

# HALIFAX REGIONAL MUNICIPALITY

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## HALIFAX REGIONAL COUNCIL MINUTES MARCH 1, 2005

### PRESENT:

Mayor Peter J. Kelly  
Deputy Mayor Len Goucher  
Councillors: Steve Streach  
Krista Snow  
David Hendsbee  
Harry McInroy  
Gloria McCluskey  
Andrew Younger  
Bill Karsten  
Becky Kent  
Jim Smith  
Mary Wile  
Patrick Murphy  
Dawn Sloane  
Sue Uteck  
Sheila Fougere  
Russell Walker  
Debbie Hum  
Linda Mosher  
Stephen Adams  
Brad Johns  
Robert Harvey  
Gary Meade

### ABSENT WITH REGRETS:

Councillor Reg Rankin

### STAFF:

Mr. George McLellan, Chief Administrative Officer  
Mr. Wayne Anstey, Municipal Solicitor  
Ms. Jan Gibson, Municipal Clerk  
Ms. Sherryll Murphy, Legislative Assistant

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**1. INVOCATION**

The meeting was called to order at 6:05 p.m. with Councillor Murphy leading the invocation.

**2. APPROVAL OF MINUTES - February 22, 2005**

**MOVED by Councillor Sloane, seconded by Councillor Younger that the minutes of the February 22, 2005 meeting of Halifax Regional Council, as distributed, be approved. MOTION PUT AND PASSED UNANIMOUSLY.**

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

**Additions:**

12.1 Legal Matter - Settlement of Claim

**MOVED by Councillor Streach, seconded by Deputy Mayor Goucher that the agenda, as amended, 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 By-Law T-215, An Amendment to By-Law T-201, Respecting Tax Exemption for Non-Profit Organizations, Request for an Extension to the Current By-law through 2005 - 2006**

- By-Law T-215 was given First Reading at the February 8, 2005 meeting of Regional Council.

Ms. Peta Jane Temple, Team Leader, Tax, Grants and Special Projects, briefly reviewed the September 14, 2004 staff report. Ms. Temple indicated that the purpose of extending the program is to conduct a review of the effectiveness of the program.

The Chair called three times for persons wishing to speak in favour of or against the motion.

Hearing none, it was **MOVED by Councillor Johns, seconded by Councillor Murphy that the public hearing close. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Councillor Walker, seconded by Councillor Sloane that Second Reading of By-Law T-215, An Amendment to By-Law T-201, Respecting Tax Exemption for Non-Profit Organizations, the purpose of which is that the tax exemptions or partial exemptions provided for in the current By-Law also apply to the fiscal year 2005-06, be approved.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

## **9. CORRESPONDENCE, PETITIONS & DELEGATIONS**

### **9.1 Correspondence - None**

### **9.2 Petitions**

#### **9.2.1 Petition - Councillor Murphy - Continuation of Programs for Seniors and Persons with Disabilities at Bloomfield Centre**

Councillor Murphy submitted a petition on behalf of approximately 628 residents supporting the continuation of programs for seniors and persons with disabilities being offered at Bloomfield Centre. This matter will be referred to staff for response.

### **9.3 Presentations**

#### **9.3.1 Halifax Explosion Conference - Prince Andrew High School**

- A document entitled Halifax Explosion Conference, Prince Andrew High School, March 4, 2005, was before Council for consideration.

Ms. Erin Cramm, Ms. Kelly MacKeign and Ms. Danielle Curry, students of Prince Andrew High School, introduced to Council the first national conference on the Halifax Explosion to be held on March 4, 2005. The presentation included the following highlights:

- the conference builds on a symposium hosted by St. Mary's University held over a decade ago
- the conference will involve workshops featuring seven leading researchers and experts on the explosion

- keynote audio visual presentation will be made by world renown author Janet Kitz
- interested members of the public, history students of Prince Andrew High School and leading history students and staff of all other HRM high schools will attend
- survivors of the explosion and their families will be honoured at a luncheon
- the theme for the conference is What's Old, What's New and What's next
- a re-enactment of the testimonial from the trial and inquiry of 1918 and 1919 will also be presented at the conference
- the conference is a one day event with registration beginning at 8:15 a.m.

Councillor Murphy thanked the students for their presentation and congratulated the students on this endeavour.

Councillor Karsten added his thanks and noted that he believed with young leaders of this calibre in HRM, the future is bright.

Councillor Younger commented that the students of Prince Andrew are leaders in such innovative initiatives.

Mayor Kelly, on behalf of Council, wished the students a successful conference and noted that Council looked forward to hearing about the outcome.

### **9.3.2 Public Gardens Restoration Phase II - Robert Pace, Chair, Public Gardens Foundation**

- A presentation entitled Public Gardens, Phase II Overview, was circulated to Council.

Mr. Robert Pace, Chair, Public Gardens Foundation, addressed Council and briefly outlined the work undertaken at the Public Gardens during Phase I, the Hurricane Juan clean up and restoration. He went on to note that Phase II concentrated on Horticulture Hall and the surrounding area. This phase seeks to provide better ways to accommodate visitors within the strict context of a national historic site. Mr. Pace noted the following components of Phase II:

- restoration of the Spring Garden Road entrance and using it to accommodate groups of tourists and school bus tours
- this involves the establishment of a tour bus location on Spring Garden and the development of a small plaza with washrooms on either side
- the plaza would lead into Horticulture Hall and an interpretative centre
- the existing men's washroom would be converted to a maintenance shed replacing maintenance use of Horticulture Hall
- Horticulture Hall will be restored back to its original appearance and the space will be used for an interpretative centre, an area for donor recognition, food and canteen

services and meeting place for the citizens of HRM

Mr. Pace indicated that the cost of Phase II would be in the area of \$900,000 and the Foundation is suggesting funding from all levels of government and the Foundation. Concluding his remarks, Mr. Pace thanked Council for the opportunity to present this evening.

His Worship, on behalf of Council, thanked Mr. Pace and the Foundation for a job well done and noted that Council looked forward to future phases.

## **10. REPORTS**

### **10.1 CHIEF ADMINISTRATIVE OFFICER**

#### **10.1.1 District 12 Planning Advisory Committee**

- A staff report dated February 17, 2005 was before Council for consideration.

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

- 1. Appoint the current District 12 Planning Advisory Committee to provide advice to Regional Council on all plan amendments, rezoning, land use by-law amendments, and development agreement applications within the area shown on Map 1 (attached). Future appointments would be done jointly.**
- 2. Amend the Terms of Reference for the District 12 Planning Advisory Committee by inserting the words " Regional Council" as shown in bold in Attachment A.**

Councillor Hendsbee referred to the Terms of Reference and noted that the Councillor appointment should be for the term of office of the Councillor for District 12 rather than two years.

**MOVED by Councillor Hendsbee, seconded by Councillor Younger that the motion be amended to provide that the term of appointment for Councillor included in the Terms of Reference be changed from 'two years' to the 'term of office' . MOTION TO AMEND WAS PUT AND PASSED UNANIMOUSLY.**

Following a brief discussion, the **MOTION, AS AMENDED, WAS PUT AND PASSED UNANIMOUSLY.**

### **10.2 MEMBERS OF COUNCIL**

### **10.2.1 Councillor Fougere - Twinning of Halifax and Hakodate, Japan**

Councillor Fougere addressed Council advising that 2007 will be the 25<sup>th</sup> anniversary of the twinning of Halifax and Hakodate, Japan. She went on to note that the relationship has not been well recognized by Halifax particularly when compared to the efforts made by Hakodate. The Councillor indicated that in 1999 Hakodate sent a large delegation to celebrate the 250<sup>th</sup> anniversary of Halifax. They also send representatives of their Junior Chamber of Commerce annually to choose a Christmas tree which then stands in their waterfront area celebrating Christmas and Halifax. A variety of events occur on a routine basis that recognize and celebrate Halifax in the school system, in the business community, socially and culturally.

Councillor Fougere pointed out that for the 20<sup>th</sup> anniversary of the twinning, Hakodate had sponsored an essay contest in their high schools. The winners of that contest visited Halifax and took part in Natal Day festivities. Councillor Fougere noted that with a two year lead HRM should be able to plan an appropriate celebration. Councillor Fougere went on to note that a web cast to Hakodate of the 2007 New Year's celebrations from Grand Parade was just one of the suggestions made to mark the 25<sup>th</sup> s anniversary.

**MOVED by Councillor Fougere, seconded by Deputy Mayor Goucher that the matter of the 25<sup>th</sup> anniversary of the twinning of Halifax and Hakodate, Japan be referred to staff to develop recommendations/suggestions on how to celebrate this milestone.**

Deputy Mayor Goucher commented that he has been disappointed with the response from HRM relative to the relationship with Hakodate. He went on to stress that he believed HRM must send a delegation to Hakodate to recognize this 25<sup>th</sup> anniversary.

Councillor Streach, noting that he supported Councillor Fougere's motion, asked the status of the current twinning policy. He went on to indicate that he was concerned that other opportunities of this nature would be lost.

Mr. McLellan indicated that staff are in the process of reviewing the twinning policy. He advised that he would would get back to Council by e-mail with an up date on this review.

Councillor Uteck, noting that Halifax had three twinning relationships, expressed concern regarding the general lack of attention given to these important linkages.

**MOTION PUT AND PASSED UNANIMOUSLY.**

### **10.2.2 Councillor Mosher - Cold Weather Concreting**

Councillor Mosher addressed Council noting that Council had received a report from Dr. Wilbert Langley approximately one year ago regarding the placement of concrete in the winter

months. She went on to note that there are methods of placing concrete which are more efficient and neighbourhood friendly than what some contractors are using. The Councillor described a situation in her District on Springvale Avenue where a condominium is being built and the contractor is polishing the concrete every night until past midnight. The process is very loud and the lights used to illuminate the work site are very bright.

A staff report responding to Dr. Langley's presentation confirmed that contractors were seeking exemptions from the Noise By-law after they had begun work and had received complaints. Councillor Mosher noted that a staff recommendation to seek an amendment to the Provincial Building Code to address noise had been endorsed by Council. HRM has recently been advised that the Province will not be amending the Code in this regard. Councillor Mosher further indicated that staff had also made an amendment to the process with the intent that developers would be required to consider the noise early on in the process. The Councillor pointed out that this change in process was obviously not working.

**MOVED by Councillor Mosher, seconded by Councillor Streach:**

1. **That a staff report be provided assessing the requirement for a concrete placing permit for a minimum size for each slab placed in the winter months and the need for the contractor to file a management plan for each placement in order to obtain a permit**
2. **That staff explore any other means that can be implemented to ensure proper practices are utilized and that contractors adhere to HRM By-Laws.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

11. **MOTIONS** - None

12. **ADDED ITEMS**

12.1 **Legal Matter - Settlement of Claim**

- This matter was considered at the in camera session held earlier today and is now before Regional Council for consideration.

**MOVED by Councillor Karsten, seconded by Councillor Streach that Halifax Regional Council:**

1. **Settle this claim brought by the Plaintiff in the amount of \$32,322.00, including the HRM portion of HST, to achieve a full settlement of the Plaintiff's action**

upon obtaining a full release from the Plaintiff.

2. **Approve an increase to the gross capital budget to Capital Account No. CBA00629, Environmental Remediation, by the amount of \$28,976 with funding provided by Capital from Operating funding, as outlined in the Budget Implications section of the private and confidential staff report dated February 16, 2005.**
3. **Not release this report to the public.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

13. **NOTICES OF MOTION** - None
14. **ADJOURNMENT**

There being no further business the meeting adjourned at 7:00 p.m.

Jan Gibson  
Municipal Clerk

The following information items were circulated to Council:

1. Memorandum from Director, Planning and Development dated February 18, 2005 re: Shelter of Last Resort (Winter Shelter) Update
2. Memorandum from Director, Governance and Strategic Initiatives dated February 25, 2005 re: HRM Roundtables on the Economy
3. Memorandum from Municipal Solicitor, dated February 24, 2005 re: Eligibility of Councillors for Voting at Public Hearings
4. Memorandum from the Municipal Clerk, dated February 24, 2005 re: Requests for Presentations to Council

<b>Date of Request(s)</b>	<b>Name of Delegation(s)</b>	<b>Disposition of Request(s)</b>
February 21 - 25, 2005	Halifax Explosion Conference - Prince Andrew High School  Public Gardens Restoration Phase II - Robert Pace, Chair, Public Gardens Foundation	Both requests scheduled for Presentation to Regional Council - March 1, 2005