

HALIFAX REGIONAL COUNCIL
MINUTES

May 18, 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
Mary Wile
Jerry Blumenthal
Dawn Sloane
Sue Uteck
Jennifer Watts
Russell Walker
Debbie Hum
Linda Mosher
Stephen Adams
Robert Harvey
Tim Outhit
Peter Lund
Reg Rankin

STAFF:

Mr. Dan English, Chief Administrative Officer
Ms. Mary Ellen Donovan, Municipal Solicitor
Ms. Cathy Mellett, Acting Municipal Clerk
Ms. Chris Newson, Legislative Assistant

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1. INVOCATION

Mayor Kelly called the meeting to order at 6:00 p.m. with the Invocation being led by Councillor Lund.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillor Sloane noted the following community events:

- the recent Open House for the Sackville Street HRM Greenhouse was a success with over 800 attendees
- the winning names for the "*Name the Public Garden's Geese*" contest were Flora and Finnigan submitted by Cheyenne Hardy, Age 9, Dartmouth and Sylvia Driscoll Sanger, Age 10, Halifax
- the Blue Nose Marathon will commence on May 22nd. She advised residents to check the website for further information such as road closures associated with the Marathon.

By request of Councillor McCluskey, Council rose for a moment of silence in memory of Petty Officer Second Class Craig Blake.

Councillor McCluskey congratulated the local paddlers who will be going to the World Cup Competition in Hungary and Germany.

Councillor Streach announced the upcoming Marine Drive, Valley and Canal Community Council meeting in Musquodoboit Harbour and the Middle Musquodoboit Elementary School Choir Performance "Canada Rocks".

Councillor Hendsbee noted the upcoming East Preston Community Clean-Up and BBQ.

Councillor Lund announced the following upcoming community events:

- public meeting at the Black Point Fire Hall re: proposed Skate Park for the Hubbards Recreation Centre
- Appreciation Day Sale and BBQ at Redmond's Hardware on May 22nd and 29th
- St. Margaret's Bay Relay for Life to be held on June 5th from 7:00 p.m. Saturday until 7:00 a.m. Sunday. More information may be found on the Canadian Cancer Society webpage.

Councillor Blumenthal congratulated Imagine Bloomfield for their well attended Spring Fair and announced their Annual General Meeting to be held on Wednesday at the Bloomfield Centre.

Councillor Watts noted that the International Day Against Homophobia and Transphobia was recognized on Monday, May 17th with a gathering in the Grand Parade. She also noted the city-wide Track and Field meet that was held at Beazley Field on May 17th.

Councillor Nicoll announced an open house to be hosted by Nova Scotia Power at Cole Harbour Place on May 20th re: the proposed transmission line from Cole Harbour to Eastern Passage.

Councillor Hum noted the following community events:

- she had attended a tribute to the Sisters of Charity hosted by the Government of Canada recognizing the founding of the Sisters of Charity as an event of national, historic significance and paying tribute to them for their congregation service in education, health care, and social services.
- the Condo Owners of Nova Scotia will be holding an Information Seminar on Condo purchase at St. Peter's Church, Bedford Highway/Kearney Lake Road
- the Condo Owners of Nova Scotia will hold their AGM on May 20th at St. Peter's Church, Bedford Highway;
- the Governor Wentworth Park School concert on May 19th and 20th "IN ARABIA"
- the Friends of Hemlock Ravine Society AGM to be held at St. Peter's Church Hall, May 26th

Councillor Barkhouse announced an Open House to be held at the Cow Bay Hall on May 27th re: the proposed "Flag Pond / Minutes Surf Spot"

Councillor Smith announced the District 9 Neighbourhood Watch meeting at Farrell Hall on May 19th noting that Halifax Regional Police would be in attendance. He also noted the passing of local District 9 resident, Ms. Dolly Pond, who was the first woman to drive an army truck in Canada during peace time.

Councillor Fisher noted the following upcoming community meetings:

- Stormwater Inflow Reduction Program information meeting on May 19th at the new Woodlawn Library
- May 20th Open House meeting at Steven's Road Baptist Church re: new zoning plans for the Main Street business area

Councillor Rankin recognized the Honourable Mr. Bill Estabrooks, MLA for Timberlea/Prospect and Minister for Transportation and Infrastructure Renewal and the Minister for Energy who was in attendance.

Members of Council welcomed Councillor Stephen Adams back from his medical leave of absence.

3. APPROVAL OF MINUTES - May 4 & 11, 2010

Corrections:

May 4, 2010 - Page 5, "a" to be included before "second"

May 11, 2010 - Page 15, "propose" to replace "proposed"

MOVED by Councillor McCluskey, seconded by Councillor Wile that the minutes of May 4 & 11, 2010, as amended, be approved. MOTION PUT AND PASSED.

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

- Additions:
- 13.1 Councillor Smith - Request for Report re: Minimum Soil Depth Requirements on New Development and in HRM Redbook
 - 13.2 Councillor Wile -
 - (i) Request for Report re: Expansion of Bridge on Thomas Raddall Drive from One-Lane to Two-Lanes
 - (ii) FCM Emergency Resolution re: Cost-Sharing Proposed New Federal Wastewater Regulations

Added Information Items:

- 13.3 Proclamations
 - (i) Shades of Fun Day - May 27, 2010
 - (ii) Jumpstart Day - May 29, 2010
 - (iii) HRM Bike Week - May 28 - June 6, 2010

MOVED by Councillor Blumenthal, seconded by Councillor Karsten 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 By-Law N-200, Respecting Noise - Exemption Application - Membertou 400 Pow Wow Event

- A report dated May 3, 2010 was before Council.

Mr. Billy Comer, Coordinator, Civic Events, presented the report. He provided the following additional information in response to questions from Members of Council:

- there is a communication plan to notify area residents of the event. The first notice will be sent on May 28th and would include the dates of the event. A second notice will be sent on June 18th that would include specific details on the stage location, times, performers.

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- there will be a link on the HRM website outlining details of the event
 - there will be a small ceremonial fire for the Elders that will be fenced in.

Mayor Kelly reviewed the rules and procedures for public hearings then opened the public hearing calling for any speakers for or against the proposal to come forward at this time.

Mayor Kelly gave the third call for speakers; hearing none, it was **MOVED By Councillor McCluskey, seconded by Councillor Sloane that the public hearing be closed. MOTION PUT AND PASSED.**

MOVED by Councillor Sloane, seconded by Deputy Mayor Johns that Halifax Regional Council approve an exemption from the provisions of By-Law N-200, Respecting Noise, pursuant to the application for exemption for the Membertou 400 Pow Wow Event, June 21-30, the contents of the May 3, 2010 staff report, and any matters raised at the hearing. MOTION PUT AND PASSED.

10. CORRESPONDENCE, PETITIONS & DELEGATIONS - NONE

11. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.1 2010 / 2011 Capital, Operating and Reserve Budgets

A copy of the following documents were before Council:

- (i) Corporate Plan and Proposed Budget 2010 / 2011
- (ii) Transit Annual Service Plan
- (iii) Service Review Priorities
- (iv) Board of Police Commissioners 2010 / 2011 Halifax Regional Police Budget Report.

- An e-mail dated May 18, 2010 from Mr. Gerald Ferguson was before Council.

Mr. Dan English, Chief Administrative Officer, presented a high level overview of the 2010 / 2011 Capital, Operating and Reserve Budgets. He noted that the budgets were balanced and thanked all staff who assisted in exceeding the challenge to fund the projected gap. The direction to staff from Council during the Fiscal Framework debate was to address the projected \$30 million gap as follows:

- \$10 million to support transit cost through area rates
- \$6 million to be generated through a tax rate increase
- \$14 million in efficiencies, service reductions and new revenue

The projected gap grew by an additional \$5.5 million due to the provincial increase in the HST (\$2.5 million) and an additional \$3 million being added to accurately reflect the

Winter Works budget. Staff addressed the \$35.5 million projected budget gap as follows:

- generation of \$10 million in new revenue to support transit expansion through an \$0.008 increase to the Regional Transit Area Rate and an increase of \$0.02 to the Local Transit Area Rate
- generation of \$6 million in new revenue through the general tax rate - an increase of 1.7%
- identification of \$19.5 million in reductions, efficiencies and revenue increases.

Mr. English also introduced the inaugural Corporate Plan, a document that outlines the corporate priorities and action plan to align programs and services with the needs/wants of HRM communities and sets a framework to measure performance.

Mr. Mike Labrecque, Deputy Chief Administrative Officer, Corporate Services and Strategy, provided a high level overview of the Corporate Plan noting that it was based on the community outcomes and Council focus areas as well as administrative priorities and would provide the long term vision to assist in budget planning. He noted that there would be a mid-mandate check-in during the fall of 2010.

Ms. Cathie O'Toole, Chief Financial Officer, provided an overview of the 2010 / 2011 Capital and Operating budgets. She noted that workshops would be held for the Councillors commencing on Wednesday, May 19th to provide more detail. She then reviewed the risks and next steps in regard to the 2010 - 2011 budget and advised that a booklet would be provided at the Workshops and available online outlining the proposed changes to the 2010 / 2011 budget.

MOVED by Councillor Walker, seconded by Councillor Sloane that Halifax Regional Council table the 2010 / 2011 Capital, Operating, and Reserve Budgets; the 2010 / 2011 Corporate Plan; the 2010 / 2011 Transit Annual Service Plan; the 2010 / 2011 Service Review Priorities; and, the Board of Police Commissioners 2010/2011 Police Budget report, dated April 26, 2010, as presented without debate and return on Friday, May 21, 2010 to commence the budget process.

Ms. O'Toole advised that Councillors could forward all budget related questions to Mr. Marc Scarfone, Coordinator, Business Planning, and/or Mr. Paul Fleming, Manager, Finance, who will track the questions and provide a response to Council.

MOTION PUT AND PASSED.

11.1.2 Tender 10-219 - Street Improvements, Widening and Water Main Replacement, Trunk 7 (Main Street) - East Region

- A report dated April 20, 2010 was before Council.

MOVED by Councillor Nicoll, seconded by Councillor Hendsbee that Halifax Regional Council:

- 1. Approve a budget increase of \$383,007.92 to Capital Account No. CZU01082- Resurfacing Program, funded through cost sharing with Halifax Water, as outlined in the Budget Implications section of the report dated April 20, 2010.**
- 2. Award Tender No. 10-219 Street Improvements, Widening and Water Main Replacement, Trunk 7 (Main Street) - East Region to Dexter Construction Company Limited for a Total Tender Price of \$2,764,036.60 (net HST included) with funding from Capital Account Nos. CZU01082 - Resurfacing Program, CKU01084 - Sidewalk Renewals and CTU01086 - Intersection Improvement Program as outlined in the Budget Implications section of the report dated April 20, 2010.**

Councillors Nicoll and Hendsbee expressed appreciation for the project moving forward but concern with the policy requiring Local Improvement Charges being implemented for upgrades/work on major arterial roads.

MOTION PUT AND PASSED.

11.1.3 Tender 10-234 - Cold In Place Asphalt Recycling, Purcell's Cove Road and St. Margaret's Bay Road - West Region

- A report dated May 4, 2010 was before Council.

MOVED by Councillor Mosher, seconded by Councillor Adams that Halifax Regional Council award Tender No. 10-234, Cold In Place Asphalt Recycling, Purcell's Cove Road and St. Margaret's Bay Road - West Region to Basin Contracting Limited for a Total Tender Price of \$824,329.13 (net HST included) with funding from Capital Account No. CZU01082 - Resurfacing Program, as outlined in the Budget Implications section of the report dated May 4, 2010.

MOTION PUT AND PASSED.

11.1.4 Community Facility Lease Agreement - Prospect Road Community Centre

- A report dated April 28, 2010 was before Council

MOVED by Councillor Rankin, seconded by Councillor Lund that Halifax Regional Council authorize the Mayor and the Municipal Clerk to enter into a Facility Lease Agreement with the Resource Opportunities Centre - Community Development Association Serving Prospect Road Area to become the Volunteer Board who will manage and operate the new Prospect Road Community Centre, as per the key

terms and conditions set out in Table 2 of the staff report dated April 28, 2010.

Ms. Tara Legge, Coordinator, Community Facility Service Delivery, and Mr. Doug Rafuse, Manager, Community Development, provided the following additional information in response to questions of Council relating to the Management Agreement:

- the property tax would be charged for third party leases and would only be for the space used exclusively by a business or non-profit group; the non-profit groups could apply for Tax Exemption through By-Law T-200
- HRM's insurance covers the building only; the Volunteer Board managing the facility would be required to provide general liability insurance of \$2 million or, \$5 million if alcohol were being served
- there are requirements in the Management Agreements that the Volunteer Board abide by all municipal policies and guidelines in regard to leasing public spaces. Staff will be reviewing the leases to ensure the Volunteer Board is conforming with appropriate uses.
- the \$80,000 funding for the Grand Opening would be to help pay for heating and power costs as well as staffing until the first revenue cheques are received
- the Community Facilities Partnership Plan, that is being phased out, is separate from the Community Facilities Contribution Program from which the \$50,000 will be provided to the facility

Mr. Rafuse agreed to provide information on the operating costs of the building and whether or not there would be a risk to HRM considering that potential revenue sources would be significantly limited at the site.

MOTION PUT AND PASSED.

11.1.5 Proposed Amendment to Administrative Order 15, Respecting Licence, Permit, and Processing Fees

- A report dated April 19, 2010 was before Council.

MOVED by Councillor Sloane, seconded by Councillor Lund that Halifax Regional Council approve the amendments to Section 13 of Administrative Order Number 15, as described in Schedule "A" attached to the report dated April 19, 2010.

MOTION PUT AND PASSED.

11.1.6 Proposed Amendments to Administrative Order 37, Respecting Commerce & Vending on Municipal Lands - Site Locations

- A report dated April 19, 2010 was before Council.

MOVED by Councillor Sloane, seconded by Councillor Karsten that Halifax Regional Council approve the amendments to Administrative Order Number 37,

as described in Schedule "A" attached to the staff report dated April 19, 2010.

Councillor Sloane noted an error in the description of Item 5. Cole Harbour Road under Other HRM Locations in the revised Schedule A, as follows: the description should be "180 metres east of Forest Hills Parkway" not "west".

Councillor Nicoll requested that staff consider moving the Cole Harbour Road newspaper box site to behind the sidewalk.

Mayor Kelly requested that recent complaints in regard to noise from the mobile canteens be forwarded to staff for follow-up.

MOTION PUT AND PASSED.

11.1.7 Second Reading Proposed By-Law F-301, An Amendment to By-Law F-300, Respecting Fees for the Provision of Tax Information

- A report dated April 7, 2010 was before Council.

MOVED by Councillor Nicoll, seconded by Councillor Karsten that Halifax Regional Council:

- 1. Approve increasing the administration fee to financial institutions per section 4 of By-Law F-300 to \$15 from \$10, for the provision of tax account information in relation to the payment of taxes in which they have a mortgage interest.**
- 2. Approve increasing the administration fee for the provision of tax information from \$25 to \$30, per section 5 of By Law F-300 with an effective date of July 1, 2010.**

MOTION PUT AND PASSED.

11.2 GRANT COMMITTEE

11.2.1 Less Than Market Value Lease, Temporary Lease Agreement - Fall River Chapel, 3182 Highway 2 (former Fall River Recreation Centre)

- A report dated May 3, 2010 was before Council.

MOVED by Councillor Dalrymple, seconded by Councillor Walker that Halifax Regional Council enter into a less than market value temporary lease agreement with the Fall River Chapel as per the terms and conditions set out in Table 1 of the staff report dated April 22, 2010. Councillor McCluskey requested that staff confirm the current zoning for this property. **MOTION PUT AND PASSED.**

11.2.2 Community Less Than Market Value Lease - 3214 Highway 2 Fall River, Regional Firefighters Interpretation Centre

- A report dated May 3, 2010 was before Council.

MOVED by Councillor Dalrymple, seconded by Councillor Blumenthal that Halifax Regional Council enter into a less than market value lease agreement with the Regional Firefighters Interpretation Centre as per the terms and conditions set out in Table 2 of the staff report dated April 23, 2010. MOTION PUT AND PASSED.

11.3 HERITAGE ADVISORY COMMITTEE

11.3.1 Case H00346 - Application to Consider 15 Pine Street, Dartmouth as a Municipally Registered Heritage Property

- A report dated May 7, 2010 was before Council.

MOVED by Councillor McCluskey, seconded by Councillor Nicoll that Halifax Regional Council approve in principle the registration of 15 Pine Street, Dartmouth, as shown on Map 1 of the April 7, 2010 staff report, as a Municipally Registered Heritage Property and schedule a heritage hearing. MOTION PUT AND PASSED.

11.3.2 Case H00347 - Application to Consider 8 Necum Teuch Loop, Necum Teuch, as a Municipally Registered Heritage Property

- A report dated May 7, 2010 was before Council.

MOVED by Councillor Streach, seconded by Councillor McCluskey that Halifax Regional Council approve in principle the registration of 8 Necum Teuch Loop, Necum Teuch as shown on Map 1 of the April 7, 2010 staff report, as a Municipally Registered Heritage Property and schedule a heritage hearing. MOTION PUT AND PASSED.

12. MOTIONS

12.1 Councillor Hum

MOVED by Councillor Hum, seconded by Councillor Lund that Halifax Regional Council request a staff update including a priority list, to be communicated by e-mail to Council, on community/neighbourhood signage, under the Community Signage program, for historical communities within existing boundaries of District 16 (Rockingham-Wentworth and former City of Halifax), including but not exclusive to, Rockingham, Prince's Lodge, Birch Cove and Kearney Lake, and; a

staff response and action to undertake public consultation with the community, to approve and install community / neighbourhood signage.

Councillor Hum explained that the issue of community signage for historic areas such as Rockingham and Prince's Lodge has been a long standing issue. Concern with loss of community identity has been increasing with development occurring along the Bedford Highway. The neighbourhoods want to be recognized.

Councillor Karsten requested that staff identify the priority areas that would have been previously identified and/or brought forward through the Community signage program.

Councillor Hum noted that funding for the community signage could be through community fundraising as well as District Capital funds as it is a different program than the HRM Civic Addressing project. She explained that the community signage should be unique from the blue and white Civic Addressing signs.

Mr. Andrew Whittemore, Manager, Community Development, advised that he would provide Council with a priority list.

MOTION PUT AND PASSED.

13. ADDED ITEMS

13.1 Councillor Smith - Request for Report re: Minimum Soil Depth Requirements on New Development and in HRM Redbook

MOVED by Councillor Smith, seconded by Councilor Lund that Halifax Regional Council request that the Sustainable Environment Management Office staff provide an Information Report outlining the actions to date and any obstacles encountered to creating policy and processes requiring minimum soil depths on new development. MOTION PUT AND PASSED.

13.2 Councillor Wile

(I) Request for Report re: Expansion of Bridge on Thomas Raddall Drive from One-Lane to Two-Lanes

MOVED by Councillor Wile, seconded by Councillor Walker that Halifax Regional Council request a staff report on the Thomas Raddall Drive one-lane bridge and consideration for its expansion into a two-lane bridge; and, changing Thomas Raddall Drive from a park road to a public road.

Councillor Wile noted the recent head-on collision on the bridge and expressed concern that traffic would be increasing in the area due to the facilities located on that road such as the Halifax West High School, Soccer Nova Scotia, Keshen Goodman Library and

the Canada Games Centre. She requested that staff work to expand the bridge to two lanes and fill-in under the bridge area.

MOTION PUT AND PASSED.

(ii) FCM Emergency Resolution re: Cost-Sharing Proposed New Federal Wastewater Regulations

**MOVED by Councillor Wile, seconded by Councillor Fisher that Halifax Regional Council support the resolution of the Federation of Canadian Municipalities concerning cost-sharing of the proposed new federal wastewater regulations.
MOTION PUT AND PASSED.**

- 13.3 Proclamations**
- (i) Shades of Fun Day - May 27, 2010**
 - (ii) Jumpstart Day - May 29, 2010**
 - (iii) HRM Bike Week - May 28 - June 6, 2010**

These items were circulated as Information items only. No further action required.

14. NOTICES OF MOTION - NONE

15. ADJOURNMENT

The meeting was adjourned at 8:09 p.m.

Cathy J. Mellett
Acting Municipal Clerk

INFORMATION ITEMS
May 18, 2010

1. Memorandum from Chair, Grant Committee dated May 5, 2010
re: HRM Community Grants Program 2010 - 2011 - Ineligible Applications
2. Memorandum from Director, Community Development dated May 13, 2010
re: Herring Cove Water & Sewer Project
3. Memorandum from Acting Director, Community Development dated April 30,
2010 re: Petition Regarding Case 15790, Hines Road and Howard Avenue,
Eastern Passage
4. Memorandum from Acting Director, Community Development dated May 3, 2010
re: Petition - Proposed Convention Centre and Centre Harbour View from Citadel
Hill
5. Memorandum from Acting Director, Transportation & Public Works dated April
29, 2010 re: Overs Shipped to Queens and Chester from Miller Composting and
New Era Technologies Ltd. during Fiscal 2009 / 2010
6. Memorandum from Acting Director, Transportation & Public Works dated May 4,
2010 re: Smart Car Program
7. Memorandum from Acting Director, Transportation & Public Works dated May 4,
2010 re: Transitional and Vacant Buildings Expenditures
8. Memorandum from Director, Infrastructure & Asset Management dated April 9,
2010
re: Lake Quality Testing
9. Memorandum from Director, Infrastructure & Asset Management dated April 9,
2010
re: Final Report - Water Quality Monitoring Functional Plan
10. Memorandum from Director, Infrastructure & Asset Management dated April 23,
2010 re: Integrated Community Sustainability Plan
11. Memorandum from Acting Director, Transportation & Public Works dated May
11, 2010 re: Case 01361 - Metro Transit Bridge Terminal - Dartmouth
(Supplementary Information)
12. Memorandum from the Acting Clerk Manager dated May 14, 2010
re: Requests for Presentation to Council - None
13. Proclamations (i) Shades of Fun Day - May 27, 2010
 (ii) Jumpstart Day - May 29, 2010
 (iii) HRM Bike Week - May 28 - June 6, 2010

