

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES April 20, 2004

PRESENT:

Mayor Peter J. Kelly
Deputy Mayor Steve Streach
Councillors: Krista Snow
David Hendsbee
Ron Cooper
Harry McInroy
Brian Warshick
Condo Sarto
Bruce Hetherington
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

STAFF:

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

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1. INVOCATION

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

SPECIAL PRESENTATION - HRM VOLUNTEER OF THE YEAR AWARDS

With the assistance of their respective Councillors, Mayor Kelly presented the 2004 Volunteer Recognition Awards to the following recipients:

Dolly Williams (Councillor Hendsbee)
Eva Naugle (Councillor McInroy)
Jillian Catherine DiPenta (Councillor Warshick)
George Sydney Gosley (Councillor Warshick)
Doris Rose Wournell (Councillor Smith)
Verna Munroe (Councillor Blumenthal)
Sister Helen Wallace (Councillor Blumenthal)
John Ryan (Councillor Walker)
Jim Macleod (Councillor Johns)
Don Farmer (Councillor Goucher)

On behalf of Council, Mayor Kelly expressed thanks and appreciation to all the recipients, as well as volunteers throughout HRM, for their efforts.

2. APPROVAL OF MINUTES - NONE

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

The following items were added to the agenda:

- 11.1 Councillor Adams
 - (i) Herring Cove Community Liaison Committee - Request for Operating Funds
 - (ii) Herring Cove Sewer and Water - Request for 1996 Porter Dillon Report
- 11.2 Property Matter - Acquisition of Additional Lands for Bus Rapid Transit
- 11.3 Councillor McInroy - Eastern Passage Wastewater Treatment Facility

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

4. BUSINESS ARISING OUT OF THE MINUTES

5. MOTIONS OF RECONSIDERATION

5.1 Councillor Hetherington - Motion of Reconsideration re: Establishment of Standard Protocols for Watershed Advisory Boards (April 6/04)

MOVED by Councillor Hetherington, seconded by Councillor Goucher, that the April 6, 2004 motion of Halifax Regional Council regarding the Establishment of Standard Protocols for Watershed Advisory Boards be reconsidered.

Speaking in support of the reconsideration, Councillor Hetherington stated the watershed advisory boards have been working cooperatively, and they may take offense to Council adopting a motion like this with no input from them. The Councillor suggested that Council address the issue with Halifax if necessary, but not bring in the others if there is no problem. In closing, the Councillor stated he would like the original motion reconsidered and that it be deferred for one week to hear from staff or that it be amended to just include the Halifax Watershed Advisory Board.

A **recorded vote** was requested.

MOTION PUT AND PASSED.

Members of Council voting **in favour** of the motion: Mayor Kelly, Councillors: Cooper, Warshick, Sarto, Hetherington, Smith, Cunningham, Uteck, Johns, Harvey, Goucher, Rankin and Meade.

Members of Council voting **against** the motion: Councillors: Snow, Hendsbee, McInroy, Blumenthal, Sloane, Fougere, Walker, Hum, Mosher and Adams.

(Deputy Mayor Streach was absent for the vote.)

MOVED by Councillor Hetherington, seconded by Councillor Uteck, that the matter be deferred for one week. MOTION PUT AND PASSED UNANIMOUSLY.

6. MOTIONS OF RESCISSION - NONE

7. CONSIDERATION OF DEFERRED BUSINESS - NONE

8. CORRESPONDENCE, PETITIONS AND DELEGATIONS

8.1 Correspondence - None

8.2 Petitions

8.2.1 Councillor Cooper - Request for District Boundary Amendment

Councillor Cooper served a petition from residents requesting HRM and the NSURB to amend the order of the proposed boundary of District D to include Cherry Brook, Lake Loon along #7 Highway to Little Salmon River Bridge north to Lake Major up to the middle of Lake Major to where it joins to District D.

8.2.2 Councillor Adams - Amendment to By-Law T-108

Councillor Adams served a petition containing 24 signatures requesting that Council amend By-Law T-108 to allow for an equitable distribution of Taxi Owner Licenses based on seniority.

9. REPORTS

9.1 CHIEF ADMINISTRATIVE OFFICER

9.1.1 Approval of the 2004-2005 HRM Capital & Operating Budget, Setting of Tax Rates

MOVED by Councillor Cooper, seconded by Councillor Rankin, that:

It is hereby resolved that:

- a) the Capital Budget in the amount of \$139,868,000 be approved, and**
- b) the Operating Budget in the amount of \$ 549,992,062 gross expenditures, \$ 441,443,000 non-departmental revenues, and \$ 108,549,062 departmental revenues be approved, which reflects all adjustments approved by Council to the Budget tabled on April 6, 2004, and further;**
- c) that the general rates of taxation on commercial and business occupancy be set at**
 - (i) \$3.272 for the urban area;**
 - (ii) \$3.272 for the suburban area; and**
 - (iii) \$2.999 for the rural area**

applied to the full assessed value of the property.

- d) that the general rates of taxation on residential and resource property be set at
- (i) \$1.283 for the urban area;
 - (ii) \$1.182 for the suburban area; and
 - (iii) \$1.176 for the rural area

applied to the full assessed value of the property.

- e) that the boundary of the urban, suburban and rural areas is as delineated in the attached "Tax Structure Map" and the amendments as detailed in Maps A to B.
- f) that Supplementary Education shall be set at the rate of \$0.098 to the residential and resource assessment and set as \$0.249 to the commercial assessment including business occupancy of the former City of Halifax; and \$0.081 to the residential and resource assessment and \$0.206 to the commercial assessment including business occupancy of the former City of Dartmouth; and an area rate of \$0.037 to the residential, resource, commercial assessment including business occupancy of the former Town of Bedford and Halifax County. Total discretionary funding shall be set at \$20,846,200. That the dollar allocations for former City of Halifax equal \$12,295,000, former City of Dartmouth equal \$5,239,200 and the former County/Bedford equal \$3,312,000.
- g) that Fire Protection rates shall be set at \$0.083 for all commercial assessable property, including business occupancy; and at a rate of \$0.032 for all residential and resource property which is within 1,200 feet of a hydrant that is designed and operated for public fire protection purposes;
- h) that the final tax bills will become due on Thursday, September 30, 2004.
- i) that the interest rate on the Special Reserve Funds, designated as requiring interest under Section 100(2) of the Municipal Government Act, be set at the rate of return on funds invested by HRM for the period April 1, 2004 to March 31, 2005.
- j) that the interest rate on the Pollution Control Reserves be set at the rate of return on funds invested by HRM for the period April 1, 2004 to March 31, 2005.

- k) that the interest rate on all reserves except for those identified in j) and k) will be set at the rate of return on funds invested by HRM for the period April 1, 2004 to March 31, 2005.
- l) that the interest rate on trust funds will be set at the annual rate of return on specific investments held by the trusts.

MOVED by Councillor Blumenthal, seconded by Councillor Adams, that the question be put. MOTION PUT AND DEFEATED.

Members of Council voting **in favour** of the motion: Deputy Mayor Streach, Councillors: McInroy, Sarto, Hetherington, Smith, Cunningham, Blumenthal, Mosher, and Adams.

Members of Council voting **against** the motion: Mayor Kelly, Councillors: Snow, Hendsbee, Cooper, Warshick, Sloane, Uteck, Fougere, Walker, Hum, Johns, Harvey, Goucher, Rankin, and Meade.

MOVED by Councillor Uteck, seconded by Councillor Hetherington, that the motion be amended that any increase in the assumed mandatory education funding set by the Province in excess of the increase budgeted by HRM (\$3.5 million) will be offset by a decrease in supplementary funding for the areas of the former Halifax, Dartmouth, Bedford, and the County, as applicable.

Councillor Uteck stated the reason for the amendment was to send a message to the Province that if it is going to download further on HRM, the money will have to come from supplementary funding.

Councillor Mosher noted a motion has already been passed by Council to send a letter to the Province requesting that it ensure any increase in mandatory funding paid by HRM remain in HRM.

Councillor Walker stated he would not support the amendment as it was never discussed with the School Board during the budget deliberations. Councillor Harvey agreed stating it was unfair to the School Board and it uses educational opportunities for students as pawns.

Councillor Uteck requested that her amendment be withdrawn, however, the Seconder did not agree. The amendment remained on the floor.

Councillor Adams also spoke against the amendment stating he would not support anything that reduced any form of educational funding.

Councillor Rankin stated the merit of the motion is that it protects the taxpayers as Council

would have revisit the tax rate if the Province requires an increase in education funding. Speaking against the amendment, Councillor Warshick stated it was not fair to offer this at the last minute. Although he understood and agreed with the intent, the Councillor stated it was not the way to achieve it.

Mr. McLellan suggested one option for Council would be to drop the portion of the motion that deals with supplementary education or defer it at this time.

MOVED by Councillor Uteck, seconded by Councillor Blumenthal, that clause (f) of the main motion be deferred for one week.

Following a brief discussion, the vote was taken.

MOTION PUT AND DEFEATED.

Councillor Uteck's amendment was back on the floor.

Councillor Goucher stated he supported the amendment, in general, but expressed concern with HRM treating the School Board in the same manner the Province treats HRM. The Councillor expressed no concern with giving notice of HRM's intent with respect to supplementary funding for next year, but stated he did not want to put the School Board at the same disadvantage that HRM has been relative to the assessment roll and budgeting process.

Responding to questions of Council, Mr. McLellan clarified that with respect to anything that requires additional monies from HRM as a result of the provincial budget, there is still theoretically a 12 month waiting period that would apply. With regard to carving back on supplementary funding after the budget is approved, the rate would stand. Ms. Dale MacLennan, Director, Financial Services, noted if there is something in the provincial budget that requires additional funding from HRM, Council could consider implementing an area rate which would not require altering a previously approved motion. Mr. Anstey stated another alternative is to make decisions internally within line items of the budget by taking money away from one item to spend on another.

Councillor Blumenthal spoke in favour of the amendment stating the taxpayers have had enough downloading from the Province.

Speaking against the amendment, Councillor Walker reiterated this is not the way Council should conduct business. The Councillor noted when money is taken out of supplementary funding and goes to general funding, the money does not stay in the area where it was raised. Councillor Walker further noted that no residents have contacted him requesting that HRM cut supplementary funding and put it in the general fund.

Councillor Uteck stated the amendment is an act of protection for the taxpayers. She noted

if the Province guarantees that the extra \$3.5 million of mandatory funding stays within HRSB, there is no problem. However, she noted there is no where left for HRM to cut if the Province requires more funding from HRM.

In response to questions of Council, Mr. Anstey stated if Council wants to make a decision about supplementary funding after the provincial budget has been announced, it should defer clause (f).

Following a brief further discussion, a **recorded vote** was taken on the amendment

MOTION PUT AND PASSED.

Members of Council voting **in favour** of the motion: Deputy Mayor Streach, Councillors: Snow, Hendsbee, Cooper, McInroy, Sarto, Hetherington, Smith, Cunningham, Blumenthal, Uteck, Rankin and Meade.

Members of Council voting **against** the motion: Mayor Kelly, Councillors: Warshick, Sloane, Fougere, Walker, Hum, Mosher, Adams, Johns, Harvey and Goucher.

Debate continued on the main motion, as amended:

Councillor Hendsbee stated supplementary funding needs to be treated equally throughout HRM. In response to questions of the Councillor regarding damage from Hurricane Juan, Mr. McLellan stated there is no specific appropriation in the budget for HRM to clean up private property. However, he noted there is additional money in the budget to finish HRM's work with respect to public property damage.

Councillor Walker stated he will be voting against the motion due to the supplementary funding component. The Councillor noted if the increase is more than \$1.5 million, supplementary funding for the former County will be wiped out completely as it is not protected by the 10 percent maximum decrease. Mr. Anstey clarified his understanding of the motion was that the amount cut would be on a pro rata basis and the maximum would be set by the maximum amount that could be taken from Halifax and Dartmouth. Therefore, the cut would be done equally on a percentage basis between the three former municipalities.

MOVED by Councillor Blumenthal, seconded by Councillor Hetherington, that the question be put. MOTION PUT AND PASSED.

A **recorded vote** was taken on the main motion, as amended.

MOTION PUT AND PASSED.

Members of Council voting **in favour** of the motion: Mayor Kelly, Deputy Mayor Streach, Councillors: Snow, Hendsbee, Cooper, McInroy, Hetherington, Smith, Cunningham, Blumenthal, Sloane, Uteck, Fougere, Goucher, Rankin and Meade.

Members of Council voting **against** the motion: Councillors: Warshick, Sarto, Walker, Hum, Mosher, Adams, Johns, and Harvey.

9.1.2 Citizens' Commission re: Elected Officials Remuneration Findings

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

A presentation was made to Council regarding the Citizen's Commission's Findings. Later in the meeting, a Notice of Motion was served to amend Administrative Order Number 17, the Council Members' Remuneration Administrative Order, to provide for the incorporation of the recommendations of Citizen's Commission on Remuneration for Members of Council into the By-Law. The recommendations of the Commission were as follows:

Whereas the remuneration provided to Members of Council of the Halifax Regional Municipality is below the average of similar sized communities across Canada, the level of this remuneration should be brought to the mean average immediately following the next election. (Currently the level of stipend for the Mayor is consistent with this formula and does not require adjustment until the calculations warrant such adjustment.)

And whereas it is recognized the Halifax Regional Municipality has a regional and national significance, the Municipality shall implement a seven year process to elevate the remuneration of municipally elected offices to a level which represents an amount which is fifty percent more than the national mean remunerations. The effects of this formula will be that those in elected offices of the Halifax Regional Municipality will never be remunerated at the top level of Canadian municipalities, but neither will they be the lowest.

And to apply the formula on a gradual implementation schedule covering seven years until the full application is in place.

Further, the Commission recommends that the split of taxable vs. non-taxable stipend be abolished. The reasons for the non-taxable segment being established are no longer supportable. After conversion, the net amount currently paid as stipend should result in no net loss or gain. This amount is now considered the base rate.

All necessary and appropriate expenses should be considered for application to Councillors and the Mayor. This would include having the Municipality's travel

expense rules apply to the work of Councillors.

The stipend rate for the Office of Deputy Mayor be established at 110 percent of the stipend rate for a Councillor and applied monthly.

Councillor Rankin requested that Item 9.1.7 St. Margaret's Bay Arena Expansion be addressed next on the agenda. Council agreed to the request.

9.1.7 St. Margaret's Arena Expansion

- C A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.
- C A proposed operating budget for the St. Margaret's Centre: Proposed Expansion 2004/05 was circulated to Council.

Mr. Mike Labrecque, Director, Real Property and Asset Management, presented the staff report to Council.

MOVED by Councillor Rankin, seconded by Councillor Meade, that, subject to a favourable outcome from the community consultation scheduled for April 26, 2004 on the matter of the requirement of a future area rate in the event of a shortfall in the planned operating and capital plan for the project,

- 1. Council approve an increase of \$5,169,000 to the 2003/04 Approved Capital Budget under Capital Project #CBC00721 St. Margaret's Arena, with funding to be provided as detailed in the Budget Implications Section of the staff report dated April 9, 2004. This increase includes a loan to a maximum of \$2,964,500 from HRM to SMCA, repayable with interest by SMCA over a twenty year period, subject to approval by the Nova Scotia Department of Service Nova Scotia and Municipal Relations, and subject to the terms and conditions as detailed in the Budget Implications section of the staff report dated April 9, 2004.**
- 2. Council approve the award of the construction tender to Lindsay Enterprises in the amount of \$6,914,000, inclusive of all applicable taxes; and**
- 3. Council request staff to update the current Management Agreement with St. Margaret's Bay Arena Association to reflect their change of name to St. Margaret's Centre Association (SMCA), and to incorporate the conditions related to the repayable loan, and that the new management agreement be returned to Council for approval not later than August 2004.**

Following a brief discussion, the vote was taken on the motion.

MOTION PUT AND PASSED UNANIMOUSLY.

RECESS

A recess was taken at 8:10 p.m. Council reconvened at 8:25 p.m.

9.1.3 Tender 04-045, Hazard Tree Mitigation - HRM Parks & Greenbelts

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

MOVED by Councillor Hendsbee, seconded by Deputy Mayor Streach, that Tender 04-045, Hazard Tree Mitigation - HRM Parks and Greenbelts be awarded to R. MacLean Forestry Ltd., for a cost of \$220,140.00 plus net HST for a total cost of \$234,292.80 with funding authorized as per the Budget Implications section of the staff report dated March 8, 2004.

In response to a question of Councillor Hendsbee, Ms. Dale MacLennan, Director, Financial Services, advised Council that none of HRM's claims for federal relief funding have been rejected. Nine claims relating to Hurricane Juan have been submitted to date and feedback received has indicated they are in good order. Ms. MacLennan stated estimates were provided to support advance payment to the Province, and HRM has issued a press release clarifying this.

Councillor Hendsbee suggested HRM utilize Section 63 of the *Municipal Government Act* to have a long term approach to deal with this issue, noting it will take HRM more than one year and one budget to clean it up. With respect to the issue of borrowing for tree removal, Ms. MacLennan stated the strategy for Hurricane Juan remediation has been to deal with it through operations as HRM has its own debt limitations set within the multi-year financial strategy.

Mr. Peter Bigelow, Manager, Real Property Planning, responded to questions of Council regarding the tender and outstanding properties to be addressed. With respect to the outstanding properties, Councillor Sarto inquired about the status of Bayswater Road and Mr. Bigelow agreed to check on it for the Councillor.

In response to a question of Councillor McInroy, Mr. Bigelow advised Council that a meeting was held to examine the remaining properties to triage and divide them by districts. He stated Council will be provided with a report that identifies work that needs to be done in each District.

Councillor Cooper stated he would like the effect the loss of trees along the highways will have on traffic noise addressed in a future report as well as reforestation plans.

Responding to a question of Councillor Hum regarding Hemlock Ravine Park, Mr. Bigelow indicated it would be coming forward next week in a separate tender due to the large size of the contract.

In response to a question of Councillor Hendsbee, Mr. Bigelow stated HRM is employing national forest protection standards to protect against forest fires which allow for a certain amount of brush to remain, if it is chipped or cut into small slash. This will help regenerate new growth. In terms of useable wood, Mr. Bigelow noted there are some challenges in the beetle zone, but anything outside the beetle zone will be sold at market price.

Responding to questions of Deputy Mayor Streach, Mr. Bigelow stated under the standing offers that have been set up, staff can be directed to clean up an offending property, but the cost would not be eligible for compensation from the federal government. The cost would have to be recovered from the offending property owner.

Councillor Goucher requested that staff try to provide Council with a site plan of the contract areas.

Councillor Hetherington inquired if mulched material will be made available to the public. In response, Mr. Bigelow stated there are restrictions on the mulch because it is in the beetle zone.

MOTION PUT AND PASSED UNANIMOUSLY.

9.1.4 Tenders 04-024 & 04-025, Fleet Vehicles

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

MOVED by Deputy Mayor Streach, seconded by Councillor Snow, that Council award:

- 1. Tender #04-024 to Steele Ford Lincoln for a total contract cost of \$51,652.12 including next HST, the lowest bidders meeting specifications from Capital Account No. CVD00413, Fleet Vehicle Replacement Program, with funding authorized as per the Budget Implications Section of the staff report dated April 8, 2004.**
- 2. Tender #04-025 to LaHave Equipment for a total contract cost of \$223,176.29 including net HST, the lowest bidders meeting specifications from Capital**

Account No. CVD00413, Fleet Vehicle Replacement Program, with funding authorized as per the Budget Implications Section of the staff report dated April 8, 2004. MOTION PUT AND PASSED UNANIMOUSLY.

9.1.5 Integrated Dispatch/Telecommunications Centre - Adjustment Increase to RFP 03-150

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

MOVED by Councillor Hetherington, seconded by Councillor Sarto, that Regional Council approve an increase in the amount of \$96,474 plus net taxes for a total increase of \$102,676 from Capital Account No. CB200516, Integrated Dispatch and Telecommunications Centre resulting in a total contract cost of \$250,059 for architectural services relating to this project. MOTION PUT AND PASSED UNANIMOUSLY.

9.1.6 Write-Off of Uncollectible Accounts

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

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

- 1. The real property tax and lienable charges in the amount of \$146,224.87 comprised of \$101,860.61 principal and \$44,364.26 interest as detailed in Schedule 1 be formally written out of the books of account.**
- 2. The business occupancy tax accounts in the amount of \$788,378.20 comprised of \$584,682.64 principal and \$203,695.56 interest as detailed in Schedule 2 be formally written out of the books of account.**
- 3. The general revenue accounts in the amount of \$1,178,707.27 comprised of \$1,146,746.58 principal and \$31,960.69 interest as detailed in Schedule 3 be formally written out of the books of account.**

Ms. Catherine Sanderson, Manager of Revenue, presented the report to Council and responded to questions.

In response to a question of Councillor Hendsbee regarding the status of pre- and post-amalgamation costs, Ms. MacLennan stated this will be updated in the quarterly reports. Responding to a further question of the Councillor regarding possible elimination of the business occupancy tax, Ms. Sanderson stated staff have been working with UNSM on this

issue. With respect to the business occupancy tax, Councillor Hetherington inquired if there can be follow up information provided to Council on cases where businesses close down overnight to see what the trends are in the districts. The Councillor noted the UNSM has applied to the Province to eliminate the business occupancy tax in 2005-06 with a 2 year phase-in approach. At that time, the commercial rates will be increased.

Following a brief further discussion, the vote was taken on the motion.

MOTION PUT AND PASSED UNANIMOUSLY.

9.1.7 St. Margaret's Bay Arena Expansion

This item was addressed earlier in the meeting.

9.1.8 First Reading - By-Law T-130, An Amendment to By-Law T-108, Respecting the Regulation of Taxis and Limousines re: Various Amendments

C A report from the Taxi and Limousine Committee regarding the above, was before Council for its consideration.

MOVED by Councillor Walker, seconded by Councillor Meade, that Council give First Reading to By-Law T-130, An Amendment to By-Law T-108, Respecting the Regulation of Taxis and Limousines re: Various Amendments. MOTION PUT AND PASSED UNANIMOUSLY.

9.2 REGIONAL PLANNING ADVISORY COMMITTEE

9.2.1 Regional Planning Alternatives Public Consultation Process

C A report from the Regional Planning Committee, regarding the above, was before Council for its consideration.

Mr. Joe O'Brien, Chair, Regional Planning Committee, Mr. Austin French, Manager, Settlement, Regional Planning, and Mr. John Charles, Planner, Regional Planning, presented the report to Council. Copies of the presentation were provided to members of Council.

MOVED by Councillor Rankin, seconded by Councillor Fougere, that:

- 1. Halifax Regional Council endorse in principle the Concept Alternatives set forth in the staff report - Regional Planning Concept Alternatives, April 15, 2004, as a discussion tool to facilitate public consultation on possible future development patterns for open space, transportation, settlement, economic**

development and harbour related activities; and,

2. Halifax Regional Council endorse the public consultation program on the Draft Alternatives as described in the Committee report dated April 13, 2004.

Staff responded to questions of Council regarding the public consultation program. During the discussion, several Councillors expressed concern with the meeting locations and the following suggestions were made:

- C Consideration should be given to splitting the meeting scheduled in the East Ship Harbour area into two meetings: one in Musquodoboit Harbour and one in Sheet Harbour.
- C An additional meeting should be held in the Lake Echo Community Centre.
- C Consideration should be given to holding a meeting in District 6 to ensure the meetings are accessible all those affected (Port Wallis lands).
- C Meeting dates should be examined with respect to potential conflicts with the FCM conference.
- C Consideration should be given to holding additional meetings as there will be long term implications.
- C Consideration should be given to rescheduling the June 1, 2004 meeting as it conflicts with the FCM conference.

Councillor Sloane inquired if staff have investigated Hamilton's program regarding brown fields. Mr. French responded that staff have conducted quite of bit of research on programs instituted in other communities and Hamilton can be added if it has not already been included.

Councillor Cooper inquired if figures are available regarding the ultimate population that can be accommodated in the present master plan areas. Mr. French responded that this information can be provided. In response to a further question of the Councillor, Ms. Corser stated staff have an overall mailing list which has been compiled through the public open houses and consultation to date. There are also groups and associations on the list that staff have dealt with in the past on other planning projects. She noted there is also a stakeholder list which consists of diverse groups and organizations. Ms. Corser stated the list could be provided to the Councillor.

Councillor Walker stated the Committee meetings are open to anyone who wants to attend and the location of the meetings was changed to accommodate more attendees. Ms. Carol Macomber, Project Manager, Regional Planning, also advised Council that staff are making special efforts to engage the rural areas by working with the RDA and the area Councillors.

Closing the discussion, Deputy Mayor Streach stated it is incumbent for HRM to get the message out properly as this does involve all residents in HRM.

MOTION PUT AND PASSED UNANIMOUSLY.

9.3 HRM GRANTS COMMITTEE

9.3.1 By-Law T-212, Tax Exemption for Non Profit Organizations 2003-04 - Appeals

- C A supplementary report from the Grants Committee, regarding the above, was before Council for its consideration.

MOVED by Councillor Walker, seconded by Councillor Johns, that Regional Council approve:

1. **Halifax Curling Club remain at the Conversion rate as per By-Law T-201, and**
2. **Sackville Family Day Care Association remain at a Conversion to the Residential rate and a 75% partial exemption as per By-Law T-201. MOTION PUT AND PASSED UNANIMOUSLY.**

9.3.2 HRM Community Grants Program 2004-05 Ineligible Applications

- C A report from the Grants Committee, regarding the above, was before Council for its consideration.

MOVED by Councillor Walker, seconded by Councillor Goucher, that Regional Council approve the list of ineligible grant submissions as detailed in Attachment 1 of the Committee report dated April 5, 2004, and direct staff to notify applicants. MOTION PUT AND PASSED UNANIMOUSLY.

10. MOTIONS

10.1 Councillor Hendsbee

“To give First Reading of a By-law to amend the HRM Open Air Burning By-Law to exclude Districts 2 and 3 from it’s jurisdiction and transfer the authority of the issuance of burning permits to be under the auspices and control of provincial legislation and regulations and set a date for a public hearing.”

Councillor Hendsbee withdrew the above motion and served two Notices of Motion later in the meeting respecting the same issue.

11. ADDED ITEMS

11.1 Councillor Adams

- (i) **Herring Cove Community Liaison Committee - Request for Operating Funds**

Councillor Adams noted there is a request from the Herring Cove Community Liaison Committee for funds from the Herring Cove Community Integration Fund in the amount of \$3,000. The Councillor requested a staff report on behalf of the CLC in Herring Cove, and the other CLCs throughout HRM, as to how they can obtain funding for their on-going operations such as office supplies, administrative support, etc. Councillor Sloane also requested a report on how much has been used by the liaison committees for District 12 and Dartmouth.

MOVED by Councillor Adams, seconded by Councillor Walker, that this matter be referred to staff for a report. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillor Hendsbee, seconded by Councillor Walker, that the meeting extend to 10:10 p.m. MOTION PUT AND PASSED.

(ii) Herring Cove Sewer and Water - Request for 1996 Porter Dillon Report

Councillor Adams stated at a recent meeting of the Herring Cove CLC, a request was put forward for a copy of the 1996 Porter Dillon Report on sewer and water in the Herring Cove area.

MOVED by Councillor Adams, seconded by Councillor Hendsbee, that Council request a copy of the 1996 Porter Dillon report in response to the request of the Herring Cove CLC. MOTION PUT AND PASSED UNANIMOUSLY.

11.2 Property Matter - Acquisition of Additional Lands for Bus Rapid Transit

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

MOVED Councillor Hetherington, seconded by Councillor Sarto, that:

- 1. Council authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale with Clayton Development Limited for the purchase of a portion of PID #41058181 adjacent to Parcel PH911, Portland Street, with funding provided from Account CB300628 (BRT Showcase Account), as per the terms and conditions of this report, and indicated in the Budget Section of this report;**
- 2. Council not release the contents of this report until the transaction has closed. MOTION PUT AND PASSED UNANIMOUSLY.**

11.3 Councillor McInroy - Eastern Passage Wastewater Treatment Facility

Councillor McInroy advised Council of an application in the Pearl Drive/Atholea Drive area for the approval of six lots well within the serviceable area. The approval has been withheld until analysis and possible upgrade of the Eastern Passage sewage treatment is completed. The Councillor noted there is a 20 lot street in Heritage Hills that is in the same situation.

MOVED by Councillor McInroy, seconded by Deputy Mayor Streach, that this matter be referred to staff for a report.

Councillor Cooper stated he has experienced similar situations.

MOTION PUT AND PASSED UNANIMOUSLY.

12. NOTICES OF MOTION

12.1 Councillor Hetherington - Amendment to Administrative Order 17

TAKE NOTICE that at the next regular meeting of Halifax Regional Council to be held on **Tuesday, the 27th day of April 2004**, I propose to move the adoption as a policy pursuant to the *Municipal Government Act* amendments to Administrative Order Number 17, the Council Members' Remuneration Administrative Order, the purpose of which are to provide for the incorporation into the By-Law of the recommendations of Citizen's Commission on Remuneration for Members of Council.

12.2 Councillor Hendsbee - First Reading of By-Law O-106

TAKE NOTICE that at the next regular meeting of Halifax Regional Council to be held on **Tuesday, the 27th day of April 2004**, I propose to move First Reading of By-Law O-106, an amendment to By-Law O-103, the Open Air Burning By-Law, the purpose of which is to authorize the Chief Director of Fire Services to permit the issuance of Burning Permits pursuant to the By-Law at any time in order to deal with any natural disasters or other similar conditions.

12.3 Councillor Hendsbee - Admin Order 33

TAKE NOTICE that at the next regular meeting of Halifax Regional Council to be held on **Tuesday, the 27th day of April 2004**, I propose to place before Council for adoption as a policy pursuant to the *Municipal Government Act*, an amendment to Administrative Order Number 33, the purpose of which is to add to the list of fire districts not requiring a Municipal Burning Permit pursuant to By-Law O-103, the Open Air Burning By-Law, all of the fire districts outside the No Burn Zone. It is the intention that this amendment would stay in effect on a temporary basis until such time as an amendment to By-Law O-103 is adopted giving the Chief Director of the Fire Service the authority to authorize the issuance of Burning Permits for the open air burning of trees, wood, shrubs, bushes and brush in the

event of natural disasters or other similar circumstances.

13. ADJOURNMENT

There being no further business, the meeting adjourned at 10:10p.m.

Jan Gibson
Acting Municipal Clerk