

HALIFAX REGIONAL COUNCIL  
MINUTES  
December 4, 2007

PRESENT: Mayor Peter Kelly, Chair  
Deputy Mayor Stephen Adams  
Councillors: Steve Streach  
David Hendsbee  
Harry McInroy  
Gloria McCluskey  
Andrew Younger  
Bill Karsten  
Jim Smith  
Mary Wile  
Patrick Murphy  
Dawn M. Sloane  
Sue Uteck  
Sheila Fougere  
Russell Walker  
Debbie Hum  
Linda Mosher  
Robert P. Harvey  
Reg Rankin  
Gary G. Meade

REGRETS: Councillors: Krista Snow  
Gary Martin  
Brad Johns

STAFF: Mr. Dan English, Chief Administrative Officer  
Ms. Mary Ellen Donovan, Municipal Solicitor  
Ms. Julia Horncastle, Acting Municipal Clerk  
Ms. Sheilagh Edmonds, 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 Smith

**2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS**

Councillor McCluskey noted that the Dartmouth Tree Lighting was a great success and she expressed appreciation to members of the committee, the sponsors, and the residents for coming out to the event.

Councillor McCluskey advised that Councillor Snow underwent back surgery today, and she and members of Council wished Councillor Snow a speedy recovery.

Councillor Murphy advised that Thursday, December 6, 2007 was the 90<sup>th</sup> Anniversary of the Halifax Explosion. He noted that, with Council's agreement, he would like to add this item to the agenda and would speak in more detail about events planned around the Municipality to mark the occasion. (This item was added during the Approval of the Agenda)

Councillor Sloane offered congratulations to the 68 individuals who received their Canadian citizenship today in a ceremony at Pier 21.

Councillor Uteck advised that this past Saturday, she, Councillor Murphy and Councillor Fougere attended an event in recognition of 90<sup>th</sup> Anniversary of the Halifax Explosion, and noted that 21 of the survivors were in attendance. Councillor Uteck thanked Mr. Greg King for organizing the event and Dr. Colin Dodds for hosting. She also expressed appreciation to the Nova Scotia Youth Orchestra.

Councillor Smith noted that Thursday, December 6, 2007, the Dartmouth Memorial (Halifax Explosion) will be held at the corner of Pinecrest Drive and Albro Lake Road at 11:00 a.m. and he welcomed all residents to attend the ceremony.

Councillor Adams advised that on November 25, 2007 Spryfield hosted its annual Santa Clause Parade and this year it was estimated that approximately 15,000 residents turned out to watch. Councillor Adams provided a special thank you to the police officers on motorcycles, particularly Sgt. Mike Spearns for the work he has done on interacting and engaging the youth of the community.

Councillor Streach advised that this Sunday, at 1:00 p.m. the annual Christmas Parade will be taking place in the Musquodoboit Valley.

Councillor Streach indicated he would be leaving the Council Meeting early this evening, as he has a community meeting to attend.

Councillor Mosher noted that this past weekend, she and Councillor Adams attended a scholarship auction at J.L. Illsley School. She thanked HRM, the Trade Centre and other sponsors who donated prizes for the event.

Councillor Mosher advised that Wednesday, December 12, 2007, 6:00 p.m. is the annual tree lighting at the Captain William Spry Centre and she welcomed all to attend.

Councillor Fougere advised that, recently, a park on Romans Avenue has been named the *Kenneth Walker Neighbourhood Park*. She explained that Mr. Walker has been honoured in this regard as he was a Second World War veteran, a 32 year veteran of the Halifax Municipal Fire Department, and he was instrumental in creating the Westmore 57 Co-op in an effort to preserve the homes and the neighbourhood from re-development as a parking lot in addition to the Halifax Shopping Centre.

Councillor Hendsbee noted that Monday, December 10, 2007 is International Human Rights Day and the Partners for Human Rights are having an open house and discussion, along with breakfast at the Dartmouth Sportsplex from 8:30 a.m. to 12:00 p.m. He extended an invitation to the general public to attend.

At Councillor Murphy's request, Council observed a moment of silence in honour of the victims of the Halifax Explosion.

### **3. APPROVAL OF MINUTES:**

**MOVED by Councillor McCluskey, seconded by Councillor Younger that the minutes of November 13, 2007 be approved. MOTION PUT AND PASSED.**

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

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#### Deletion:

- 11.4.1 Councillor Snow - Request for Report re: Reimbursement of Parking/Mileage Costs for HRM Board and Committee Volunteers.

#### Additions:

- 13.1 Deputy Mayor Adams - Herring Cove Sewer and Water Post Construction Claims
- 13.2 Crime Prevention Through Environmental Design (CPTED)
- 13.3 Citizen & Councillor Appointments to Boards, Committees & Commissions
- 13.4 Community Transit Operator Wage / Benefit Adjustment
- 13.5 HRM Community Energy Plan
- 13.6 Councillor Murphy - Events Marking the 90<sup>th</sup>. Anniversary of the Halifax Explosion
- 13.7 Deputy Mayor Adams - Re-affirm Council Motion of June 14, 2005/Presentation to Law

Amendments Committee

Deferred:

Item 11.1.5 2008 Regional Council Meeting Schedule

Council agreed to move up items 11.3.1, 11.3.2, and 11.3.3 to be dealt with immediately following the public hearing.

**MOVED by Councillor Sloane, seconded by Councillor Younger that the agenda, as amended, be approved. MOTION PUT AND PASSED.**

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 Case 00929 - Development Agreement and Amendments to the Sackville Municipal Planning Strategy and Land Use By-Law - Commercial Uses**

A staff report dated October 31, 2007 was before Council for consideration.

A report dated November 8, 2007 from the Chair of North West Community Council was before Council for consideration.

A PowerPoint presentation was submitted.

First Reading of this matter was given at a meeting of Regional Council held on November 13, 2007.

Mr. Kurt Pyle, Acting Supervisor, Planning Applications addressed Council and outlined the application by Mr. Doug Miller on behalf of Keizer's Auto Body Shop to amend the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) for Sackville to permit an auto body shop on Sackville Drive. In his presentation Mr. Pyle noted the following key points:

- C Currently, the Sackville Municipal Planning Strategy does not permit auto body shops on Sackville Drive.
- C In 2006 Regional Council gave direction to initiate an amendment to the MPS to permit auto body shops and commercial uses by development agreement, and for staff to negotiate a development agreement with the Keizer property.
- C Tonight's meeting is a joint public hearing between Regional Council and North West Community Council.
- C The site is designated urban residential and is zoned R-6
- C Along Sackville Drive, between Rosemary Drive and the intersection of

- Sackville Drive and the Old Windsor Road, there is a mix of R-6 and C-2 zone uses.
- C Policy UR-31 allows Regional Council to consider commercial uses and auto body shops by Development Agreement
  - C Staff recommend a broad application of the policy to the area of Rosemary Drive and the intersection of Sackville Drive and the Old Windsor Road; and this will include the Keizer property.
  - C Staff are recommending approval for the following reasons:
    - S due to the mix of commercial and residential uses in the area;
    - S a proposed interchange is to be located in the area;
    - S future development in terms of commercial and auto-body uses will be by Development Agreement on properties currently zone R-6.
  - C North West Community Council requested a site specific approach also be considered, and this would limit the proposed policy to the Keizer property.
  - C In regard to the Keizer site:
    - S the property has been infilled in certain areas
    - S it is approximately 3 acres in size
    - S the property has both commercial and residential zoning, however both are zoned C-2 which allow for commercial uses
    - S the proposed building would have approximately 10,000 sq. ft. of main floor area; 7,000 sq. ft. basement; 25 feet in height and made of steel panels and stucco.
    - S the proposed Development Agreement will:
      - S restrict the size of the building;
      - S institute architectural controls;
      - S prohibit outdoor storage and display;
      - S require landscaping;
      - S address mechanical equipment and exhaust issues;
      - S require storm water treatment.

In conclusion, Mr. Pyle advised that staff are recommending Regional Council approve the proposed amendments to the MPS and LUB for the general area between Rosemary Drive and the intersection of Old Windsor Road, including the Keizer Property. Following approval of this by Regional Council and it coming into effect, North West Community Council approve the development agreement for the Keizer property, as contained in the September 17, 2007 staff report.

Councillor Harvey rose on a Point of Order and noted that North West Community Council did not have a quorum at this meeting, and suggested that the Solicitor provide a ruling.

Ms. Mary Ellen Donovan, Solicitor, advised that the Municipal Government Act allows Regional Council to consider the MPS amendment, but the Development Agreement would go back to North West Community Council for a public hearing at a time when a quorum could be achieved.

Mr. Pyle responded to questions of clarification.

The Chair reviewed the rules of procedure for public hearings and then opened the hearing to anyone wishing to speak.

Ms. Valerie LeBlanc, Middle Sackville addressed Council and advised that although she did not object to Keizer's Auto Body's need to relocate and expand their business, she objected to Section 1A as it pertains to the proposed amendment of the Sackville MPS and LUB. She added that she was concerned in particular about two properties if, which granted C-2 zoning will open the door to more used car lots and strip malls. Ms. LeBlanc noted she had additional concerns in regard to her well, and that it is only 20 to 25 feet from the property line of one of the properties under consideration for rezoning, and the additional traffic that will be generated. Ms. LeBlanc read excerpts from a staff report dated November 30, 2000 to North West Community Council concerning a development agreement for a used car sales lot at 1585 Sackville Drive and pointed out that staff recommended against entering into a development agreement for a used car lot for several reasons, specifically, the inability to meet the requirements for access from Highway 1. She questioned why staff would deem this safe now, but in the previous report staff felt it was unsafe. Ms. LeBlanc concluded that she supported Keizer's ability to expand on the site but wanted Council to deny the rezoning of certain areas to C-2, affecting residential neighbourhoods.

Mr. Doug Miller, the applicant, addressed Council and noted that Mr. Keizer tried to find an appropriately rezoned site, even if it was not close to his existing business. He added that they even hoped an auto body shop would be an allowable use in the Sackville Industrial Park, however the management indicated that they did not have a suitable lot and did not foresee in having future land available that would be suitable. Mr. Miller added that the site in question was originally a commercial site and that at one time a member of Lively family considered putting a family residence on the site and it was reverted back to R-6. Mr. Miller noted that, even after doing this, the site was still surrounded by community commercial zone on all sides.

Mr. Miller advised that in working with staff, through uses of fencing, tree planting and tree retention, buffering, setback and retention he has tried to fit the building into the neighbourhood as sympathetically as possible. He noted that the 10,000 sq. ft. building will sit on almost 3 acres of land, and he pointed out that there is a stormwater route which runs through the northern end of the site and in negotiation with staff, they have provided a healthy setback from the centre line of the water course. Mr. Miller also noted that in the final landscaping, they will be able to provide excellent restoration to the immediate landscape apron of the facility. The overall landscaping, drainage, and vegetation will be a benefit to the existing condition for the neighbourhood. Mr. Miller made reference to the separation distance of the entrance driveway from Wilson Boulevard, and explained that it is a function of trying to keep the building and the driveway and hard surface areas as far away as possible from the existing water course in order to meet the 20 metre buffer zone.

The Chair called three times for anyone else wishing to speak; there being none, it was **MOVED by Councillor Younger, seconded by Councillor Sloane that the public hearing close. MOTION PUT AND PASSED.**

In response to a question by Councillor Harvey, Mr. Pyle advised that the C-2 use would permit



used car lots, but it would be by development agreement only.

Councillor Harvey indicated that given the control by Community Council over potential development agreements, with no C-2 uses permitted 'by right', he was supportive of the staff recommendation.

**MOVED by Councillor Harvey, seconded by Councillor Karsten that Regional Council approve the proposed amendments to the Sackville Municipal Planning Strategy and Land Use Bylaw as provided in Attachment A and B of the staff report dated September 17, 2007. MOTION PUT AND PASSED.**

Regional Council then dealt with items 11.3.1, 11.3.2, and 11.3.3.

### **11.3 AUDIT COMMITTEE**

#### **11.3.1 Request for Proposal 07-388 - Audit Services**

A report dated November 14, 2007 by the Chair of the Audit Committee was submitted, with an attached staff report dated October 12, 2007.

**MOVED by Councillor McCluskey, seconded by Councillor Murphy that Regional Council award the Request for Proposal #07-388, Audit Services to KPMG for a one-year term renewable for a maximum of five (5) years, as outlined in the budget implications section of the October 12, 2007 staff report. MOTION PUT AND PASSED.**

#### **11.3.2 Consolidated Audited Financial Statements, March 31, 2007**

A report dated November 14, 2007 by the Chair of the Audit Committee was submitted, with an attached staff report dated October 11, 2007.

**MOVED by McCluskey, seconded by Councillor Walker that Regional Council approve the Halifax Regional Municipality's consolidated audited financial statements for the year ended March 31, 2007.**

Mr. Jamie O'Neil addressed Council and advised that he was a Partner with KPMG and had responsibility for the audited financial statements of the Halifax Regional Municipality. Mr. O'Neil advised that, subject to Council's approval, KPMG was prepared to sign the audit report which is an unqualified report that states the financial statements of the Halifax Regional Municipality are fairly presented in accordance with generally accepted accounting principles.

Ms. Catherine Sanderson, Senior Manager, Financial Services provided a brief overview of the audited financial statements and responded to questions from Council.

In response to a question by Councillor Hendsbee concerning details on the area rate surplus of \$3 million, Ms. Sanderson advised that each quarter the accounting department reports on the state of the area-rated surpluses and area rates in general and this would have been

provided as a 4<sup>th</sup>. quarter report. She added that staff will come back with a report which links this information and the information Councillor Hendsbee was requesting.

**MOTION PUT AND PASSED.**

**11.3.3 Audited Financial Statements - Miscellaneous Trust Funds, March 31, 2007**

A report dated November 14, 2007 by the Chair of the Audit Committee was submitted, with an attached staff report dated October 15, 2007.

**MOVED by Councillor McCluskey, seconded by Councillor Karsten that Regional Council approve the audited financial statements of the Halifax Regional Municipality - Miscellaneous Trust Funds for the year ended March 31, 2007. MOTION PUT AND PASSED.**

**10. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**10.1 Correspondence - None**

**10.2 Petitions - None**

**11. REPORTS:**

**11.1 CHIEF ADMINISTRATIVE OFFICER**

**11.1.1 O'Connell Drive Funding Options**

A staff report dated November 21, 2007 was submitted.

**MOVED by Councillor Hendsbee, seconded by Councillor McCluskey that Regional Council:**

- 1. Approve Option No. 1 as described in the Discussion section of the November 21, 2007 staff report (50%) funding from the advanced 2008/09 HRM Capital Budget, from the 2008/09 account for New Paving of Subdivision Streets Inside the Core Area, 25% funding from an LIC charge levied on properties abutting the HRM-owned portion of O'Connell Drive, and 25% funding from an Area Rate levied on all properties abutting the Provincial owned portion of O'Connell Drive and its feeder streets).**
- 2. Endorses the current practice of LIC funding for subdivision streets inside the core areas, and recognizes that the O'Connell Drive situation should not be precedent setting as it is in response to a unique set of circumstances.**

Councillor Uteck, referring to the staff report, questioned what the "unique set of circumstances

were in regard to this situation, pointing out that this situation is often found in other Councillors' districts.

Mr. Randolph Kinghorn, Solicitor, addressed Council and advised that the waiving of the petition is not what is unique about this matter, but it is that the Province backed away from their policy and practice which created a unique situation.

Councillor Uteck suggested, therefore, the Province should be picking up the entire portion.

In response to a question by Councillor Meade, Mr. Dave Hubley, Design and Construction Services advised that if the motion is passed, the residents would pay 50 percent of the cost, and through Option 1, 25 percent of that cost would be recovered through Local Improvement Charge to the residents on the HRM portion of the road. The remaining 25 percent would be recovered through an area rate from the residents on the provincial piece as well as the feeders that connect to O'Connell Drive.

Councillor Younger pointed out that the original proposal was to charge the residents on O'Connell Drive and the current proposal is to charge those residents and a broader area of residents. He questioned if those residents have been petitioned or aware of the proposal.

In response, Mr. Gordon Roussell, Finance, advised that they have not been petitioned.

In reference to Councillor Younger's comment, Councillor Hendsbee noted that the area rate issue was in response to a reply to the residents' request in regard to those on O'Connell Drive. He advised that he intends to hold a second information meeting in the new year to explain the report to all the residents affected.

#### **MOTION PUT AND PASSED.**

##### **11.1.2 Sewage Thermal Recovery, Techno-Economic Study Award**

A staff report dated December 4, 2007 was submitted.

**MOVED by Councillor McCluskey, seconded by Councillor Younger that Regional Council:**

- 1. Authorize an addition of \$33,100 to the 2007/8 Approved Operating Budget.**
- 2. Authorize a non-repayable withdrawal from the Strategic Growth Reserve (Q126) in the amount of \$33,100 to fund a portion of the Sewage Thermal Recovery, Techno-Economic Study under Operating account I101 - 6999 as outlined in the Budget Implications section of the December 4, 2007.**
- 3. Authorize the sole source expenditure of \$93,100 including net HST on a techno-economic study of Sewage Thermal Recovery to High Performance Energy Systems as per the Budget Implications section of**

**the December 4, 2007.**

**MOTION PUT AND PASSED.**

**11.1.3 Case 01054 - Amendments to All Municipal Planning Strategies - Adult Day Cares**

A staff report dated September 12, 2007 was submitted.

**MOVED by Councillor Younger, seconded by Councillor McCluskey that Regional Council:**

- 1. Initiate a process to amend all the Municipal Planning Strategies and the corresponding Land Use By-laws to permit Adult Daycares: and**
- 2. Direct staff to follow the public participation program as outlined in Attachment "A" of the September 12, 2007 staff report.**

Councillor Younger advised that this matter originated at Harbour East Community Council, however when staff looked into it, it was determined there was merit in looking at the entire region and not just one area.

Councillor Harvey requested that staff examine the term *Adult Daycare* and see if there is a more appropriate term that could be used.

Councillor Younger noted that was the term used by the applicant.

**MOTION PUT AND PASSED.**

**11.1.4 Case 01079 - Dartmouth Municipal Planning Strategy Amendment - Office Buildings**

A staff report dated November 26, 2007 was submitted.

**MOVED by Councillor Smith, seconded by Councillor Karsten that Regional Council initiate a process to amend the Dartmouth Municipal Planning Strategy and Land Use By-law to allow for office uses in buildings greater than three storeys in height on a 2.5 acre parcel of land within the Dartmouth Crossing development as shown on Map 1, of the November 26, 2007 staff report. Further, direct staff to follow the public participation program approved by Council in February 1997. MOTION PUT AND PASSED.**

**11.1.5 2008 Regional Council Meeting Schedule**

This item was deferred during the Approval of the Order of Business.

**11.1.6 Administrative Order 10, Respecting Residential Tax Exemption:**

**Proposed Indexing of Rebate Values and Minimum Tax Payable**

**Motion - Councillor Walker - To Approve Amendments to Administrative Order 10**

A report dated November 14, 2007 from the Chair of the Grants Committee, with an attached staff report dated October 17, 2007 was before Council for consideration.

**MOVED by Councillor Walker, seconded by Councillor Sloane that Regional Council approve:**

1. **The implementation of an indexed Residential Tax Exemption Program, effective April 1, 2008; and**
2. **Amendments to the Administrative Order 10 Respecting Partial tax Exemption for Residential Taxation, as detailed in Attachment 2 of the November 14, 2007 staff report.**

**MOTION PUT AND PASSED.**

**11.1.7 First Reading By-Law T-221, An Amendment to By-Law T-200, Respecting Tax Exemptions for Non-Profit Organizations: 2007 - 2008  
Motion - Councillor Walker - Move First Reading**

A report dated November 14, 2007 from the Chair of the Grants Committee was before Council for its consideration.

**MOVED by Councillor Walker, seconded by Councillor Sloane that Regional Council give First Reading for an amendment to By-Law T-200, Respecting Tax Exemptions for Non-Profit Organizations: 2007-2008 and schedule a public hearing.**

Councillor Walker addressed Council and noted for the record, the following correction:

At the Grants Committee meeting of November 5, 2007, a request from Club 24 of Dartmouth to increase their current level of exemption from 75% exempt at the Residential rate to 100% exempt was declined. This decision should have been noted in the Grants Committee report attached to the staff report.

**MOVED by Councillor Walker, seconded by Councillor Fougere that the motion be amended as follows:**

**That Dartmouth Non-Profit Housing Society be added to the Recommended Awards section of the report (November 14, 2007 Grants Committee report) and that staff prepare a Supplementary Report for the public hearing to amend the Budget Implications of By-law T-221.**

Ms. Peta-Jane Temple, Team Lead, Tax, Grants & Special Projects, HRM Finance responded to questions of clarification from Council.

**THE AMENDMENT WAS PUT AND PASSED.**

**THE MAIN MOTION AS AMENDED WAS PUT AND PASSED.**

**11.2 WESTERN REGION COMMUNITY COUNCIL:**

**11.2.1 Area Rate for Prospect Road Community Centre**

A report dated November 27, 2007 from the Chair of Western Region Community Council was submitted.

**MOVED by Councillor Rankin, seconded by Councillor Meade that Regional Council approve:**

- 1. A new area rate of \$0.038 per \$100 of taxable residential, resource, commercial and business occupancy assessment be established effective with the 2008-09 fiscal year for the purpose of funding the construction of the Prospect Road Community Centre.**
- 2. The catchment area for the new area rate correspond to the current catchment area for the Prospect Road and Area Recreation Association area rate.**
- 3. The area rate for the Prospect Road and Area Recreation Association be reduced from \$0.023 to \$0.012 per \$100 of taxable residential and resource assessment effective with the 2008-09 fiscal year.**

Councillor Uteck noted that, as a property owner in the area, she would recuse herself from any discussion or vote on the item. Councillor Uteck left her seat at Council

**MOTION PUT AND PASSED.**

Councillor Uteck assumed her seat at Council.

**11.4 MEMBERS OF COUNCIL**

**11.4.1 Councillor Snow - Request for Report re: Reimbursement of Parking/Mileage Costs for HRM Board and Committee Volunteers.**

This item was deleted during the Approval of the Order of Business.

**12. MOTIONS**

**12.1 Councillor Hendsbee**

**MOVED by Councillor Hendsbee, seconded by Councillor Murphy that Administrative Order #19 (Respecting Corporate Coat of Arms and Flag) be amended in regard to the use of HRM emblems and symbols so it will allow residents and businesses within the Halifax Regional Municipality to be able to purchase and to proudly fly the official flag of our Municipality above their place of residence and/or business without the requirement of gaining and securing permission of the Regional Council.**

Councillor Younger advised that on April 18, 2006, he put forward a motion, which was passed, requesting Administrative Order 18 be amended in a similar regard to Councillor Hendsbee's motion. He added that it was his understanding Council was waiting for Legal Services to come back with the correct wording.

In response, the Solicitor advised that staff would look into the matter and provide a status report.

**MOTION PUT AND PASSED.**

**13. ADDED ITEMS**

**13.1 Deputy Mayor Adams - Herring Cove Sewer and Water Post Construction Claims**

Deputy Mayor Adams advised of two recent incidents where residents suffered damage to their home, such as flooding, frozen pipes, and sewage backup, and their frustration in dealing with the claims process. He noted that in one situation the resident was told to contact their own insurance company. Deputy Mayor Adams advised that he would like for staff to prepare an information piece which could be handed out to residents, clarifying the process concerning liability, compensation, and filing claims.

**MOVED by Deputy Mayor Adams, seconded by Councillor Younger that staff prepare information which could be handed out to residents clarifying liabilities, compensation, and the claims process in the event they suffer damage as a result of work done in regard to the Herring Cove Sewer and Water project. MOTION PUT AND PASSED**

**13.2 Crime Prevention Through Environmental Design (CPTED)**

This matter had been dealt with at the November 27, 2007 meeting of Committee of the Whole and was now before Council for ratification.

**MOVED by Councillor Uteck, seconded by Councillor Sloane that Halifax Regional Municipality adopt Crime Prevention Through Environmental Design (CPTED) principles in all future development on HRM owned property as well as all future development proposals come to staff that have CPTED training. Further, this include HRM owned parks, playgrounds and properties on an ongoing basis. MOTION PUT AND PASSED.**

### **13.3 PERSONNEL MATTER - Citizen & Councillor Appointments to Boards, Committees & Commissions**

This matter was dealt with at the In Camera Council Meeting of November 27, 2007 and was now before Council for ratification.

**MOVED by Councillor Mosher, seconded by Councillor Karsten that Regional Council:**

- 1. Approve the Citizen and Councillor appointments to Boards / Committees / Commissions as outlined in Attachment 1 of the November 23, 2007 staff report, with amendments;**
- 2. When appointments are made to Boards/Committees/Commissions, a Councillor may be re-appointed if there are no expressions of interest from other members of Council;**
- 3. All former Councillor Becky Kent's vacancies on Boards/Committees/Commissions be left vacant and filled by the newly elected Councillor for District 8, with the exception of the Youth Advisory Committee and Energy and Underground Services, as membership on these Committees has been reduced;**
- 4. Amend the Terms of Reference for the HRM Youth Advisory Committee to reduce Members of Council from three (3) members to two (2) members and quorum shall be a simple majority of members of which one (1) shall be a Councillor;**
- 5. Reduce the membership of Energy and Underground Services Committee to seven (7) members;**
- 6. The Councillor appointment to the Taxi and Limousine Advisory Committee be left vacant as there were no expressions of interest from members of Council;**
- 7. Membership on the 2011 Canada Winter Games Board be increased to two (2) Members of Council, with Councillors Wile and Hum being appointed for terms to 2011;**
- 8. That the merger of the Solid Waste/Resource Advisory Committee and the Energy and Underground Services Committee be referred to both EUGS and SWRAC for joint consideration; and**
- 9. That the Federation of Canadian Municipalities appointment be referred back to the Membership Selection Committee for reconsideration.**



The Solicitor referred to item 7 and advised that the Term of Reference for the Canada Winter Games Board state that any increase in membership would be a decision of the Board. She advised, therefore, Council can only put forward a request to the Board that it increase its membership.

The Chair advised that item 7 would be clarified in this regard.

Deputy Mayor Adams referred to item 6 and indicated that he did not re-apply for the Taxi and Limousine Advisory Committee, but it was not his recollection that he expressed disinterest in serving.

**MOVED by Councillor Mosher, seconded by Deputy Mayor Adams that the motion be amended to re-appoint Deputy Mayor Adams to the Taxi and Limousine Advisory Committee. THE AMENDMENT WAS PUT AND PASSED.**

The main motion now reads:

1. **Approve the Citizen and Councillor appointments to Boards / Committees / Commissions as outlined in Attachment 1 of the November 23, 2007 staff report, with amendments;**
2. **When appointments are made to Boards/Committees/Commissions, a Councillor may be re-appointed if there are no expressions of interest from other members of Council;**
3. **All former Councillor Becky Kent's vacancies on Boards/Committees/Commissions be left vacant and filled by the newly elected Councillor for District 8, with the exception of the Youth Advisory Committee and Energy and Underground Services, as membership on these Committees has been reduced;**
4. **Amend the Terms of Reference for the HRM Youth Advisory Committee to reduce Members of Council from three (3) members to two (2) members and quorum shall be a simple majority of members of which one (1) shall be a Councillor;**
5. **Reduce the membership of Energy and Underground Services Committee to seven (7) members;**
6. **Request the 2011 Canada Winter Games Board increase its membership to two (2) Members of Council, with Councillors Wile and Hum being appointed for terms to 2011;**
7. **That the merger of the Solid Waste/Resource Advisory Committee and the**

**Energy and Underground Services Committee be referred to both EUGS and SWRAC for joint consideration; and**

- 8. That the Federation of Canadian Municipalities appointment be referred back to the Membership Selection Committee for reconsideration.**
- 9. That Deputy Mayor Adams be re-appointed to the Taxi and Limousine Advisory Committee.**

**MOTION PUT AND PASSED.**

#### **13.4 CONTRACTUAL MATTER - Community Transit Operator Wage / Benefit Adjustment**

This matter was dealt with at the In Camera Council Meeting of November 27, 2007 and was now before Council for ratification.

**MOVED by Councillor Hendsbee, seconded by Councillor Wile that Regional Council:**

- 1. Approve the amending agreement to the Halifax Regional Municipality and Amalgamated Transit Collective Agreement (2006-2011) outlined in Appendix "A" to the November 16, 2007 Private and Confidential staff report, subject to ratification by the Union;**
- 2. Approve the operational costs associated with the above noted changes for the period October 19, 2007 to March 31, 2008;**
- 3. Include in the 2008-2009 area rate budgets the future salary scale and benefits costs associated with the Collective Agreement amendments outlined in Appendix "A" to the November 16, 2007 Private and Confidential staff report;**
- 4. HRM Regional Council ratification of the amending agreement as outlined in Appendix "A" to the November 16, 2007 Private and Confidential staff report shall be deemed to be the next Regional Council date immediately following the date of ratification by the Amalgamated Transit Union; and**
- 5. The November 16, 2007 Private and Confidential staff report not be released to the public until after ratification by Regional Council and the ATU.**

**MOTION PUT AND PASSED.**

#### **13.5 HRM Community Energy Plan**

This matter had been dealt with at a Committee of the Whole meeting held earlier on this date

and was now before Council for ratification.

**MOVED by Councillor McCluskey, seconded by Councillor Younger that Regional Council endorse, in principle, the Community Energy Functional Plan, which is consistent with the policies and intent of the Regional Plan and further the goals and policy directives of the Regional Plan. MOTION PUT AND PASSED.**

**13.6 Councillor Murphy - Events Marking the 90<sup>th</sup> Anniversary of the Halifax Explosion**

Councillor Murphy provided a brief presentation outlining the events planned throughout the Municipality to mark the occasion of the 90<sup>th</sup> Anniversary of the Halifax Explosion on Thursday, December 6, 2007.

**13.7 Deputy Mayor Adams - Re-affirm Council Motion of June 14, 2005/Presentation to Law Amendments Committee**

Deputy Mayor Adams requested Council's support in representing Regional Council in a presentation to the Provincial Government's Law Amendments Committee on Thursday, December 6, 2007 at 2:30 p.m. He advised that the Solicitor would provide background information on the matter.

Ms. Mary Ellen Donovan advised that at Regional Council's June 14, 2005 meeting, the Safe Streets Act was considered and endorsed by Council. She added that the Provincial Government is currently considering Bill No. 7, which deals with amendments to the Motor Vehicle Act. She noted the following proposed amendment which deals specifically with Council's resolution of June 14, 2005:

*No person while on a roadway shall stop, attempt to stop or approach a motor vehicle for the purpose of offering, selling, or providing any commodity or service to or soliciting the driver or any other person in the motor vehicle.*

Ms. Donovan went on to note that the Province has provided the following exception to the proposed amendment:

*That this section does not apply to the offer, sale or provision of towing or repair services or any other commodity or service in an emergency; and*

*That it does not apply to fundraising activities that are a) permitted by a by-law of the Municipality in which the activities are conducted, and is approved by the Traffic Authority responsible for the roadway in which the activities are conducted.*

In response to clarification requested by the Chair, Deputy Mayor Adams advised that he was asking for Council to re-affirm its motion of June 14, 2005 specific to the Safe Streets Act. As well, he pointed out that the issue of photo-radar will be addressed in regard to high risk intersections and school zones.

A discussion ensued with the Solicitor and Deputy Mayor Adams responding to questions of clarification.

**MOVED by Deputy Mayor Adams, seconded by Councillor Uteck that Regional Council reaffirm its motion of June 14, 2005 specific to the Safe Streets Act and endorse Deputy Mayor Adams presentation to the Law Amendments Committee in this regard and in regard to issues of red light cameras and photo-radar in high risks intersections and school zones. MOTION PUT AND PASSED.**

**10. NOTICES OF MOTION:** None

**11. ADJOURNMENT**

The meeting adjourned at 8:07 p.m.

Julia Horncastle  
Acting Municipal Clerk

**The following information items were circulated to Council:**

1. Proclamation - Civic Remembrance - December 6, 2007
2. Memorandum from Acting Director, Community Development dated November 2, 2007  
re: Barrington Street Historic District Revitalization Plan
3. Memorandum from Director, Legal Services and Risk Management dated November 28, 2007 re: Polling District Boundaries
4. Memorandum from Acting Municipal Clerk dated November 30, 2007  
re: Requests for Presentation to Council - None

