

HALIFAX REGIONAL COUNCIL

HALIFAX REGIONAL COUNCIL MINUTES July 5, 2005

PRESENT:

Mayor Peter Kelly
Deputy Mayor Len Goucher
Councillors: Steve Streach (4:10 p.m.)
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
Robert Harvey
Reg Rankin
Gary Meade

REGRETS:

Councillors: Brad Johns

STAFF:

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

TABLE OF CONTENTS

1.	INVOCATION	05
2.	APPROVAL OF MINUTES - June 21, 2005	05
3.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS	05
4.	BUSINESS ARISING OUT OF THE MINUTES	05
5.	MOTIONS OF RECONSIDERATION	05
6.	MOTIONS OF RESCISSION	06
7.	CONSIDERATION OF DEFERRED BUSINESS	
7.1	Second Reading - By-Law N-204, Respecting Noise - Repair of Commercial Vehicles	06
7.2	2005-2006 Area Rates for Sidewalk Snowplowing	07
7.3	Administrative Order # 1, Respecting the Procedures of Council - Public Hearing Procedure	08
7.4	Marketing Levy Adjustments - Major Facilities Reserve	09
7.5	2005 Interim Award Policy	11
7.6	Energy and Underground Services Committee - Amendment to the Terms of Reference	12
7.7	Councillor Snow - Mobile Home Park Committee	12
7.8	Councillor Sloane - Grass Cutting - Halifax Regional School Board Properties	13
7.9	Councillor Younger	
	(i) Legislation Penalizing Developers for Incomplete Developments	13
	(ii) Policy for Daylighting Rivers	13
7.10	Councillor Hum - Request to have June 28, 2005 information item # 4, "Ethical Procurement" added to the Regional Council agenda	14
7.11	Alderney Gate Acquisition - Financing	06
7.12	Committee of the Whole Recommendation June 28, 2005 re: Life Sciences Research Institute	14
7.13	In camera Recommendations - June 28, 2006	
	(i) Property Matter - Deed Transfer Tax Claim 1995	14
	(ii) Legal Matter - Dalhousie Municipal Access Agreement	15
8.	PUBLIC HEARINGS	
8.1	By-Law O-108, Respecting Open Air Burning	19
8.2	By-Law L-123, Respecting Local Improvement Charges,	

Armshore Drive Sewer Servicing	20
8.3 By-Law L-124, Respecting Local Improvement Charges, Herring Cove Water & Sewer Servicing	20
8.4 Case 00738, Amendments to the Bedford South / Wentworth Secondary Planning Strategy	25
9. CORRESPONDENCE, PETITIONS & DELEGATIONS	
9.1 Correspondence - None	15
9.2 Petitions	15
10. REPORTS	
10.1 CHIEF ADMINISTRATIVE OFFICER	
10.1.1 Tender 05-214, New Sidewalk and Resurfacing, Rocky Hill Road and Wren Street - West Region	15
10.1.2 Tender 05-230, Intersection Improvements Windmill Road at Akerley Boulevard - East Region	16
10.1.3 Tender 05-259, Resurfacing and Water Main Renewal, Howard Avenue - East Region	17
10.1.4 Tender 05-254, Herring Cove Water and Sewer Phase 1A - West Region	18
10.1.5 Consultant Award, Request for Proposal 05-021, Halifax Wastewater Management Plan - Western Region	18
10.1.6 2005-2006 Area Rate for Lakeview, Windsor Jct. & Fall River Ratepayer's Association	19
10.1.7 Area Rate for Mineville Community Association	27
10.1.8 Area Rate for Maplewood Village Residents Association	27
10.1.9 Emergency Broadcast System - Memorandum of Understanding ...	28
10.1.10 2005 Temporary Tax Credit Policy	28
10.1.11 Business Improvement District (BID) Service Agreement Renewal ...	28
10.1.12 Case 00793: Timberlea, Lakeside and Beechville Service Boundary	28
10.1.13 Case 00765: Municipal Planning Strategy and Land Use By-law Amendment - 5621 Rainnie Drive, Halifax	29
10.1.14 Capital Budget Increase - Solid Waste Resources	30
10.1.15 Capital Budget Increase - Cost Sharing - Auburn Dr. & D. J. Butler Community Parks Development	31
10.3 WESTERN REGION COMMUNITY COUNCIL	
10.3.1 Case 00589: Timberlea/Lakeside/Beecheville Municipal Planning Strategy and Land Use By-Law Amendment for 2892/2894 St. Margaret's Bay Road, Timberlea	31
10.4 REGIONAL PLANNING COMMITTEE	
10.4.1 Draft Regional Plan - Public Consultation	31

11.	MOTIONS	32
12.	ADDED ITEMS	
12.1	Halifax Regional Water Commission Relationship Review	32
12.2	2014 Commonwealth Games Bid	32
12.3	Property Matter - Less than Market Value Lease: 5718 Point Pleasant Drive, Halifax - Community Foundation of Nova Scotia	33
12.4	Property Matter - Proposed Purchase of 242 Village Road - Pumping Station Site (Herring Cove Servicing)	33
12.5	Contractual Matter - Internal Animal Control Services	34
13.	NOTICES OF MOTION	34
14.	ADJOURNMENT	35

1. INVOCATION

The meeting was called to order at 3:30 p.m. the Invocation being led by Councillor McCluskey.

2. APPROVAL OF MINUTES

MOVED by Councillor Fougere, seconded by Councillor Hum that the minutes of the June 21, 2005 meeting of Regional Council, as circulated, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

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

Item 7.11, Alderney Gate Acquisition, Financing, is to be considered first under deferred business.

Additions:

- 12.1 Proclamation - Halifax Highland Games and Scottish Festival Day - July 9, 2005
- 12.2 HRM/Halifax Regional Water Commission Relationship Review
- 12.3 2014 Commonwealth Games Bid
- 12.4 Property Matter - Less than Market Value Lease: 5718 Point Pleasant Drive, Halifax - Community Foundation of Nova Scotia
- 12.5 Property Matter - Proposed Purchase of 242 Village Road - Pumping Station Site (Herring Cove Servicing)
- 12.6 Contractual Matter - Internal Animal Control Services

Deletions:

- 7.8 Councillor Sloane - Grass Cutting - Halifax Regional School Board Properties
- 7.10 Councillor Hum - June 28 Information Item 4 - Requests for Presentations to Council
- 10.1.12 Case 00793: Timberlea, Lakeside and Beechville Service Boundary

Councillor Snow withdrew the item she requested be added, HRM Funded Events.

MOVED by Councillor Rankin, seconded by Councillor Hendsbee 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**

7.11 **Alderney Gate Acquisition - Financing**

- It was agreed that this matter be dealt with at this time during the setting of the agenda. This matter was deferred from the June 28, 2005 meeting of Regional Council. A previously distributed staff report dated June 21, 2005 was before Council.

MOVED by Councillor McCluskey, seconded by Councillor Karsten, that Regional Council approve an increase to the 2005-06 Capital Budget through the creation of a Capital Project - Alderney Gate Acquisition, with funding to be provided from debt, as per the Budget Implications section of the June 21, 2005 staff report.

MOTION PUT AND PASSED.

7.1 **Second Reading - By-Law N-204, Respecting Noise - Repair of Commercial Vehicles**

- This matter was deferred to this meeting pending staff bringing forward wording which would address air hammers being used at 4:00 a.m. but at the same time protects agriculture, mining, forestry, and fishing operations.
- An extract of the draft minutes of June 28, 2005 were before Council. Also before Council was a revised By-Law N-204 which addresses agriculture, mining, forestry and fishing businesses operations. Correspondence from Glenn Conrad, Dartmouth, dated June 28, 2005 in support of By-Law N-204 was also before Council.

MOVED by Councillor Younger, seconded by Councillor Sloane, that Halifax Regional Council approve the following amendment to By-Law N-200, Respecting Noise:

1. **Part 2 of Schedule A of said By-Law N-200 is amended by adding the following to the end thereof, the following:**
 - **The maintenance or other repair of commercial vehicles outdoors, or in a building which is not fully enclosed in such a way as to prevent the escape of noise, if said operation is within 250 feet of a residential**

property excepting the maintenance and repair of vehicles used in agricultural, fishing, forestry or mining operations on property devoted to those uses.

MOTION PUT AND PASSED UNANIMOUSLY.

7.2 2005-2006 Area Rates for Sidewalk Snowplowing

- This matter was deferred to this meeting to provide staff an opportunity to investigate possible options. An extract of the draft minutes of the June 28, 2005 meeting relative to this matter were before Council. Also before Council was additional comparative cost information, including a revised chart which was distributed at today's meeting.

Ms. Dale McLennan, Director, Financial Services, addressed Council noting that staff recognize the challenges Council faces with regard to sidewalk snowplowing. She went on to note that staff is hoping to come back to Council in August with some resolution for some of the issues around sidewalk snowplowing. Ms. McLennan indicated that Council had requested the District cost, however, staff has been unable to provide this information due to the manner of tendering for the service. Ms. McLennan noted that a per kilometre rate has been provided.

Mr. Bruce Fisher, Manager, Financial Planning, briefly reviewed the comparative cost information.

MOVED by Councillor Fougere, seconded by Councillor Walker that:

- 1. For the 2005-06 Fiscal Year, that Sidewalk Snowplowing shall be set at the rate of \$0.014 to the residential, resource and commercial assessment, including business occupancy, for all areas which currently receive the service and for those mapped areas within Districts 15 and 17 identified in Appendix "A" which would begin receiving the service in 2005-06.**
- 2. The Prior years Deficit for Sidewalk Snowplowing shall be set at the rate of \$0.002 to the residential, resource and commercial assessment, including business occupancy, for all areas which currently receive the services.**
- 3. The cost of clearing sidewalks adjacent to intersections in the serviced area no longer be included in the area rate and instead to be included in the general rate.**
- 4. Effective 2005-06, the service be extended to include sidewalks adjacent to**

intersections in the former City of Halifax, the cost of which will be included in the general rate.

Mr. Fisher and Ms. McLennan responded to questions from members of Council and clarified the following:

- staff have been moving in the direction of including the cost of plowing sidewalks under the general rate and this is why an area rate was not levied when Council approved the clearing of intersections on the Peninsula
- the contractor is held responsible for damage his/her company does to the sidewalks during snow clearing
- any deficit created in the general rate as a result of cost overruns on snowplowing is paid out of the next year's area rate
- staff recommends tendering on a comprehensive basis but will incorporate concerns relating to the separate tendering of snowplowing for Districts with minimal sidewalk in a comprehensive report that staff will be bringing to Council on August 9, 2005

Councillor Hum expressed concern that Council was once again making a decision relative to sidewalk snowplowing without having full information. The Councillor indicated that many Councillors have questions pertaining to their own Districts. She requested that staff commit to providing the operations report for the August 9, 2005 meeting of Regional Council.

Mr. Labrecque confirmed that the report will be brought forward as indicated previously.

A further discussion ensued with Ms. McLennan indicating that in terms of the decision to be made, Council have exactly the same information as they would for the general rate. She indicated that in fact, Council has more information on a District basis than they would have on any other service. Ms. McLennan indicated that the information before Council is staff's estimate of cost and the assessment base against which those costs will be collected.

Councillor Adams requested that the August 9, 2005 report include information relative to the cost of plowing the sidewalks for the main arterial roadways, the four and five lane roads, where there are chunks of ice which are very difficult to clear.

MOTTON PUT AND PASSED UNANIMOUSLY.

7.3 Administrative Order # 1, Respecting the Procedures of Council - Public Hearing Procedure

- Notice of Motion was given at the June 14, 2005 meeting of Regional Council. This matter was deferred to this meeting from the June 28, 2005 Council session. A previously distributed staff report dated June 17, 2005 was before Council.

MOVED by Councillor Fougere, seconded by Councillor Mosher that Regional Council approve the public hearing procedure as set out in Attachment A of the June 17, 2005 staff report. MOTION PUT AND PASSED UNANIMOUSLY.

7.4 Marketing Levy Adjustments - Major Facilities Reserve

- This matter was deferred to this meeting from the June 28, 2005 Regional Council session. A previously distributed staff report dated June 21, 2005 was before Council.
- Correspondence dated June 24, 2005 to Mayor Peter Kelly from Richard O'Beirne, President, Hotel Association of Nova Scotia, was before Council. Correspondence dated July 5, 2005 from Dan English, Deputy CAO to Mr. Richard O'Beirne was also before Council.

Conflict of Interest

Councillor Meade declared a Conflict of Interest as a family member is employed by Destination Halifax. Councillor Meade left the Chamber.

MOVED by Councillor Murphy, seconded by Councillor Walker, that Regional Council:

- 1. Approve in principle an increase in the HRM Marketing Levy rate from 1.5% of the daily room rental fee to the maximum 2% rate.**
- 2. Direct staff to arrange for the introduction and necessary amendments to By-Law H-400, the Marketing By-Law, (including Public Hearing process) to implement the change in rate.**
- 3. Approve the establishment of a Major Events Facilities Reserve, funded in part by the 0.5% increase in the Marketing Levy, as per the terms outlined in the Reserve Case attached to the June 21, 2005 staff report.**

At the request of the Chair, Mr. English, Deputy Chief Administrative Officer, clarified that Council had not approved the Memorandum of Understanding (MOU).

Mr. Anstey further advised that Council has the full authority to set the amount of the rate and to determine the use of the rate. He indicated in fact that it would not have been appropriate for Council to enter into the MOU as it would have fettered future Councils regarding the level and use of the rate. Mr. Anstey went on to suggest that the original 1.5% levy was a starting

point and it was never intended that the remaining .5% would be included under the MOU. Mr. Anstey went on to indicate that the Hotel Association of Nova Scotia have already had an opportunity for input and will have another during the Public Hearing.

Deputy Mayor Goucher indicated that given the fact that Destination Halifax/Hotel Association of Nova Scotia collect the monies on HRM's behalf, they should be given an opportunity to address Council.

Mr. Anstey reiterated that the MOU was not signed by Council and should not be dealt with as if it were a contract.

MOVED by Deputy Mayor Goucher, seconded by Councillor Wile, that the Rules of Order be suspended to allow representatives of Destination Halifax/Hotel Association of Nova Scotia to address Council. MOTION DEFEATED (9 in favour, 11 against)

Those voting **in favour** were Deputy Mayor Goucher and Councillors Streach, Hendsbee, Kent, Wile, Murphy, Adams, Harvey and Rankin.

Those voting **against** were Mayor Kelly and Councillors Snow, McCluskey, Younger, Karsten, Sloane, Uteck, Fougere, Walker, Hum and Mosher.

Councillors McInroy, Smith, and Johns were not present for the vote.

Councillor Meade had declared a Conflict of Interest.

MOVED by Deputy Mayor Goucher, seconded by Councillor Wile that consideration of this matter be deferred to one of the August sessions of Regional Council to allow an opportunity of representatives from Destination Halifax/Hotel Association of Nova Scotia to speak.

A recorded vote was taken resulting in a tie vote.

MOTION DEFEATED. (9 in favour, 9 against)

Members of Council voting **in favour** of the motion were: Deputy Mayor Goucher and Councillors Streach, Hendsbee, McCluskey, Wile, Murphy, Mosher, Harvey, Rankin.

Members of Council voting **against** the motion were: Mayor Peter Kelly and Councillors Snow, Younger, Karsten, Kent, Sloane, Fougere, Walker, and Hum.

Councillors McInroy, Smith, Uteck, Adams, and Johns were not present for the vote.

Councillor Meade had declared a Conflict of Interest .

MOVED by Deputy Mayor Goucher, seconded by Councillor Wile that the Rules of Order be suspended to allow representatives of Destination Halifax/Hotel Association of Nova Scotia to address Council.

The Chair noted that 2/3 majority of Council was required to suspend the Rules of Order.

MOTION DEFEATED. (9 in favour, 9 against)

Members of Council voting **in favour** of the motion were: Deputy Mayor Goucher and Councillors Streach, Hendsbee, McCluskey, Wile, Murphy, Uteck, Adams and Harvey.

Members of Council voting **against** the motion were: Mayor Kelly and Councillors Snow, Younger, Karsten, Kent, Sloane, Fougere, Walker, Hum, Mosher and Rankin

Councillors McInroy, Smith, and Johns were not present for the vote.

Councillor Meade had declared a Conflict of Interest.

The main motion was now before Council.

MOVED by Councillor Murphy, seconded by Councillor Walker, that Regional Council:

1. **Approve in principle an increase in the HRM Marketing Levy rate from 1.5% of the daily room rental fee to the maximum 2% rate.**
2. **Direct staff to arrange for the introduction and necessary amendments to By-Law H-400, the Marketing By-Law, (including Public Hearing process) to implement the change in rate.**
3. **Approve the establishment of a Major Events Facilities Reserve, funded in part by the 0.5% increase in the Marketing Levy, as per the terms outlined in the Reserve Case attached to the June 21, 2005 staff report.**

MOTION PUT AND PASSED.

At this time Councillor Meade rejoined the meeting.

7.5 2005 Interim Award Policy

- This matter was deferred to this meeting from the June 28, 2005 session of Regional Council. A previously distributed staff report dated June 9, 2005 was before Council.

MOVED by Councillor Fougere, seconded by Councillor Sloane that Council approve an interim authority for the CAO to facilitate the award of tenders and acquisition and disposal of real property during the summer recess of Regional Council as set out in the Discussion section of the June 28, 2005 staff report.

MOVED by Councillor Younger, seconded by Councillor Wile that the motion be amended to provide that the fourth bullet, as follows, be removed from the criteria under which the CAO would approve contracts:

- Where the award of a Request for Proposal is made to the highest scoring proponent based upon evaluation criteria within the Request for Proposal.

Following a further discussion, Councillor Sloane called for the question to be put.

MOTION TO AMEND WAS PUT AND DEFEATED.

MAIN MOTION PUT AND PASSED.

7.6 Energy and Underground Services Committee - Amendment to the Terms of Reference

- This matter was deferred to this meeting from the June 28, 2005 Regional Council session. A previously distributed staff report dated June 17, 2005 was before Council.

MOVED by Councillor Mosher, seconded by Deputy Mayor Goucher that Regional Council amend the Terms of Reference of the Energy and Underground Services Committee to set the quorum for regular meetings at four (4). MOTION PUT AND PASSED UNANIMOUSLY.

7.7 Councillor Snow - Mobile Home Park Committee

- This matter was deferred to this meeting from the June 28, 2005 Regional Council session.

MOVED by Councillor Snow, seconded by Councillor Kent that Halifax Regional Council strike a Mobile Home Park Committee to review the mobile home park issues which fall under Municipal Government jurisdiction and to direct staff to develop a Terms of Reference for this committee.

Councillor Snow also requested that staff seek a Provincial representative to serve on this Committee.

MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillor Uteck, seconded by Councillor Sloane that the meeting recess until 6:00 p.m. MOTION DEFEATED. (7 in favour, 13 against)

Members of Council voting **in favour** of the motion were: Councillors Snow, Karsten, Murphy, Sloane, Uteck, Fougere, and Walker.

Members of Council voting **against** the motion were: Mayor Kelly, Deputy Mayor Goucher and Councillors Streach, Hendsbee, McCluskey, Younger, Kent, Wile, Hum, Mosher, Adams, Harvey, and Meade.

Councillors McInroy, Smith, Johns and Rankin were not present for the vote.

At this time Councillors Uteck and Sloane left the meeting.

7.8 Councillor Sloane - Grass Cutting - Halifax Regional School Board Properties

- This matter was deleted during the setting of the agenda.

**7.9 Councillor Younger
(i) Legislation Penalizing Developers for Incomplete Developments**

- This matter was deferred to this meeting from the June 28, 2005 meeting of Regional Council.

MOVED by Councillor Younger, seconded by Councillor Karsten that staff prepare a report outlining whether HRM has the legal authority under the MGA to enact legislation to penalize developers for not completing the requirements of developments.

Councillor Younger went on to explain that his intent was to give the Development Engineer the ability to refuse or delay approval on further subdivision applications when the developer has not completed such things as grading plans and second lifts of asphalts in substantially completed subdivisions. Councillor Younger went on to request that if HRM does not have the authority to enact legislation which would allow this, staff include a recommendation on how to obtain the authority.

A further discussion ensued with concern being expressed that the report be submitted to Council in a timely fashion. Council requested that the report come back within six months.

Mr. Anstey noted that the requested report is relatively straightforward and that he did not foresee any difficulties having the report before Council in the very near future. Mr. Anstey noted that the report will provide options to Council as to what can be achieved within HRM's existing legislation.

MOTION PUT AND PASSED UNANIMOUSLY.

(ii) Policy for Daylighting Rivers

- This matter was deferred to this meeting from the June 28, 2005 meeting of Regional Council.

MOVED by Councillor Younger, seconded by Councillor McCluskey staff develop and submit a policy on daylighting rivers with a status report being received in six months

time.

Council requested that the various Water Advisory Boards, as well as, the Sackville Rivers Association, be included in the development of the policy.

MOTION PUT AND PASSED UNANIMOUSLY.

7.10 Councillor Hum - Request to have June 28, 2005 Information Item # 4, "Ethical Procurement"

- This matter was deleted during the setting of the agenda. The matter will be placed on the agenda for the September 13, 2005 meeting of Regional Council

7.11 Alderney Gate Acquisition - Financing

This matter was dealt with earlier in the meeting.(See page 6)

7.12 Committee of the Whole Recommendation June 28, 2005 re: Life Sciences Research Institute

- This matter was deferred to this meeting from the June 28, 2005 meeting of Regional Council.

MOVED by Councillor Fougere, seconded by Councillor Wile that Regional Council prepare a letter expressing strong support for the proposed Life Sciences Research Institute, as presented by Dr. Tom Traves and Dr. Ivar Mendez, and that the letter commend the Provincial Government for its contribution to the project, and further request the area's Federal Members of Parliament to promote this as a worthy priority at the Federal level. MOTION PUT AND PASSED UNANIMOUSLY.

**7.13 In Camera Recommendations
(i)Property Matter - Deed Transfer Tax Claim 1995 (Alderney Gate)**

- This matter was deferred to this meeting from the June 28, 2005 meeting of Regional Council.

MOVED by Councillor McCluskey, seconded by Councillor Younger that Regional Council

1. **Upon successful negotiation, authorize staff to settle the claim for deed transfer tax respecting the 1996 transfer of the Alderney Gate property as**

outlined in the June 24, 2005 staff report in an amount not less than \$200,000 with legal costs incurred to date being assumed by each party.

2. Not release this offer and the June 24, 2005 staff report to the public until the settlement has been concluded.

(ii) Legal Matter - Dalhousie Municipal Access Agreement

- This matter was deferred to this meeting from the June 28, 2005 meeting of Regional Council.

MOVED by Councillor Fougere, seconded by Deputy Mayor Goucher that Regional Council approve the execution of a Municipal Access Agreement with Dalhousie University substantially in the form attached to the June 22, 2005 Private and Confidential staff report. MOTION PUT AND PASSED UNANIMOUSLY.

8. PUBLIC HEARINGS

8.1 By-Law O-108, Respecting Open Air Burning

This item was addressed during the evening session (See page 20)

8.2 By-Law L-123, Respecting Local Improvement Charges, Armshore Drive Sewer Servicing

This item was addressed during the evening session (See page 20)

8.3 By-Law L-124, Respecting Local Improvement Charges, Herring Cove Water and Sewer Servicing

This item was addressed during the evening session (See page 20)

8.4 Case 00738, Amendments to the Bedford South/Wentworth Secondary Planning Strategy

This item was addressed during the evening session (See page 25)

9. CORRESPONDENCE, PETITIONS & DELEGATIONS

9.1 Correspondence - None

9.2 Petitions

9.2.1 Petition - Deputy Mayor Goucher - Upgrade to Sullivan's Hill

Deputy Mayor Goucher submitted a petition on behalf of the members and adherents of the Bedford United Church requesting an upgrade to Sullivan's Hill with proper curbing, storm sewers, paving and sidewalk.

9.2.2 Petition - Councillor Adams - Opposition to Implementation of Water and Sewer Servicing Plan for Herring Cove

Councillor Adams submitted a petition on behalf of 158 residents of Herring Cove in opposition to the implementation of the water and sewer servicing plan for Herring Cove, as currently proposed.

10. REPORTS

10.1 CHIEF ADMINISTRATIVE OFFICER

10.1.1 Tender 05-214, New Sidewalk and Resurfacing, Rocky Hill Road and Wren Street - West Region

- A staff report dated June 27, 2005 was before Council.

MOVED by Councillor Hum, seconded by Councillor Walker that Council:

- 1. Approve an increase in the Gross Budget for Capital Account No. CZU00719, Resurfacing by \$6,000 to reflect cost sharing of the water main related work on Wren Street with no change in the Net Budget.**
- 2. Approve the recovery of Local Improvement Charges for the new concrete sidewalk and new concrete curb and gutter on Rocky Hill Road and Wren Street, West Region, by an amount of \$59,834 to be applied to an area rate of a portion of District 16, as shown on the sketch attached to the June 27, 2005 staff report.**
- 3. Award Tender No. 05-214, New Sidewalk and Resurfacing Rocky Hill Road and Wren Street - West Region to Ocean Contractors Limited for materials and services listed at the unit prices quoted for a Tender Price of \$336,220 plus net HST for a total cost of \$347,749 from Capital Account Numbers CJU00719, New**

Sidewalks, CZR00357 Resurfacing, CZU00717 Resurfacing and CUG00461, Sewer Laterals Replacement, with funding authorized as per the Budget Implications Section of the June 17, 2005 staff report.

MOTION PUT AND PASSED UNANIMOUSLY.

10.1.2 Tender 05-230, Intersection Improvements Windmill Road at Akerley Boulevard - East Region

- A staff report dated June 28, 2005 was before Council.

MOVED by Councillor McCluskey, seconded by Councillor Snow that Council:

- 1. Authorize an increase to the Gross budget of Capital Account No. CTR00905, Intersection Improvement Program, by \$15,906 with no change in the net budget to cover the cost sharing of the gas line installation from Heritage Gas.**
- 2. Authorize an increase to Capital Account No. CGAU00577, Akerley & Windmill PS, Dartmouth, in the amount of \$151,960 with funding from the Canada Strategic Infrastructure Fund (CSFIP).**
- 3. Approve the appointment of CBCL Limited Consulting Engineers for contract administration and inspection services for an estimated fee of \$83,500 including net HST with funding authorized as per the Budget Implications section of the June 28, 2005 staff report.**
- 4. Award Tender No. 05-230, Intersection Improvements Windmill Road at Akerley Boulevard - East Region to Ocean Contractors Limited for materials and services listed at the unit prices quoted for a Tender Price of \$1,518,328 including net HST from Capital Account Nos. CZU00717 Resurfacing, CGU00577 Akerley & Windmill PS, Dartmouth, CTR00905 Intersection Improvement Program and CB300628 Bus Rapid Transit Showcase with funding authorized as per the Budget Implications Section of the June 28, 2005 staff report.**

MOTION PUT AND PASSED UNANIMOUSLY.

10.1.3 Tender 05-259, Resurfacing and Water Main Renewal, Howard Avenue - East Region

- A staff report dated June 27, 2005 was before Council.

MOVED by Councillor Kent, seconded by Councillor Snow that Regional Council:

1. **Approve an increase in the Gross Budget for Capital Account No. CZU00717, Resurfacing by \$169,972, to reflect cost sharing from HRWC of the cost of the water main renewal on Howard Avenue with no change in the Net Budget.**
2. **Award Tender No. 05-259, Resurfacing and Water Main Renewal, Howard Avenue - East Region to Dexter Construction Company Limited for materials and services listed at the unit prices quoted for a Tender Price of \$434,820 plus net HST for a total of \$449,730 from Capital Account No. CZU00717, Resurfacing, with funding authorized as per the Budget Implications section of the June 27, 2005 staff report.**

MOTION PUT AND PASSED UNANIMOUSLY.

10.1.4 Tender 05-254, Herring Cove Water and Sewer Phase 1A - West Region

- A staff report dated June 28, 2005 was before Council.

MOVED by Councillor Adams, seconded by Councillor Mosher that subject to the approval of the water and sewer servicing plans at the public hearing of July 5, 2005 Regional Council:

1. **Award Tender No. 05-254, Herring Cove Water and Sewer Phase 1A - West Region to J.R. Eisner Contracting Limited for materials and services listed at the unit prices quoted for a Tender Price of \$3,706,655 plus net HST for a total cost of \$3,833,756 from Capital Account No. CSE00398, Herring Cove Water and Sewer Phase 1A, with funding authorized as per the Budget Implications Section of the June 28, 2005 staff report.**
2. **Approve the appointment of CBCL Limited for contract administration and construction inspection services for an estimated fee of \$120,663 plus net HST for a total cost of \$124,800, from Capital Account No. CSE00398, Herring Cove Water and Sewer Phase 1A, West Region, with funding as outlined in the Budget Implications of the June 28, 2005 staff report.**

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

10.1.5 Consultant Award, Request for Proposal 05-021, Halifax Wastewater Management Plan - Western Region

- A staff report dated June 22, 2005 was before Council.

MOVED by Councillor Mosher, seconded by Councillor McCluskey that Regional Council:

1. Award the engineering study and pre-design for Halifax Wastewater Management Plan to CBCL, for an estimated cost of \$434,395 plus net HST for a total of \$449,290.
2. Funding to be authorized from Capital Account No's: CSE0050, Combined Sewer Overflow Prevention; CGU00686, North West Arm Sewer; CGI00616, Fairfield Holding Tank, Halifax and CSU00117, Freshwater Brook Sewer - Inspection as per the Budget Implications section of the June 22, 2005 staff report.

MOTION PUT AND PASSED UNANIMOUSLY.

10.1.6 2005-2006 Area Rate for Lakeview, Windsor Jct. & Fall River Ratepayer's Association

- A staff report dated June 22, 2005 was before Council.

MOVED by Councillor Snow, seconded by Councillor Hendsbee, Regional Council approve that the catchment area for the LWF Ratepayer's Association area rate as depicted in the map in Appendix A of the June 22, 2005 staff report remain unchanged from 2004-05 and an area rate of \$0.03 per \$100 of assessed value be approved to be applied against the properties within the mapped area in Appendix A of the June 22, 2005 staff report for the 2005-06 fiscal year. MOTION PUT AND PASSED UNANIMOUSLY.

RECESS

The meeting recessed at 5:00 p.m.

Council reconvened at 6:00 p.m. with the following members of Council present: Mayor Kelly, Deputy Mayor Goucher and Councillors Streach, Snow, Hendsbee, McInroy, McCluskey, Younger, Karsten, Kent, Wile, Murphy, Sloane, Uteck, Fougere, Walker, Hum, Mosher, Adams,

Harvey, Rankin and Meade.

Councillors Smith and Johns were absent.

8. PUBLIC HEARINGS

8.1 By-Law O-108, Respecting Open Air Burning

- An extract from the May 24, 2005 Regional Council Minutes was before Council.
- Staff report dated May 18, 2005, on the above noted, was before Council.

Mr. Mike Eddy, Chief Director, Fire Services, presented the report to Council.

Mayor Kelly called for those wishing to speak either in favour of or in opposition to the By-Law. Hearing none, the following motion was placed.

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

DECISION OF COUNCIL

MOVED by Councillor Hendsbee, seconded by Councillor Snow, that Council approve an amendment to the Open Air Burning By-Law O-103 Section 3, Subsection (b) Section (1) pertaining to the application of the By-Law to permit the issuance of municipal burning permits during the provincial fire season at the discretion of the local fire chiefs when safe climate conditions warrant to do so. MOTION PUT AND PASSED UNANIMOUSLY.

8.2 By-Law L-123, Respecting Local Improvement Charges, Armshore Drive Sewer Servicing

- An extract from the June 14, 2005 Regional Council minutes was before Council.
- A copy of the May 9, 2005 staff report was before Council.
- Correspondence from Mr. David McKeown on the above noted was circulated to Council.

Mr. Charles Lloyd, Senior Environmental Engineer, presented the staff report. He noted that in August 2004, Council Mosher submitted a petition from the residents of Armshore Drive requesting that a sewer system be installed on their street. Since that time staff has held two meetings with the residents to develop the servicing plan before Council. He noted the plan

includes the installation of approximately one hundred and seventy metres of sanitary sewer and one sanitary service lateral to each of fourteen properties. He noted the project will be funded entirely from the property owners.

Mayor Kelly called for those wishing to speak either in favour of or in opposition to the By-Law. Hearing none, the following motion was placed.

MOVED by Deputy Mayor Goucher, seconded by Councillor Sloane, that the public hearing close. MOTION PUT AND PASSED UNANIMOUSLY.

DECISION OF COUNCIL

MOVED by Councillor Mosher, seconded by Councillor Wile, that Regional Council approve By-Law L-123, Respecting Local Improvement Charges, Armshore Drive Sewer Servicing. MOTION PUT AND PASSED UNANIMOUSLY.

8.3 By-Law L-124, Respecting Local Improvement Charges, Herring Cove Water & Sewer Servicing

- An extract from the June 14, 2005 Regional Council minutes was before Council.
- A staff report dated May 18, 2005, was before Council.
- A supplementary staff report dated June 8, 2005 was before Council.
- Correspondence from the Minister of Service Nova Scotia and Municipal Relations dated June 29, 2005 was circulated to Council.
- Correspondence from Stephen and Eileen Murphy, dated June 30, 2005, was circulated to Council.

Mr. Charles Lloyd, Senior Environmental Engineer, presented the staff report noting:

- The servicing plan before Council includes the servicing of public roads in two phases.
- Phase 1 and 2 include approximately 8 kms of municipal water and 6 kms of sewer.
- The plan does not include the north and south extremes of Herring Cove nor does it include properties on private roads, landlocked properties or large properties that do not have road frontage.
- The estimated cost to construct Phase 1 and 2 and the parts of Phase 3 that will benefit the properties serviced directly into this plan is \$14.7 million.
- The net costs will be recovered from the properties being serviced by a local improvement charge.
- The charge is estimated to be twenty dollars per foot of frontage plus the flat rate of forty seven hundred dollars per property for water and ten dollars per foot of frontage plus a flat rate of forty six hundred dollars per property for sewer.

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

Bruce Cook, Herring Cove, Herring Cove Liaison Committee, advised he had taken the survey door to door and the majority of the residents do want an adequate supply of safe drinking water and a modern sewage system. He noted that many of the residents find the proposal too expensive and they will solicit more infrastructure money to make this more affordable for the residents of Herring Cove. He advised the proposal will solve the environmental issue in the community.

David Drysdale, Herring Cove Road, stated the tenders for Phase 1a are not in range with the numbers quoted. He indicated there is no federal or provincial funding for Phases 2 and 3. He questioned why the residents are paying for future development and why there is no information on when Phase 3 will proceed. He stated the sanitary sewers overflow regularly and suggested some of the pollution control fund be used to partially pay for this project.

Dr. Linda Wildguard, Herring Cove, stated it is impossible to have real septic fields because of the lack of topsoil. She stated there are contaminants in the water and coliform levels are high. She stated the residents would be paying 72% of the costs.

Heather Brown, Herring Cove, noted HRM is described as the funding source but the costs will be recovered from the community and the cost to HRM will be zero percent.

Heather Flemming, Herring Cove, advised the school uses bottled water as there were lead agents found in the water. She has e-coli and faecal coliform which is a danger to them with the current water and they should have access to clean drinking water.

Aubrey Gladden, Herring Cove, stated the sewage pipes were designed to connect to Roaches Pond and there are more hook-ups proposed than what the pipes were designed for. The proposal will cause hardships to residents in the community. Water and sewer for Village Road was not included in the tender. He questioned why the residents should have to pay for something that is only needed for future development. He noted there are sufficient funds to do Phase 1 and this should proceed.

Jenny Barton, Herring Cove, stated in her opinion the cost is too high but she does not have the option to worry about the costs as the water is needed and the problems increase year by year.

Ann MacIsaac, Herring Cove, stated sewage flows from other districts and continual development increases the flow through the community. She advised the community has e-coli and children cannot drink the water in the school. She advised water is delivered to wells on

a regular basis.

Melinda Murphy, Herring Cove, noted although a hook up charge is indicated, actual costs will vary depending on how much rock is encountered. She stated the residents need to know exactly what they are going to pay before the project proceeds. Most of Phase 1 is already serviced by sewer. She noted there could be a cost of \$15,000.00 for a hundred foot frontage. She stated people need the water as there are many different water problems but what is the point of water if people can't afford to bring the water into their homes.

Hillary Newton, Herring Cove, stated the cost of the project is too high and there should not be a huge cost to residents.

Peter Pellam, Herring Cove, noted the residents of Hebridean Drive have been paying the pollution control charge. He noted the lots are small thus doubling the density and the water supply has been polluted as a result.

Joanne Martin, Herring Cove, stated they should have access to clean water and HRM should obtain more funding to alleviate the costs to the residents.

Eileen Murphy, Ketch Harbour Road, stated the staff report recommends implementation in a manner which is not consistent with the municipal planning strategy. She stated there are twenty properties not included in the plan, noting the cost to include those properties would be \$12,300.

Michelle Raymond, MLA, stated the community is built on granite bedrock and the watertable has been seriously damaged. She noted the corner store provides water to the residents as the well water is bad. She stated there is a need for municipal services and HRM should ask for more infrastructure money for the other phases of Herring Cove so residents will not have to pay for future development. She stated the people need safe drinking water.

Brian Blanchard, Herring Cove, stated kids at the school cannot drink the water. Herring Cove is in a no-win situation as there is a need for water in the community. He noted the community consists of older established as well as new families but it is not a high income community. He noted there are more and more costs being incurred to get water to the community and there is a need to stop the health problems in the community.

Brian Dempsey, Herring Cove, stated Herring Cove is not suited to on-site services as there is inadequate soil cover to allow septic systems to work properly. There is a moral obligation to approve this project as everyone needs water. He suggested HRM pursue extra funding from other levels of government to defray the costs. He stated the project has to move forward and recommended Council approve the proposal.

Steve Murphy, stated that the residents who live in what is proposed to be Phase 4 feel they are entitled to some of the money and a portion should be set aside.

Alex Mountain, Herring Cove, stated he is hooked to the sewer but needs the water noting, the subdivision two miles past his home has water services.

Bernadine Dempsey, Herring Cove, stated there is a need to have water and she is in favour of the water and sewer coming through although many people cannot pay the cost.

Alan Ruffman, Fergusons Cove, noted the plan for Herring Cove was aimed at low growth and no growth. It was designed to with septic tanks and water. He suggested the decision be deferred and HRM work with government to obtain further funding. He recommended the project not be approved until both the federal and provincial governments approve 1/3 each.

Bob Power, Herring Cove, questioned why Phase 2 was not in the application for infrastructure money. He noted sewer and water has been promised over the years. There are elderly people who cannot afford the high cost of this project. He advised the ground water is not what it was in the area previously because of added pressure on the system. He stated he is in favour of the project but the property owners are paying too much and there has to be ways found to reduce costs to those who cannot afford them.

Sandy MacDonald, Herring Cove, noted that if there is a 20% overage it could mean there could be an increase up to 100% in local improvement charges. The funding is not in place and the community is paying over seventy percent which is not, in her opinion, an appropriate use of the community integration fund. She stated it is unfair for residents of Phase 4 to be excluded from the project suggesting there be a guarantee that the Phase 4 residents pay a comparable local improvement charge. She stated that if this is approved there is no incentive for other levels of government to provide additional funding.

Linda Christensen Ruffman, questioned why there was discussion about oversized sewer infrastructure. She stated the community has been absorbing the costs of living downstream and there should be an exchange for all the years Herring Cove has had to put up with sewage. The community may be ruined and changed. Should not be supporting the oversized pipes and the residents should not have to pay.

Dan Brazil, Herring Cove, stated the water is unfit for use and welcomes the water and sewer line but does not understand why a small number of homeowners has to foot the bill. He stated he cannot agree with a plan that is unfair and which expects people to pay this amount.

Buster Brown, Herring Cove, stated he is hooked into sewer and will have to pay if he has to hook into water noting, people in Herring Cove do not have the resources.

John Smith, Herring Cove, stated the cost is too high even though it is important to bring it into the community and needs to be done now. He stated the contamination levels are very high with high levels of radioactivity as well as high lead levels. He stated water and sewer needs to be brought into Herring Cove but there is a need to have all levels of government provide money so the residents do not have to pay such high costs.

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

MOVED by Deputy Mayor Goucher, seconded by Councillor Karsten, that the public hearing close. MOTION PUT AND PASSED UNANIMOUSLY.

DECISION OF COUNCIL

MOVED by Councillor Adams, seconded by Councillor Mosher, that Council approve By-Law L-124, Respecting Local Improvement Charges, Herring Cove Water and Sewer Servicing.

In response to Councillor Adams, staff clarified that the cost for the water and sewer together would be \$12,300.00 with the trunk sewer charge being \$500.00. Water alone would cost \$6,000.00.

Mr. Brad Anguish, Director, Environmental Management Services, advised that there was \$10 million in the infrastructure fund with the Herring Cove project being \$1.6 million of those funds. He noted the Princess Lodge project was overestimated and that money was reassigned to the Herring Cove project.

In response to Councillor Younger, Mr. Lloyd advised the residents are only paying for a ten inch pipe with the oversizing being recovered from the hook-up charge.

MOVED by Councillor Uteck, seconded by Councillor Murphy, that staff look at the next series of projects and give Herring Cove consideration for the future list of projects. MOTION PUT AND PASSED.

MOVED by Councillor Adams, seconded by Councillor Hendsbee that staff develop a strategy to extend water services to Phase 4. MOTION PUT AND PASSED.

MOTION AS AMENDED

MOVED by Councillor Adams, seconded by Councillor Mosher, that:

1. **Council approve By-Law L-124, Respecting Local Improvement Charges, Herring Cove Water and Sewer Servicing.**
2. **Staff look at the next series of projects and give Herring Cove consideration for the future list of projects.**
3. **Staff develop a strategy to extend water services to Phase 4.**

MOTION PUT AND PASSED UNANIMOUSLY.

RECESS

At this time Council recessed and reconvened at 9:35 p.m.

MOTION TO EXTEND SESSION BEYOND 10:00 P.M.

MOVED by Councillor Streach, seconded by Councillor Kent, that the meeting be extended until all items on the agenda are addressed. MOTION PUT AND PASSED UNANIMOUSLY

8.4 Case 00738, Amendments to the Bedford South / Wentworth Secondary Planning Strategy

- An extract from the June 14, 2005 Regional Council minutes was before Council.
- A staff report dated June 14, 2005 on the above noted was before Council.

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

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

MOVED by Councillor Snow, seconded by Councillor Wile, that the public hearing close. MOTION PUT AND PASSED UNANIMOUSLY.

DECISION OF COUNCIL

MOVED by Deputy Mayor Goucher, seconded by Councillor Hum, that Council approve the amendments to the Wentworth and Bedford Secondary Planning Strategies as provided in Attachment B of the staff report dated April 8, 2005 and the Supplementary Report of May 10, 2005. MOTION PUT AND PASSED UNANIMOUSLY

9. CORRESPONDENCE, PETITIONS & DELEGATIONS

9.1 Correspondence

This matter was dealt with earlier in the meeting. (See page 15)

9.2 Petitions

This matter was dealt with earlier in the meeting. (See page 15)

10. REPORTS

10.1 CHIEF ADMINISTRATIVE OFFICER

10.1.1 Tender 05-214, New Sidewalk and Resurfacing, Rocky Hill Road and Wren Street - West Region

This matter was dealt with earlier in the meeting. (See page 15)

10.1.2 Tender 05-230, Intersection Improvements Windmill Road at Akerley Boulevard - East Region

This matter was dealt with earlier in the meeting. (See page 16)

10.1.3 Tender 05-259, Resurfacing and Water Main Renewal, Howard Avenue - East Region

This matter was dealt with earlier in the meeting. (See page 17)

10.1.4 Tender 05-254, Herring Cove Water and Sewer Phase 1A - West Region

This matter was dealt with earlier in the meeting. (See page 18)

10.1.5 Consultant Award, Request for Proposal 05-021, Halifax Wastewater Management Plan - Western Region

This matter was dealt with earlier in the meeting. (See page 18)

10.1.6 2005-2006 Area Rate for Lakeview, Windsor Jct. & Fall River Ratepayer's Association

This matter was dealt with earlier in the meeting. (See page 19)

10.1.7 Area Rate for Mineville Community Association

- A report dated June 27, 2005, on the above noted, was before Council.

MOVED by Councillor or Hendsbee, seconded by Deputy Mayor Goucher, that:

1. The catchment areas for the area rate for the Mineville Community Association be revised to the mapped area depicted in Appendix C of the report dated June 27, 2005.
2. That an area rate of \$20.00 per parcel of property be applied against the properties within the mapped area depicted in Appendix C for the 2005-2006 fiscal year.

MOTION PUT AND PASSED UNANIMOUSLY.

10.1.8 Area Rate for Maplewood Village Residents Association

- A report dated June 27, 2005 on the above noted, was before Council.

MOVED by Councillor Meade, seconded by Councillor Younger that:

1. For the 2005-2006 fiscal year, the area rate of \$50.00 per parcel of property continue to be applied against the properties indicated in the map in Appendix A of the staff report dated June 27, 2005 for the purpose of enabling the Maplewood Village Residents Association to provide recreational amenities within the mapped area. This does not represent a change from previous years.
2. For the 2006-07 fiscal year, the catchment area for this rate be clarified and voted upon by the property owners within the clarified catchment area in accordance with the Interim Area Rate Guidelines.

MOTION PUT AND PASSED UNANIMOUSLY.

10.1.9 Emergency Broadcast System - Memorandum of Understanding

- A report dated July 5, 2005, on the above noted, was before Council.

MOVED by Councillor Streach, seconded by Councillor Wile, that Council approve the Memorandum of Understanding attached to the July 5, 2005 staff report. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.10 2005 Temporary Tax Credit Policy

- A report dated June 30, 2005, on the above noted, was before Council.

MOVED by Councillor Uteck, seconded by Councillor Younger, that Council approve, in principle, Administrative Order 36, 2005 Temporary Tax Credit Policy as detailed in Appendix A of the June 30, 2005 staff report for administration of the temporary tax credit for the 2005-06 fiscal year. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.11 Business Improvement District (BID) Service Agreement Renewal

- A report dated April 12, 2005 on the above noted was before Council.

MOVED by Councillor Fougere, seconded by Councillor Sloane, that Council authorize the Mayor and Municipal Clerk to execute the service agreement attached to the April 12, 2005 staff report on behalf of HRM with the six Business Improvement Districts, which will come into effect on April 1, 2005, for a period of one (1) year in order for them to continue to provide services related to the betterment and revitalization of their respective commercial neighbourhoods. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.12 Case 00793: Timberlea, Lakeside and Beechville Service Boundary

This item was deleted under the approval of the Order of Business.

10.1.13 Case 00765: Municipal Planning Strategy and Land Use By-Law Amendment - 5621 Rainnie Drive, Halifax

- A report dated June 22, 2005, on the above noted, was before Council.

Mr. Angus Schaffenburg, Planner, presented the staff report.

MOVED by Councillor Sloane, seconded by Councillor Karsten, that Regional Council refuse to initiate the process to amend the Halifax Municipal Planning Strategy and Land Use By-Law for 5621 Rainnie Drive, Halifax, as shown on Map 1 of the staff report dated June 22, 2005 to allow for a multi-unit residential project.

Without a vote being taken on the motion, the following motion was placed.

MOVED by Councillor Streach, seconded by Councillor McCluskey, that Council suspend the rules to allow for comment. MOTION DEFEATED. (9 in favour, 13 against)

Those voting **in favour** were Councillors Streach, Snow, Hendsbee, McInroy, McCluskey, Mosher, Adams, Rankin and Meade.

Those voting **against** were Mayor Kelly, Deputy Mayor Goucher and Councillors Younger, Karsten, Kent, Wile, Murphy, Sloane, Uteck, Fougere, Walker Hum and Harvey.

Councillors Smith and Johns were absent.

In response to Councillor Younger, Mr. Austin French, Regional Planning, advised that the proposal would not fit into the Regional Plan as it is currently drafted. He advised the intention of the Regional Plan, relative to the opportunity sites, was to advance an urban design plan program to examine each of the opportunity parcels relative to the type of design that would fit, in particular in relation to heritage properties.

MOVED by Councillor Karsten, seconded by Councillor Snow, that the item be deferred to the August 2, 2005 Council session. MOTION DEFEATED.

Councillor Sloane stated that the location was originally a part of Citadel Hill which is a national heritage site and the residents do not want anything built at this location.

MOVED by Councillor Uteck, seconded by Councillor Fougere, that Council request a staff report regarding the possible purchase of the land. MOTION PUT AND PASSED (14 in favour, 7 against)

Those voting in favour were Mayor Kelly and Councillors Streach, Snow, Hendsbee, McCluskey, Younger, Wile, Murphy, Sloane, Uteck, Fougere, Walker, Adams and Rankin.

Those voting against were Deputy Mayor Goucher and Councillors McInroy, Kent, Hum, Mosher, Harvey and Meade.

Councillors Karsten, Smith and Johns were absent.

MOTION AS AMENDED

MOVED by Councillor Sloane, seconded by Councillor Karsten, that Regional Council:

- 1. Refuse to initiate the process to amend the Halifax Municipal Planning Strategy and Land Use By-Law for 5621 Rainnie Drive, Halifax, as shown on Map 1 of the staff report dated June 22, 2005 to allow for a multi-unit residential project.**
- 2. Request a staff report regarding the possible purchase of the land.**

MOTION PUT AND PASSED (12 in favour, 10 against)

Those voting in favour were Deputy Mayor Goucher and Councillors Younger, Karsten, Kent, Wile, Murphy, Sloane, Uteck, Fougere, Hum, Harvey and Rankin.

Those voting against were Mayor Kelly and Councillors Streach, Snow, Hendsbee, McInroy, McCluskey, Walker, Mosher, Adams and Meade.

Councillors Smith and Johns were absent.

10.1.14 Capital Budget Increase - Solid Waste Resources

- A report dated June 28, 2005, on the above noted, was before Council.

**MOVED by Councillor Rankin, seconded by Councillor Meade, that Council approve an increase in the amount of \$388,520 to Capital Account No. CW100446 - Otter Lake, Cell 4, with funding to be approved from Q123 Waste Resource Capital Reserve.
MOTION PUT AND PASSED UNANIMOUSLY.**

**10.1.15 Capital Budget Increase - Cost Sharing - Auburn Dr. & D. J. Butler
Community Parks Development**

- A report dated June 24, 2005, on the above noted, was before Council.

MOVED by Councillor McInroy, seconded by Councillor Kent, that:

- 1. Council approve an increase in the Gross Capital budget to Capital Account No. CPC00676- New Park Development, by \$22,500.00, with no change to the Net Budget, to reflect the cost sharing as per the Background section of the June 24, 2005 staff report.**
- 2. Council approve an increase in the Gross Capital Budget to Capital Account No. CP300559 - Playground Upgrades and Replacement, by \$24,000.00, with no change in the Net Budget, to reflect the cost sharing as per the Background section of the June 24, 2005 staff report.**

MOTION PUT AND PASSED UNANIMOUSLY.

10.3 WESTERN REGION COMMUNITY COUNCIL

**10.3.1 Case 00589: Timberlea/Lakeside/Beechville MPS and LUB Amendment
for 2892/2894 St. Margaret's Bay Road, Timberlea**

- A report from the Western Region Community Council, dated June 28, 2005, on the above noted, was before Council.

MOVED by Councillor Rankin, seconded by Councillor Meade, that Regional Council give First Reading to the proposed amendments to the Timberlea/Lakeside/Beechville Municipal Planning Strategy (MPS) and Land Use By-Law (LUB) as contained in Attachment A of the staff report dated June 10, 2004 and schedule a joint public hearing with Western Region Community Council. MOTION PUT AND PASSED UNANIMOUSLY.

10.4 REGIONAL PLANNING COMMITTEE

10.4.1 Draft Regional Plan - Public Consultation

- A report from the Regional Planning Committee, dated June 27, 2005, on the above noted, was before Council.

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

1. **Regional Council not direct the Regional Planning Committee to schedule any additional policy workshops, and**
2. **Regional Council endorse the approach for a public hearing as outlined in the staff report.**

MOTION PUT AND PASSED UNANIMOUSLY.

11. MOTIONS - NONE

12. ADDED ITEMS

12.1 HRM/Halifax Regional Water Commission Relationship Review

- This item was discussed at a Committee of the Whole session held earlier in the day and was now before Council for ratification.

MOVED by Councillor Karsten, seconded by Councillor Sloane, that Regional Council approve the actions proposed in Attachment “A” of the Halifax Regional Water Commission report dated June 23, 2005 (included as an attachment to the June 21, 2005 Information Report), which will serve to strengthen ties between the Halifax Regional Water Commission and Halifax Regional Municipality (HRM), and increase cooperation between the two organizations in areas that create operational, technical, or financial benefits for one or both organizations, to the ultimate benefit of the residents of HRM. MOTION PUT AND PASSED UNANIMOUSLY.

12.2 2014 Commonwealth Games Bid

- This item was discussed at a Committee of the Whole session held earlier in the day and was now before Council for ratification.

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

1. **Request staff to prepare a Letter of Intent to the Commonwealth Games**

Canada, to be signed by the Mayor on behalf of Regional Council, expressing HRM's interest in hosting the 2014 Commonwealth Games and to pursue further discussions with the Province of Nova Scotia with a view to establishing a partnership to participate in submitting an Official Bid to host the Games.

2. Approve a withdrawal in the amount of up to \$5,000 from the Special Events Reserve (Q315) in support of the Letter of Intent to CGC.
3. Staff return to Council August 2nd with a recommendation on a governance approach for an HRM/NS Bid Committee.

MOTION PUT AND PASSED UNANIMOUSLY.

12.3 Property Matter - Less than Market Value Lease: 5718 Point Pleasant Drive, Halifax - Community Foundation of Nova Scotia

- This item was discussed at an In Camera session held earlier in the day and was now before Council for ratification.

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

1. Decline the request for an extension of the existing lease agreement at a rental rate of \$1 per year and full tax exemption.
2. Direct staff to review future options for the use of 5718 Point Pleasant Drive, Halifax and prepare a report for Regional Council's consideration.
3. Authorize the immediate release of the June 15, 2005 Private and Confidential staff report.

MOTION PUT AND PASSED UNANIMOUSLY.

12.4 Property Matter - Proposed Purchase of 242 Village Road - Pumping Station Site (Herring Cove Servicing)

- This item was discussed at an In Camera session held earlier in the day and was now before Council for ratification.

MOVED by Councillor Adams, seconded by Councillor Walker, that:

- 1. Halifax Regional Council approve the purchase of 242 Village Road required in Phase II for a sewer pumping station site from Michele Saoud as per the budget implication set out in the Private and Confidential staff report dated June 28, 2005.**
- 2. The Private and Confidential staff report not be released to the public until the transaction has concluded.**

MOTION PUT AND PASSED UNANIMOUSLY.

12.5 Contractual Matter - Internal Animal Control Services

- This item was discussed at an In Camera session held earlier in the day and was now before Council for ratification.

MOVED by Councillor Karsten, seconded by Councillor Sloane, that Regional Council:

- 1. Authorize staff to review the implications of HRM assuming sole responsibility for animal control enforcement services, (outlined in Option #3, page 86-87 of the Project Report dated June 1, 2005) and effective June 1, 2006, negotiate with the key stakeholders and develop an implementation strategy for Regional Council's consideration in the 2006/2007 budget.**
- 2. Authorize staff to commence preparing a business case for HRM to build an Animal Service Centre and provide all animal sheltering and enforcement services.**
- 3. Instruct staff to explore the implications of an external spay and neuter program within HRM.**
- 4. Not release the report.**

MOTION PUT AND PASSED UNANIMOUSLY.

13. NOTICES OF MOTION

13.1 Councillor Murphy

Take Notice that at the next meeting of Halifax Regional Council to be held on Tuesday, the second day of August 2005, I propose to move First Reading of By-Law H-402, the purpose of which is to amend By-Law H-400, the Marketing Levy By-Law, to increase the marketing levy rate from 1.5% to 2%.

13.2 Councillor Uteck

Take Notice that at the next regular meeting of Halifax Regional Council, to be held on August 02, 2005, I intend to introduce a motion to adopt Administrative Order Number 36, the 2005 Temporary Tax Credit Policy Administrative Order, the purpose of which is to implement the temporary tax credit respecting extraordinary increases in assessments for the 2005-06 fiscal year.

14. ADJOURNMENT

The meeting was adjourned at 11:00 p.m.

Jan Gibson
Municipal Clerk

The following information items were circulated to Council:

1. Memorandum from Director, Traffic and Public Works dated June 27, 2005
re: Petition for New Sidewalk Request, Kingfisher Way
2. Memorandum from Director, Traffic and Public Works dated June 27, 2005
re: Petition for New Sidewalk Portland Estates Boulevard West - East Region
3. Memorandum from Director, Financial Services dated June 17, 2005
re: Canada - Nova Scotia Infrastructure Program Project Update
4. Memorandum from Director, Planning & Development dated June 20, 2005
re: Wind Energy Functional Plan
5. Memorandum from Director, Planning & Development dated June 24, 2005
re: Update - Pinecrest Highfield Park Neighbourhood Plan and
Secondary Planning Strategy
6. Memorandum from Director, Real Property and Asset Management
dated June 28, 2005 re: Proposed Scope - Urban Forest Master Plan
7. Memorandum from Director, Environmental Management Services
dated June 21, 2005 re: Unforseen Geological Conditions - Halifax
Wastewater Treatment Plant
8. Memorandum from Director, Environmental Management Services
dated June 17, 2005 re: Use of Finished Biosolids Product
9. Memorandum from Director, Financial Services dated June 28, 2005
re: Fourth Quarter 2004/2005 Financial Report
10. Memorandum from the Municipal Clerk, dated June 30, 2005
re: Requests for Presentations to Council - Amalthea Holdings Limited re:
Case 00765: 5621 Rannie Drive, Halifax and Nine Mile River Investments Limited re:
Westgate Community - CDA