

HALIFAX REGIONAL MUNICIPALITY

---

HALIFAX REGIONAL COUNCIL  
MINUTES  
September 27, 2005

PRESENT:

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

REGRETS:

Councillors Harry McInroy  
Linda Mosher  
Reg Rankin

STAFF:

Mr. Dan English, Acting Chief Administrative Officer  
Ms. Mary Ellen Donovan, Acting Municipal Solicitor  
Ms. Sherryll Murphy, Acting Municipal Clerk  
Ms. Julia Horncastle, Legislative Assistant

TABLE OF CONTENTS

1.	INVOCATION .....	04
2.	APPROVAL OF MINUTES - September 13 & 20, 2005 .....	04
3.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS .....	04
4.	BUSINESS ARISING OUT OF THE MINUTES .....	05
5.	MOTIONS OF RECONSIDERATION - NONE .....	05
6.	MOTIONS OF RESCISSION - NONE .....	05
7.	CONSIDERATION OF DEFERRED BUSINESS	
7.1	Motion - Councillor Wile - Closure of Walkway - Berkshire Close .....	05
8.	CORRESPONDENCE, PETITIONS AND DELEGATIONS	
8.1	Correspondence	
8.1.1	Request for Military Fly-past in Honour of Remembrance Day - November 11, 2005 .....	05
8.2	Petitions .....	06
9.	REPORTS	
9.1	CHIEF ADMINISTRATIVE OFFICER	
9.1.1	Tender 05-084, One (1) 1,500 Gallon Water Tanker .....	06
9.1.2	Request for Proposal 05-150, World Trade and Convention Centre Expansion MCII Feasibility Study .....	06
9.1.3	Request for Proposal 05-152, Architectural Services - Penhorn Fire Station, Dartmouth .....	06
9.1.4	Tender 05-279, Traffic Signal Upgrades, Bedford Highway At Kearney Lake Road and Bayview Road, West Region .....	07
9.1.5	Tender 05-291, Resurfacing Atlantic Street (South Bland to Young Avenue) - West Region .....	07
9.1.6	Cost Shared Paving of Subdivision Streets Outside the Core Construction Agreement No. 2005-024 .....	07
9.1.7	Capital Budget Increase -Cost Sharing Beechville - Lakeside - Timberlea Rails to Trails .....	07
9.1.8	Case 00817, Amendment to the Dartmouth Municipal Planning Strategy (Pinecrest/Highfield Park) .....	08

9.1.9	Greater Halifax Partnership/Halifax Regional Development Agency - Notice of Change .....	08
9.2	GRANT COMMITTEE	
9.2.1	By-Law T-217, An Amendment to By-Law T-200, Respecting Tax Exemption for Non-Profit Organizations, Request for extension of the current By-law for 2006/07 .....	09
10	MOTIONS .....	09
11.	ADDED ITEMS	
11.1	Councillor Mosher - Transit Oriented Development and High Capacity Transit Opportunities Analysis .....	09
11.2	Councillor Snow - City Watch Program .....	05
11.3	Property Matter - Expropriation - Negotiated Settlement 6575 Bayne Street .....	10
11.4	Contractual Matter - MIRROR NS - 2005-2010 Operations and Price Agreement .....	10
11.5	Deputy Mayor Goucher - Shore Drive Bridge Construction, Bedford ....	11
12.	NOTICES OF MOTION .....	11
13.	ADJOURNMENT .....	11

**1. INVOCATION**

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

Councillor Hendsbee expressed concern with the meeting being held at this time which would not allow for the viewing public to see the entire Council session.

**MOVED by Councillor Sloane, seconded by Councillor Johns, that Council meet at this time.**

Council was advised that a two thirds majority vote was required.

**MOTION DEFEATED (12 in favour, 9 against)**

Those voting **in favour** were Mayor Kelly, Deputy Mayor Goucher and Councillors Snow, McCluskey, Kent, Wile, Uteck, Walker, Adams, Johns, Harvey and Meade.

Those voting **against** were Councillors Streach, Hendsbee, Younger, Karsten, Smith, Murphy, Sloane, Fougere, and Hum.

Councillors McInroy, Mosher and Rankin were absent.

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

**2. APPROVAL OF MINUTES - September 13 & 20, 2005**

**MOVED by Deputy Mayor Goucher, seconded by Councillor Harvey, that the minutes of September 13 & 20, 2005 be approved. MOTION PUT AND PASSED UNANIMOUSLY.**

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

Additions

- 11.1 Councillor Mosher - Transit Oriented Development and High Capacity Transit Opportunities Analysis

- 11.2 Councillor Snow - City Watch Program.
- 11.3 Property Matter - Expropriation - Negotiated Settlement 6575 Bayne Street
- 11.4 Contractual Matter - MIRROR NS - 2005- 2010 Operations and Price Agreement
- 11.5 Deputy Mayor Goucher - Shore Drive Bridge Construction - Bedford

At the request of Councillor Snow, item 11.2 was moved upon the agenda to be dealt with following correspondence.

Councillor Wile withdrew her motion - item 7.1

**MOVED by Councillor Sloane, seconded by Councillor Hendsbee, that the Order of Business, 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**
- 7.1 **Motion - Councillor Wile - Walkway at Berkshire Close**

Councillor Wile withdrew her motion.

- 8. **CORRESPONDENCE, PETITIONS AND DELEGATIONS**
- 8.1 **Correspondence**
- 8.1.1 **Request for Military Fly-past in Honour of Remembrance Day - November 11, 2005**

- Correspondence dated September 13, 2005 from Rear-Admiral D.G. McNeil regarding the above noted, was before Council.

**MOVED by Councillor Adams, seconded by Sloane, that Council approve the request for the flypast by a Sea King helicopter from Canadian Forces Shearwater on Friday, November 11, 2005. MOTION PUT AND PASSED UNANIMOUSLY.**

- 11.2 **Councillor Snow - City Watch Program**

**MOVED by Councillor Snow, seconded by Councillor Sloane, that a report and presentation be requested for Tuesday, October 11, 2005 respecting City Watch. MOTION PUT AND PASSED UNANIMOUSLY.**

Some of the issues to be addressed are: Who is lead on this program and how was it initiated? Who are the stakeholders and what are they doing to promote it? How is the program funded? What is the action plan for this program?

**8.2            Petitions - None**

**9.             REPORTS**

**9.1            CHIEF ADMINISTRATIVE OFFICER**

**9.1.1        Tender 05-084, One (1) 1,500 Gallon Water Tanker**

- A report dated September 14, 2005, on the above noted, was before Council.

**MOVED by Councillor Johns, seconded by Councillor Sloane, that Council award Tender #05-084, for the purchase of One (1) new 1,500 Gallon Water Tanker, to Camions Carl Thibault Inc. at a cost of \$301,170.00, net HST included, with funding from Capital Account CVJ00703 - Fire Fleet Apparatus Replacement, as outlined in the Budget Implications section of the September 14, 2005 report. MOTION PUT AND PASSED UNANIMOUSLY.**

**9.1.2        Request for Proposal 05-150, World Trade and Convention Centre Expansion MCII Feasibility Study**

- A report dated September 13, 2005, on the above noted, was before Council.

**MOVED by Councillor Fougere, seconded by Councillor Sloane, that HRM award RFP No. 05-150 - World Trade and Convention Centre Expansion MCII - Feasibility Study to WHW Architects Inc, for services specified, for a total tender price of \$228,000, including fully recoverable HST, with funding from Capital Account No. CB300759 - WTCC Expansion MCII - Feasibility Study, as per the Budget Implications section of the September 13, 2005 report. MOTION PUT AND PASSED UNANIMOUSLY.**

**9.1.3        Request for Proposal 05-152, Architectural Services, Penhorn Fire Station, Dartmouth**

- A report dated September 8, 2005, on the above noted, was before Council.

**MOVED by Councillor McCluskey, seconded by Councillor Karsten, that HRM award RFP No. 05-152 Architectural Services - Penhorn Fire Station to Sperry & Partners Limited for architectural services for the design and construction phases for a total tender award of \$188,960 including net HST. Funding is available from Capital Account No. CB300627 - New Penhorn Fire Station, as per the Budget Implications section of the September 8, 2005 report. MOTION PUT AND PASSED UNANIMOUSLY.**

**9.1.4 Tender 05-279, Traffic Signal Upgrades, Bedford Highway at Kearney Lake Road and Bayview Road - West Region**

- A report dated September 14, 2005, on the above noted, was before Council.

**MOVED by Councillor Hum, seconded by Councillor Walker, that Council award Tender No. 05-279, Traffic Signal Upgrades, Bedford Highway at Kearney Lake Road and Bayview Road - West Region to Black & McDonald Limited for materials and services listed at the unit prices quoted for a Tender Price of \$106,943 including net HST from Capital Account No. CTU00422, Traffic Signal Compliance Program, with funding authorized as per the Budget Implications section of the September 14, 2005 report. MOTION PUT AND PASSED UNANIMOUSLY.**

**9.1.5 Tender 05-291, Resurfacing Atlantic Street (South Bland to Young Avenue) - West Region**

- A report dated September 19, 2005, on the above noted, was before Council.

**MOVED by Councillor Uteck, seconded by Councillor Sloane, that Council award Tender No. 05-291, Resurfacing, Atlantic Street - West Region to Ocean Contractors Limited for materials and services listed at the unit prices quoted for a Tender Price of \$199,887 including net HST from Capital Account No. CZU00717, Resurfacing, with funding authorized as per the Budget Implications section of the September 19, 2005 report. MOTION PUT AND PASSED UNANIMOUSLY.**

**9.1.6 Cost Shared Paving of Subdivision Streets Outside the Core Construction Agreement No. 2005-024**

- A report dated September 21, 2005, on the above noted, was before Council.

**MOVED by Councillor Meade, seconded by Councillor Rankin, that His Worship the**

Mayor and the Municipal Clerk be authorized, by resolution of Regional Council, to sign on behalf of Halifax Regional Municipality, Construction Agreement No. 2005-024 between HRM and the Nova Scotia Department of Transportation and Public Works (NSDOT & PW) and relative to the "J" Class subdivision road as outlined in the Discussion section of the September 21, 2005 report. MOTION PUT AND PASSED UNANIMOUSLY.

**9.1.7            Capital Budget Increase - Cost Sharing Beechville - Lakeside - Timberlea Rails to Trails**

- A report dated September 8, 2005, on the above noted, was before Council.

**MOVED by Councillor Wile, seconded by Councillor Sloane, that Council approve an increase in the Gross Capital Budget to Capital Account No. CPV00735 - Trails Active Transportation by \$175,358, with no change to the Net Budget, to reflect the cost sharing from Beechville-Lakeside-Timberlea Rails to Trails, as per the Budget Implications section of the September 8, 2005 report. MOTION PUT AND PASSED UNANIMOUSLY.**

**9.1.8            Case 00817, Amendment to the Dartmouth Municipal Planning Strategy (Pinecrest/Highfield Park)**

- A report dated September 15, 2005, on the above noted, was before Council.

**MOVED by Councillor Smith, seconded by Councillor McCluskey, that Regional Council:**

- 1. Initiate the process to consider amending the Municipal Planning Strategy and Land Use By-Law for Dartmouth to enable a development agreement to permit the offices of a property management firm at 32 Primrose Street in the R1-M zone, and**
- 2. Request staff to follow the Public Participation Program as approved by Council in February, 1997.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**9.1.9            Greater Halifax Partnership/Halifax Regional Development Agency - Notice of Change**

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

**MOVED by Councillor Rankin, seconded by Deputy Mayor Goucher, that Regional Council, in accordance with Section 5.02 (f) of the Service Agreements with the GHP and the HRDA, give notice to terminate the Service Agreement with the Greater Halifax Partnership and the Halifax Regional Development Agency effective March 31, 2006 and that Regional Council direct staff to negotiate a new Service Agreement with the Greater Halifax Partnership and the Halifax Regional Development Agency which will focus on supporting HRM's Economic Development Strategy.**

In response to Councillor Younger, Ms. Betty MacDonald, Director, Governance and Strategic Initiatives, advised that there are a number of action items under each strategy that are being examined and there are discussions on who should take the lead and what HRM's role should be. She advised there is no discussion at this time of a merger, noting staff will come back to Council with a suggested approach from HRM's perspective.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**9.2            GRANT COMMITTEE**

**9.2.1         By-Law T-217, An Amendment to By-Law T-200, Respecting Tax Exemption for Non-Profit Organizations - request for extension of the current By-law for 2006-2007**

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

**MOVED by Councillor Walker, seconded by Councillor Wile. that:**

**1.        Regional Council approve, in principle, the amendment of By-Law T-200 by adding the following section immediately following Section 1:**

**1D.      The tax exemption or partial exemptions provided herein for the fiscal year 2005-2006 shall also apply to the fiscal year 2006-2007.**

**2.        Council set a date for a public hearing.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

At a later point in the meeting, Councillor Walker gave Notice of Motion for First Reading on October 11, 2005.

**10. MOTIONS - NONE**

**11. ADDED ITEMS**

**11.1 Councillor Mosher - Transit Oriented Development and High Capacity Transit Opportunities Analysis.**

Councillor Mosher noted that on September 2, 2003, Council passed a motion that a study be initiated for Transit Oriented Development and High Capacity Transit Opportunities Analysis. She advised this motion was passed and commissioned as part of the transportation component of Regional Planning. The Councillor requested an information report to Council on the status of this strategy. She suggested the Analysis report be made available to members of the public as well as Council.

**MOVED by Councillor Mosher, seconded by Councillor Adams, that staff provide an information report on the status of the Transit Oriented Development and High Capacity Transit Opportunities Analysis Study. MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2 Councillor Snow - City Watch Program**

This item was addressed earlier in the meeting. (See page 5)

**11.3 Property Matter - Expropriation - Negotiated Settlement 6575 Bayne Street**

- This matter was discussed at an In Camera session held prior to the regular session and was now before Council for ratification.

**MOVED by Councillor Murphy, seconded by Councillor Wile, that Halifax Regional Council:**

- 1. Approve the negotiated offer to settle as per the budget implications sections of the September 15, 2005 staff report as full and final settlement of this matter, with an increase in funding from the Strategic Growth Reserve Account Q126.**
- 2. Approve the conveyance of 50 percent of the lands, as generally shown on Attachment A of the September 15, 2005 staff report, to the Halifax Port Authority as per the key terms and conditions set out in the September 15, 2005 staff report and further that funds received would be credited to Account**

**Q101.**

- 3. Grant the Halifax Port Authority the right of first refusal, at market value, for a period of five (5) years, on the remaining lands should they in whole, or in part, be deemed surplus to the Municipality's requirements in the future.**
- 4. Not release the September 15, 2005 staff report until the transaction is concluded.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11.4 Contractual Matter - MIRROR NS - 2005-2010 Operations and Price Agreement**

- This matter was discussed at an In Camera session held prior to the regular session and was now before Council for ratification.

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

- 1. Approve the recommendation from the Solid Waste Resource Advisory Committee (SWRAC) for the "Base Operating Plus Tonnage Variation" approach, as outlined in the September 15, 2005 Committee Report.**
- 2. Direct staff to proceed with the drafting and signing of the Supplementary Agreement with MIRROR NS (with the budget implications as contained in the September 15, 2005 report), for the operations of the Otter Lake facilities from April 1, 2005 to March 30, 2010.**
- 3. Not release the September 15, 2005 Committee report until after the signing of the Supplementary Agreement with MIRROR NS.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11.5 Deputy Mayor Goucher - Shore Drive Bridge Construction - Bedford**

Deputy Mayor Goucher noted Council had authorized the reconstruction of the Shore Drive Bridge in Bedford. He advised the Department of Fisheries and Oceans have ordered that all construction has to stop because of the salmon run up the Sackville River. The Deputy Mayor advised that as a result, the response time for fire trucks, police or other emergency

vehicles would be increased by five minutes; therefore, it is critical for this construction to continue.

**MOVED by Deputy Mayor Goucher, seconded by Councillor Johns, that the Mayor or CAO make representation to the Department of Fisheries and Oceans to resolve the issue regarding to the stoppage of work on the Shore Drive Bridge. MOTION PUT AND PASSED UNANIMOUSLY.**

**12.            NOTICES OF MOTION**

**12.1           Councillor Wile**

Take Notice that at the next regular Regional Council meeting to be held on Tuesday, the 11<sup>th</sup> day of October 2005, I propose to introduce, for adoption by Council as a Policy pursuant to Section 315 of the Municipal Government Act, Administrative Order SC-40, the purpose of which is to effect the closure of Berkshire Close, Halifax, Nova Scotia

**12.2           Councillor Walker**

Take Notice that, at the next regular Regional Council meeting, to be held on Tuesday, the 11<sup>th</sup> of October, I propose to move First Reading of By-Law T-217, the purpose of which is to amend By-law T-200, Tax Exemption for Non-Profit Organizations - request for an Extension of the Current By-law for 2006-2007.

**12.3           Councillor Walker**

Take Notice that at the next regular Regional Council meeting to be held on Tuesday, October 11, 2005, I propose to place before Council for adoption as a policy pursuant to the Municipal Government Act, Administrative Order Number 39, the Taxi and Limousine Fares Administrative Order, the purpose of which is to adopt taxi and limousine fares within Halifax Regional Municipality.

**12.4           Councillor Younger**

Take Notice that at the next regular Regional Council meeting to be held on Tuesday, October 11, 2005, I intend to introduce a motion to amend Administrative Order Number One, Section 8, to allow Council to meet earlier than 6:00 p.m., when appropriate, by a simple majority vote of members present.

**13.            ADJOURNMENT**

The meeting was adjourned at 6:40 p.m.

Sherryl Murphy  
Acting Municipal Clerk

**The following information items were circulated to Council:**

1. Proclamation - Responsible Gambling Awareness Week -October 2 -8, 2005
2. Proclamation - International Volunteer Search & Rescue Day - September 30, 2005
3. Memorandum from Director, Financial Services dated September 12, 2005  
re: Investment Activities - Quarter Ending December 31, 2004
4. Memorandum from Director, Financial Services dated September 12, 2005  
re: Investment Activities - Quarter Ending March 31, 2005
5. Memorandum from Investment Policy Advisory Committee dated  
September 12, 2005 Investment Policy Report - Quarter Ending  
December 31, 2004
6. Memorandum from Investment Policy Advisory Committee dated  
September 12, 2005 Investment Policy Report - Quarter Ending  
March 31, 2005
7. Memorandum from Director, Transportation and Public Works dated  
September 20, 2005 re: Sidewalk Snow Removal
8. Memorandum from Director, Transportation and Public Works dated  
September 20, 2005 re: HRM 2005 United Way Campaign
9. Memorandum from Director, Financial Services dated September 6, 2005  
re: Interim Award Policy - Tender Award
10. Memorandum from the Municipal Clerk, dated September 23, 2005  
re: Requests for Presentations to Council - None