

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL COMMITTEE OF THE WHOLE MINUTES October 19, 2004

PRESENT:

Mayor Peter J. Kelly
Deputy Mayor Steve Streach
Councillors: David Hendsbee (1:20 p.m.)
Ron Cooper
Harry McInroy
Condo Sarto
Bruce Hetherington (1:20 p.m.)
Jim Smith
John Cunningham
Jerry Blumenthal
Dawn Sloane
Sue Uteck
Sheila Fougere
Russell Walker
Debbie Hum
Linda Mosher
Stephen Adams
Brad Johns
Robert Harvey
Len Goucher
Reg Rankin
Gary Meade

ABSENT:

Councillors: Krista Snow (Regrets)
Brian Warshick

STAFF:

Mr. George McLellan, Chief Administrative Officer
Mr. Wayne Anstey, Municipal Solicitor
Ms. Sherryll Murphy, Acting Municipal Clerk
Ms. Patti Halliday, Legislative Assistant

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1. CALL TO ORDER

Mayor Kelly called the meeting to order at 1:00 p.m.

2. APPROVAL OF MINUTES - July 13, 2004

MOVED by Councillor Adams, seconded by Councillor Goucher, that the minutes of July 13, 2004 be approved, as circulated. MOTION PUT AND PASSED UNANIMOUSLY.

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

MOVED by Councillor Blumenthal, seconded by Councillor Smith, that the Agenda be approved, as circulated. MOTION PUT AND PASSED UNANIMOUSLY.

4. ENHANCEMENTS - NEW HIGH SCHOOL - HALIFAX COMMON

C A supplementary staff report prepared for George McLellan, Chief Administrative Officer, regarding the above, was before Committee for its consideration.

Mr. Peter Bigelow, Manager, Real Property Planning, presented the report to the Committee, noting the Province is satisfied that an agreement in principle is sufficient for them to go ahead. The project will be completed in a 15-month phase beginning next summer. Mr. Bigelow illustrated the site plan with the aid of an overhead.

(Councillors Hetherington and Hendsbee took their places at the meeting at 1:20 p.m.)

Mr. George McLellan, Chief Administrative Officer, stated provincial policy does not allow them to build auditoriums even though some existing ones were being lost. He noted that he anticipates HRM's role to be more in the area of community recreation. Mr. McLellan further noted that Council cannot pre-commit budget funds but a decision made by Council today will be a strong indication of intent. He stated that it is staff's intent, when this issue gets to the budget phase, to provide Council with an agreement with the School Board as to how the usage of the new gym will be set up. Mr. McLellan noted he would like to see the Province step forward out of its traditional role regarding the need for an auditorium.

MOVED by Councillor Blumenthal, seconded by Councillor Fougere, that Halifax Regional Council:

1) Approve in principle the building of an HRM community gym, conditional on

community use as a priority, estimated at \$1.85 million, as part of the Nova Scotia Department of Education's Halifax Commons High School project, subject to budget approval in the 2005-06 and 2006-07 capital budgets. Staff will bring to Council an appropriate plan for facility rationalization and a joint use agreement for access to the new high school for consideration prior to budget discussions, and,

- 2) **Approve in principle the use of the Central Commons field by the adjacent new Commons High School, and the field improvements outlined in this report, estimated at \$30,000 to be considered in the 2005-06 capital budget.**

Responding to a question of Councillor Blumenthal, Mr. Bigelow estimated it would cost in the range of \$1.5 million to demolish Queen Elizabeth High School, and at least \$1 million to demolish St. Pat's. The value of these lands would be based on zoning and density.

Councillor Uteck expressed concern that there was no public consultation sought by the Province in its decision regarding the new manner in which it would build schools and put forth the following amendment:

MOVED by Councillor Uteck, seconded by Councillor Sloane, that the motion be amended to add the following:

- 1) **As there will be five to seven new schools built in the next five years, a letter be sent to the Premier and Cabinet requesting that the discussion of what a school should be be opened up to public consultation;**
- 2) **Further, that staff commit to providing Council with a report respecting the provision of a contribution from the net proceeds of the sale of St. Pat's High School to the new theatre and auditorium and to provide an appraisal of the land to determine its value.**

In response, Mr. Mike Labrecque, Director, Real Property and Asset Management, stated HRM does not have policy to attribute net proceeds to specific projects. If there were to be net proceeds from that particular sale, they would accrue to the Sale of Land Account.

Councillor Hendsbee suggested if there is to be an augmentation to a school, a community contribution through an area rate should be required with a matching contribution from HRM's capital budget.

Responding to a question of Councillor Meade, Mr. Bigelow stated staff have drafted a report for Council regarding the new Sir John A. MacDonald School. However, he stated he was not aware of any request for a running track and ballfield but he agreed to discuss this with the

Councillor.

Councillor Mosher suggested there should be a report on the cultural needs of HRM, and, in particular, the Peninsula. The Councillor stated she would prefer the auditorium to be an HRM auditorium rather than a School Board auditorium. Regarding concerns expressed by the Councillor respecting environmental contamination, Mr. Labrecque responded that staff's approach to demolitions is to do a Level 1, and, in some cases, a Level 2 environmental site assessment as well as a hazardous material survey which all impact on the cost of the demolition.

Councillor Cunningham spoke in support of the motion and stated that a new concert hall is needed in HRM, and he urged continued dialogue with the Province to ensure one is included in the new high school.

Mr. McLellan stated this gym will be needed in the future. With respect to the auditorium, he stated that is a different issue and does not necessarily fall under the role of the municipality. He noted there are other agencies closer to that mandate than HRM and they should come forward to make it happen as HRM has done with respect to the gymnasium.

For the record, Councillor Uteck stating she has been requesting a cultural policy since 1999.

Following further discussion, a request was made that the amendments be voted on separately.

The vote was taken on the first amendment which read as follows:

MOVED by Councillor Uteck, seconded by Councillor Sloane, that the motion be amended to add the following:

- 1) As there will be five to seven new schools built in the next five years, a letter be sent to the Premier and Cabinet requesting that the discussion of "what a school should be" be opened up to public consultation. MOTION PUT AND PASSED.**

The vote was taken on the second amendment which read as follows:

MOVED by Councillor Uteck, seconded by Councillor Sloane, that the motion be amended to add the following:

- 2) Further, that staff commit to providing Council with a report respecting the provision of a contribution from the net proceeds of the sale of St. Pat's High**

School to the new theatre and auditorium and to provide an appraisal of the land to determine its value. MOTION PUT AND PASSED.

The vote was then taken on the main motion, as amended:

MOVED by Councillor Blumenthal, seconded by Councillor Fougere, that Halifax Regional Council:

- 1) Approve in principle the building of an HRM community gym, conditional on community use as a priority, estimated at \$1.85 million, as part of the Nova Scotia Department of Education's Halifax Commons High School project, subject to budget approval in the 2005-06 and 2006-07 capital budgets. Staff will bring to Council an appropriate plan for facility rationalization and a joint use agreement for access to the new high school for consideration prior to budget discussions, and,**
- 2) Approve in principle the use of the Central Commons field by the adjacent new Commons High School, and the field improvements outlined in this report, estimated at \$30,000 to be considered in the 2005-06 capital budget.**
- 3) As there will be five to seven new schools built in the next five years, a letter be sent to the Premier and Cabinet requesting that the discussion of "what a school should be" be opened up to public consultation.**
- 4) Further, that staff commit to providing Council with a report respecting the provision of a contribution from the net proceeds of the sale of St. Pat's High School to the new theatre and auditorium and to provide an appraisal of the land to determine its value. MOTION PUT AND PASSED UNANIMOUSLY.**

RECESS

A recess was taken at 2:55 p.m. The meeting reconvened at 3:15 p.m.

5. MASTER PLANS AND GREENFIELD STUDIES

C A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Committee for its consideration.

C Correspondence from the Sisters of Charity, dated October 8, 2004 and a response

from Mayor Kelly dated October 18, 2004 were circulated to the Committee for its information.

Mr. Paul Dunphy, Director, Planning and Development Services, provided opening remarks and Mr. Paul Morgan, Planner, presented the report to Committee. Copies of his presentation were circulated to Members of Council.

Councillor Hetherington inquired if the plans could be broken out individually to allow the process to continue to the public meetings. The Councillor noted the Morris-Russell Lake Master Plan is much further ahead than the others and requested that it be addressed separately.

MOVED by Councillor Hetherington, seconded by Councillor Sarto, that Council

- 1. Direct staff to continue to negotiate policy and regulatory amendments needed to allow for the development of the Morris-Russell Lake master plans.**
- 2. Direct staff to continue to negotiate policy and regulatory amendments needed to allow for the development of the Bedford West master plan.**
- 3. Defer further work on the Port Wallace master plan pending extension of sewer and water services, by the private sector, to the nearby Dartmouth East Lands; and**
- 4. Discontinue further work on the Governor Lake North study.**

Councillor Rankin expressed concern with the limited time available for Council to review the report and stated he would be requesting that part of the recommendation be deferred. The Councillor noted he is aware of concerns regarding sewage and transportation and the assumptions staff used in their analysis. Therefore, the following amendment was put forth:

MOVED by Councillor Rankin, seconded by Councillor Uteck, that the Bedford West, Port Wallace and Governor Lake North master plans be deferred for a maximum of three weeks.

Councillor Hum expressed concern with the correspondence just received today from the Sisters of Charity, stating she would like an opportunity to speak to them as well. The Councillor noted she also had concerns regarding sewage treatment as well as issues pertaining to the Hwy 113 transportation issues with Bedford West.

Responding to a question of Councillor Uteck, Mr. George McLellan, Chief Administrative

Officer, stated there is some additional capacity to take the master plans into account. The Councillor stated she would also like to speak with Mr. Carl Yates, General Manager, Halifax Regional Water Commission, as it was her understanding that they would have comment as HRM moved forward with the Regional Plan.

Speaking against the deferral, Councillor Goucher noted there have been two very active advisory bodies for the Morris-Russell Lake and Bedford West master plans meeting and working for 1.5 years. The Councillor noted the report outlines the risks pertaining to Bedford West. Councillor Goucher noted it has the lowest development cost per acre of all the regional planning areas. The Councillor inquired about the status of water testing of any development of any regional plan area, noting the Bedford Watershed Advisory Board has two-thirds of a water testing program for the entire drainage system completed. In closing, the Councillor stated from the standpoint of impact and risk, Bedford West is way ahead of any other area and should not be deferred.

Councillor Mosher stated she supported the staff recommendation but not the deferral, noting District 17 cannot afford the downstream effects of the Governor North study area.

Responding to a question of Councillor Smith regarding the Port Wallace Master Plan, Mr. Dunphy stated the North American Life development is not affected by any decision made today. Mr. McLellan noted another aspect that will impact the cost to upgrade is the Province's long-standing commitment to put in an interchange at Shubie Park. This is intended to provide servicing and access to the old Whebby lands. He noted HRM is now in discussions with the Province regarding the cost to upgrade that infrastructure to accept the Wright Avenue extension.

With regard to Morris Lake, Councillor Hendsbee stated he hopes that capacity could be designed so other properties in the Cole Harbour catchment area could be force fed into the Dartmouth sewage treatment system. The Councillor also stated he would like to see opportunities explored to assist in commercial development on Main Street. In response, Mr. French stated the recommendation does not detract from the opportunities requested by the Councillor to be looked at, as they can still be dealt with through the Regional Planning project.

Councillor Sloane recalled a previous motion regarding the possibility of self contained sewage treatment plants for new development and requested that the minutes of that meeting be provided when the issue comes back to Council. The Councillor suggested solar aquatics would be useful in small developments in outlying areas.

Responding to a question of Councillor Walker regarding public notification, Mr. French stated there will be plenty of opportunity for people to be consulted as part of the regional planning process. Mr. Dunphy added that he spoke to the solicitor for the Sisters of Charity and the source of the confusion is the consultant working on behalf of the Sisters believed that their

land was included in the master plan and that decisions affecting their property were imminent.

Speaking in support of the deferral, Councillor Walker also expressed concern that 45 percent of the capacity of the Halifax plant would be taken up by the Bedford West site which restricts other development. The Councillor questioned if and how a compromise could be reached so one project or future developments are not shut out.

Councillor Cooper stated he would prefer that Council go forward with the original staff recommendation. Councillor McInroy agreed stating the Morris-Russel Lake master plan cannot be compared with the others in terms of benefits.

Councillor Sloane requested a definition of expansion with respect to the Halifax sewage treatment plant as to whether it refers to a physical expansion or to an expansion in the type treatment. The Councillor also inquired why the flow of the is sewage directed to the Halifax plant rather than the Bedford plant. Councillor Sloane also requested a cost analysis of trunking the sewage from Bedford to Halifax. In response, Mr. Anguish stated the expansion of the Halifax plant, if and when it happens, is a 10 percent capacity expansion. With respect to the sewage flow direction, Mr. Morgan stated the flow is proposed to go to both treatment plants. The portion near the Hammonds Plains Road would be directed to Mill Cove and the remainder diverted to Halifax as the capacity of Mill Cove plant would not be sufficient to meet that demand. Councillor Sloane stated she would also like a cost analysis to upgrade the Mill Cove plant to be able to take all the capacity. Mr. Anguish clarified that the analysis is based on ultimate capacity of all the plants. In any of these decisions, based on the rate of growth in these areas, that will dictate how fast these expansions have to happen. Therefore, staff has already taken into consideration the ultimate capacity of Mill Cove and that is why the remaining flow is being directed to Halifax. Councillor Sloane stated she would still like to have a cost analysis to upgrade Mill Cove to allow it to take the whole capacity in Bedford and how much it will cost to link into the existing infrastructure to direct the flow to Halifax as well as the cost of the pumping stations. Mr. Anguish noted the pumping station costs are already reflected in the development costs.

The vote was then taken on the amendment. **MOTION PUT AND PASSED.**

The vote was then taken on the main motion as amended which read as follows:

- 1. Direct staff to continue to negotiate policy and regulatory amendments needed to allow for the development of the Morris-Russell Lake master plan.**
- 2. Defer any decision on the Bedford West and Port Wallace master plans and the Governor Lake North study for a maximum of two weeks. MOTION PUT AND PASSED.**

6. ADJOURNMENT

There being no further business, the meeting adjourned at 4:15 p.m.

Sherryl Murphy
Acting Municipal Clerk