

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES February 9, 2010

PRESENT:

Mayor Peter Kelly
Deputy Mayor Brad Johns
Councillors: Steve Streach
Barry Dalrymple
David Hendsbee
Lorelei Nicoll
Gloria McCluskey
Darren Fisher
Bill Karsten
Jackie Barkhouse
Jim Smith
Jerry Blumenthal
Dawn Sloane
Sue Uteck
Jennifer Watts
Russell Walker
Debbie Hum
Linda Mosher
Stephen D. Adams
Robert Harvey
Tim Outhit
Reg Rankin
Peter Lund

ABSENT:

Councillor: Mary Wile (Regrets)

STAFF:

Mr. Wayne Anstey, Deputy Chief Administrative Officer
Ms. Randolph Kinghorne, Municipal Solicitor
Ms. Sherryl Murphy, Acting Municipal Clerk
Ms. Cathy Mellett, Acting Municipal Clerk
Ms. Melody Campbell, Legislative Assistant
Ms. Krista Tidgwell, Legislative Assistant

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1. INVOCATION

The Mayor called the meeting to order at 4:30 p.m with the Invocation being led by Councillor Smith.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

This item was addressed during the evening session of Council. See Page 7.

3. APPROVAL OF MINUTES - January 26, 2010

Councillor Watts advised of a change to the minutes of January 26, 2010 noting that the motion on Item 10.1.8 Long Term Arena Strategy, Page 18 should read: "Long Term Arena Strategy to reduce the number of citizens at large having a professional background from two to one; to add one member of the Lacrosse Association; and to add two residents representing recreational users bringing the total membership to twelve".

MOVED by Councillor McCluskey, seconded by Councillor Nicoll, that the minutes of January 26, 2010, as amended, be approved. MOTION PUT AND PASSED.

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

Additions:

- 12.1 Councillor Mosher - Name Change - Halifax Regional Municipality
- 12.2 PROPERTY MATTER - Property Acquisition - Portion of 2530 Sackville Drive
- 12.3 PROPERTY MATTER - Potential Land Acquisition - HRM/Province
- 12.4 LEGAL MATTER - Service Agreement - Acadia First Nation
- 12.5 Metro Transit Five-year Strategic Operations Plan
- 12.6 Sea Level Rise Adaptation Planning for Halifax Harbour

MOVED by Councillor Blumenthal, seconded by Councillor McCluskey, that the Order of Business, 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

8.1 Case 01186 - Amendments to the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy and Land Use B-Law

This matter was deferred from January 12, 2010. The following items were previously distributed to Council:

- A copy of the presentation.
- An Extract of Regional Council Minutes - January 12, 2010.
- A supplementary report dated January 18, 2010.
- A joint report from Marine Drive, Valley and Canal Community Council, North West Community Council and Western Region Community Council dated December 10, 2009.
- A report from the Halifax Watershed Advisory Committee dated October 21, 2009.

MOVED by Councillor Lund, seconded by Deputy Mayor Johns, that Halifax Regional Council approve the proposed amendments to the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy and Land Use By-Law as provided in Attachments "A" and "B" of the staff supplementary report dated January 18, 2010.

Councillor Lund requested an amendment to the motion as follows:

MOVED by Councillor Lund, seconded by Deputy Mayor Johns, that the motion be amended to add "Section 17a.6 of Attachment "B" to enable four fuel pumps per service station rather than three fuel pumps and, where a pump island canopy is permitted in association with the service station, one sign no larger than thirty square feet may be permitted on the canopy provided that the sign is not back lit". AMENDMENT PUT AND PASSED.

The motion now reads:

MOVED by Councillor Lund, seconded by Deputy Mayor Johns, that Halifax Regional Council approve the proposed amendments to the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy and Land Use By-Law as provided in Attachments "A" and "B" of the staff supplementary report dated January 18, 2010 plus amend Section 17a.6 of Attachment "B" to enable four fuel pumps per service station rather than three fuel pumps and where a pump island canopy is permitted in association with the service station one sign no larger than thirty square feet may be permitted on the canopy provided that the sign is not back lit. MOTION PUT AND PASSED.

8.2 Councillor Mosher - Request to Add February 2, 2010 Information Items to the Agenda

This matter was deferred from February 2, 2010. The following items were before Council:

- An information report dated January 12, 2010.
- An information report dated January 18, 2010.

MOVED by Councillor Mosher, seconded by Councillor Walker that Regional Council request staff to prepare budget recommendations to extend summer weekly green bin pickup, for both the existing extended service area and the whole of HRM, to include the last two weeks of June and the first two weeks of September for the summer of 2010 and future summers.

Councillor Mosher advised that it has been shown that there is an increase in the amount of organic waste in the green bin when there is weekly green cart pick up over the summer months. She stated that increased services leads to a decrease in flies and rodents. She noted that in the past weekly green bin pick ups have been a success. She added that increased green bin use could slow down the need to purchase additional cells at the land fill.

Councillor Rankin requested clarification of the extra costs associated with weekly green bin pickup. Mr. Gordon Helm, Manager, Solid Waste Resources advised that for for expanded service to all HRM areas for the current service period of July and August there would be an increase of \$81,000; adding June and September to the service period for the current service areas would result in an increase of \$350,000; and extending the weekly pickup to include June and September for all HRM areas would result in an increase of \$449,000.

Council recessed at 5:00 p.m.

Council reconvened at 6:00 p.m.

Following a brief discussion it was **MOVED by Councillor Walker, seconded by Councillor Blumenthal, that the question be put. MOTION PUT AND PASSED.**

Councillor Mosher provided clarification for the record that the revision from the recommendation provided in the January 18, 2010 information report, was to include the last two weeks of June and the first two weeks of September for the summer of 2010, throughout the Municipality.

Council agreed to forward the information report dated January 12, 2010, to the Solid Waste Resource Advisory Committee for review.

The motion now reads:

MOVED by Councillor Mosher, seconded by Councillor Walker, that Halifax Regional Council request staff to prepare budget recommendations to extend summer weekly green bin pickup, for both the existing extended service area and the whole of HRM, to include the last two weeks of June and the first two weeks of September for the summer of 2010 and future summers, and forward the information report dated January 12, 2010 to the Solid Waste Resource Advisory Committee for review. MOTION PUT AND PASSED.

It was agreed by Council to hear Item 2 - Special Community Announcements and Acknowledgements at this time.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillor Sloane acknowledged that the Halifax for Haiti benefit concert raised over \$135,000. She noted that funds raised will be matched, which will bring the total to \$270,000 raised. She further indicated that Q104 has also raised \$82,000 towards Haiti relief. Councillor Sloane thanked residents who volunteered their time and made donations. She also thanked the various sponsors, Brookes Diamond Productions and the Metro Centre for hosting the benefit. She noted that an informal meeting regarding the Agricola Street Liquor Store property will be held on February 11th and encouraged residents of Agricola Street and District 12 to attend.

Councillor Watts indicated that a public information meeting will be held on February 10th at Halifax Hall, City Hall and will consider the potential of developing a Land Use By-law to permit backyard laying hens. She noted that the By-law affects the Peninsula area only and encouraged residents to attend. Councillor Watts noted that it has been one year since HRM's involvement with the Canada Winter Games. There will be a free skate at the Halifax Forum on Friday, February 12th, as well as, free admission to the University Hockey Game. Councillor Watts welcomed residents to attend and noted that volunteers are needed.

Councillor Nicoll advised that the Dr. WP Oliver Wall of Honour event will be held at the Black Cultural Centre on February 13th. She noted that it is Black History month and welcomed residents to stop by the Centre to look at the exhibits. Councillor Nicoll further advised that on February 14th there will be a Valentine Skating Party on Bissett Lake, Cole Harbour. Other activities such as snowshoeing and snow painting will be available and all citizens are welcome to attend.

Councillor Mosher announced that J. L. Ilesley High School will be hosting a fundraiser dinner, in support of the scholarship fund, on Thursday, February 11th. She further announced that Soyna's Cat & Animal Rescue Society will be holding a fundraiser

dance and silent auction, in support of animal rescue, on March 27th. Tickets are \$5 and can be purchase by calling Sonya at 490-6369 (MEOW). Councillor Mosher indicated that donations are needed for the silent auction.

Councillor Streach noted that a community meeting will be held at the Goffs Fire Hall on Wednesday evening, February 17th. The meeting will discuss the proposed changes of the development surrounding the airport area. He welcomed all residents to attend the meeting and provide their input. Councillor Streach acknowledged residents of District 1 who helped raise money for Haiti relief.

Councillor Dalrymple advised that the funeral of Julie Vials, victim of the recent railroad accident, will be held on February 10th at the Saint Johns United Church, reception to follow. He noted that parking is limited at the Hall and encourage residents to park on side streets. He further noted that on Saturday, February 20th, the Beaverbank Kinsac Community Centre Rebuild Committee will be hosting a Monte Carlo Night at the Sackville Heights Jr. High School. Tickets can be purchase through the Committee or by contacting him. He indicated that there will be various games, lots of prizes and dealers will include himself and Deputy Mayor Johns. All proceeds will be going towards rebuilding the Community Centre.

Councillor Hendsbee invited HRM residents out to a Saint Anne's Valentine's Coffee Party at the Saint Anne's Church, Lake Echo, on February 13th. He further noted that there will be several Valentine's dances throughout District 3 that evening and encouraged residents to attend.

Councillor McCluskey announced that a public information meeting will be held at the Dartmouth High School on February 15th in regard to allowing mid to high rise residential development on the Pine Street Extension and Ochterloney Street. She indicated that there was a skating party at Graham's Grove on February 5th and thanked the Fire Department for participating in the festivities.

Councillor Fisher congratulated Michael Wallis Elementary School for raising over \$5,000 for Haiti relief.

Councillor Smith noted that the Boys and Girls Club of Dartmouth will be holding an auction at their Club on February 21st from 1 p.m. to 4 p.m.

8.2 Councillor Mosher - Request to Add February 2, 2010 Information Items to the Agenda (Deferred Feb 2/10):

- An information report dated January 18, 2010.

MOVED by Councillor Mosher, seconded by Councillor Outhit, that Halifax Regional Council allow the use of clear blue bags for curbside leaf collection.

Councillor Mosher made the following points in support of her motion:

- many residents already have clear blue bags in their homes for bottles and other recyclable materials
- blue bags are less expensive than brown and orange bags
- many residents have expressed an interest in using blue bags for leaf collection
- contents cannot be identified inside brown bags
- concern regarding education surrounding solid waste is based on the colour of the bag; education should be about the contents inside the bag
- solid waste staff should be confirming that the materials inside bags are acceptable
- residents have expressed concern regarding bags being marked due to having unacceptable materials in the wrong colour bag
- using blue bags for leaf collection should not affect budget implications

During the ensuing discussion, Council raised the following concerns:

- Council should not alter the current Solid Waste System
- there are currently three options in place for leaf collection: clear, orange and paper bags
- changes to the current system could result in cost implications

In response to concerns raised by Council, Gord Helm, Manager, Solid Waste Resources, advised that staff does not have specific costs around a change to the present system. Staff has a By-law in place, and contracts that support the By-law, that stipulate that the Solid Waste System is colour coded. Recyclables are being collected in one colour bag and leaf and yard waste are being collected in other colour bags. Staff would have to go back to the contractors to confirm whether there would be additional costs to add an additional colour bag or potentially discontinue the use of another.

During further discussions, Councillors noted the following:

- costs should not increase based on the colour of the bag
- leaves would be identifiable if contained in blue bags; option to eliminate orange bags based on contents not being visible
- there is no documentation to support that one colour bag is more affordable than another
- solid waste collection is an operational issue; Regional Council should not be responsible to determine what colour bag to use for solid waste collection

- residents have an understanding that blue bags are to be used for recyclable materials; changes to the current system could create confusion among staff and residents; consumer education is important

Councillor Hum expressed concern that the January 18th staff report has not gone to the Solid Waste Advisory Committee for review. She further raised concern that the staff report does not address budget and operational implications, public education and budgetary costs to update HRM's written solid waste information.

Without a vote being taken on the motion, the following motion was put **MOVED by Councillor Hum, seconded by Councillor Sloane, that the information report dated January 18, 2010 be referred to the Solid Waste Resource Advisory Committee for review.**

MOTION TO REFER PUT AND PASSED.

9. CORRESPONDENCE, PETITIONS & DELEGATIONS

9.1 Correspondence - None

9.2 Petitions

9.2.1 Councillor Smith

Councillor Smith submitted a petition of approximately 4,000 signatures of residents throughout HRM, requesting municipal funding from HRM to create a TRN (Trap, Neuter, Return) program for stray and feral cats within HRM.

10. REPORTS

10.1 CHIEF ADMINISTRATIVE OFFICER

10.1.1 Insurance Cap Submission to Province

Councillor Smith advised Council of a potential conflict of interest and exited the meeting at 6:33 p.m.

- A staff report dated February 1, 2010 was before Council.

Councillor Uteck raised the following points and concerns:

- in 1999, sidewalks that had a deficiency rating of 61% were replaced; the current deficiency rating is 74%
- the definition of minor injury requires further clarification
- the \$2,500 caps has assisted in decreasing insurance claims and thus, a decrease in insurance costs for HRM

- need to identify what HRM is getting for its money versus the services provided
- recommendations to the Province must be submitted by February 15th, however, Council is not scheduled to meet again until after this deadline
- the report sets out the benefit to HRM but not to a plaintiff who has a serious soft tissue injury
- the infrastructure list has increased, however, the \$2,500 cap is still in place

MOVED by Councillor Walker, seconded by Councillor Hum, that Halifax Regional Council approve the position set out in the attached draft submission to the Provincial Review of the insurance cap and request that it be forwarded to the Office of the Superintendent of Insurance by February 15, 2010.

Roxanne MacLaurin, Senior Solicitor, Legal Services, provided an update to Council. Highlights were as follows:

- in 2003 the Insurance Act regulations were amended to provide for a \$2,500 cap for general damages towards pain and suffering for minor injuries arising from motor vehicle accidents
- amendments to the Insurance Act regulations have been challenged in the court system and have been upheld in the Supreme Court of Nova Scotia and the Nova Scotia Court of Appeal; both levels of Courts found that the amendments did not violate any Charter rights
- The Provincial government is looking to strike a balance between fair compensation for injured parties and affordability of insurance premiums
- it is difficult to know exactly what effect changes will have on HRM's budget; it will be a major impact on HRM, should the Provincial government choose to put a plan in place on a retroactive basis
- HRM has seven years of accumulation of injury claims post cap
- an injury is not considered minor if it is a permanent serious disfigurement or, if a person suffers from a permanent serious impairment of an important bodily function caused by a continuing injury, which is physical in nature and does not resolve within 12 months; the impairment then must cause a substantial interference with a person's ability to perform their usual daily activities or regular employment
- regulatory reforms are aimed at controlling rapidly rising auto insurance premiums and the spiralling awards for pain and suffering caused by minor injuries, which were considered to be the major cause of increasing premiums
- since 2003, overall auto insurance rates in Nova Scotia have decreased by approximately 27%
- HRM's costs for claims have dropped significantly since the cap began
- the cap system minimizes litigation; it focuses on treatment and abilities instead of pain and disability

- claims are paid for all injuries; payments under the cap system are resolving claims on a faster basis
- 95% of HRM's settlements historically have been for minor soft tissue injury
- individuals will still receive compensation for loss of wages, loss of earning capacity, medical treatment and house keeping capacity
- the caps only apply with respect to general damages for pain and suffering
- there is an opportunity for the Province to revisit either the amount of the cap or to clarify the definition of minor injury

Councillor Blumenthal indicated that the Province of Nova Scotia is doing a disservice to HRM residents by having this cap in place. He noted that the insurance companies are making millions off the cap and adjustments need to be made to the cap to assist residents suffering from minor injuries.

Councillor McCluskey expressed concern in regard to current claims going before Council and noted that those claims are being settled higher than the \$2,500. Mr. Anstey advised that Council is currently reviewing claims that deal with higher degrees of injuries.

Mayor Kelly indicated that Council has the option to provide a submission to the Province but is not required to respond.

Councillor Hendsbee commented that this is a very emotional issue and indicated that as directors for the Municipality, Council has to be cautious when considering the removal of the cap. He went on to note that the cap should be reviewed and evaluated, and in some cases augmented, or even review the option to revise the definition of minor injury.

Deputy Mayor Johns entered the meeting at 7:09 p.m.

Councillor Uteck welcomed MLA Leonard Preyra who was in attendance. She suggested His Worship write a letter to the Province on behalf of Regional Council acknowledging Council's support of the review being undertaken by the Province.

THE MOTION WAS PUT AND DEFEATED.

Councillor Smith reentered the meeting at 7:16 p.m.

10.1.2 Award Sole Source - Conserve Nova Scotia Funding, Metro Transit Engineered Machined Products (EMP) MiniHybrid Kits

- A staff report dated February 4, 2010 was before Council.

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

- 1. Approve an increase to Capital Project CTI00695, Emission Reductions Initiative, by \$52,200 (the amount of funding provided by Conserve Nova Scotia).**
- 2. In accordance with the Sole Source Policy {Administrative Order 35, Section 8 (11)} authorize the purchase of two EMP MiniHybrid Thermal kits from Cummins Eastern Canada Ltd. for a Total Price of \$53,989.94 (net HST included) with funding from Capital Project CTI00695.**
- 3. Authorize the Mayor and Clerk to execute the funding agreement with Conserve Nova Scotia as per Attachment B of the February 4, 2010 staff report.**

MOTION PUT AND PASSED.

10.1.3 First Reading Proposed By-Law L-132, An Amendment to By-Law L-100, Respecting Charges for Local Improvements - Case 01281 - Monarch Estates/Rivendale Subdivisions, Beaver Bank: Inclusion in Water Service Area Boundary

- A staff report dated January 12, 2010 was before Council.

MOVED by Councillor Dalrymple, seconded by Councillor Streach, that Halifax Regional Council give First Reading of Local Improvement By-Law L-132, outlined in Attachment A of the January 12, 2010 staff report, to set the charges for the installation of water servicing in the Monarch and Rivendale Subdivisions and adjoining lots along Windgate Drive in Beaver Bank. MOTION PUT AND PASSED.

10.2 WESTERN REGION COMMUNITY COUNCIL

10.2.1 Case 01175 - Municipal Planning Strategy / Land Use By-Law Amendment, Ferguson's Cove, Chebucto Peninsula

- A Community Council report dated February 2, 2010 was before Council.

MOVED by Councillor Adams, seconded by Councillor Walker, that Halifax Regional Council give First Reading to the proposed amendments to the Municipal Planning Strategy and Land Use By-Law for Planning District 5 (Chebucto Peninsula) as contained in attachment "A" of the staff report dated

January 12, 2010 and schedule a joint public hearing with Western Region Community Council. MOTION PUT AND PASSED.

It was noted that the Public Hearing has been set for March 2, 2010.

10.3 GRANTS COMMITTEE

10.3.1 HRM Community Facility Partnership Fund 2009-2010

- A report from the HRM Grants Committee dated February 1, 2010 was before Council.
- Correspondence from Justin McDonough, Co-Chair, Citadel Legacy Committee and James Wilson, Co-Chair, Citadel Legacy, dated February 4, 2010 was circulated to Council.

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

- 1. Approve a one time capital grant in the amount of \$500,000 to the Citadel Theatre Society, Halifax, from Account #M3108004 (Other Fiscal Services Grants), to be held by HRM pending fulfilment of the terms and conditions set out in the Discussion section of the staff report dated January 15, 2010, included as Attachment 1 to the February 1, 2010 Grants Committee report; and**
- 2. Refer the application from the Shubenacadie Canal Commission, Dartmouth, back to the Grant Committee for review of additional information regarding the application; and**
- 3. Approve the carry forward of the application from NSCAD, Halifax, for further consideration in the 2010/2011 program; and**
- 4. Confirm the ineligibility of the application submitted by the St. Patrick's Church Restoration Society; and**
- 5. Approve the development of a designated reserve for the purpose of any carry forward, hold back, refund, or residual portion of the Fund's budget.**

Councillor Dalrymple indicated that the HRM Grants Committee made a unanimous decision to support funding for the Citadel Theatre Society. He noted that numerous questions were asked by the Committee to confirm that the aspects of the theater are separate from the school. He further noted that the grant money is being more than matched through extensive fund-raising by the Citadel Theatre Society.

Councillor Dalrymple advised with regard to the Shubenacadie Canal Commission application, staff has become aware of new information and has recommended that the application go back to the HRM Grants Committee for further clarification.

Councillor Karsten raised the following points:

- That the Community Facility Partnership Fund (CFPF) was a new program initiated in 2008
- He expressed concern as to whether Council will have the funds available to continue issuing grants under the CFPF given the budget constraints of 2010
- he suggested Council discontinue the Community Facility Partnership Fund

Councillor Karsten noted, for the record, that the \$30 million funding gap is not a deficit, but rather a shortfall between projected expenditures and revenues in 2010-2011.

During the ensuing discussion, the following points were noted:

- the community lost two theatres when St. Patrick's and Queen Elizabeth High Schools merged
- it is more cost effective to build the Citadel High theatre within an existing facility as opposed to building it from scratch
- the theatre will be a community facility as opposed to a school facility

Council recessed at 7:58 p.m.

Council reconvened at 8:11 p.m.

Discussion continued with the following points being noted:

- Queen Elizabeth and St. Patrick's High Schools auditoriums were both community facilities
- the proposed location for the theatre supports and helps create involvement in the Arts.

Councillor Uteck thanked staff, her colleagues and the community and called for the question.

MOTION PUT AND PASSED.

10.3.2 Less than Market Value Property Sale - Former Musquodoboit Harbour Elementary School, 7962 Highway 7, Musquodoboit Harbour

- A report from the HRM Grants Committee dated January 27, 2010 was before Council.

Councillor Streach advised that an environmental assessment has been completed on the property.

MOVED by Councillor Streach, seconded by Councillor Blumenthal, that Halifax Regional Council:

- 1. Accept in principle the offer of \$1 for the purchase of the property located at 7962 Highway #7, Musquodoboit Harbour.**
- 2. Approve in principle that early occupancy by the group be granted in advance of the closing date of sale, effective the date the Occupancy Permit is issued, and subject to proof of applicable insurance coverage; further, that any Agreement of Purchase and Sale include specific conditions, intended to reduce certain risks to HRM, be met by end of June 2010. Such conditions would include but are not limited to:**
 - a) Formal registration as a non-profit organization and submission of constitution and by-laws for same; and**
 - b) Confirmation of the organization's financial capacity to cover the following immediate costs:**
 - building and liability insurance**
 - basic utilities ie. power, water, heat**
 - well and septic inspection**
 - building inspection**
 - permit fees as applicable**
 - cost of sale expenses (legal fees, survey, deed migration)**
 - confirmation of initial capital financing**
- 3. Agree that if the proponent is unable to meet the conditions as of June 30, 2010, then the matter would come back to the HRM Grants Committee for review; and**
- 4. Set a date for a public hearing.**

MOTION PUT AND PASSED.

10.4 HERITAGE ADVISORY COMMITTEE

10.4.1 Heritage Incentives - Barrington Street Heritage District

- A report from the Heritage Advisory Committee dated January 29, 2010 was before Council.
- A copy of the presentation entitled Barrington Street Heritage Incentives was circulated to Council.

MOVED BY Councillor Watts, seconded by Councillor Sloane, that Halifax Regional Council:

- 1. Approve a grant of no more than \$96,878 and a tax credit of no more than \$203,033 for the Freemasons Hall building, located at 1533, Barrington Street, as set out in the staff report dated December 7, 2009. The approval of this grant and tax credit is conditional upon, and payment to the applicant shall not be made until, the applicant has:**
 - a) completed the work as set out in the application to the satisfaction of the municipality,**
 - b) provided receipts and invoices to support the total amount approved, and**
 - c) executed and registered at the Registry of Deeds/Land Registration Office an agreement that they will not apply to demolish, nor will they demolish, the property for 20 years from the date of the agreement.**
- 2. Approve a grant of no more than \$96,878 and a tax credit of no more than \$488,020 for the Green Lantern building, located at 1585 Barrington Street, as set out in the staff report dated December 7, 2009. The approval of this grant and tax credit is conditional upon, and payment to the applicant shall not be made until, the applicant has:**
 - a) completed the work as set out in the application to the satisfaction of the municipality,**
 - b) provided receipts and invoices to support the total amount approved, and**
 - c) executed and registered at the Registry of Deeds/Land Registration Office an agreement that they will not apply to demolish, nor will they demolish, the property for 20 years from the date of the agreement.**
- 3. Approve a grant of no more than \$6,244 and a tax credit of no more than \$5,085 for the Colwell building, located at 1673 Barrington Street, as set out in the staff report dated December 7, 2009. The approval of this grant and**

tax credit is conditional upon, and payment to the applicant shall not be made until, the applicant has:

- a) **completed the work as set out in the application to the satisfaction of the municipality,**
 - b) **provided receipts and invoices to support the total amount approved, and**
 - c) **executed and registered at the Registry of Deeds/Land Registration Office an agreement that they will not apply to demolish, nor will they demolish, the property for 20 years from the date of the agreement.**
4. **Approve the transfer of any unused grant funds from the 2009 Barrington Street Heritage Conservation District Incentives Program budget of \$200,000 (account C310-8004 Planning & Application-Grants) to the Heritage & Cultural Tourism reserve account Q312.**

MOTION PUT AND PASSED.

11. MOTIONS - NONE

12. ADDED ITEMS

12.1 Councillor Mosher - Name Change - Halifax Regional Municipality

- **An information report dated November 15, 2007 from the November 20, 2007 Regional Council session was provided to Council.**

MOVED by Councillor Mosher, seconded by Councillor Outhit, that Halifax Regional Council form a Committee of Council to work with Greater Halifax Partnership and any other shareholders as deemed necessary by the Committee to explore alternatives to the name Halifax Regional Municipality, including, but not limited to Greater Halifax, Halifax Region or simply, Halifax.

During a brief discussion by Council, it was **MOVED by Deputy Mayor Johns, seconded by Councillor Outhit that the question be put.** Council requested the vote be recorded. Not having the required 2/3rd majority the **MOTION WAS PUT AND DEFEATED.**

MOVED BY Councillor Streach, seconded by Councillor McCluskey that this matter be referred to the District Boundary Review Committee.

Without a vote on the referral it was **MOVED by Councillor Watts, seconded by Councillor Karsten that Halifax Regional Council table the original motion until**

after the District Boundary review work is completed. **MOTION PUT AND PASSED.**

12.2 PROPERTY MATTER - Property Acquisition - Portion of 2530 Sackville Drive

MOVED by Councillor Deputy Mayor Johns, seconded by Councillor Harvey, that Halifax Regional Council:

- 1. Direct staff to proceed with the acquisition of a portion of 2530 Sackville Drive (PID#00478099), Sackville as per the general Terms and Conditions of the private and confidential report dated January 22, 2010 with funding as per the budget implications section of the above noted report;**
- 2. Not release the private and confidential report dated January 22, 2010 until the transaction is complete.**

MOTION PUT AND PASSED.

Deputy Mayor Johns noted a potential conflict and exited the meeting at 9:39 p.m.

12.3 PROPERTY MATTER - Potential Land Acquisition - HRM/Province

MOVED BY Councillor Smith, seconded by Councillor Blumenthal, that Halifax Regional Council direct the Mayor to write to the Province of Nova Scotia requesting a cooperative approach to the acquisition of the lands identified by HRM staff. MOTION PUT AND PASSED.

Deputy Mayor Johns rejoined the meeting at 9:40 p.m.

12.4 LEGAL MATTER - Service Agreement - Acadia First Nation

MOVED BY Councillor Lund, seconded by Councillor Walker, that Halifax Regional Council:

- 1. Enter into the Service Agreement (Attachment 1 of the private and confidential report dated July 20, 2009) with the Acadia First Nation Band Council;**
- 2. Not release the private and confidential report dated July 20, 2009 and proposed Service Agreement until Council resolves to approve the agreement.**

MOTION PUT AND PASSED.

12.5 Metro Transit Five-year Strategic Operations Plan

MOVED BY Councillor Watts, seconded by Councillor Sloane, that Halifax Regional Council:

- 1. Receive the supplementary report dated January 6, 2010 as an addition to the Metro Transit Five - Year Strategic Operations Plan and;**
- 2. Approve in principle the Metro Transit Five - Year Strategic Operations Plan and direct staff to annually bring details on proposed service changes and their corresponding cost implications to Halifax Regional Council for approval as part of the Operating and Capital Budget process.**

MOTION PUT AND PASSED.

Councillor Blumenthal indicated for the record that he voted against the motion.

12.6 Sea Level Rise Adaptation Planning for Halifax Harbour

MOVED BY Councillor Fisher, seconded by Councillor Sloane, that Halifax Regional Council:

- 1. Accept in principle Scenario 2c (upper bound of A1FI)**
- 2. Request staff to conduct public/stakeholder consultation**
- 3. Approve the workplan as set out in the presentation for Halifax Harbour**
- 4. Begin to address issues in the balance of HRM**

MOTION PUT AND PASSED.

13. NOTICES OF MOTION

13.1 Councillor Walker

Councillor Walker gave the following Notice of Motion on behalf of Councillor Hum.

Take Notice that at the next regular meeting of the Halifax Regional Council to be held on Tuesday, February 16, 2010, I intend to introduce a motion to add to the agenda, the February 9, 2010 Information Report #3 entitled "Halifax Regional Police & Halifax and District RCMP Citizens on Patrol".

14. ADJOURNMENT

The meeting was adjourned at 9:43 p.m.

Cathy Mellett
Acting Municipal Clerk

INFORMATION ITEMS
February 9, 2010

1. Proclamation - Canada Games Week - February 9 - 16, 2010
2. Proclamation - National Flag of Canada Day - February 15, 2010
3. Memorandum from Chief of Police dated January 13, 2010 re: Halifax Regional Police and Halifax District RCMP Citizens on Patrol
4. Memorandum from Traffic Authority dated January 20, 2010 re: Petition to Rescind the Winter Parking Ban
5. Memorandum from Director, Finance & Chief Financial Officer dated January 25, 2010 re: Petition - Northwest Cove Cottage Association
6. Memorandum from Director, Legal Services & Risk Management dated January 26, 2010 re: Status of By-Law Prosecutions, November 1 - 30, 2009
7. Memorandum from the Acting Clerk Manager dated February 5, 2010 re: Requests for Presentation to Council - Highland Park Rate Payers Association