

HALIFAX REGIONAL MUNICIPALITY

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HALIFAX REGIONAL COUNCIL  
MINUTES  
February 7, 2006

PRESENT:

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

REGRETS:

Councillor Bill Karsten

STAFF:

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

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**1. INVOCATION**

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

At this time, Council observed a Moment of Silence in memory of Leonard Kitz, Mayor of Halifax from 1955 to 1957.

**2. APPROVAL OF MINUTES - NONE**

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

Additions

- 12.1 Council Focus Area - Taxation
- 12.2 Council Focus Areas - Status Update
- 12.3 Contractual Matter - Municipal Rural Infrastructure Fund Project Prioritization
- 12.4 Personnel Matter - Councillor and Citizen Appointments to Boards/Committees and Commissions
- 12.5 Property Matter - Less than Market Lease - 47 Wentworth Street, Dartmouth

**MOVED by Councillor Hendsbee, seconded by Deputy Mayor Walker, 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 - NONE**

**8. PUBLIC HEARINGS**

**8.1 Transfer of Title for 341 Pleasant Street, Dartmouth to Supportive Housing for Young Mothers**

- A supplementary report dated January 16, 2006, on the above noted, was before Council.

- An extract from the December 6, 2005 Regional Council minutes was before Council.
- A report dated November 8, 2005, from the HRM Grants Committee, on the above noted, was before Council.

Ms. Peta Jane Temple, Coordinator, Grants Program, presented the staff report.

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

**Ms. Maura Donovan**, Halifax, thanked Council for considering the proposed transfer. She noted this will provide the organization with a crucial building block for success, a piece of property located close to amenities such as the Dartmouth General Hospital, bus and ferry service as well as grocery and drugstores. She noted they are a non profit charitable society. She advised operation financial needs are taken care of and capital costs are covered by Service Canada.

**Ms. Ann Ogden**, Director, Primary Health, IWK, noted the hospital will provide services to this project which will provide a safe secure environment for women. She advised the IWK is committed to staying involved in this project.

**Mr. David Harrison**, Halifax, Development Consultant, noted this project serves all the Municipality. He encouraged Council to endorse this project.

**Ms. Ann Sinclair**, Halifax, advised the exterior of the building will remain the same with the exception of the installation of two dormers. There will be no additions to the footprint of the building. She advised a wooden fence will be installed and fruit trees planted.

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

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

### **DECISION OF COUNCIL**

**MOVED by Councillor Kent, seconded by Councillor Snow, that Halifax Regional Council authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale whereby the property located at 341 Pleasant Street, Dartmouth be conveyed to Supportive Housing for Young Mothers, subject to site survey and legal description, and the terms and conditions set out in the Discussion section of the November 8, 2005 report. MOTION PUT AND PASSED UNANIMOUSLY.**

**9. CORRESPONDENCE, PETITIONS AND DELEGATIONS**

**9.1 Correspondence - None**

**9.2 Petitions - None**

**10. REPORTS**

**10.1 CHIEF ADMINISTRATIVE OFFICER**

**10.1.1 Tender 06-201, Sidewalk Renewals - West Region**

- A report dated January 27, 2006, on the above noted, was before Council.

**MOVED by Councillor Uteck, seconded by Councillor Wile, that Council award Tender No. 06-201 Sidewalk Renewals - West Region to Ocean Contractors Limited for materials and services listed at the unit prices quoted for a Tender Price of \$230,155 including net HST from Capital Account No's. CKU00718, Sidewalk Renewals and CKU00783, Advanced Approved 2006/07 Sidewalk Renewals, with funding authorized as per the Budget Implications section of the January 27, 2006 report. MOTION PUT AND PASSED UNANIMOUSLY.**

**10.1.2 Tender 06-205, Traffic Signal Installation, Bayers Road at Oxford Street, West Region**

- A report dated January 27, 2006, on the above noted, was before Council.

**MOVED by Councillor Fougere, seconded by Deputy Mayor Walker, that Council award Tender No. 06-205, Traffic Signal Installation, Bayers Road at Oxford Street - West Region to Black & MacDonald Limited for materials and services listed at the unit prices quoted for a Tender Price of \$145,788 including net HST from Capital Account No. CTU00561, Traffic Signal Installation, with funding authorized as per the Budget Implications section of the January 27, 2006 report. MOTION PUT AND PASSED UNANIMOUSLY.**

**10.1.3 Policy on Daylighting Rivers**

- A report dated January 31, 2006, on the above noted, was before Council.

**MOVED by Councillor McCluskey, seconded by Councillor Goucher, that Council**

**authorize staff to proceed to conduct consultations with the Watershed Advisory Boards on the draft policy as outlined in the January 31, 2006 report.**

Councillor Goucher stated staff has to ensure that the policy fits within the different watersheds within the urban core. Consideration has to be given to big issues such as health and safety as well as flooding in urban areas. Jurisdiction may become an issue as watercourses are under the jurisdiction of the province.

Councillor Sloane expressed concern with watercourses in parks.

Councillor McInroy expressed concern with costs of this initiative as there are constraints on resources and the ability to pay for consultant services. The Councillor stated that before daylighting is undertaken HRM has to ensure the piped systems are going to be maintained.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**10.1.4        Case 00709 - Application for a Development Agreement by United Gulf Developments**

- A Heritage Advisory Committee Report, dated January 25, 2006, on the above noted, was before Council.
- A District 12 Planning Advisory Committee Report, dated January 30, 2006, on the above noted, was before Council.

**MOVED by Councillor Sloane, seconded by Councillor Goucher, that Halifax Regional Council give notice of motion to consider the development agreement attached to the January 30, 2006 report and schedule a public hearing. MOTION PUT AND PASSED UNANIMOUSLY.**

**10.1.5        Administrative Order SC-42, Respecting the Closure of Surplus Right of Way - Rocky Hill Road, Halifax**

- A report dated January 13, 2006, on the above noted, was before Council.

**MOVED by Councillor Hum, seconded by Deputy Mayor Walker, that Council close the surplus portion of Rocky Hill Road Right of Way, Halifax, Pursuant to HRM Administrative Order SC-42 and as shown on Attachment "A" of the January 13, 2006 staff report to conclude the sale of the subject lands. MOTION PUT AND PASSED UNANIMOUSLY.**

**10.2        HERITAGE ADVISORY COMMITTEE**

**10.2.1      Case H00153 - Application for De-Registration of 78 Shore Road, Dartmouth**

- A report dated January 25, 2006, from the Heritage Advisory Committee, on the above noted, was before Council.

**MOVED by Councillor McCluskey, seconded by Councillor Wile, that Regional Council set the date of March 21, 2006, for a Heritage Hearing to consider the de-registration of 78 Shore Road, Dartmouth. MOTION PUT AND PASSED UNANIMOUSLY.**

**10.2.2      Case H00174 - Application for Registration of 29 First Avenue, Bedford**

- A report dated January 25, 2006, from the Heritage Advisory Committee, on the above noted, was before Council.

**MOVED by Councillor Goucher, seconded by Councillor Sloane, that Regional Council set the date of March 21, 2006 for a Heritage Hearing to consider the registration of 29 First Avenue, Bedford, under the HRM Heritage Property Program. MOTION PUT AND PASSED UNANIMOUSLY.**

**10.2.3      Case H00175 - Application for Registration of 2138 Brunswick Street, Halifax**

- A report dated January 25, 2006, from the Heritage Advisory Committee, on the above noted, was before Council.

**MOVED by Councillor Sloane, seconded by Councillor Fougere, that Regional Council set the date of March 21, 2006 for a Heritage Hearing to consider the registration of 2138 Brunswick Street, Halifax, under the HRM Heritage Property Program. MOTION PUT AND PASSED UNANIMOUSLY.**

**10.3            TAXI AND LIMOUSINE ADVISORY COMMITTEE**

**10.3.1        Councillor Appointment to the Taxi and Limousine Advisory Committee**

- A report dated January 19, 2006, from the Taxi and Limousine Advisory Committee, on the above noted, was before Council.

**MOVED by Councillor Hendsbee, seconded by Deputy Mayor Walker, that Regional**

**Council amend Administrative Order 38 to include the appointment of a Councillor as a member of the Taxi and Limousine Advisory Committee and that the Councillor hold the position of Chair on the Committee. MOTION PUT AND PASSED (14 in favour, 9 against)**

Those voting **in favour** of the motion were Mayor Kelly, Deputy Mayor Walker and Councillors Hendsbee, McCluskey, Kent, Wile, Murphy, Hum, Mosher, Adams, Johns, Goucher, Rankin and Meade.

Those voting **against** the motion were Councillors Streach, Snow, McInroy, Younger, Smith, Sloane, Uteck, Fougere and Harvey.

Councillor Karsten was absent from the meeting.

**11. MOTIONS - NONE**

**12. ADDED ITEMS**

**12.1 Council Focus Area - Taxation**

- This matter had been dealt with at the January 24, 2006 meeting of Committee of the Whole, and is added for ratification by Council:

**MOVED by Councillor Fougere, seconded by Councillor Goucher, that Regional Council endorse the following direction:**

- 1. Working with the Province of Nova Scotia, proceed with taxation consultations in the Spring of 2006, returning to Council in the Fall of 2006 in advance of the 2007-2008 budget deliberations.**
- 2. Consider any broad revisions to tax boundaries as part of the overall review of the tax system. Technical changes to tax boundaries (as required) for 2006-2007 could be considered in the 2006-2007 budget.**
- 3. Continue with commercial taxation competitiveness analysis and benchmarking and return to Council in the Fall of 2006 with the results and any recommendations.**
- 4. Recommend an approach to the elimination of the Business Occupancy Tax, starting with 2006-2007 budget.**

5. **Examine Local Improvement Charges and Capital Cost Contribution as part of the Revenue Strategy and make any appropriate recommendations to Council in the Fall of 2006.**
6. **Incorporate tax burden information into the 2006-2007 budget debate and future Council deliberations.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**12.2 Council Focus Areas - Status Update**

- This item was addressed at an earlier Committee of the Whole meeting held prior to the regular session and was now before Council for ratification.

**MOVED by Councillor Johns, seconded by Councillor Sloane, that Regional Council endorse the directions respecting the Council Focus Areas as provided by Regional Council during the Committee of the Whole sessions and as summarized in Attachment A of the January 18, 2006 staff report, and instruct staff to prepare the 2006/07 business Plan reflecting these directions to the extent possible. MOTION PUT AND PASSED UNANIMOUSLY.**

**12.3 Contractual Matter - Municipal Rural Infrastructure Fund Project Prioritization**

- This item was addressed at an earlier In Camera meeting held prior to the regular session and was now before Council for ratification

**MOVED by Councillor Rankin, seconded by Councillor Sloane, that Regional Council:**

1. **Approve the proposed financing approach to applications as outlined in the Discussion section of the Private and Confidential staff report dated January 20, 2006.**
2. **Approve the priority ranking of MRIF projects for applications including those under the Strategic Infrastructure Funds as determined at the February 7, 2006 in camera Council session.**
3. **Release the January 20, 2006 Private and Confidential staff report.**

Councillor Adams noted there was an amendment endorsed by Council that any projects on this list that were not given consideration would default to sewer and water projects that are on a phased in basis.

Ms. Donovan, Municipal Solicitor, noted the motion of November 22, 2005 was “*that Regional Council approve the direction on the projects as outlined in the Attachment A of the staff report dated November 9, 2005, as priority projects for the MRIF application relative to the 80% rural allocation; and projects that are in progress or underway, that are being phased, to be considered as alternatives should the projects as outlined in Attachment A not be accepted.*”

Councillor Adams noted that was an official motion of Council and is not part of the recommendation put forward. He stated his understanding is that the only way that can be changed is if Regional Council made a motion of rescission and it has not; therefore, it should be part of the motion on the floor. He stated it is not put in to replace the projects on the list but it is only to put in place in case those projects do not make it to that list.

Mr. Dan English, Chief Administrative Officer, advised the motion stands as it is so if there are some applications that are rejected by the MRIF program then it is his understanding that staff would come back to Council with a list of projects.

Councillor Adams stated it should be made clear that if there are projects that are not successful, the municipality has alternatives.

#### **MOTION PUT AND PASSED.**

#### **12.4. Personnel Matter - Councillor and Citizen Appointments to Boards /Committees & Commissions**

- This item was addressed at an earlier In Camera meeting held prior to the regular session and was now before Council for ratification

**MOVED by Councillor McInroy, seconded by Councillor Sloane, that Halifax Regional Council:**

- 1. Approve the citizen and Councillor appointments to Boards/Committees and Commissions as outlined in Attachment I of the Private and Confidential staff report dated January 27, 2006 with an amendment to provide that Councillor Hendsbee replace Mayor Peter Kelly on the HRM Marketing Levy Working Committee (Ad-hoc).**

2. **Amend the Halifax-Dartmouth Natal Day Steering Committee Terms of Reference to provide for two and three year staggered terms for citizen appointments.**
3. **Release the Private and Confidential report dated January 27, 2006 upon approval of the appointments outlined in Attachment I of the report.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**12.5            Property Matter - less than Market Lease - 47 Wentworth Street, Dartmouth, NS**

- This item was addressed at an earlier In Camera meeting held prior to the regular session and was now before Council for ratification

**MOVED by Councillor Kent, seconded by Councillor McCluskey, that Halifax Regional Council**

1. **Authorize the Mayor and Municipal Clerk to enter into a Less than Market Lease Agreement for a portion of 47 Wentworth Street with the Public Good of Dartmouth Committee, as per the terms and conditions contained in the January 17, 2006 Private and Confidential Grants Committee report.**
2. **Authorize the immediate release of the January 17, 2006 Private and Confidential report from the Grant Committee and the January 27, 2006 Private and Confidential staff report .**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**13.            NOTICES OF MOTION**

Councillor Hendsbee

Take Notice that at the next regular meeting of Halifax Regional Council to be held on Tuesday the 14<sup>th</sup> day of February, I propose to move for adoption an amendment to Administrative Order 38, the purpose of which is to appoint a member of Council to the Taxi and Limousine Advisory Committee and further that the Councillor serve as Chair.

**14.            ADJOURNMENT**

The meeting was adjourned at 6:55 p.m.

Jan Gibson  
Municipal Clerk

**The following Information Items were circulated to Council:**

1. Memorandum from Audit Committee dated January 4, 2006 re: Annual Report - Business Systems and Control Group
2. Memorandum from Chief Director, Fire & Emergency Services dated February 2, 2006 re: Emergency Response Coordination with Nova Scotia Power
3. Memorandum from Chief Director, Fire & Emergency Services dated January 31, 2006 re: Municipal Involvement - Issuing Department of Natural Resources Burning Permits
4. Memorandum from Director, Planning & Development dated February 1, 2006 re: HRM Temporary Sign By-Law
5. Memorandum from Director, Transportation & Public Works dated January 24, 2006 re: Petition - Traffic Calming Measures on Willow Street
6. Memorandum from Director, Environmental Management Services dated January 17, 2006 re: Harbour Solutions - Quarterly Report (Oct. 1 - Dec. 31, 2005)
7. Memorandum from the Municipal Clerk, dated February 3, 2006 re: Requests for Presentations to Council - None