction period for an estimated fee of \$5,000.00 (net HST included) with funding from Capital Account No. CTV00725, Lacewood Four Lane/Fairview Interchange, as

outlined in th Budget Implications section of the May 18, 2007 report.

MOTION PUT AND PASSED UNANIMOUSLY.

11.1.5 Tender 07-208 - Street Reconstruction and Water Main Renewal, Beaumont Drive - Central Region

- A report dated May 17, 2007, on the above noted, was before Council.

MOVED by Councillor Harvey, seconded by Councillor Sloane, that Council award Tender No. 07-208, Street Reconstruction and Water Main Renewal, Beaumont Drive - Central Region to Harbour Construction Company Limited for material and services listed at the unit prices quoted for a Total Tender Price of \$533,300.61 (net HST included) with funding from Capital Account No. CYU00784 - Paving Renewal Program, as outlined in the Budget Implications section of the May 17, 2007 report. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.6 Tender 07-218 - Paving Renewal, Bayview Road - West Region

- A report dated May 15, 2007, on the above noted, was before Council.

MOVED by Councillor Hum, seconded by Councillor Walker, that Council award Tender No. 07-218, Paving Renewal, Bayview Road - West Region to Lafarge Canada Inc. for material and services listed at the unit prices quoted for a Total Tender Price of \$408,027.41 (net HST included) with funding from Capital Account No's. CYU00784 - Paving Renewal Program, and CSI00875 - Sewer Repairs as outlined in the Budget Implications section of the May 15, 2007 report. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.7 Tender 07-229 - Paving Resurfacing, King Street - East Region

- A report dated May 14, 2007, on the above noted, was before Council.

MOVED by Councillor McCluskey, seconded by Councillor Snow, that Council award Tender No. 07-229, Paving Resurfacing, King Street - East Region to Amber Contracting Limited for material and services listed at the unit prices quoted for a Total Tender Price of \$111,477.84 (net HST included) with funding from Capital Account No. CZU00782 - Resurfacing Program, as outlined in the Budget Implications section of the May 14, 2007 report. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.8 Tender 07-231 - Paving Renewal, Gebhardt Street, Gordon Avenue and

Randall Avenue - West Region

- A report dated May 16, 2007, on the above noted, was before Council.

MOVED by Councillor Walker, seconded by Councillor McCluskey, that Council award Tender No. 07-231, Paving Renewal, Gebhardt Street, Gordon Avenue and Randall Avenue - West Region to Lafarge Canada Inc. for material and services listed at the unit prices quoted for a Total Tender Price of \$604,801.08 (net HST included) with funding from Capital Account No. CYU00784 - Paving Renewal Program, as outlined in the Budget Implications section of the May 16, 2007 report. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.9 Tender 07-236 - Sidewalk Renewals - West Region

- A report dated May 14, 2007, on the above noted, was before Council.

MOVED by Councillor Sloane, seconded by Councillor Wile, that Council award Tender No. 07-236, Sidewalk Renewals - West Region to Sackville Trenching for materials and services listed at the unit prices quoted for a Total Tender Price of \$175,043.23 (net HST included) with funding from Capital Account No. CKU00783- Sidewalk Renewals, as outlined in the Budget Implications section of the May 14, 2007 report. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.10 Tender 07-240 - New Paving of Subdivision Streets Inside the Core Area: Buckingham Drive, Abbey Road, Bingham Drive and Sussex Drive - West Region

- A report dated May 16, 2007, on the above noted, was before Council.

MOVED by Councillor Meade, seconded by Councillor Rankin, that Council award Tender No. 07-240, New Paving of Subdivision Streets Inside the Core Area, Buckingham Drive, Abbey Road, Bingham Drive and Sussex Drive - West Region to Basin Contracting Limited for material and services listed at the unit prices quoted for a Total Tender Price of \$689,501.67 (net HST included) with funding from Capital Account No. CXU00715 - New Paving of Subdivision Streets Inside the Core Area, as outlined in the Budget Implications section of the May 16, 2007 report. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.11 Tender 07-241 - New Sidewalk, St. Margaret's Bay Road - West Region

- A report dated May 15, 2007, on the above noted, was before Council.

MOVED by Councillor Rankin, seconded by Councillor Meade, that Council:

- 1. approve the recovery of Local Improvement Charges for the new concrete sidewalk and new curb and gutter on St. Margaret's Bay Road - West Region by a mapped area rate for District 22;**
- 2. award Tender No. 07-241, New Sidewalk, St. Margaret's Bay Road - West Region to Dexter Construction Company Limited for a Total Tender Price of \$193,101.94 (net HST included) with funding from Capital Account No. CJU00785 - New Sidewalks, as outlined in the Budget Implications section of the May 15, 2007 report.**

MOTION PUT AND PASSED UNANIMOUSLY.

11.1.12 Tender 07-242 - Paving and Sidewalk Renewal, Dawson Street - East Region

- A report dated May 7, 2007, on the above noted, was before Council.

MOVED by Councillor Smith, seconded by Councillor Kent, that Council award Tender No.07-242, Paving & Sidewalk Renewal, Dawson Street - East Region to Sackville Trenching Limited for material and services listed at the unit prices quoted for a Total Tender Price of \$225,118.39 (net HST included) with funding from Capital Account Nos. CYU00784 - Paving Renewal Program and CKU00783 - Sidewalk Renewals, as outlined in the Budget Implications section of the May 7, 2007 report.

MOTION PUT AND PASSED UNANIMOUSLY.

11.1.13 Tender 07-243 - Paving Renewal, High Road, Central Region

- A report dated May 16, 2007, on the above noted, was before Council.

MOVED by Councillor Snow, seconded by Councillor McCluskey, that Council award Tender No. 07-243, Paving Renewal, High Road - Central Region to Lafarge Canada Inc. for material and services listed at the unit prices quoted for a Total Tender Price of \$189,792.22 (net HST included) with funding from Capital Account No. CYU00784 - Paving Renewal Program, as outlined in the Budget Implications section of the May 16, 2007 report. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.14 Tender 07-246 - Thin Overlays - Phase 2, Various Locations

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

MOVED by Councillor Kent, seconded by Councillor Snow, that Council award Tender No. 07-246, Thin Overlays - Phase 2, Various Locations to Dexter Construction Company Limited for material and services listed at the unit prices quoted for a Total Tender Price of \$895,178.00 (net HST included) with funding from Capital Account No. CZU00782 - Resurfacing and Operating GL Account No. 2314 - Natural Gas Pipeline Future Settlement Charges, as outlined in the Budget Implications section of the May 4, 2007 report. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.15 Tender 07-248 - Micro Surfacing - Phase 2, Various Locations

- A report dated May 18, 2007, on the above noted, was before Council.

MOVED by Councillor Younger, seconded by Councillor Karsten, that Council award Tender No. 07-248, Micro Surfacing - Phase 2, Various Locations to Industrial Cold Milling for material and services listed at the unit prices quoted for a Total Tender Price of \$819,555.88 (net HST included) with funding from Capital Account No. CZU00782 - Resurfacing and Operating GL Account No. 2314 - Natural Gas Pipeline Future Settlement Charges as outlined in the Budget Implications section of the May 18, 2007 report. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.16 Tender 07-251 - Main Artery Patching - East, West and Central Regions

- A report dated May 15, 2007, on the above noted, was before Council.

MOVED by Councillor Mosher, seconded by Councillor Sloane, that Council award Tender No. 07-251, Main Artery Patching - East, West and Central Regions to Dexter Construction Company Limited for material and services listed at the unit prices quoted for a Total Tender Price of \$1,257,898.30 (net HST included) with funding from Capital Account No. CRU00999 - Main Artery Patching, as outlined in the Budget Implications section of the May 15, 2007 report. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.17 Tender 07-025 - Supply and Installation, Exhaust Extraction Systems for Emergency Vehicles

- A report dated May 11, 2007, on the above noted, was before Council.

MOVED by Councillor Hendsbee, seconded by Councillor Meade, that Council award Tender No. 07-025 to Atlantic Air Cleaning Specialists for the supply and installation of Exhaust Extraction systems for a Total Tender Price of \$109,893.30 (net HST included) with funding from Capital Account No. CB300838 - Fire Station Service

**Upgrades as outlined in the Budget Implications section of the May 11, 2007 report.
MOTION PUT AND PASSED UNANIMOUSLY.**

11.1.18 Tender 07-079 - The Receipt and Management of Separately Collected Leaf and Yard Waste and/or Christmas Trees

- A report dated May 15, 2007, on the above noted, was before Council.

MOVED by Councillor McCluskey, seconded by Councillor Sloane, that Council award Tender No. 07-079 with funding from Solid Waste Resources Operating Budget Account number R325-6301, Composting Facility, as outlined in the Budget Implications section of the May 15, 2007 report, as follows:

- a) Service A - Receipt and Management of Separately Collected Residential Leaf and Yard Waste to Fundy Compost Inc., for a two year period commencing October 1, 2007 at a total firm price of \$122,046.22 including net HST with an option (at HRM's sole discretion) for a one year extension at a total price of \$62,057.40 including net HST.**
- b) Service B - Receipt and Management of Christmas Trees from Eligible Properties to Kynock Resources Ltd. for a two year period commencing December 27, 2007, at a total firm price of \$29,994.41 including net HST, with an option (at HRM's sole discretion) for a one year extension at a total price of \$14,997.21 including net HST.**

Councillor Walker requested staff look at whether the Christmas Tree pickup could be for the three week period following Christmas.

MOTION PUT AND PASSED UNANIMOUSLY.

11.1.19 Request for Proposal 07-331 - Consulting Engineering Services, Bedford - Sackville Trunk Sewer - Hydraulic & Operational Assessment

- A report dated May 29, 2007, on the above noted, was before Council.

MOVED by Councillor Martin, seconded by Councillor Meade, that Regional Council award Request for Proposal (RFP) 07-331 for Consulting Engineering Services - Bedford-Sackville Trunk Sewer - Hydraulic & Operational Assessment, to the highest scoring proponent, SNC-Lavalin Inc., at a cost of \$170,569.94 including net HST with funding from Capital Account No. CGI00610, as outlined in the Budget Implications section of the May 29, 2007 report. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.20 Purchase of Haworth Systems Furniture

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

MOVED by Councillor Karsten, seconded by Councillor Sloane, that Council approve the purchase of Haworth Systems Furniture from our current standing offer with MMP Office Interiors Inc. in the amount of \$321,227.00 (net HST included) with funding from Operating Account No. P316, as outlined in the Budget Implications section of the May 24, 2007 report.

Councillor Karsten stated he would like to see policy changes on standing orders and there be a maximum call out per order.

In response to Councillor Streach, staff advised this is a sole sourced purchased noting, Office Interiors has been contracted to HRM since amalgamation. It was noted a report would be coming forward at a future date with regards to tendering of furniture.

Councillor Mosher noted there is a procurement process and she will not be supporting any more sole sourced tenders to furniture suppliers.

Councillor Karsten requested a report to the Audit Committee with a full detail analysis of what is available and how HRM will proceed in future.

MOTION PUT AND PASSED UNANIMOUSLY.

Council recessed at 8:00 p.m.

Council reconvened at 8:15 p.m.

11.1.21 Proposed By-Law L-125, An Amendment to By-Law L-100, Respecting Charges for Local Improvements - Municipal Services Extension to Lively Subdivision

- A report dated May 29, 2007, on the above noted, was before Council.

Mr. Jamie Hannam, HRWC, presented the report to Council

Councillor Johns expressed concern with the recommendation before Council and noted he did not wish to stop the process but he wished to take the residents charge from \$140.00 down to \$112.00 and the charge for undeveloped land from \$9.56 up to \$12.33 and placed the following motion.

MOVED by Councillor Johns, seconded by Councillor Walker, Regional Council:

1. **approve Option 1 of the staff report dated May 29, 2007, changing the ratio for the allocation of the base component and the oversizing component to a 70/30 split. The proposed LIC rate is based upon allocating 70% of the cost for**

water and sanitary sewer to the residents fronting along Sackville Drive. The 30% balance represents the oversizing component and is funded by the parties who benefit from this oversizing.

- 2. approve in principle and begin the formal process for adoption of By-Law L-125 respecting charges for the Municipal Services Extension to Lively Subdivision.**

Mr. Anguish advised staff will come back with a supplementary report showing the same recommendations reflecting the 70/30 split.

Councillor Johns noted the lots are large with the majority having frontage over 200 feet.

In response to Councillor Hendsbee, staff advised the 30% may be split and may be allocated to the developer or the undeveloped land which would be recovered on an acreage basis. The 70% plus other project costs which would go back to the local lot owners would be collected on a LIC frontage basis.

Councillor Walker stated that even though it may be precedent setting, the people who own the lands will develop the lands.

In response to Councillor McInroy, staff advised this proposal is consistent with HRM policy which speaks to following an incremental model and historical practice has guided 15% or 20%.

MOTION PUT AND PASSED UNANIMOUSLY.

11.1.22 HRM/Halifax Regional Water Commission Draft Wastewater and Stormwater Transfer Agreement

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

MOVED by Councillor McInroy, seconded by Councillor Streach, that Regional Council:

- 1. Approve the transfer of HRM's wastewater services, inclusive of all related staff, assets and liabilities as described in the draft Wastewater and Stormwater Transfer Agreement substantially in the form attached to the May 24, 2007 staff report; to Halifax Regional Water Commission; and,**
- 2. Request the HRWC to compile an application to the Nova Scotia Utility and Review Board (NSUARB) for approval of the transfer agreement and interim wastewater rates.**

MOTION PUT AND PASSED.

11.1.23 Timberlea, Lakeside, Beechville Wastewater Treatment Plant Upgrade

- A report dated May 9, 2007, on the above noted, was before Council.

MOVED by Councillor Rankin, seconded by Councillor Meade, that Regional Council authorize the Chief Administrative Officer to sign the letter attached to the May 9, 2007 report, committing HRM to provide wastewater services to properties within the Timberlea, Lakeside, Beechville Serviceable Area Boundary.

Councillor Rankin noted the letter attached to the report notes there is a commitment to deliver wastewater services over the length of that development. The letter provides the enabling assurance that this development requires.

In response to Councillor Walker, staff advised forcemains will be installed running from Timberlea to the Halifax Treatment Plant.

Councillor Sloane spoke against the motion stating this is not a solution to the problem. She expressed concern with possible capacity issues at the plant.

Mr. Paul Dunphy, Director, Community Development, advised this solution was endorsed by Council and this is reminding Council of that endorsement and fulfilling a request by the developer to have an official endorsement. He advised this solution is integrated into the Regional Plan as a method of wastewater management regardless of where the particular geographic location is of a development.

Councillor Mosher noted that Council endorsed directing the effluent to the Halifax Wastewater System in 2002 and the development went forward predicated on that approval.

In response to Councillor Sloane, staff advised there will be reserve capacity at the plant and it is capable of a ten percent expansion, totalling a fifty five thousand person capacity. He stated the Nine Mile River cannot take the capacity from the Timberlea plant as the 5/1 ratio cannot be met in dry weather; therefore, the Province suspended any growth of that plant.

MOVED by Councillor Murphy, seconded by Councillor Sloane, that staff make a presentation on this matter. MOTION DEFEATED.

MAIN MOTION PUT AND PASSED.

11.1.24 Case 01004 - Municipal Planning Strategy and Land Use By-Law Amendments for the Former BC Silver School Site, Halifax

- A report dated May 22, 2007, on the above noted, was before Council.

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

1. **Authorize staff to initiate a process to consider amending the Halifax Municipal Planning Strategy and Halifax Mainland Land Use By-law to permit a residential subdivision development, by development agreement, upon the former BC Silver School Site, Halifax; and**
2. **Instruct that the Municipal Planning Strategy amendment process include a public participation program in accordance with the Public Participation Resolution adopted by Halifax Regional Council on February 25, 1997.**

MOTION PUT AND PASSED UNANIMOUSLY.

11.1.25 Case 01005 - Amendment to the Halifax Municipal Planning Strategy for 11 Ramsgate Lane, Halifax

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

Councillor Mosher stated, for the record, that based on the history of the applicants development agreement, concerns of residents and promises by the former land owner, she has reservations on moving forward. However, based on the report indicating there is a dramatic need for nursing home beds, she will move the recommendation to allow for a full public process.

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

1. **Authorize staff to initiate the process to amend the Halifax Municipal Planning Strategy to enable a change in occupancy from 80 beds to 91 beds.**
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 UNANIMOUSLY.

11.1.26 Case 01006 - Dartmouth Municipal Strategy Amendment - Heritage Properties

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

MOVED by Councillor McCluskey, seconded by Councillor Karsten, that this item be deferred to June 12, 2007. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.27 Community Facility Master Plan 2007 Committee Terms of Reference

- A report dated May 21, 2007, on the above noted, was before Council.

MOVED by Councillor Hendsbee, seconded by Councillor Hum, that Council approve the Terms fo Reference of the Steering Committee for the Facility Master Plan project. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.28 Proposed By-Law S-423, An Amendment to By-Law S-400, Respecting Local Improvement Charges - New Paving Projects outside the Core Area - 2006

- A report dated May 9, 2007, on the above noted, was before Council.

MOVED by Councillor Meade, seconded by Councillor Hendsbee, that Council approve in principle and begin the formal process for adoption of By-Law S-423 Respecting Charges for Street Improvements from Capital Account No. CXU00585, New Paving of Subdivision Streets Outside the Core Area. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.29 Proposed Administrative Order SC-44, Respecting Closure of a Portion of Gottingen Street at Falkland Street

- A report dated May 17, 2007, on the above noted, was before Council.

MOVED by Councillor Sloane, seconded by Councillor Streach, that Council close a portion of the Gottingen Street right-of-way, Halifax, as per Administrative order SC-44, as shown on Attachment “B” of the May 17, 2007 staff report. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.30 Municipal Government Act Legislative Amendments - 2007

- A report dated May 25, 2007, on the above noted, was before Council.

Ms. Mary Ellen Donovan, Municipal Solicitor, referenced Bonus Zoning on page 10 of the report and noted the list of items and advised planning staff have requested that Heritage Incentives be included within the concept of bonus or incentive zoning.

MOVED by Councillor Walker, seconded by Councillor Sloane, that Halifax Regional Council approve the recommended amendments to the *Municipal Government Act* and related legislation and that the recommended amendments be forwarded to the Province of Nova Scotia for consideration. Further, Heritage Incentives be included within the concept of bonus or incentive zoning. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.31 First Reading By-Law T-703, An Amendment to By-Law T-700, Respecting Tax Deferrals - Revised Income Eligibility Threshold

- A supplementary report dated May 9, 2007, on the above noted, was before

Council.

MOVED by Councillor Walker, seconded by Councillor Hum, that Regional Council give First Reading to By-Law T-703, An Amendment to By-Law T-700, Respecting Tax Deferrals - Revised Income Eligibility Threshold and Schedule a public hearing. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.32 Proposed Amendments to Administrative Order 10, Respecting Partial Tax Exemption for Residential Taxation - Revised Income Eligibility Threshold and Rebate Values

- A supplementary report dated May 9, 2007, on the above noted, was before Council.

MOVED by Councillor Walker, seconded by Councillor Sloane, that Regional Council approve amendments to Administrative Order 10 as detailed in the Discussion section and Attachment "1" of the May 9, 2007 supplementary report. MOTION PUT AND PASSED UNANIMOUSLY.

11.2 REGIONAL PLANNING ADVISORY COMMITTEE

11.2.1 Amendments to Terms of Reference

- A report dated May 23, 2007, on the above noted, was before Council.

MOVED by Councillor Hendsbee, seconded by Councillor Johns, that Halifax Regional Council approve the following amendments to the Regional Plan Advisory Committee Terms of Reference:

- 1. Amend the number of citizen appointments from five (5) to seven (7), and approve the appointment of one rural representative, and one environmental sector representative, and forward this matter to the Membership Selection Committee for action;**
- 2. Strike "and other bodies as determined by Council" from section 4 of the Terms of Reference;**
- 3. Amend the quorum requirement (section 13 of the Terms of Reference) from five (5) to six (6) members;**
- 4. Include, after the third bullet of the Role of the Regional Plan Advisory Committee (section 3 of the Terms of Reference), "To lead, review, and make recommendation to Council on any proposed amendments to the Regional Plan";**
- 5. Amend section 8 of the Terms of Reference to allow the option of a Councillor**

appointment to the position of Vice-Chair of the Committee;

6. Include the following with regard to procedure of meetings, as number 14 of the Terms of Reference:
The meeting shall follow the rules of order (Administrative Order #1) approved by Council, as amended from time to time.

MOTION PUT AND PASSED UNANIMOUSLY.

11.3 MEMBERS OF COUNCIL

11.3.1 Councillor Johns - Fast Ferry Service

MOVED by Councillor Martin, seconded by Councillor Sloane, that this item be deferred to the next Committee of the Whole Council session. **MOTION PUT AND PASSED UNANIMOUSLY.**

11.3.2 Deputy Mayor Uteck - Request for Report re: Heritage Incentive Program - Commercial Heritage Buildings

MOVED by Councillor Walker, seconded by Councillor Sloane, that staff provide a report on ways to increase the funding program for larger commercial heritage properties. **MOTION PUT AND PASSED UNANIMOUSLY.**

12. MOTIONS - NONE

13. ADDED ITEMS

13.1 Proclamation - Canadian Forces Day - June 3, 2007

The proclamation was circulated for the information of Council.

13.2 Councillor McCluskey - Civic Addressing Process

This item was deferred to the June 12, 2007 Council session under the approval of the Order of Business.

13.3 Councillor Younger - Request to add May 29, 2007 Information Item #6 to the Agenda - "Compact Fluorescent Lights - Mercury Disposal - Banning of Incandescent Light Bulbs."

Councillor Younger requested that Mayor Kelly forward the report to the Province.

13.4 Eastern Passage Wastewater Treatment Facility - Expansion and Upgrade

- The following item was addressed at an earlier Committee of the Whole session and was now before Council for ratification.

MOVED by Councillor Kent, seconded by Councillor Streach, that Regional Council:

1. **Approve the funding plan as outlined in the Discussion Section of the Supplementary Report dated May 15, 2007;**
2. **Approve an increase to the Environmental Protection Charge (EPC) rate of \$0.035 per cubic metre, effective October 1, 2008;**
3. **Approve borrowing \$16.4 million over 20 years with the debt servicing provided by the increase to the Environmental Protection Charge.**
4. **Authorize staff to close, or reduce the balances in, the projects listed in Attachment 2 of the Supplementary Report dated May 15, 2007, and direct approximately \$813,982 of these funds towards the Eastern Passage project;**
5. **Approve the use of funds generated by By-Law C-600 “By-Law Respecting Capital Cost Charges” to pay for the portion of the Eastern Passage project eligible to be funded by Wastewater Treatment Capital Cost Contribution Charges, in accordance with the Discussion Section of the Supplementary Report dated May 15, 2007, until the \$10.6 million plus interest is paid in full, pending the annual budget approval process;**
6. **Approve borrowing \$6.0 to \$6.5 million over 10 years with debt servicing provided by the Regional Capital Cost Charge for Wastewater Treatment. The final amount to be borrowed will depend on the actual rate of new development.**

MOTION PUT AND PASSED UNANIMOUSLY.

13.5 Proposed By-law S-900, Respecting the Establishment of Controlled Access Streets for Streets Within the Halifax Regional Municipality.

- The following item was addressed at an earlier Committee of the Whole session and was now before Council for ratification.

MOVED by Councillor Meade, seconded by Councillor Hum, that Regional Council approve in principle the proposed Controlled Access Streets By-Law S-900 as shown in Attachment 1 of the staff report dated May 9, 2007. MOTION PUT AND PASSED UNANIMOUSLY.

13.6 Property Matter - Expropriation of Sewer Easement, Lower Sackville

- The following item was addressed at an earlier In Camera session and was now

before Council for ratification.

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

1. **Approve the attached resolution, pursuant to the provisions of the Expropriation Act and Municipal Government Act, for the expropriation of Parcel SE-X for the purpose of installing a proposed gravity sanitary sewer main which will facilitate the servicing of a portion of Sackville Drive and the connection of the Lively Subdivision to the Bedford-Sackville Trunk Sewer;**
2. **Approve a statutory offer in the amount of \$3,300.00, based on an appraisal by At-Tech Appraisal Consultants Ltd., on behalf of HRM, with funding of this amount from Capital Account CGI00786, Service Extension to Lively Subdivision;**
3. **Authorize staff to request written permission from the Attorney General for immediate possession of the expropriated parcel as the construction tender for the Municipal Services Extension to the Lively Subdivision project is anticipated to be awarded in June 2007, pending Regional Council approval; and**
4. **Not release the May 11, 2007 Private and Confidential report to the public.**

MOTION PUT AND PASSED UNANIMOUSLY.

13.7 Property Matter - Access Agreement, Capital District Health Authority

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

MOVED by Councillor Sloane, seconded by Councillor Wile, that Halifax Regional Council:

1. **Authorize staff to enter into a License Agreement with the Capital District Health Authority to facilitate early access to Parcel H4 and H5, described in the May 16, 2007 staff report, to conduct preliminary site work related to the planned expansion of the QEII Health Sciences Centre, Emergency Department as outlined in the May 16, 2007 Private and Confidential staff report; and**
2. **Not release the Private and Confidential staff report dated May 16, 2007.**

MOTION PUT AND PASSED UNANIMOUSLY.

14. NOTICES OF MOTION

Councillor Hendsbee

Take Notice that at the next regular Regional Council meeting to be held on Tuesday, June 12, 2007, I propose to introduce First Reading of By-Law S-423 Respecting Charges for Street Improvements, New Paving Projects Outside the Core Area - 2006, the purpose of which is to amend By-Law S-400, The Street Improvement By-Law, and which will enable HRM to charge Local Improvement Charges for projects.

Councillor Sloane

Take Notice that at the next regular Regional Council meeting to be held on Tuesday, June 12, 2007, I propose to introduce for adoption Administrative Order SC-44, the purpose of which is to close a portion of the Gottingen Street right-of-way, Halifax

Councillor Johns

Take Notice that at the next regular Regional Council meeting to be held on Tuesday, June 12, 2007, I propose to move First Reading of By-Law L-125, the purpose of which is to set Local Improvement Charges for Municipal Service Extension to Lively Subdivision.

Councillor Meade

Take Notice that at the next regular Regional Council meeting to be held on Tuesday, June 12, 2007, I propose to move First Reading of By-Law S-900, respecting Controlled Access Streets. The purpose of which is to replace the provincial control of access that is being rescinded on specific roads and to establish control on other streets to promote safe and efficient access.

15. ADJOURNMENT

The meeting was adjourned at 9:40 p.m.

Jan Gibson
Municipal Clerk

The following information items were circulated to Council.

1. Proclamation - Child Care Awareness Days - June 2007
2. Memorandum from Advisor, Intergovernmental & Corporate Affairs dated May 17, 2007 re: HRM Initiatives, Spring 2007
3. Memorandum from Director, Transportation and Public Works and Acting Director, Finance dated March 10, 2007 re: Needs Based Tendering / Life Cycle Costing
4. Memorandum from Acting Director, Finance dated May 15, 2007 re: Changes in Principles of Financial Reporting
5. Memorandum from Director, Community Development dated May 23, 2007 re: Bloomfield Planning Process Update
6. Memorandum from Acting Director, Environmental Management Services dated May 17, 2007 re: Compact Flourescent Lights - Mercury Disposal - Banning of Incandescent Light Bulbs
7. Memorandum from Chief of Police dated May 18, 2007 re: Agreement for 911 Call Answering with the Province of Nova Scotia
8. Memorandum from Director, Legal Services and Risk Management dated May 22, 2007 re: Status of By-Law Prosecutions
9. Memorandum from the Municipal Clerk dated May 18, 2007 re: 2007 School Band Performances for Regional Council Meetings
10. Memorandum from the Municipal Clerk dated May 25, 2007 re: Requests for Presentation to Council - None

