

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL COMMITTEE OF THE WHOLE MINUTES April 9, 2002

PRESENT: Mayor Peter Kelly (2:55 p.m.)
Deputy Mayor Robert Harvey
Councillors: Steve Streach
Gary Hines
Keith Colwell (3:10 p.m.)
Ron Cooper
Harry McInroy
Brian Warshick
Condo Sarto
Bruce Hetherington
Jim Smith
John Cunningham
Jerry Blumenthal (2:20 p.m.)
Dawn Sloane
Sheila Fougere
Russell Walker
Diana Whalen
Linda Mosher
Stephen Adams (3:15 p.m.)
Brad Johns
Len Goucher
Reg Rankin
Gary Meade

ABSENT
WITH REGRETS: Councillor Sue Uteck

STAFF: Mr. George McLellan, Chief Administrative Officer
Mr. Wayne Anstey, Municipal Solicitor
Ms. Vi Carmichael, Municipal Clerk
Ms. Julia Horncastle, Assistant Municipal Clerk

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The meeting was called to order at 2:00 p.m.

1. **APPROVAL OF MINUTES OF (Budget Deliberations - February 20, 21, 22, 23 25, 26) March 5, 2002**

MOVED by Councillor Hetherington, seconded by Councillor Meade that the minutes of February 20, 21, 22, 23, 25 26 and March 5, 2002 be approved. MOTION PUT AND PASSED UNANIMOUSLY.

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

MOVED by Councillor McInroy, seconded by Councillor Sloane, that the Order of Business be approved. MOTION PUT AND PASSED UNANIMOUSLY.

3. **CAPITAL COST CONTRIBUTION POLICY**

- A copy of the Capital Cost Contribution presentation was before Council.
- A report prepared for Mr. George McLellan, Chief Administrative Officer, dated September 24, 2001, on the above noted, was before Council.

Mr. Austin French, Regional Coordinator, Community Planning, and Mr. Peter Duncan, Senior Development Engineer, with the aid of PowerPoint, presented the policy to Council.

Councillor Hetherington received clarification that the MGA allows for the CCC Policy to take place for infrastructure work and asked what guarantees do the residents have that Council will not use the reserve for any other project. Mr. Anstey advised the MGA requires that the monies be used only for these purposes. The Councillor stated this has to be spelled out during the public process and that the principal and interest has to be saved in this fund.

Councillor Goucher suggested Council approach the Province relative to the issue of infrastructure money being eligible for recreation development.

Mr. French cautioned that throughout the entire public consultation program, including the program with the developers and land owners, staff has continuously reminded them that the Act does not allow that. If Council were to look to deviate from that aspect now, HRM would be obliged to go back and redo the consultation.

MOVED by Councillor Goucher, seconded by Councillor Warshick, that it be recommended to Council that the Mayor write the Minister of Service Nova Scotia and Municipal Relations seeking an amendment to the MGA so that HRM can include

recreation infrastructure charges under the Act.

Councillor Fougere spoke in favour of the recommendation asking if the Municipality can look at some type of incentives for those developers who are willing to recognize that there are other infrastructure needs.

Councillor Cooper spoke in favour of the recommendation stating the Municipality should ask the Province for on site recreation facilities but not necessarily major recreation facilities.

Councillor Hetherington spoke in opposition to the recommendation, noting this was originally put in for the capital costs such as streets, sewer and water. The Councillor stated small community recreation is looked after under development agreements. He suggested the program be implemented as presented and be re-examined in a year.

Councillor Rankin spoke in favour of the recommendation. He noted this is asking for the enabling authority to improve on subsequent applications of capital cost contributions. The applications can come forward and be tested in the public, but the Municipality should be asking for the enabling authority, recognizing that HRM does not have the resources appropriate to the budgets to take care of even existing lists let alone willing to accept a growing list. The Councillor stated this is an opportunity, and is an essential service.

Councillor Goucher stated that HRM is into regional planning and HRM has to be able to look at the whole aspect of recreation.

Councillor Blumenthal spoke in opposition to the recommendation stating that Council should pass a motion that when a subdivision is built any money saved should automatically go, the following year, towards recreation facilities. HRM should not go to the Province. The Councillor suggested it not be looked at in conjunction with the money that is supposed to go towards infrastructure.

Deputy Mayor Harvey expressed concern with the timing of the motion and what message it might be sending to those people who have gone through the public process. He noted the change in the MGA would radically change what was discussed in the process.

Councillor Goucher stated he is not looking to make any amendment to what is on the floor right now from the standpoint of what is going forward. He stated he is saying that at some point in the future, there is going to be a point in time where Council is going to have to look at recreation and how it is going to be funded.

Councillor Hines stated the developers are the participants who will be affected, noting this may change land deals and the development process. He said consideration has to be given

to the fact that there are large and small developers and therefore the process has to be fair.

Councillor McInroy stated that he, too, felt that the timing is wrong, noting any legislative changes HRM may ask for today won't happen this year. He suggested input be sought from staff.

In response to Councillor Whalen regarding possible implications of the motion, Mr. Dunphy advised that if the motion is passed the legislation does not change immediately and the public hearing will be within the present authority. The only issue that could arise would be a concern from the development community that it is the thin edge of the wedge and they don't know what is coming next. There may be other options that staff could look at such as amending the regulations relative to the subdivision by-law. Currently HRM receives 5%, noting this could be increased to 10% and would be very specific about recreation within current procedures and therefore there is no need for a legislative change. There is also the opportunity for area rates. Mr. Dunphy noted that with regards to recreation, you don't know what you want to build until after the community is in and then you consult with them.

Councillor Hetherington suggested that the motion go forward to the April 16th Regional Council meeting with a staff report addressing the issue.

MOTION PUT AND PASSED.

MOVED by Councillor Hetherington, seconded by Councillor Fougere, that Council approve the process to date and ask staff to come forward with the appropriate by-laws. MOTION PUT AND PASSED.

Mayor Kelly thanked staff for the presentation.

4. REGIONAL PLANNING UPDATE

Due to time constraints, this item was deferred to a future Committee of the Whole meeting.

5. ADJOURNMENT

The meeting was adjourned at 4:00 p.m.

Vi Carmichael
Municipal Clerk

