

# HALIFAX REGIONAL MUNICIPALITY

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## HALIFAX REGIONAL COUNCIL MINUTES MAY 22, 2001

PRESENT: Mayor Peter J. Kelly  
Deputy Mayor Jerry Blumenthal  
Councillors: Stephen Streach  
Gary Hines  
Keith Colwell  
Ron Cooper  
Harry McInroy  
Brain Warshick  
Condo Sarto  
Bruce Hetherington  
Jim Smith  
John Cunningham  
Dawn Sloane  
Sue Uteck  
Sheila Fougere  
Russell Walker  
Diana Whalen  
Stephen D. Adams  
Brad Johns  
Bob Harvey  
Len Goucher  
Reg Rankin  
Gary Meade

REGRETS: Councillor Linda Mosher

STAFF: Mr. Dan English, Acting Chief Administrative Officer  
Mr. Wayne Anstey, Municipal Solicitor  
Ms. Vi Carmichael, Municipal Clerk  
Ms. Julia Horncastle, Assistant Municipal Clerk

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**1. INVOCATION**

The meeting was called to order at 6:00 p.m. with the invocation.

**2. PROCLAMATIONS**

**2.1 Child Care Awareness Days - June, 2001**

Mayor Kelly proclaimed June, 2001 as Child Care Awareness Days in the Halifax Regional Municipality.

**Presentation to Beaver Bank Kinsac Junior Fire Department**

Councillor Johns welcomed and Mayor Kelly made a presentation to Deputy Chief James Day, Captain Trevor Russell, Randy Atwood, Selina Day, Arthur Hickey, Evan Slaunwhite and Robert Batten of the Beaver Bank Kinsac Junior Fire Department.

**3. APPROVAL OF MINUTES - May 1 & 8, 2001**

**MOVED by Deputy Mayor Blumenthal, seconded by Councillor Hetherington, that the minutes of May 1 and May 8, 2001 be approved as circulated. MOTION PUT AND PASSED UNANIMOUSLY.**

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

Additions

13.1 Report from the Membership Selection Committee re: Various Appointments

13.2 Legal Matter - Settlement of Claim Against Halifax Regional Municipality

Councillor Fougere requested Item 10.2.1, History of Fire Department - Regional Firefighters Interpretation Centre be brought forward on the agenda, and addressed, prior to Item 8, Consideration of Deferred Business.

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

**5. BUSINESS ARISING OUT OF THE MINUTES**

Councillor Whalen noted that an extension to August 21, 2001 had been given for receipt of comment from the Sign industry regarding the Sign By-Law and advised the industry has requested a six month extension in which to examine the By-Law and possible ramification to their business.

**MOVED by Councillor Whalen, seconded by Councillor Adams, that Council extend the deadline to November 30, 2001 for comment back on the Sign By-Law. MOTION PUT AND PASSED UNANIMOUSLY.**

**6. MOTIONS OF RECONSIDERATION - NONE**

**7. MOTIONS OF RESCISSION - NONE**

**10.2 Presentations**

**10.2.1 History of Fire Department - Regional Firefighters Interpretation Centre**

Mr. Ron Shano, President and Mr. Don Snider, Secretary made a presentation to Council, advising the Regional Firefighters Interpretation Centre was established approximately fourteen months ago to address a need to establish a site/building to house and display the history, artifacts and memorabilia of the HRM fire departments.

A copy of the presentation was provided to the Municipal Clerk.

Following the presentation, the following motion was placed before Council.

**MOVED by Councillor Hetherington, seconded by Councillor Sloane, that the request be forwarded to Real Estate/Shared Services to ascertain whether this is a facility available to house the memorabilia. MOTION PUT AND PASSED UNANIMOUSLY.**

**8. CONSIDERATION OF DEFERRED BUSINESS**

**8.1 Capital Pledges Program - Art Gallery of Nova Scotia (deferred May 8)**

- An extract from the draft May 8, 2001 Regional Council minutes was before Council.
- A report prepared for Mr. Ken Meech, Chief Administrative Officer, dated March 22, 2001, on the above noted, was before Council.

**MOVED by Councillor Walker, seconded by Councillor Sloane, that Council approve the capital pledge in the amount of \$250,000, to be paid in two installments of \$130,000 in 2002-2003 and \$120,000 in 2003-2004 on the following conditions:**

1. **The Grant Committee include this project as a priority in their business plan.**
2. **In the event that new funds are not provided to the Grant Committee in subsequent budgets, the Grant Committee is prepared to fund this project within its base budget for the next two fiscal years. The base budget does not include amounts retired from the Capital Pledges program.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

9. **PUBLIC HEARINGS**

9.1 **Case 00208 Request for an Amendment to the MPS and LUB for Planning District 4 to Permit Conversion of the former Northland Fisheries at 1030 Terence Bay Road**

- An extract from the draft May 1, 2001 Regional Council minutes was before Council.
- A report from the Western Region Community Council dated April 24, 2001 and staff report prepared for Paul Dunphy, Director of Planning and Development, dated April 5, 2001, on the above noted, was circulated May 1, 2001

Mr. Roger Wells, Regional Coordinator of Planning Applications, with the aid of overheads, presented the staff report, advising this is a two part application which consists of amendments to the Planning Strategy and Land Use By-Law for Planning District 4 and a proposed development agreement to permit the Terence Bay Visitor and Recreation Centre. He advised this was a joint public hearing with Regional Council considering the amendments to the MPS and LUB and also a public hearing for the benefit of Western Region Community Council who, if Regional Council approves the amendments to the MPS and LUB, will consider the development agreement at a subsequent meeting of Western Region Community Council.

Mr. Wells advised the proposed amendments consist of two site specific policies. The first policy would enable Council to consider the conversion of the existing building and site into the Terence Bay Visitor and Recreation Centre. The second policy would allow the expansion, by development agreement, of the existing building by construction of new permanent buildings for commercial community and resource related uses. He noted both policies list a number of criteria which must be considered by Community Council in approving such expansion or new buildings.

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

**Mr. Bruce Holland**

Mr. Bruce Holland, Executive Director, Costal Co-op, spoke in favour of the project, advising the main goal of the Cooperative is to create jobs, economic activities and opportunities for people in the community. He noted there are retail spaces, restaurant, etc. which will create jobs as well as spin-off jobs in the tourism industry. He stated they are looking forward to an opportunity to increase the tourism market that is currently there.

**Ms. Tina Slaunwhite**

Ms. Tina Slaunwhite, Vice-Chair, Costal Co-op, spoke in favour of the project, advising there has been a lot of community support.

Mayor Kelly called three times for any additional speakers. Hearing none, the following motion was placed.

**MOVED by Councillor Hetherington, seconded by Councillor Adams, that the public hearing close. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Councillor Meade, seconded by Councillor Streach, that Regional Council approve the proposed amendments to the Municipal Planning Strategy and Land Use By-Law for Planning District 4, attached as Appendix A to the staff report dated April 5, 2001, to permit conversion of the former Northern Fisheries at 1030 Terence Bay Road (PID No. 00384834 and No. 40501124) to commercial, community and resource related uses which are supportive of the tourist industry and the surrounding community, by Development Agreement. MOTION PUT AND PASSED UNANIMOUSLY.**

**10. CORRESPONDENCE, PETITIONS AND DELEGATIONS**

**10.1 Petitions**

**10.1.1 Councillor Smith**

Councillor Smith submitted correspondence regarding the condition of Jamieson Street from Ms. Lorraine Provender, representing the Halifax County Condo Corp. No. 15. The Councillor requested the correspondence be forwarded to Public Works and Transportation Services.

**10.2 Presentations**

**10.2.1 History of Fire Department - Regional Firefighters Interpretation Centre**

This item was dealt with earlier in the meeting. (See page 5)

**11.           REPORTS**

**11.2           GRANT COMMITTEE**

**11.2.1        By-Law T-206, An Amendment to By-Law T-200 Tax Exemption for Non-Profit Organizations, 2001-2002, Columbus Club of Sackville**

- An extract from the draft May 15, 2001 Regional Council minutes, on the above noted, was before Council.
- A report from J.L. Hobin, Chair, HRM Grants Committee, dated May 22, 2001, on the above noted, was before Council.
- A report prepared for Mr. K.R. Meech, Chief Administrative Officer, dated May 22, 2001, on the above noted, was before Council.

**MOVED by Councillor Harvey, seconded by Councillor Hetherington, that the report dated May 22, 2001, from Mr. James Hobin, Chair, HRM Grants Committee, be received. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Councillor Harvey, seconded by Councillor Walker, that Council approve the application of the conversion rate for the full 12 months of 2000 - 2001 and forgive the accrued interest as per Option 2, of Attachment 1, of the staff report dated May 22, 2001.**

Mr. English, Deputy Chief Administrative Officer, cautioned Council that this would be inconsistent with the application of the By-Law and may be precedent setting.

Councillor Harvey advised there were extenuating circumstances in terms of the date on which the property was purchased.

**MOTION PUT AND PASSED.**

**11.3           CHIEF ADMINISTRATIVE OFFICER**

**11.3.1        Tenders 01-074 West Region/01-065 East Region/01-078 Central Region Asphalt Patching of Streets**

- A report prepared for Mr. Ken Meech, Chief Administrative Officer, dated May 9, 2001, on the above noted, was before Council.

**MOVED by Deputy Mayor Blumenthal, seconded by Councillor Sloane, that Council:**

- 1. Award Tender #01-074 for asphalt patching in the West Region to the lowest bidder, LaFarge Canada Inc., based on unit prices for an estimated amount of \$168,000. plus net HST and 10% for quality control/quality assurance and unforeseen works with funding as per the Budget Implications section of the report dated May 9, 2001.**
- 2. Award Tender #01-065 for asphalt patching in the East Region to the lowest bidder, Ocean Contractors Ltd., based on unit prices for an estimated amount of \$109,500. plus net HST and 10% for quality control/quality assurance and unforeseen works with funding as per the Budget Implications section of the report dated May 9, 2001.**
- 3. Award Tender #01-078 for asphalt patching in the Central Region to the lowest bidder, LaFarge Canada Ltd., based on unit prices for an estimated amount of \$106,200. plus net HST and 10% for quality control/quality assurance and unforeseen works with funding as per the Budget Implications section of the report dated May 9, 2001.**

In response to Councillor Sarto, Mr. Phil Cochrane, Manager of Streets and Road Services, advised these amounts are for the portion of the asphalt patching program that is being done through contract services, noting there is an equal amount that will be done through in-house resources.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11.3.2 Tenders 01-075 West Region/01-066 East Region/01-079 Central Region Concrete Sidewalk & Curb Repairs**

- A report prepared for Mr. Ken Meech, Chief Administrative Officer, dated May 9, 2001, on the above noted, was before Council.

**MOVED by Councillor Fougere, seconded by Councillor Hetherington, that Council:**

- 1. Award Tender #01-075 for concrete sidewalk and curb repairs in the West Region to the lowest bidder, G & R Kelly Ltd., based on unit prices for an estimated amount of \$124,111 plus net HST and 10% for quality control/ quality assurance and unforeseen works with funding as per the Budget Implications section of the report dated May 9, 2001.**

2. **Award Tender #01-066 for concrete sidewalk and curb repairs in the East Region to the lowest bidder, B & L Contracting Ltd., based on unit prices for an estimated amount of \$107,400. plus net HST and 10% for quality control/ quality assurance and unforeseen works with funding as per the Budget Implications section of the report date May 9, 2001.**
3. **Award Tender #01-079 for concrete sidewalk and curb repairs in the Central Region to the lowest bidder, G. & R. Kelly Ltd., based on unit prices for an estimated amount of \$16,830., plus net HST and 10% for quality control/ quality assurance and unforeseen works with funding as per the Budget Implications section of the report dated May 9, 2001.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11.3.3 Tender 01-205 Sidewalk Renewals, Western Region**

- A report prepared for Mr. Ken Meech, Chief Administrative Officer, dated May 11, 2001, on the above noted, was before Council.

**MOVED by Deputy Mayor Blumenthal, seconded by Councillor Sloane, that Council award Tender No. 01-205, Sidewalk Renewals - Western Region to G&R Kelly Enterprises Ltd. for materials and services listed at the unit prices quoted for a Tender Price of \$192,411.55 plus net HST of 10% for quality control/quality assurance and unforeseen works for a Total Project Cost of \$225, 260., with funding authorized as per the Budget Implications section of the staff report dated May 11, 2001.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11.3.4 Tender 01-206 Sidewalk Renewals, Western Region**

- A report prepared for Mr. Ken Meech, Chief Administrative Officer, dated May 10, 2001, on the above noted, was before Council.

**MOVED by Councillor Fougere, seconded by Councillor Goucher, that Council award Tender No. 01-206, Sidewalk Renewals - Western Region to B & L Contracting Ltd. for materials and services listed at the unit prices quoted for a Tender Price of \$249,637.50 plus HST and 10% for quality control/quality assurance and unforeseen works for a Total Project Cost of \$292,255., with funding authorized as per the Budget Implications section of the report dated May 10, 2001. MOTION PUT AND PASSED UNANIMOUSLY.**

**11.3.5      Tender 01-217 Sidewalk Renewals, Western Region**

- A report prepared for Mr. Ken Meech, Chief Administrative officer, dated May 10, 2001, on the above noted, was before Council.

**MOVED by Deputy Mayor Blumenthal, seconded by Councillor Fougere, that Council award Tender No. 01-217 Sidewalk Renewals - Western Region to Ocean Contractors Limited for materials and services listed at the unit prices quoted for a Tender Price of \$172,320. plus net HST and 10% for quality control/quality assurance and unforeseen works for a Total Project Cost of \$201,738., with funding authorized as per the Budget Implications section of the report dated May 10, 2001. MOTION PUT AND PASSED UNANIMOUSLY.**

**11.3.6      Tender 01-220 Curb and Paving - Sheridan Street, Thistle Street, Wyse Road and Grove Street, Dartmouth**

- A report prepared for Mr. Ken Meech, Chief Administrative Officer, dated May 14, 2001, on the above noted, was before Council.

**MOVED by Councillor Smith, seconded by Councillor Cunningham, that Council award Tender No. 01-220, Curb and Paving - Sheridan Street, Thistle Street, Wyse Road and Grove Street, Dartmouth to Ocean Contractors Limited for materials and services listed at the unit prices quoted for a Tender Price of \$330,780.00 plus net HST and 10% for quality control/quality assurance and unforeseen works for a Total Project Cost of \$387,251.00 with funding authorized as per the Budget Implications section of the report dated May 14, 2001. MOTION PUT AND PASSED UNANIMOUSLY.**

**11.3.7      Tender 01-242 New Paving of Gravel Roads Inside the Core Area**

- A report prepared for Mr. Ken Meech, Chief Administrative Officer, dated May 11, 2001, on the above noted, was before Council.

**MOVED by Councillor Goucher, seconded by Councillor Rankin, that Council:**

1. **approve the recovery of \$2,631.27 as a general area rate for District 21 and relating to the increased cost for the new concrete curb and gutter for Doyle Court.**
2. **waive the right of petition for thee new paving for Saint George Boulevard**

between Virginia Drive and George Samuel Drive.

3. approve the recovery of Local Improvement Charges for the paving and new curbing at the rate of \$25.70 per lineal foot for Doyle Court and at the rate of \$11.33 per lineal foot for new paving for Virginia Drive, Saint George Boulevard, George Samuel Drive, Waterford Crescent and Behrent Court in accordance with By-Law S-407, approved by Council on April 24, 2001.
4. award Tender No. 01-242, New Paving of Gravel Roads - Central Region to Dexter Construction Company Limited for materials and services listed at the unit prices quoted for a Tender Price of \$686,960. plus net HST and 10% for quality control/quality assurance and unforeseen works for a Total Project Cost of \$804,237., with funding authorized as per the Budget Implications section of the report dated May 11, 2001.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11.3.8 First Reading By-Law R-104 Respecting By-Law and Ordinance Repeal (M-200 By-Law Amendment)**

- An extract from the draft May 15, 2001 Regional Council minutes was before Council.
- A report prepared for Mr. Ken Meech, Chief Administrative Officer, dated May 10, 2001, on the above noted, was before Council.

**MOVED by Councillor Hetherington, seconded by Councillor Sarto, that Council give First Reading to consider repealing the licencing fee for mobile home parks under By-Law M-200 for Dartmouth as shown in Attachment 1 of the staff report dated May 10, 2001 and set a date for a public hearing. Subject to the adoption of the above noted By-Law amendment, authorize staff to rebate the three mobile home park owners who have paid the licencing fee for the 2000/2001 fiscal year. MOTION PUT AND PASSED UNANIMOUSLY.**

**11.3.9 Interest Rate Amendment to Local Improvement Billings Subsequent to May 11/99**

- A report prepared for Mr. Ken Meech, Chief Administrative Officer, dated May 2, 2001, on the above noted, was before Council.

**MOVED by Councillor Walker, seconded by Councillor Goucher, that:**

1. **Interest on all billings issued after May 11, 1999 for Local Improvements be adjusted to 2% above the prime rate of interest as of billing date with the interest adjustment date being the date of Council approval of this amendment; and,**
2. **Approve in principle the adoption of By-Law L-106 and By-Law S-408, attached to the staff report dated May 2, 2001, setting interest on local improvement charges at 2% above the prime rate of interest as set from time to time by the Municipality's Banker, such rate to be fixed at time of notification of the project, and also give notice of motion to begin the formal adoption process.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

At a later point in the meeting, Councillor Walker served Notice of Motion for First Reading By-Law S-408, Respecting Charges for Street Improvements and By-Law L-106 Respecting Charges for Local Improvements.

#### **11.3.10 CN Overpass Repairs - Young Avenue**

- A report prepared for Mr. Ken Meech, Chief Administrative Officer, dated May 7, 2001, on the above noted, was before Council.

**MOVED by Councillor Uteck, seconded by Deputy Mayor Blumenthal, that Halifax Regional Council:**

1. **agree to enter into a cost-sharing arrangement with CN for the costs of upgrading the sidewalks and bridge railings on the CN overpass structure located on Young Avenue in Halifax as per the proposal from CN attached to the staff report dated May 7, 2001.**
2. **approve the expenditure of \$125,000.00 plus net HST for a Total Project Cost of \$133,036.00 as HRM's share of this overpass upgrade work with funding authorized as per the Budget Implications section of the staff report dated May 7, 2001.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

#### **11.3.11 FCM Request for Renewed Commitment to National Housing Policy Team (NHPOT)**

- A report prepared for Mr. Ken Meech, Chief Administrative Officer, dated May 15, 2001, on the above noted, was before Council.

**MOVED by Councillor Rankin, seconded by Councillor Hetherington, that Council approve continued support and participation in the Federation of Canadian Municipalities project known as the National Housing Policy Option Team (NHPOT) through the commitment of annual voluntary per capita contributions. MOTIONS PUT AND PASSED.**

**12. MOTIONS - NONE**

**13. ADDED ITEMS**

**13.1 Report from Membership Selection Committee re: Various Appointments**

**MOVED by Deputy Mayor Blumenthal, seconded by Councillor Hetherington that:**

- 1. Bill Conrad and Richard Donald be appointed to the Point Pleasant Park Advisory Committee for a two year term to November, 2003.**
- 2. The Mayor, Deputy Mayor and Councillors Goucher, Walker and Fougere be appointed to the Mayor/Council Review Committee.**
- 3. Councillor Sheila Fougere be appointed to the Quinpool Road Mainstreet District Committee.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**13.2 Legal Matter - Settlement of Claim Against Halifax Regional Municipality**

- This matter was discussed during an In Camera session held prior to the Regular Session and was now before Council for ratification.

**MOVED by Councillor Hetherington, seconded by Councillor Sarto, that Halifax Regional Council approve the settlement of a claim brought by the Plaintiff in the amount of \$18,000 as settlement in full upon obtaining a full release from the Plaintiff from any further claims arising out of the accident which occurred on September 6, 1996. MOTION PUT AND PASSED UNANIMOUSLY.**

**14. NOTICES OF MOTION**

**14.1            Deputy Mayor Blumenthal**

Take Notice that, at the next regular Regional Council Meeting, to be held on Tuesday, 5<sup>th</sup> day of June, 2001, I propose to introduce for introduction by Council as a Policy pursuant to Section 315 of the Municipal Government Act, Administrative Order SC-26 the purpose of which is to effect closure of a portion of Memorial Drive, described as lot D-3.

**14.2            Councillor Walker**

Take Notice that, at the next regular Regional Council Meeting, to be held on Tuesday, June 5, 2001, I propose to introduce for First Reading By-Law S-408 Respecting Charges for Street Improvements and By-Law L-106 Respecting Charges for Local Improvements.

**15.            ADJOURNMENT**

**MOVED by Councillor Hetherington, seconded by Deputy Mayor Blumenthal, that the meeting be adjourned at 7:05 p.m. MOTION PUT AND PASSED UNANIMOUSLY.**

**Vi Carmichael  
Municipal Clerk**