

# HALIFAX REGIONAL MUNICIPALITY

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## HALIFAX REGIONAL COUNCIL MINUTES AUGUST 26, 2003

PRESENT:

Mayor Peter J. Kelly  
Councillors: Steve Streach  
Gary Hines  
Keith Colwell  
Ron Cooper  
Brian Warshick  
Condo Sarto  
Bruce Hetherington  
Jim Smith  
John Cunningham  
Jerry Blumenthal  
Dawn Sloane  
Sue Uteck  
Sheila Fougere  
Russell Walker  
Diana Whalen  
Linda Mosher  
Stephen Adams  
Brad Johns  
Robert Harvey  
Len Goucher  
Gary Meade

ABSENT  
WITH REGRETS:

Deputy Mayor Harry McInroy  
Councillor Reg Rankin

STAFF:

Mr. George McLellan, Chief Administrative Officer  
Mr. Barry Allen, Acting Municipal Solicitor  
Ms. Jan Gibson, Deputy Municipal Clerk  
Ms. Julia Horncastle, Legislative Assistant

HALIFAX REGIONAL MUNICIPALITY  
REGIONAL COUNCIL MINUTES

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August 26, 2003

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1. **INVOCATION**

The meeting was called to order at 6:00 p.m. with the Invocation being led by Councillor Hetherington.

**SPECIAL PRESENTATION - HAKODATE CHRISTMAS FANTASY**

Members of the Hakodate Christmas Fantasy made a presentation to Council. Mayor Kelly and Councillor Fougere, on behalf of Council, thanked the representatives for their presentation.

2. **APPROVAL OF MINUTES - NONE**

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

Additions

12.1 Councillor Fougere - Request for staff report re: Exotic Pets

12.2 Councillor Smith - Bus passes to Universities

Deletions

Councillor Johns requested item 10.2.1, District 19 Area Rates - Sidewalk Snow Removal, be deferred to September 2, 2003.

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

4. **BUSINESS ARISING OUT OF THE MINUTES - NONE**

5. **MOTIONS OF RECONSIDERATION - NONE**

6. **MOTIONS OF RESCISSION - NONE**

7. **CONSIDERATION OF DEFERRED BUSINESS - NONE**

8. **PUBLIC HEARINGS**

**8.1 Case H00105 - Application by Beechville United Baptist Church, 1135 St. Margaret's Bay Road, Beechville for Heritage Registration**

- An extract from the July 8, 2003 Regional Council minutes was before Council.
- A report from the Heritage Advisory Committee, dated June 27, 2003, on the above noted, was before Council.
- Correspondence from Taleb Abidali, Lovett Lake Holdings Limited, dated August 25, 2003, was circulated to Council.

**MOVED by Councillor Hetherington, seconded by Councillor Warshick, that Regional Council refer the item back to staff. MOTION PUT AND PASSED UNANIMOUSLY.**

**8.2 Case 00494 - Request to Amend the Halifax Municipal Planning Strategy and Land Use By-Law for 5251 South Street, Halifax**

- An extract from the July 15, 2003 Regional Council minutes was before Council.
- A report from the Peninsula Community Council, dated July 15, 2003, on the above noted, was before Council.
- Correspondence from Royden Trainor, 5284 South Street, dated August 22, 2003, was circulated to Council.
- Memorandum from Louis Lawen, Daxel Developments, dated August 26, 2003, was circulated to Council.

Mr. Angus Schaffenburg, Planner, with the aid of overheads, presented the staff report.

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

**Mr. Keith Altimas**

**Mr. Keith Altimas**, 1343 Hollis Street, Halifax, spoke in favour of the proposal stating that it was a good proposal and would be an enhancement to South Street.

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

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

**MOVED by Councillor Sloane, seconded by Councillor Blumenthal, that Regional Council adopt the amendments to the Halifax Municipal Planning Strategy and the**

Halifax Peninsula Land Use By-Law, presented in Attachment III of the June 19, 2003 staff report. **MOTION PUT AND PASSED UNANIMOUSLY.**

**8.3            By-Law N-200, Respecting Noise Exemption Application - Dalhousie Student Union**

- A report prepared for Mr. Dan English, Acting Chief Administrative Officer, dated August 20, 2003, on the above noted, was before Council.

Mr. Alan Wayne, General Manager, Community Projects, presented the staff report.

Mayor Kelly called three times for anyone wishing to speak either in favour of or in opposition to the application. Hearing none, the following motion was placed.

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

**MOVED by Councillor Uteck, seconded by Councillor Sloane, that Regional Council approve the Dalhousie Student Union's application for exemption from the provisions of the noise by-law pursuant to the contents of the report dated August 20, 2003 and any matters raised at the hearing. MOTION PUT AND PASSED UNANIMOUSLY.**

**9.            CORRESPONDENCE, PETITIONS AND DELEGATIONS**

**9.1            Correspondence - None**

**9.2            Petitions**

**9.2.1        Councillor Cunningham**

Councillor Cunningham served a petition on behalf of the residents of Peddar's Way and the block extending between Bow Street and Oathill Crescent requesting that the asphalt curbs and gutters be replaced with concrete. The Councillor requested the petition be forwarded to staff for a report.

**10.          REPORTS**

**10.1        CHIEF ADMINISTRATIVE OFFICER**

**10.1.1 Tender 03-263, Sewer Lining - West and East Regions**

- A report prepared for Mr. Dan English, Acting Chief Administrative Officer, dated August 14, 2003, on the above noted, was before Council.

**MOVED by Councillor Fougere, seconded by Councillor Sloane, that Regional Council:**

1. **approve an increase in the Gross Budget for Account No. CGU00460, Fenwick Street, Halifax - Combined Sewer Rehabilitation, in the amount of \$11,120, with funds from Account No. Q104, Sewer Redevelopment Reserve.**
2. **approve an increase in the Gross Budget for Account No. CGU00467, Rose Street, Dartmouth - Combined Sewer Rehabilitation, in the amount of \$42,976, with funds from Account No. CRESPOOL.**
3. **award Tender No. 03-263, Sewer Lining to Insituform Technologies Limited for materials and services listed at the unit prices quoted for a Tender Price of \$365,592 plus net HST for a total of \$389,096 from Account Nos. CGU00460, Fenwick Street, Halifax - Combined Sewer Rehabilitation and CGU00467, Rose Street, Dartmouth - Combined Sewer Rehabilitation, with funding authorized as per the Budget Implications section of the report dated August 14, 2003.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**10.1.2 Tender 03-092R, LeMarchant/St. Thomas Elementary School Playground Installation**

- A report prepared for Mr. Dan English, Acting Chief Administrative Officer, dated August 14, 2003, on the above noted, was before Council.

**MOVED by Councillor Fougere, seconded by Councillor Uteck, that:**

1. **Council award Tender No. 03-092R to Little Tykes Commercial Play Systems Inc., for materials and services specified at unit prices quoted for a tender price of \$55,933.38 plus net HST, for a total amount of \$59,529.34 from Capital Account #CPC00303, Playground Upgrades & Replacements and CCV00188, District 13 Capital Funds, as outlined in the Budget Implications of the report dated August 14, 2003.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**10.1.3 Sackville Heights School Site Redevelopment Capital Project CB200415**

- A report prepared for Mr. Dan English, Acting Chief Administrative Officer, dated August 19, 2003, on the above noted, was before Council.

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

1. Council approve an increase of \$209,500 to Capital Project CB200415, with funding from the Sale of Capital Assets Reserve, Q101 in the amount of \$101,500, \$137,000 funding provided by a loan from the Sackville Landfill Compensation Fund and a reduction in the area rated loan in the amount of \$29,000 as detailed in the Budget Implications section of the report dated August 19, 2003.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**10.1.4 Case 00564 - Municipal Planning Strategy and Land Use By-law Amendment - University Avenue and Tower Road, Halifax**

- A report prepared for Mr. Dan English, Acting Chief Administrative Officer, dated August 12, 2003, on the above noted, was before Council.

**MOVED by Councillor Sloane, seconded by Councillor Hetherington, that Halifax Regional Council:**

1. Instruct staff to initiate the process to amend the Halifax Municipal Planning Strategy and Land Use By-law for the property situated at the corner of University Avenue and Tower Road, Halifax, as generally shown on Map 1 of the staff report dated August 12, 2003, to allow for a mixed-use residential/commercial project; and
2. Request staff to follow the public participation program as approved by Council in February, 1997, with staff to hold the public participation meeting.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**10.1.5 Temporary Borrowing Resolution/ 2003 Fall Debenture**

- A report prepared for Mr. Dan English, Acting Chief Administrative Officer, dated August 20, 2003, on the above noted, was before Council.

**MOVED by Councillor Hetherington, seconded by Councillor Cunningham, that:**

1. **Halifax Regional Council approve a twelve month Temporary Borrowing Resolution in the amount of \$77,863 for the Metro Centre Clock/Scoreboard.**
2. **Halifax Regional Council approve a twenty-four month Temporary Borrowing Resolution, based on the 2003/04 Gross Capital Budget, requiring debt financing, in the amount of \$27,732,000.**
3. **The Mayor and Municipal Clerk be authorized to sign the Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate confirmation, not to exceed 7%, to enable the Halifax Regional Municipality to issue a debenture in the amount of \$4,230,000.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**10.1.6 First Reading By-Law V-101, Respecting Amendments to Various By-Laws to include Minimum fines (Summary Offence Ticket Provisions)**

- An extract from the draft August 19, 2003 Regional Council minutes was before Council.
- A report prepared for Mr. Dan English, Acting Chief Administrative Officer, dated August 8, 2003, on the above noted, was before Council.

**MOVED by Councillor Hetherington, seconded by Councillor Sarto, that Regional Council give first reading to By-Law V-101, Respecting Amendments to Various By-laws to include Minimum Fines (Summary Offence Ticket Provisions). MOTION PUT AND PASSED UNANIMOUSLY.**

**10.2 MEMBERS OF COUNCIL**

**10.2.1 Councillor Johns - District 19 Area Rate - Sidewalk Snow Removal**

This item was deferred to September 2, 2003 under the approval of the Order of Business.

**11. MOTIONS - NONE**

**12. ADDED ITEMS**

**12.1 Councillor Fougere - Request for Staff Report Re: Exotic Pets**

**MOVED by Councillor Fougere, seconded by Councillor Sloane, that staff provide a report outlining how many instances there are annually regarding exotic pets at large. The Councillor requested staff look at the By-laws currently in place to deal with this situation and look at the potential for providing some new regulation which will assist in situations dealing with exotic pets.**

Councillor Hetherington requested the report include the By-Laws currently on record.

Councillor Warshick enquired whether or not there was licensing for these pets and whether this avenue could be examined as well.

**MOTION PUT AND PASSED.**

**12.2 Bus Passes to Universities**

Councillor Smith received clarification on the process of issuing bus passes to university students. No further action required.

**13. NOTICES OF MOTION**

**13.1 Councillor Walker**

Take Notice that at the next regular meeting of the Halifax Regional Council to be held on Tuesday the 2<sup>nd</sup> day of September, 2003, I propose to introduce a motion to amend Administrative Order Number 12 to appoint a new Traffic Authority.

Following the completion of the Order of Business, Mayor Kelly, on behalf of Council, extended best wishes to Councillors Hines, Colwell and Whalen as they leave Halifax Regional Council to join the Legislative Assembly of Nova Scotia as newly elected MLAs. Councillors Hines, Colwell and Whalen expressed thanks to Mayor Kelly, their fellow Councillors, their constituents, and HRM staff for their help and support during their terms as Municipal Councillors.

**14. ADJOURNMENT**

The meeting was adjourned at 7:25 p.m.

Jan Gibson  
Deputy Municipal Clerk