

HALIFAX REGIONAL COUNCIL
MINUTES
October 18, 2005

PRESENT:

Mayor Peter Kelly
Deputy Mayor Len Goucher
Councillors: Steve Streach
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
Reg Rankin
Gary Meade

REGRETS:

Councillor Krista Snow

STAFF:

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

TABLE OF CONTENTS

1.	INVOCATION	05
2.	APPROVAL OF MINUTES	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 - NONE	05
6.	MOTIONS OF RESCISSION - NONE	06
7.	CONSIDERATION OF DEFERRED BUSINESS	
7.1	Case H00171 - Review of proposed alterations 1489 Hollis Street (a municipal heritage property)	06
7.2	Halifax Regional Immigration Strategy	07
7.3	Tender 05-117, Eight (8) 3/4 Ton Pick-Up Trucks and Tender 05-121, One (1) Forestry Truck c/w Aerial Device .	10
7.4	Quotation Q05C344 - Cleaning Contract for Ferry Terminals and Ferries	06
7.5	Request for Proposal 05-123, Lease of Mail Folding/ Inserter for HRM Printing Centre	10
7.6	HRM Printing Centre - Sole Source Lease - Copier	11
7.7	Oil Spill Remediation Billy Bollong Memorial Park (Spry Harbour)	11
7.8	Capital Budget Increase - Cost Sharing Various Projects	11
7.9	Capital Budget Increase - Cost Sharing Capital District Projects	12
7.10	Case 00815: Municipal Planning Strategy and Land Use By-Law Amendment - 6193 Young St at Windsor St	12
7.11	Amendments to Administrative Order Number One, Concerning Motions of Rescission	13
7.12	First Reading By-Law T-217 - An Amendment to By-Law T-200 Respecting Tax Exemption for Non Profit Organizations	13
7.13	Case 00808: Building Height Limits - Sackville Drive Secondary Planning Strategy and Land Use By-Law	14

7.14	City Watch (Deferred to October 25, 2005)	14
7.15	Councillor Mosher - "As of Right" Development in HRM	14
7.16	Councillor Smith - Development North End Dartmouth	15
7.17	Deputy Mayor Goucher and Councillors Younger and Smith - Electronic Voting Update	15
7.18	Councillor Rankin - October 11, 2005 Information Report Item #4, "Peggy's Cove Sewer and Water"	15
7.19	Infrastructure Criteria (COW October 11, 2005)	16
7.20	Councillor Adams - Letter to Members of Parliament for Increased Infrastructure Funding (COW October 11, 2005)	16
7.21	In Camera Recommendation - October 11, 2005 - Legal Matter - Settlement of Claim	17
8.	CORRESPONDENCE, PETITIONS AND DELEGATIONS	
8.1	Correspondence - None	17
8.2	Petitions	17
8.3	Presentation	
8.3.1	Rocky Lake Development Association	17
9.	REPORTS	
9.1	CHIEF ADMINISTRATIVE OFFICER	
9.1.1	Tender 05-104, Lease of Twenty (20) One-half (½) Ton 4x4 Regular Cab Pick-up Trucks	19
9.1.2	HRM Economic Strategy	09
9.1.3	Pole Free Area	19
9.1.4	Capital Budget Reallocation - Northbrook School Police Training Facility/Community Office	20
9.1.5	Airport Taxi Fare Schedule for Administrative Order 39, Respecting the Setting of Taxi Fares	20
9.2	HERITAGE ADVISORY COMMITTEE	
9.2.1	Case H00169 - Application for Registration of Beechville United Baptist Church & Cemetery (Heritage Hearing)	07
9.3	HARBOUR EAST COMMUNITY COUNCIL	
9.3.1	Case 00635 - Site Specific MPS & LUB Amendment and Amendment to a Development Agreement - 3 Bruce Street	21
9.4	MEMBERS OF COUNCIL	
9.4.1	Councillor Snow - Car Pool Parking Lot - Fall River	21
9.4.2	Councillor Snow - Status of Various Small Water/Sewer Systems	21

10.	MOTIONS	
10.1	Councillor Fougere - Amendment to Administrative Order No. One re Motions of Rescission and Reconsideration	13
10.2	Councillor Walker - Amendment to Administrative Order Number 39, To amend taxi and limousine fares to and from the airport	20
10.3	Councillor Smith - Amendment to MPS and LUB for Dartmouth re 675 Windmill Road Burnside Park	22
10.4	Councillor McCluskey - Policy H-3B, Section (a) Comprehensive Development District, Dartmouth MPS	22
11.	ADDED ITEMS	23
12.	NOTICES OF MOTION	23
13.	ADJOURNMENT	24

1. INVOCATION

The meeting was called to order at 6:00 p.m. with the Invocation being led by Councillor Kent.

2. APPROVAL OF MINUTES - NONE

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

Deletions

7.16 - Councillor Smith - Development North End Dartmouth

Agenda Changes:

Item 9.2.1, Case H00169, Application for Registration of Beechville United Baptist Church & Cemetery (Heritage Hearing) to immediately follow 7.1

Item 9.1.2, HRM Economic Strategy to immediately follow item 7.2

10.1 Motion - Councillor Fougere to be heard in conjunction with Item 7.11, Amendments to Administrative Order Number One, concerning Motions of Rescission

10.2 Motion - Councillor Walker to be heard in conjunction with item 9.1.5, Airport Taxi Fare Schedule For Administrative Order 39, Respecting Setting of Taxi Fares

Councillor Snow has requested the following items be deferred to October 25, 2005 -

Item 9.4.1 Car Pool Parking Lot - Fall River

Item 9.4.2 Status of Various Small Water/Sewer Systems

Councillor Johns requested item 7.4, Quotation Q05C344 - Cleaning Contract Ferry Terminalis and Ferries, be addressed prior to 7.1

Additions:

12.1 Property Matter - Acquisition Request - 5621 Rainnie Drive (Legion) Halifax

MOVED by Councillor Meade, 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**

Council agreed to address item 7.4 at this time.

7.4 **Quotation Q05C344 - Cleaning Contract for Ferry Terminals and Ferries**

- A report dated September 20, 2005, on the above noted, was before Council.

MOVED by Councillor Johns, seconded by Deputy Mayor Goucher, that HRM award Quotation Q05C344 to D&N Building Maintenance for a total quotation price of \$178,473.97, including net HST with funding from the operating budget Account No. W130, as per the Budget Implication section of the September 20, 2005 report.

Councillor Kent stated there needs to be a mechanism in place to ensure there is a regular check on this building. Mr. Dennis Huck, Manager, Real Property Operations, advised there are contract coordinators that will be visiting the ferry terminals on a weekly basis to spot check and, if the work is not up to standard, there is an option to terminate the contract.

Councillor Sloane took her seat at 6:11 p.m.

MOTION PUT AND PASSED UNANIMOUSLY.

7.1 **Heritage Advisory Committee - Case H00171 - Review of Proposed Alterations 1496 Hollis Street, Halifax, NS (Heritage Hearing)**

- An extract from the September 6, 2005 Regional Council meeting was before Council.
- A report dated August 29, 2005, on the above noted, was before Council.

Mr. Bill Plaskett, Heritage Planner, presented the staff report.

Mayor Kelly called for speakers on the application.

Mr. Bill Campbell, representing Salter's Gate Developments, stated they concur with the recommendation of staff and the Heritage Advisory Committee.

MOVED by Councillor Sloane, seconded by Councillor Johns, that Halifax Regional Council approve the subdivision and de-registration of a portion of the lands known as 1489 Hollis Street, Halifax as shown on Map 1 of the August 10, 2005 staff report. MOTION PUT AND PASSED UNANIMOUSLY.

At this time Council agreed to address item 9.2.1.

9.2.1 Case H00169 - Application for Registration of Beechville United Baptist Church & Cemetery (Heritage Hearing)

- An extract from the September 13, 2005 Regional Council minutes on the above noted was before Council.
- A report from the Heritage Advisory Committee, dated September 9, 2005, on the above noted, was before Council.

Mr. Bill Plaskett, Heritage Planner, presented the staff report.

Mr. Rocky Jones, representing the church, thanked Council and the Mayor for the work that has gone into this registration. He advised the church has had discussions with the developer with regards to the baptismal path as part of the registration.

Mr. Clarence Wright, Chair, Heritage Committee, Beechville Baptist Church thanked Council for recognizing the church as a heritage site.

MOVED by Councillor Rankin, seconded by Councillor Hendsbee, that Halifax Regional Council approve the registration of Beechville United Baptist Church & Cemetery, 1135 St. Margaret's Bay Road, Beechville, under the HRM Heritage Property Program as a Heritage Site. MOTION PUT AND PASSED UNANIMOUSLY.

7.2 Halifax Regional Immigration Strategy

- A report dated October 5, 2005, on the above noted, was before Council.
- A copy of the Business Case and Strategic Action Plan was before Council.

Ms. Betty MacDonald, Director, Governance and Strategic Initiatives, introduced Mr. Stephen Dempsey, President, Greater Halifax Partnership and Ms. Claudette LeGault, Executive Director, Metropolitan Immigrant Settlement Association (MISA),

Mr. Dempsey and Ms. LeGault, presented the strategy noting:

- The population of Nova Scotia is barely growing and in two recent years has actually

- declined,
- Within 20 years, current projections indicated that over 40 percent of Nova Scotia's population will be age 55 or older,
- HRM could soon face a shrinking workforce, a smaller business - economic base and a declining tax base,
- Immigration is one of the means to increase population, grow the labour force and alleviate skill shortages,
- It will increase levels of entrepreneurship, develop a source of investment capital, and increase diversity in our community
- The three key foundation elements of the strategy are:
 - S To build on the foundation elements of Federal legislation and Nova Scotia's Immigration Strategy,
 - S To more fully integrate immigrants already living in HRM, so they remain and provide opportunities for future growth,
 - S To attract immigrants likely to stay in HRM because they have the ability to build sustainable employment, business, professional, cultural, and community relationships.
- The two key actions include:
 - S Formation of the Halifax Region Immigration Leadership Council,
 - S The development of a business outreach program and print-based awareness campaign.
- There is a need to focus on retaining immigrants which will increase attraction.

Mr. Dempsey advised they would be asking Council to appoint a representative to the Leadership Council and to endorse the Strategy.

MOVED by Councillor Streach, seconded by Councillor McCluskey, that Council endorse the Halifax Region Immigration Strategy and furthermore that the following early action be implemented

- 1. The formation of the Halifax Region Immigration Leadership Council, which will be co-chaired by the Greater Halifax Partnership and Metropolitan Immigrant Settlement Association (MISA). Reporting to the Greater Halifax Partnership Board of Directors. The Leadership Council will co-operate in determining the scope and timing of various elements of the implementation plan and the budget associated with these activities. Furthermore, Halifax Regional Council will reserve the right to appoint a representative from HRM to sit on this new committee.**
- 2. The development of a business outreach program and print-based awareness campaign that will be delivered in 2005.**

3. Mayor write a letter a letter requesting financial support from the Provincial and Federal levels of government to help fund this strategy.

Deputy Mayor Goucher stated the key parts of the report are to attract the immigrants and then the most important one, to keep them.

In response to Councillor Hendsbee, Ms. MacDonald advised HRM has its own strategy on immigration and own internal workforce and will continue to work closely with all HRM committees.

In response to Councillor Uteck as to how HRM is going to attract and retain immigrant students, Council was advised some of the recent changes to Federal legislation provide more flexibility for students with respect to their ability to obtain work permits to keep them here and hopefully encouraging them to consider Halifax as their new home.

MOTION PUT AND PASSED UNANIMOUSLY.

Council agreed to address item 9.1.2 at this time.

9.1.2 HRM Economic Strategy

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

Ms. Betty MacDonald, Director, Governance and Strategic Initiatives, introduced Mr. Fred Morely who, with the aid of a powerpoint presentation noted:

- Growth is important,
- The Goal is to Supercharge the HRM Labour Force and develop and promote a compelling business case for retention, expansion and attraction of DND facilities and other federal offices,
- By 2010 HRM's investments in social and cultural infrastructure will enhance the city's persona as one of the most vibrant and unique communities on the continent,
- By 2010 HRM's renown as one of the continent's great cities which will draw top-drawer companies and people to the community,
- By 2010 each partner in the HRM's future will work in sync to propel our economy forward in a way that improves the quality of life for every citizen,
- By 2010, HRM will possess the best business climate in Canada, one able to kick-start and grow ambitious new enterprises and attract exciting companies from anywhere on the globe.

MOVED by Councillor Fougere, seconded by Councillor Uteck, that Council approve the HRM Economic Strategy as in Attachment 1 of the October 13, 2005 staff report.

Members of Council commented that:

- This is not HRM's corporate Economic Strategy, this is community Economic Strategy that everyone is a part of,
- How does HRM get people on board with the idea that things don't have to be the way they have always been,
- The Strategy recognizes both rural and urban aspects of the Municipality,
- The Strategy is needed to give people pride back into their communities,
- Council has to ensure these documents are enacted and adopted.

Councillor Mosher submitted a brochure from the City of Victoria on a newly created Business Commission on initiatives for revitalization of the downtown.

MOTION PUT AND PASSED UNANIMOUSLY.

RECESS

Council recessed at 7:50 p.m. and reconvened at 8:07 p.m.

7.3 Tender 05-117, Eight (8) 3/4 Ton Pick-Up Trucks and Tender 05-121, One (1) Forestry Truck c/w Aerial Device

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

MOVED by Deputy Mayor Goucher, seconded by Councillor Wile, that:

1. **Tender #05-117 be awarded to Steele Ford Lincoln for a cost of \$186,611 including net HST;**
2. **Tender #05-121 be awarded to Altech Industries Ltd. for a cost of \$180,222 including net HST.**

With funding from Capital Account No. CVD00413-Fleet Vehicle Replacement, as outlined in the Budget Implications section of the September 15, 2005 report.

MOTION PUT AND PASSED UNANIMOUSLY.

7.4 Quotation Q05C344 - Cleaning Contract for Ferry Terminals and Ferries

This item was address earlier in the meeting (See page 6)

7.5 Request for Proposal 05-123, Lease of Mail Folding/Inserter for HRM Printing Centre

- A report dated October 3, 2005, on the above noted, was before Council.

MOVED by Councillor Karsten, seconded by Councillor Sloane, that HRM award the lease of a second mail folder/inserter for HRM Printing Centre from Office Interiors at a cost of \$81,557 including net HST for a 60 month lease with funding from Operating Account No. A124-6203, Office Services - Office Furniture and Equipment, as per the Budget Implications section of the October 3, 2005 report. MOTION PUT AND PASSED UNANIMOUSLY.

7.6 HRM Printing Centre - Sole Source Lease - Copier

- A report dated October 3, 2005, on the above noted, was before Council.

MOVED by Councillor Fougere, seconded by Deputy Mayor Goucher, that HRM award the lease of a black/white copier from Office Interiors at a cost of \$74,220, including net HST for a 60 month lease with funding from Operating Account No. A124-6203, Office Services - Office Furniture and Equipment, as per the Budget Implications section of the October 3, 2005 report. MOTION PUT AND PASSED UNANIMOUSLY.

7.7 Oil Spill Remediation Billy Bollong Memorial Park, Spry Harbour

- A report dated September 16, 2005, on the above noted, was before Council.

MOVED by Councillor Hendsbee, seconded by Councillor Wile, that Council:

- 1. Approve an increase to the 2005/06 Capital Budget in the amount of \$221,387 for a new capital account, Oil Spill Remediation Billy Bollong Memorial Park with funding from Parkland Reserve Q107, as outlined in the Budget Implications section of the September 16, 2005 report.**
- 2. Approve withdrawal from the Parkland Reserve Q107 in the amount of \$221,387;**
- 3. Approve the remediation and monitoring costs at 19046 Highway #7 in the**

amount of \$221,387 including net HST, as per the Budget Implications section of the September 16, 2005 report.

MOTION PUT AND PASSED UNANIMOUSLY.

7.8 Capital Budget Increase - Cost Sharing Various Projects

- A report dated September 6, 2005, on the above noted, was before Council.

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

1. **Approve an increase in the Gross Capital Budget to Capital Account No. CPC00677 - New Playground Development by \$115,500, with no change to the Net Budget, to reflect the cost sharing as per the Background section of the September 6, 2005 report.**
2. **Approve an increase in the Gross Capital Budget to Capital Account No. CP300559 - Playground Upgrades and Replacements by \$47,000, with no change to the Net Budget, to reflect the cost sharing as per the Background section of the September 6, 2005 report.**

MOTION PUT AND PASSED UNANIMOUSLY.

7.9 Capital Budget Increase - Cost Sharing for Capital District Projects

- A report dated October 11, 2005, on the above noted, was before Council.

MOVED by Councillor Harvey, seconded by Councillor Sloane, that Council approve an increase in the Gross Capital Budget to Capital Account No. CDG00271 Downtown Streetscape Program by \$10,835 with no change to the Net Budget, to reflect cost sharing for Capital District Projects, as per the Background section of the October 11, 2005 report. MOTION PUT AND PASSED UNANIMOUSLY.

7.10 Case 00815: Municipal Planning Strategy and Land Use By-Law Amendment - 6193 Young Street at Windsor Street, Halifax

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

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

1. **Authorize staff to initiate the process to amend the Halifax Municipal Planning Strategy and Land Use By-Law for the property situated at 6193 Young Street at Windsor Street, Halifax, as generally shown on Map 1 to allow for commercial uses by development agreement.**
2. **Instruct that the MPS amendment process include a public participation program in accordance with the Public Participation Resolution adopted by Halifax Regional Council in February, 1997**

Councillor Fougere requested the notification area be extended another block west as far as Oxford Street and further staff work with the Councillor in terms of providing notification to apartment buildings.

MOTION PUT AND PASSED UNANIMOUSLY.

7.11 **Amendments to Administrative Order Number One, Concerning Motions of Rescission**

and

10.1 **Councillor Fougere - Amendment to Administrative Order Number One, re Motions of Rescission and Reconsideration**

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

MOVED by Councillor Fougere, seconded by Councillor McCluskey, that Halifax Regional Council approve the proposed amendment as set out in Administrative Order Number One as outlined in Appendix A of the report dated October 13, 2005 the purpose of which is to provide clarification regarding motions of reconsideration and rescission.

In response to Councillor McInroy with regards to a motion of rescission and the majority vote, Ms. Donovan, Municipal Solicitor, advised it would be a vote of those present.

In response to Councillor Hendsbee with regards to a timeline for a motion of rescission, Ms. Donovan, advised that the way this has been designed is to try and align the provision with the practice that has historically taken place with Council. She noted that Clause 56(b) provides that with the consent of two thirds of the members of Council an exception can be made which provides Council with options if they so choose.

MOVED by Councillor Sloane, seconded by Councillor Hendsbee, that the item be deferred pending a staff report. MOTION DEFEATED. (10 in favour, 11 against)

Those voting **in favour** were Mayor Kelly and Councillors Hendsbee, McCluskey, Younger, Karsten, Kent, Smith, Wile, Murphy and Sloane.

Those voting **against** were Deputy Mayor Goucher and Councillors Streach, McInroy, Uteck, Fougere, Walker, Mosher, Johns, Harvey, Rankin and Meade.

Councillors Snow, Hum and Adams were absent for the vote.

MAIN MOTION PUT AND PASSED.

7.12 First Reading 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 Fougere, that Regional Council give first reading to 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. MOTION PUT AND PASSED UNANIMOUSLY.

7.13 Case 00808: Building Height Limits - Sackville Drive Secondary Planning Strategy and Land Use By-Law

- A report from the North West Community Council dated September 28, 2005 on the above noted, was before Council.

MOVED by Councillor Johns, seconded by Deputy Mayor Goucher, that Regional Council:

- 1. Approve initiation of the process to amend the Sackville Drive Secondary Planning Strategy and Land Use By-Law to re-evaluate the height restrictions along Sackville Drive, and**
- 2. Staff follow the Public Participation Program as approved by Council in February 1887; and**
- 3. Include a review of the parking requirements in the Sackville Drive Secondary Planning Strategy.**

In response to Councillor Harvey, Mr. Paul Dunphy, Director, Planning and Development Services, advised that this process will re-examine the issue of allowing for taller buildings along Sackville Drive.

MOTION PUT AND PASSED UNANIMOUSLY.

7.14 City Watch

Deferred to October 25, 2005

7.15 Councillor Mosher - "As of Right" Development in HRM

MOVED by Councillor Mosher, seconded by Councillor Walker, that staff provide an information report on what "as of right" and by right developments are. The staff report be requested on Council endorsing the establishment of a brochure that would detail frequently asked questions (FAQ's).

Councillor Mosher requested the brochure include answers to such questions as: How can this development happen without consulting with the community? Who do I contact if my property has been damaged as a result of the construction? Who do I contact if my survey pins have been removed? What if blasting is required? What are the allowable hours for construction?

The Councillor requested Legal Services comment on whether HRM's Development Services, as a courtesy and new policy, can send a letter to residents living adjacent to an approved "as of right" development describing what has been approved, provide contact information and enclose a copy of the new brochure.

Councillor Murphy requested an internal communication strategy from staff to Councillors be examined to give advance notification regarding development taking place in their district.

Councillor Younger requested the zoning definitions for the different plan areas be put on line.

Councillor Fougere requested staff provide an estimate of what would be entailed in doing the mailout every time there is infill. Also information be provided on the amount of "as of right" development in HRM.

Councillor Smith requested staff examine at what point in the application process would it be appropriate to send out the information. The Councillor also requested information as to what it would cost to send out notices to apartment dwellers.

Councillor Sloane suggested City Watch, Councillor Newsletter as well as internal

communication to Councillors be examined.

MOTION PUT AND PASSED UNANIMOUSLY.

7.16 Councillor Smith - Development North End Dartmouth

Deleted under the approval of the Order of Business.

7.17 Deputy Mayor Goucher and Councillors Younger and Smith - Electronic Voting Update

Ms. Jan Gibson, Municipal Clerk, provided an update and advised a report would be coming forward to Council prior to Christmas.

7.18 Councillor Rankin - October 11, 2005 Information Item #4, "Peggy's Cove Sewer and Water"

MOVED by Councillor Rankin, seconded by Councillor Meade, that staff be authorized to apply to the Province requesting consideration be given to developing a concept plan to identify solutions for the improvement and provision of sewer and water in the Peggy's Cove community.

Councillor Rankin noted, for the record, that the district capital grant could provide some funds if needed for Provincial participation.

MOTION PUT AND PASSED UNANIMOUSLY.

7.19 Infrastructure Criteria (COW October 11, 2005 Item 12.2)

Part 1 - Council Action Plan

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

- 1. Endorse the key twelve (12) strategic focus areas as identified in Councils Action Plan.**
- 2. Authorize staff to return with a status update and a suggested approach for further action on each item identified.**

The twelve areas requiring focus are:

Regional Planning	Youth
Infrastructure	By-Law Enforcement
Public Safety	Taxation
Traffic Congestion	Transit
Community Relations	Community Recreation
Community Development	Economic Development

MOTION PUT AND PASSED UNANIMOUSLY.

Part 2 - Infrastructure Criteria

MOVED by Councillor Rankin, seconded by Councillor McCluskey, that Regional Council approve the general infrastructure criteria as outlined in Appendix "C" of the staff report dated September 26, 2005. MOTION PUT AND PASSED UNANIMOUSLY.

7.20 Councillor Adams - Letter to Members of Parliament representing HRM for Increased Infrastructure Funding (re item #12.2 - Infrastructure Criteria)

MOVED by Councillor Adams, seconded by Councillor Streach, that the Mayor write the local MP's and MLA's with regard to the programs that are now available with the focus on the Rural Infrastructure Fund.

Councillor Adams noted the Rural Infrastructure Fund totals \$15 million dollars over five years and approximately one hundred and fifty thousand people could benefit from this money. The Councillor commented that \$4 million a year divided between the eligible rural areas does not provide a large amount to each of those areas for the work that is required, and they should not have to struggle to obtain the funding. He indicated the Herring Cove Plan was compromised so that it could be made reasonably affordable.

The Councillor requested a report be provided on how this process flows and who or what is the ultimate decision maker as to who receives funding. The Councillor asked that the letter request a response to what the Federal and Provincial members did to help the rural residents not only in Herring Cove but in the rest of HRM.

MOTION PUT AND PASSED UNANIMOUSLY.

7.21 Legal Matter - Settlement of Claim (October 11, 2005 In Camera Recommendation)

MOVED by Councillor Karsten, seconded by Councillor Kent, that Halifax Regional Council settle this claim, as set out in the September 26, 2005 Private and Confidential staff report, brought by the Plaintiff in the amount of \$12,000 to achieve a full settlement of the Plaintiff's action upon obtaining a full release from the Plaintiff from any further claims arising out of the single motor vehicle accident which occurred on December 29, 2001. MOTION PUT AND PASSED UNANIMOUSLY.

1. CORRESPONDENCE, PETITIONS AND DELEGATIONS

8.1 Correspondence - None

8.2 Petitions

Deputy Mayor Goucher served a petition on behalf of the residents of Dartmouth Road, Bedford regarding speeding, safety and erosion of the shoulder.

8.3 Presentation

8.3.1 Rocky Lake Development Association

MOVED by Councillor Johns, that the presentation be moved to a Committee of the Whole. As there was no seconder for the motion, the motion lost.

Mr. Barry Mason, Chair of the Rocky Lake Development Association, addressed Council regarding their proposal advising:

- They are a non-profit association
- Their objective is to see that certain recreational facilities are brought to the community
- There is a community need for recreational facilities
- The proposed facility site is accessible and there is land available
- There is a proposal to service the lands by a private developer
- The intention is to turn the land over to HRM upon completion of the project and enter into a lease agreement

MOVED by Councillor Walker, seconded by Councillor Karsten, that the presentation be referred to staff for a report.

The questions and concerns to be addressed in the staff report are:

- Why the Rocky lake location versus "the former Blood Fractionation property" on Simmonds Drive off the Hammonds Plains Road in Bedford?

- Who and what discussions has the group had so far with HRM staff and whether or not the indication is that HRM is interested in this?
- What if any impact this facility would have on the Sackville sports stadium?
- What is to be in the recreational facility itself?
- Has HRM indicated they would accept the facilities upon completion?
- Are they a partner in the long term care facility proposal?
- What is the linkage to the facilities in other areas of the municipality?
- What is the relationship of this group and the facility?
- Who are the members?
- How many directors?
- Where is the funding coming from?
- What is the difference between this and the private developer proposal?

MOTION PUT AND PASSED UNANIMOUSLY.

MOTION TO EXTEND

MOVED by Councillor Adams, seconded by Councillor Streach, that Council continue to 11:00 p.m. MOTION PUT AND PASSED. (14 in favour, 6 against)

Those voting **in favour** were Mayor Kelly, Deputy Mayor Goucher and Councillors Streach, Hendsbee, McCluskey, Karsten, Kent, Smith, Wile, Murphy, Walker, Mosher, Adams and Johns.

Those voting **against** the motion were Councillors Younger, Sloane, Fougere, Harvey, Rankin and Meade.

Councillors Snow, McInroy, Uteck and Hum were absent for the vote.

9. REPORTS

9.1 CHIEF ADMINISTRATIVE OFFICER

9.1.1 Tender 05-104, Lease of Twenty (20) One-half (½) Ton 4x4 Regular Cab Pick-up Trucks

- A report dated October 7, 2005, on the above noted, was before Council.

MOVED by Councillor Younger, seconded by Councillor Smith, that Regional Council:

1. **Award Tender #05-104 to MacPhee Pontiac Buick GMC Ltd for the lease of twenty (20) pick-up trucks, for a total lease amount of \$322,451 (including net HST)**
2. **Authorize the Mayor and Municipal Clerk to enter into a 36-month lease with MacPhee Pontiac Buick GMC Ltd for the twenty (20) pick-up trucks, with funding to be provided from the operating budget, as detailed in the Budget Implications section of the October 7, 2005 report, and subject to written approval from the Minister of Service Nova Scotia and Municipal Relations as required under Section 88(4) fo the Municipal Government Act.**

MOTION PUT AND PASSED UNANIMOUSLY.

9.1.2 HRM Economic Strategy

This item was addressed earlier in the meeting. (See page 9)

9.1.3 Pole Free Area

- A report dated October 18, 2005, on the above noted, was before Council.

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

1. **Continue current administrative practices with respect to existing pole-free areas in Halifax, Dartmouth and Bedford,**
2. **Expand the boundaries of the current Short Term Pole Free Zone to include the entire secondary boundary area of the Capital District (as shown on the map attached to the October 18, 2005 report),**
3. **Direct staff to negotiate extensions of the current cost sharing agreements for the Short Term Pole Free Zone with Nova Scotia Power and Aliant to include the expanded Pole Free Area,**
4. **Direct staff to develop criteria to assess the merits of underground wiring projects as a tool to prioritize projects and allocate resources.**

MOTION PUT AND PASSED UNANIMOUSLY.

9.1.4 Capital Budget Reallocation - Northbrook School Police Training Facility/Community Office

- A report dated October 7, 2005, on the above noted, was before Council.

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

1. Approve a reduction in Capital Account CIK00289 - CPIC Interfaces in the amount of \$232,000 to be transferred to CRESPOOL;
2. Approve an increase to Capital Account CBK00678 - Police Training Center - Northbrook School in the amount of \$232,000 from CRESPOOL as per the Budget Implications section of the October 7, 2005 report.

MOTION PUT AND PASSED UNANIMOUSLY.

9.1.5 Airport Taxi Fare Schedule for Administrative Order 39, Respecting the Setting of Taxi Fares

and

10.2 Councillor Walker - Amendment to Administrative Order Number 39, the Taxi and Limousine Fares Administrative Order to amend taxi and limousine fares to and from the airport

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

MOVED by Councillor Walker, seconded by Councillor Fougere, that Administrative Order 39, the Taxi and Limousine Fares Administrative Order be amended by replacing the current Schedule 3 (Appendix A) in the Administrative Order with Schedule 3 attached as Appendix B to the October 13, 2005 staff report. MOTION PUT AND PASSED UNANIMOUSLY.

9.2 HERITAGE ADVISORY COMMITTEE

9.2.1 Case H00169 - Application for Registration of Beechville United Baptist Church & Cemetery (Heritage Hearing)

This item was addressed earlier in the meeting (See page 7)

9.3 HARBOUR EAST COMMUNITY COUNCIL

9.3.1 Case 00635 - Site Specific MPS & LUB Amendment and amendment to a Development Agreement - 3 Bruce Street

- A report from the Harbour East Community Council, dated October 11, 2005, on the above noted, was before Council.

MOVED by Councillor Younger, seconded by Councillor Karsten, that Regional Council give First Reading to the proposed amendments to the Dartmouth Municipal Planning Strategy and Land Use By-Law as provided in Attachment C of the September 27, 2005 staff report and schedule a joint public hearing with Harbour East Community Council. MOTION PUT AND PASSED UNANIMOUSLY.

9.4 MEMBERS OF COUNCIL

9.4.1 Councillor Snow - Car Pool Parking Lot - Fall River

This item was deferred to October 25, 2005.

9.4.2 Councillor Snow - Status of Various Small Water/Sewer System

This item was deferred to October 25, 2005.

10. MOTIONS

10.1 Councillor Fougere - Amendment to Administrative Order Number One, re Motions of Rescission and Reconsideration

This item was addressed in conjunction with item 7.11 (See page 13)

10.2 Councillor Walker - Amendment to Administrative Order Number 39, the Taxi and Limousine Fares Administrative Order to amend taxi and limousine fares to and from the airport

This item was addressed in conjunction with item 9.1.5 (See page 20)

10.3 Councillor Smith - Amendment to MPS and LUB for Dartmouth to allow rezoning of a portion of 675 Windmill Road Burnside Park

MOVED by Councillor Smith, seconded by Councillor McCluskey, that HRM planning staff initiate the process to amend the MPS and LUB for Dartmouth to allow a zoning

change for a portion of 675 Windmill Road in Burnside Park from Industrial to Residential to permit condominium construction and to require staff to follow the public participation process. **MOTION PUT AND PASSED.**

10.4 Councillor McCluskey - Policy H-3B, Section (a) Comprehensive Development District, Dartmouth MPS

MOVED by Councillor McCluskey, seconded by Councillor Smith, that a change be made to Policy H-3B, Section (a) Comprehensive Development District, Dartmouth MPS from 8 units/acre gross area exclusive of commercial to 8 units/acre net area exclusive of commercial, park area, environmentally sensitive areas and roads.

Councillor McCluskey noted this change would only affect Dartmouth and is not specifically geared towards the Brightwood lands and development. The Councillor advised the residents want this change.

A number of Councillors expressed concern that this may be precedent setting and may have an adverse effect on development applications that have already come forward and been approved. It was also noted that this would undermine the public process for the development of Brightwood, as well undermine a promise to the residents

Councillor McCluskey advised the intent of her motion was to have Council support it and then go to planning to find how it would be initiated.

MOVED by Councillor Sloane, seconded by Councillor Smith, that this item be referred to staff for a report. MOTION DEFEATED. (6 in favour, 13 against)

Those voting **in favour** were Mayor Kelly and Councillors Smith, Murphy, Sloane, Johns and Harvey.

Those voting **against** were Deputy Mayor Goucher and Councillors Streach, Hendsbee, McInroy, McCluskey, Younger, Karsten, Kent, Wile, Fougere, Walker, Adams, and Rankin.

Councillors Snow, Uteck, Hum, Mosher and Meade were absent for the vote.

The main motion was now before Council for consideration.

MOVED by Councillor McCluskey, seconded by Councillor Smith, that a change be made to Policy H-3B, Section (a) Comprehensive Development District, Dartmouth MPS from 8 units/acre gross area exclusive of commercial to 8 units/acre net area exclusive of commercial, park area, environmentally sensitive areas and roads.

MOTION DEFEATED. (3 in favour, 16 against)

Those voting **in favour** were Mayor Kelly and Councillors McCluskey and Smith.

Those voting **against** were Deputy Mayor Goucher and Councillors Streach, Hendsbee, McInroy, Younger, Karsten, Kent, Wile, Murphy, Sloane, Fougere, Walker, Adams, Johns, Harvey and Rankin.

Councillors Snow, Uteck, Hum, Mosher and Meade were absent for the vote.

11. ADDED ITEMS

11.1 Property Matter - Acquisition Request - 5621 Rainnie Drive (Legion) Halifax

- 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 Smith, seconded by Councillor Karsten that Halifax Regional Council:

- 1. Not seek to purchase, at this time, 5621 Rainnie Drive, Halifax, at the offered price from Amalthea Holdings for the reasons outlined in the October 11, 2005 staff report.**
- 2. Not release the October 11, 2005 report to the public.**

MOTION PUT AND PASSED UNANIMOUSLY.

12. NOTICES OF MOTION

Councillor Streach

Take Notice that at the next regular meeting of the Halifax Regional Municipality to be held on October 25, 2005, Tuesday, I intend to introduce a motion to have the Mayor on behalf of Regional Council send a letter to Aliant Communications requesting that, as part of their business planning process, they consider instituting toll free calling for the Halifax Regional Municipality within our boundaries and that staff be instructed to take no further action on this initiative at this time.

13. ADJOURNMENT

The meeting was adjourned at 11:20 p.m.

Jan Gibson
Municipal Clerk

The following information items were circulated to Council:

1. Proclamation - Pap Test Awareness Week - October 23 - 29, 2005
2. Memorandum from Director, Financial Services dated October 18, 2005
re: First Quarter 2005/2006 Financial Report
3. Memorandum from Director, Environmental Management Services dated October 18, 2005
re: In NOVAward 2005
4. Memorandum from Director, Planning & Development dated October 18, 2005
re: Morris-Russell Lake Secondary Planning Strategy
5. Memorandum from Acting Director, Legal Services dated October 18, 2005
re: Status of By-law Prosecutions
6. Memorandum from the Municipal Clerk, dated October 18, 2005
re: Requests for Presentations to Council

Date of Request(s)	Name of Delegation(s)	Disposition of Request(s)
October 10 - 14, 2005	Rocky Lake Development Association re: Property Tax Exemption	Presentation Scheduled for October 18, 2005
	Halifax Coalition Against Poverty re: HRM Enforcement of Fire Services and By-Law Orders to repair	Referred to staff of Fire Services and By-Law Enforcement