

HALIFAX REGIONAL COUNCIL
MINUTES

November 27, 2012

PRESENT:

Mayor Mike Savage
Deputy Mayor Reg Rankin
Councillors: Barry Dalrymple
David Hendsbee
Lorelei Nicoll
Gloria McCluskey
Darren Fisher
Waye Mason
Jennifer Watts
Linda Mosher
Russell Walker
Stephen Adams
Matt Whitman
Brad Johns
Steve Craig
Tim Outhit

STAFF:

Mr. Richard Butts, Chief Administrative Officer
Mr. Martin Ward, Acting Municipal Solicitor
Ms. Cathy Mellett, Municipal Clerk
Ms. Sherryl Murphy, Deputy Municipal Clerk
Ms. Sheilagh Edmonds, Legislative Assistant

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1. INVOCATION

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

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillors noted a number of community announcements and acknowledgements.

At Councillor McCluskey's request, Regional Council stood for a moment of silence in recognition of noted long-time community sportscaster, Pat Connolly, who recently passed away following a long illness.

3. APPROVAL OF MINUTES – November 6, 2012 and November 13, 2012

MOVED by Councillor McCluskey, seconded by Councillor Mason that the minutes of November 6, 2012 and November 13, 2012 be approved. MOTION PUT AND PASSED.

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

Additions:

- 14.1 Councillor Adams – Purcells Cove Road Sewer and Water Feasibility Study

Deletions:

- 10.3.1 Internetworking Atlantic Agreement Inc. Municipal Access Agreement
- 13.1 Internetworking Atlantic Agreement Inc. Municipal Access Agreement (private & confidential information item)

MOVED by Councillor Watts, seconded by Councillor Nicoll 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. CORRESPONDENCE, PETITIONS & DELEGATIONS

9.1 Correspondence - None

9.2 Petitions – None

9.3 Delegations - None

10. REPORTS

10.1 CHIEF ADMINISTRATIVE OFFICER

10.1.1 Sole Source Award – Energy Efficiency Projects with Efficiency Nova Scotia

A staff report dated November 20, 2012 was submitted.

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

- 1. Approve a withdrawal of \$123,489 (Including Net HST) from the Energy and Underground Services Reserve, Q131 and a corresponding increase to Project No. CBX01161 as outlined in the Budget implications section of the November 20, 2012 staff report.**
- 2. In accordance with the Sole Source Policy (Administrative Order 35, Section 8(11)(m) Attachment 1), that Regional Council award lighting retrofit projects in 35 buildings, as summarized in Attachment 2 and cost shared with Efficiency Nova Scotia with a contribution of \$101,102 in rebates, to Efficiency Nova Scotia Corporation (ENSC) for a Total Cost of \$102,632.00 (net HST included), with funding from the 2011/12 Project Budget, Project No. CBX011161 – Planning and Infrastructure, Efficiency projects, as outlined in the Budget Implications section of the November 20, 2012 staff report; and**
- 3. Use the balance of funding from recommendation one (\$20,857, net HST included) to initiate a detailed energy audit of the Eric Spicer building, as outlined in the Budget Implications section of the November 20, 2012 staff report.**

Mr. Julian Boyle, Manager, Energy and Environment responded to questions.

MOTION PUT AND PASSED. (16 in favour; 0 against)

Those voting in favour were: Mayor Savage; Deputy Mayor Rankin; and Councillors: Dalrymple, Hendsbee, Nicoll, McCluskey, Fisher, Mason, Watts, Mosher, Walker, Adams, Whitman, Johns, Craig, and Outhit.

Not Present for the Vote: District 3 – No Incumbent.

10.1.2 Creation of Community Councils

Motion – Councillor Walker – To adopt Administrative Order 48 and amend Administrative Order 57

A staff report dated November 14, 2012 was submitted.

MOVED by Councillor Walker, seconded by Councillor Mosher that Halifax Regional Council:

- 1 Approve Administrative Order Number 48 Respecting the Creation of Community Councils that delegate to Community Councils the same powers that were previously delegated to the former Community Councils, with the exception of the power to create planning advisory committees, as set out in Appendix A attached to the November 14, 2012 staff report, effective Monday, December 3, 2012;**
- 2. Amend Administrative Order Number 57 Respecting the Dissolution of Community Councils to clarify that Council may modify a continued area rate and to transfer the reporting requirements from Regional Council back to Community Council; as set out in Appendix B attached to the November 14, 2012 staff report; and**
- 3. Direct staff to consolidate all the Watershed Advisory Boards into one Watershed Advisory Board and initiate the processes necessary to amend all applicable planning documents.**

Mr. Richard MacLellan, Manager, Energy and Environment; Mr. Brad Anguish, Director, Community and Recreation Services; and Ms. Cathy Mellett, Municipal Clerk responded to questions.

Councillor Mason noted that he would be more comfortable if there were an established timeline and was prepared to move an amendment to the motion in this regard.

MOVED by Councillor Mason, seconded by Councillor Outhit that the motion be amended to direct staff to complete the analysis of the current advisory and planning advisory committee structure and recommend changes and option to regional council for review by February 19, 2013.

A brief discussion ensued in regard to Planning Advisory Committees with several councillors expressing the view that they were a valuable resource to the Councillors and former Community Councils, and also provided an important role for community engagement. In response to clarification on whether Regional Council or Community Councils would establish Planning Advisory Committees, Mr. Anguish indicated that the

establishment of Planning Advisory Committees would be the responsibility of the Community Councils.

THE MOTION TO AMEND WAS PUT AND PASSED. (16 in favour; 0 against)

Those voting in favour were: Mayor Savage; Deputy Mayor Rankin; and Councillors: Dalrymple, Hendsbee, Nicoll, McCluskey, Fisher, Mason, Watts, Mosher, Walker, Adams, Whitman, Johns, Craig, and Outhit.

Not Present for the Vote: District 3 – No Incumbent.

In response to a question by Councillor Dalrymple concerning the consolidation of the Watershed Advisory Boards into one board, Mr. MacLellan advised that, should Council approve the motion, staff would then draft a terms of reference for the board which will then go before the appropriate Standing Committee for consideration.

Councillor Dalrymple noted that some time ago Council had made a request of the Province for more powers for the Community Councils yet, to date, there has been no response. He suggested it is time to follow up on this request.

Councillor Watts advised that she had concerns with the staff proposal on the Community Councils, adding that she would have liked to have had an option that would have brought together the urban districts into a centre core Community Council to deal with issues specifically related to the urban core. She added that she envisioned a centre core community council, and two other community councils--one for the western region and one for the eastern region—which would be comprised of rural and suburban districts. Councillor Watts expressed concern that the present option could be creating mini Regional Councils by having a mixture of rural, suburban, and urban, and that it would be stepping back from the direction in which Council intended to move. Councillor Watts advised that in speaking with her colleagues, she was aware that the option on the floor is what the majority support, therefore, she would not seek to amend the motion. She asked staff to comment on whether this model, if approved, could be changed in the future.

In response, Mr. Anguish noted that during the orientation session with the newly elected Council, the main message staff came away with, was that Council wanted to proceed as soon as possible on these matters. He added that next spring the Centre Plan will come before Council and this may be an appropriate time to look at Community Council governance structure.

Councillor Outhit noted he had served on the Bedford Watershed Advisory Board for several years and felt that the Board did great work and he was not prepared to see it consolidated with the other watershed boards.

MOVED by Councillor Outhit, seconded by Councillor McCluskey that recommendation 3 of the motion be removed.

Councillor Hendsbee suggested staff give consideration to the idea of merging planning advisory committees with the watershed advisory boards, adding that there was merit in the idea as their roles were similar in nature.

THE MOTION WAS LOST as a result of a tie vote. (8 in favour; 8 against)

Those voting in favour were: Mayor Savage and Councillors: Dalrymple, Hendsbee, McCluskey, Fisher, Mason, Johns, and Outhit.

Those voting against were: Deputy Mayor Rankin and Councillors: Nicoll, Watts, Mosher, Walker, Adams, Whitman, and Craig.

Not Present for the Vote: District 3 – No Incumbent.

The Mayor called for the question on the amended motion which now reads as follows:

MOVED by Councillor Walker, seconded by Councillor Mosher that Halifax Regional Council:

1. **Approve Administrative Order Number 48 Respecting the Creation of Community Councils that delegate to Community Councils the same powers that were previously delegated to the former Community Councils, with the exception of the power to create planning advisory committees, as set out in Appendix A attached to the November 14, 2012 staff report, effective Monday, December 3, 2012;**
2. **Amend Administrative Order Number 57 Respecting the Dissolution of Community Councils to clarify that Council may modify a continued area rate and to transfer the reporting requirements from Regional Council back to Community Council; as set out in Appendix B attached to the November 14, 2012 staff report; and direct staff to complete the analysis of the current advisory and planning advisory committee structure and recommend changes and options to Regional Council for review by February 19, 2013.**
3. **Direct staff to consolidate all the Watershed Advisory Boards into one Watershed Advisory Board and initiate the processes necessary to amend all applicable planning documents.**

MOTION PUT AND PASSED. (16 in favour; 0 against)

Those voting in favour were: Mayor Savage; Deputy Mayor Rankin; and Councillors: Dalrymple, Hendsbee, Nicoll, McCluskey, Fisher, Mason, Watts, Mosher, Walker, Adams, Whitman, Johns, Craig, and Outhit.

Not Present for the Vote: District 3 – No Incumbent.

10.1.3 Council Appointments to various Boards & Committees

A staff report dated November 20, 2012 was submitted.

MOVED by Deputy Mayor Rankin, seconded by Councillor Craig, that Halifax Regional Council:

- 1. Refer the nominations for Council representatives on the following Committees to the respective Standing Committees for nomination to Regional Council, as provided for in the Terms of Reference for the Standing Committees, to fill the vacancies no later than the 1st. meeting of Regional Council in January 2013.**
 - a. Council representatives on the Halifax-Dartmouth Bridge Commission, Canadian Urban Transit Association and the Active Transportation Standing Committee to the Transportation Standing Committee for nomination.**
 - b. Council representatives on the Halifax Regional Water Commission to the Environment & Sustainability Standing Committee for nomination.**
 - c. Council representatives on the Grants and Special Events Advisory Committees to the Audit & Finance Standing Committee for nomination.**
- 2. Proceed to fill the vacancies for Council representatives on the Destination Marketing Board, Neptune Theatre Board, and Trade Centre by way of secret ballot for the terms as outlined in Attachment 1 of the November 20, 2012 staff report.**
- 3. Defer the FCM appointment to the December 11, 2012 Regional Council meeting.**
- 4. Appoint Councillor Watts to the Community Planning and Economic Development Standing Committee.**

Councillor Mosher suggested, and there was general consensus to defer the FCM appointment to the December 4, 2012 Regional Council meeting rather than the December 11, 2012 meeting.

The Mayor suggested, and Council agreed to vote on each recommendation separately.

Recommendation 1:

MOVED by Deputy Mayor Rankin, seconded by Councillor Craig, that Halifax Regional Council:

- 1. Refer the nominations for Council representatives on the following Committees to the respective Standing Committees for nomination to Regional Council, as provided for in the Terms of Reference for the Standing Committees, to fill the vacancies no later than the 1st. meeting of Regional Council in January 2013.**
 - a. Council representatives on the Halifax-Dartmouth Bridge Commission, Canadian Urban Transit Association and the Active Transportation Standing Committee to the Transportation Standing Committee for nomination.**
 - b. Council representatives on the Halifax Regional Water Commission to the Environment & Sustainability Standing Committee for nomination.**
 - c. Council representatives on the Grants and Special Events Advisory Committees to the Audit & Finance Standing Committee for nomination.**

Councillor McCluskey referred to the report and advised that Council should be considering the committee workload for the Councillors, as there has not been an even distribution of committees among the Councillors.

Councillor Mosher noted that the chart which was circulated to the Councillors by the Clerk's office contained errors in regard to committees Councillors have served on and she suggested that the information be verified with the Councillors. Councillor Mosher also indicated that it would be helpful for Council to receive an e-mail outlining the current committee workload of each Councillor.

MOTION PUT AND PASSED. (16 in favour; 0 against)

Those voting in favour were: Mayor Savage; Deputy Mayor Rankin; and Councillors: Dalrymple, Hendsbee, Nicoll, McCluskey, Fisher, Mason, Watts, Mosher, Walker, Adams, Whitman, Johns, Craig, and Outhit.

Not Present for the Vote: District 3 – No Incumbent.

Mayor Savage advised that recommendation 3 would be voted on next.

Recommendation 3:

MOVED by Deputy Mayor Rankin, seconded by Councillor Craig, that Halifax Regional Council defer the FCM appointment to the December 4, 2012 Regional Council meeting.

MOTION PUT AND PASSED. (16 in favour; 0 against)

Those voting in favour were: Mayor Savage; Deputy Mayor Rankin; and Councillors: Dalrymple, Hendsbee, Nicoll, McCluskey, Fisher, Mason, Watts, Mosher, Walker, Adams, Whitman, Johns, Craig, and Outhit.

Not Present for the Vote: District 3 – No Incumbent.

Recommendation 2:

MOVED by Deputy Mayor Rankin, seconded by Councillor Craig, that Halifax Regional Council proceed to fill the vacancies for Council representatives on the Destination Marketing Board, Neptune Theatre Board, and Trade Centre by way of secret ballot for the terms as outlined in Attachment 1 of the November 20, 2012 staff report.

Councillor Johns indicated that he had a concern about the equity of committee distribution and workload on the Councillors and, in particular, how the process of a secret ballot would further impact on this.

MOVED by Councillor Fisher, seconded by Councillor Hendsbee that the Trade Centre appointment be deferred to December 4, 2012.

Councillor Johns advised that he could support the deferral and suggested that it was an opportunity to refer the appointment to the Executive Standing Committee or an ad hoc committee lead by the Deputy Mayor.

MOTION PUT AND PASSED. (16 in favour; 0 against)

Those voting in favour were: Mayor Savage; Deputy Mayor Rankin; and Councillors: Dalrymple, Hendsbee, Nicoll, McCluskey, Fisher, Mason, Watts, Mosher, Walker, Adams, Whitman, Johns, Craig, and Outhit.

Not Present for the Vote: District 3 – No Incumbent.

MOVED by Councillor Mosher, seconded by Councillor Outhit that the vacancies for Council representatives on the Destination Marketing Board, and Neptune Theatre Board be deferred to December 4, 2012 Regional Council.

Councillor Nicoll suggested that the Clerk's Office supply information to Council on the Councilors allocation of boards and committees before approving appointments to FCM and the Trade Centre.

MOTION PUT AND PASSED. (10 in favour; 6 against)

Those voting in favour were: Deputy Mayor Rankin; and Councillors: McCluskey, Watts, Mosher, Walker, Adams, Whitman, Johns, Craig, and Outhit.

Those voting against were: Mayor Savage; and Councillors: Dalrymple, Hendsbee, Nicoll, Fisher, and Mason.

Not Present for the Vote: District 3 – No Incumbent.

Recommendation 4:

MOVED by Deputy Mayor Rankin, seconded by Councillor Craig, that Halifax Regional Council appoint Councillor Watts to the Community Planning and Economic Development Standing Committee.

MOTION PUT AND PASSED. (16 in favour; 0 against)

Those voting in favour were: Mayor Savage; Deputy Mayor Rankin; and Councillors: Dalrymple, Hendsbee, Nicoll, McCluskey, Fisher, Mason, Watts, Mosher, Walker, Adams, Whitman, Johns, Craig, and Outhit.

Not Present for the Vote: District 3 – No Incumbent

10.2 NORTH WEST PLANNING ADVISORY COMMITTEE

10.2.1 Case 18101: Time Extension to Development Agreement for a Mixed Use Development at the Southern Corner of Bedford Highway and Moirs Mill Road, Bedford

A report dated November 7, 2012 was submitted from Ann Merritt, Chair of the North West Planning Advisory Committee. Attached to this report was a staff report dated October 22, 2012.

MOVED by Councillor Outhit, seconded by Councillor Walker that Halifax Regional Council:

- 1. Approve, by resolution, the proposed Amending Agreement as contained in Attachment A of the staff report dated October 22, 2012 to extend the construction commencement date for the development at the southern corner of Bedford Highway and Moirs Mill Road, Bedford, by an additional one year to December 6, 2012; and**
- 2. Require the Amending Agreement be signed by the property owner within 120 days, or any extension thereof generated by Council on request of the property owner, from the date of final approval by Council and any other bodies as necessary, including applicable**

appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.

MOTION PUT AND PASSED. (15 in favour; 0 against)

Those voting in favour were: Mayor Savage; Deputy Mayor Rankin; and Councillors: Dalrymple, Hendsbee, Nicoll, McCluskey, Fisher, Mason, Watts, Mosher, Walker, Adams, Whitman, Johns, Craig, and Outhit.

Councillor Johns was not in his seat during the vote.

Not Present for the Vote: District 3 – No Incumbent.

10.3 ENVIRONMENT AND SUSTAINABILITY STANDING COMMITTEE

10.3.1 Internetworking Atlantic Inc. Municipal Access Agreement

This item was deleted from the agenda during the Approval of the Order of Business.

11. MOTIONS – NONE

12. NOTICES OF MOTION - NONE

13. IN CAMERA

13.1 Internetworking Atlantic Agreement Inc. Municipal Access Agreement

This item was deleted from the agenda during the approval of the order of business.

14. ADDED ITEMS:

14.1 Councillor Adams – Purcells Cove Road Sewer and Water Feasibility Study

MOVED by Councillor Adams, seconded by Councillor Mosher that Halifax Regional Council direct, upon completion of the Purcell's Cove Servicing Planning and Engineering Feasibility Study, the residents of Study Area 2 be excluded from extension of central water and sewer services.

In response to questions from Councillor Hendsbee, Councillor Adams advised that 70 to 80 percent of the residents do not want the extension of central water and sewer services, and therefore he was comfortable with this recommendation.

Councillor Mosher noted that she had been the Councillor representative prior to the revised district boundaries, and this motion is consistent with the 2011 report on this matter. She added that although staff divided the area into Areas 1 and 2, Area 2 was

not designated as a growth area. She advised that staff felt it was prudent to study the area in entirety.

MOTION PUT AND PASSED. (14 in favour; 1 against)

Those voting in favour were: Mayor Savage; Deputy Mayor Rankin; and Councillors: Dalrymple, Nicoll, McCluskey, Fisher, Mason, Watts, Mosher, Walker, Adams, Whitman, Craig, and Outhit.

Those voting against: Councillor Hendsbee

Councillor Johns was not in his seat during the vote.

Not Present for the Vote: District 3 – No Incumbent.

15. ADJOURNMENT

The meeting adjourned at 7:44 p.m.

Cathy J. Mellett
Municipal Clerk

The following information items were submitted:

1. Memorandum from Director, Transportation & Public Works dated October 29, 2012 re: Bicycle Racks with Advertising in Main Street Business Improvement District Right of Way.
2. Memorandum from Director, Metro Transit dated November 5, 2012 re: Implementing Route 6 Quinpool "Scenario B" Service Adjustment.
3. Memorandum from the Municipal Clerk dated November 19, 2012 re: Requests for Presentation to Council – None.