

HALIFAX REGIONAL COUNCIL
MINUTES
November 8, 2005

PRESENT:

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

REGRETS:

Councillors Steve Streach
Sue Uteck

STAFF:

Mr. Dan English, 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 Murphy.

2. **APPROVAL OF MINUTES - October 25 & November 1, 2005**

MOVED by Councillor Adams, seconded by Councillor Wile, that the minutes of December 25 and November 1, 2005. MOTION PUT AND PASSED UNANIMOUSLY.

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

Additions

- 12.1 Homelessness Report
- 12.2 Halifax Coalition Against Poverty
- 12.3 Contractual Matter - CUPE Collective Agreement Ratification
- 12.4 Contractual Matter - Transfer of Enforcement of Animal Control

Councillor Snow advised there is a safety issue with the off ramps to Fall River from Highway #118 and #102 and requested the Mayor write Minister Russell advising of this issue.

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

4. **BUSINESS ARISING OUT OF THE MINUTES - NONE**

5. **MOTIONS OF RECONSIDERATION - NONE**

6. **MOTIONS OF RESCISSION - NONE**

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

8. **PUBLIC HEARINGS**

8.1 **By-Law T-217, An Amendment to By-Law T-200, Respecting Tax Exemption for Non-Profit Organizations - request for extension of the current by-Law for 2006-2007**

- An extract from the October 18, 2005 Regional Council minutes was before Council.

- A report dated September 12, 2005, on the above noted, was before Council.

Ms. P.J. Temple, Coordinator, Grants Program, outlined the report.

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

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

DECISION OF COUNCIL

MOVED by Deputy Mayor Walker, seconded by Councillor Kent, that Regional Council approve the amendment of By-Law T-200 by adding the following section immediately following Section 1:

- 1D. The tax exemption or partial exemptions provided herein for the fiscal year 2005-2006 shall also apply to the fiscal year 2006-2007.**

MOTION PUT AND PASSED UNANIMOUSLY.

8.2 Case 00635 - Site Specific Municipal Planning Strategy and Land Use By-Law Amendment and Amendment to a Development Agreement, 3 Bruce Street

- An extract from the October 18, 2005 Regional Council minutes was before Council.
- A report dated October 11, 2005, on the above noted, was before Council.

Ms. Hanita Koblents, Planner, with aid of overheads, presented the report to Council.

Councillor Hendsbee took his seat at 6:08 p.m

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

Mr. Michael Klayme, property owner, Baileys Meat Market, advised the extension will be for storage of a product he distributes from the store. He noted the addition will allow for a walk in cooler.

Mayor Kelly called three times for any additional speakers. 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.

DECISION OF COUNCIL

MOVED by Councillor Younger, seconded by Councillor Karsten, that Regional Council approve the amendments to the Dartmouth Municipal Planning Strategy and Land Use By-Law as provided in Attachment C of the September 27, 2005 staff report.

Councillor Younger advised there were no concerns expressed by any residents in the vicinity of the business.

MOTION PUT AND PASSED UNANIMOUSLY.

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Correspondence

9.1.1 Maritime Forces Atlantic re: Remembrance Day Fly-Past Request

- Correspondence dated November 2, 2005, from Rear-Admiral D. G. McNeil regarding the above noted, was before Council.

MOVED by Councillor Hendsbee, seconded by Councillor Sloane, that Council approve the request for a flypast, at an altitude of 500 feet above the highest obstacle within the flight path, by a Sea King helicopter from Canadian Fores Shearwater on Friday, November 11, 2005. MOTION PUT AND PASSED UNANIMOUSLY.

9.2 Petitions- None

10. REPORTS

10.1 CHIEF ADMINISTRATIVE OFFICER

10.1.1 Cost Shared Funding - Capital District

- A report dated October 18, 2005, on the above noted, was before Council.

MOVED by Councillor Sloane, seconded by Councillor Kent, that Halifax Regional

Council:

1. **Accept the cost shared funding from the Atlantic Canada Opportunities Agency (ACOA) in the amount of \$365,500 and allocate these in accordance with the ACOA agreement as indicated under the Budget Implications section of the October 18, 2005 report,**
2. **Accept the cost shared funding from the Province of Nova Scotia Department of Service Nova Scotia and Municipal Relations in the amount of \$20,000 and allocate these as indicated under the Budget Implications section of the October 18, 2005 report,**
3. **Approve an increase in the Gross Capital Budget to Capital Account No. CDE00105 - Regional Planning Masterplan - Regional Centre/Capital District Urban Design Plan by \$70,000 with no change to the Net Budget, to reflect the cost sharing as per the Budget Implications section of the October 18, 2005 report.**

MOTION PUT AND PASSED UNANIMOUSLY.

10.1.2 Case 00839: Municipal Planning Strategy and Land Use By-Law Amendment to Permit a Lounge at 6273 Quinpool Road, Halifax

- A report dated October 28, 2005, on the above noted, was before Council.

MOVED by Councillor Fougere, seconded by Councillor Goucher, that Regional Council initiate the process to consider amending the Halifax Municipal Planning Strategy and Halifax Peninsula Land Use By-Law to permit a lounge at 6273 Quinpool Road.

Councillor Fougere noted this was for a site specific amendment and would be by development agreement. The Councillor advised this would allow for the restaurant to have a "holding bar" so that patrons have a place to wait while waiting to be seated.

MOTION PUT AND PASSED UNANIMOUSLY.

10.1.3 Service and Engineering Support - Integrated Dispatch & Telecommunications Centre - Sole Source Purchase

- A report dated November 2, 2005, on the above noted, was before Council.

MOVED by Councillor Smith, seconded by Councillor Kent, that Regional Council authorize the sole source purchase of Service and Engineering Support to the HRM radio infrastructure from Motorola Canada Ltd. for the Integrated Dispatch and Telecommunication Centre Project in the amount of \$69,448.00, net HST included, from Capital Account CB200516, Integrated Dispatch and Telecommunication Centre, (IDTC) as per the Budget Implications section of the November 2, 2005 report. **MOTION PUT AND PASSED UNANIMOUSLY.**

10.2 **MEMBERS OF COUNCIL**

10.2.1 **Councillor Snow - Representation on HRM Agencies, Committees, Boards and Commissions**

MOVED by Councillor Snow, seconded by Councillor Younger, that staff provide a report on the practice and experience of trying to achieve broad community representation and gender balance on HRM agencies/boards/committee and commissions. **MOTION PUT AND PASSED.**

10.2.2(i) **Councillor Fougere - Notification Process - Street Right of Way**

MOVED by Councillor Fougere, seconded by Councillor Sloane, that staff provide a report regarding potential policy development around notification to residents when municipal work is done in the street right-of-way.

Councillor Fougere requested staff examine the types of physical changes HRM makes in a street right-of-way and develop a policy on the provision of advance notice to residents when work will be taking place as well as an HRM contact person/phone number.

MOTION PUT AND PASSED UNANIMOUSLY.

10.2.2(ii) **Councillor Fougere - Amendment - Municipal Planning Strategy and Land Use By-Law re: Height Precincts**

MOVED by Councillor Fougere, seconded by Councillor Smith, that staff provide a report regarding the timing and implications of amending the Municipal Planning Strategy (MPS) and Land Use By-Law (LUB) to institute height precincts.

Councillor Fougere noted some documents have height restrictions and some do not. The Councillor advised she was referring specifically to the Capital District of both Halifax and

Dartmouth. She requested the report look at defining where height precincts are appropriate and what would be the process and timelines for putting these in place.

MOTION PUT AND PASSED UNANIMOUSLY.

11. MOTIONS

11.1 Councillor Sloane re: Process for the Election of Deputy Mayor

MOVED by Councillor Sloane, seconded by Councillor Snow, that staff research other Municipalities across Canada and report to Council with a list of recommendations pertaining to amending the process for the election of a Deputy Mayor for 2006. MOTION PUT AND PASSED

12. ADDED ITEMS

12.1 Homelessness Report

- This item was addressed at an earlier Committee of the Whole meeting held prior to the regular session and was now before Council for ratification.

MOVED by Councillor Rankin, seconded by Councillor Snow, that Halifax Regional Council strongly encourage the Federal and Provincial governments to continue funding current housing programs to reduce homelessness and further that the Mayor arrange to meet with the Minister responsible for housing to provide and receive an update on this matter. MOTION PUT AND PASSED UNANIMOUSLY.

12.2 Halifax Coalition Against Poverty

- This item was addressed at an earlier Committee of the Whole meeting held prior to the regular session and was now before Council for ratification.

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

- 1. Request that staff enter into consultation with the Tenancy Board, specifically relating to the collecting of rent In Trust until repairs are done to code and by-law citation orders, regarding delinquent landlords who have shown resistance in being responsible landlords to their tenants.**
- 2. Staff prepare a report regarding this matter, including concerns raised by presenters at the November 8, 2005 Committee of the Whole, to be returned to Council within three weeks.**

MOTION PUT AND PASSED UNANIMOUSLY.

12.3 Contractual Matter - CUPE Collective Agreement Ratification

- This item was addressed at an earlier In Camera meeting held prior to the regular session and was now before Council for ratification.

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

1. Ratify the four year collective bargaining agreement with CUPE Local 108 as outlined in the discussion portion of the 'Ratification - Collective Bargaining Agreement, CUPE Local 108, Private and Confidential Report dated November 3, 2005.
2. The November 3, 2005 report not be released until the new collective agreement is signed by both parties.

MOTION PUT AND PASSED UNANIMOUSLY.

12.4 Contractual Matter - Transfer of Enforcement of Animal Control

- This item was addressed at an earlier In Camera meeting held prior to the regular session and was now before Council for ratification.

MOVED by Councillor Smith, seconded by Councillor Rankin, that Regional Council:

1. Authorize staff to proceed with hiring term staff to provide animal control enforcement services as outlined in the November 2, 2005 Private and Confidential staff report.
2. Not release this report until the HRM animal control enforcement services has been established.

MOTION PUT AND PASSED UNANIMOUSLY.

13. NOTICES OF MOTION

13.1 Councillor Smith

Take Notice that at the next regular meeting of the Halifax Regional Council to be held on November 15, 2005, I intend to introduce a motion requesting planning staff to initiate a

process to make appropriate amendments to the Dartmouth Municipal Planning Strategy (MPS) and Land Use By-Law (LUB) to place zoning restrictions on the establishment of Adult Entertainment venues in Dartmouth.

13.2 Councillor McCluskey

Take Notice that at the next regular meeting of the Halifax Regional Council to be held on Tuesday, the 15th day of November, 2005, I propose to move First Reading of an amendment to Section 7 of Administrative Order One, respecting the seating of members, to be amended as follows:

the words "in numerical order of their polling division" be deleted and the following inserted in its place: "determined through a random draw conducted by the Mayor on the Monday following the annual election of the Deputy Mayor"

14. ADJOURNMENT

The meeting was adjourned at 6:42 p.m.

Jan Gibson
Municipal Clerk

The following information items were circulated to Council:

1. Memorandum from Director, Financial Services dated October 28, 2005
re: Canada Nova Scotia Infrastructure Program Update
3. Memorandum from Director, Financial Services dated October 21, 2005
re: Investment Activities - Quarter Ending June 30, 2005
4. Memorandum from Co-Chairs, Investment Policy Advisory Committee dated
October 21, 2005 re: Quarter Ending June 30, 2005
5. Memorandum from Acting Director, Recreation, Tourism and Culture
dated October 28, 2005 re: Municipal Golf Course
6. Memorandum from Director, Transportation & Public Works dated
October 31, 2005 re: Petition - Request for Wider Sidewalk - Bayers Road
7. Memorandum from Director, Transportation & Public Works dated
October 28, 2005 re: Petition for New Sidewalk, Old Beaver Bank Road
8. Memorandum from Director, Planning and Development Services dated
October 27, 2005 re: Petition - 22 Copperhead Road, Fall River (Case: 00768)
9. Memorandum from Director, Planning and Development Services dated
October 27, 2005 re: Mobile Home Park Committee
10. Memorandum from Director, Planning and Development Services dated
November 2, 2005 re: Status Update - Proposed Temporary Sign By-Law
(Project 00327)
10. Memorandum from the Municipal Clerk, dated November 3, 2005
re: Requests for Presentations to Council.

Date of Request(s)	Name of Delegation(s)	Disposition of Request(s)
October 31 - November 4, 2005	Halifax Coalition Against Poverty re: Minimum Standards for Affordable Housing in Halifax Regional Municipality	Presentation schedule for Committee of the Whole - November 8, 2005

