

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL
MINUTES
April 3, 2007

PRESENT:

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

STAFF:

Mr. Dan English, Chief Administrative Officer
Ms. Mary Ellen Donovan, Municipal Solicitor
Ms. Jan Gibson, Municipal Clerk
Ms. Jennifer Weagle, 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 Younger.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillor Hum congratulated the Dartmouth Subways Midget Major Hockey Team, who last week won the NS Midget Major Hockey Championship, and this week will be attending the Atlantic Championships in Cornwall, PEI.

Councillor Hendsbee acknowledged and praised a book launch held last Saturday in Preston by the local chapter of the Congress of Black Women of Canada, for a book entitled "Black Women Who Made a Difference in Nova Scotia, Volume 1".

Councillor Mosher noted that last week was Girls Soar physical activity week in HRM, and she participated at an activity hosted by the Halifax Skatepark Coalition last week to teach girls aged 9-16 to skateboard.

Councillor Wile advised that tomorrow night at Clayton Park West High School, a Neighbourhood Watch meeting will be held at 7:00 p.m.

3. APPROVAL OF MINUTES - None

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

Deletion:

10.2.1 Deputy Mayor Uteck - 2014 Commonwealth Games Bid

Additions:

8.8 Councillor Rankin - Maintenance of Rails and Trails (BLT and others) (deferred March 27, 2007)

12.1 Councillor Johns - March 20, 2007 Motion re: Tender 07-222 - Traffic Signal Upgrades, Robie Street at Almon Street - West Region and Intersection Improvements, Sackville Drive at Millwood Drive, Central Region

12.2 Property Matter - Bloomfield Centre Review Project: Tenancy Plan

12.3 Property Matter - Captain William Spry Community Centre

12.4 Legal Matter - C.A. Beckett School and Surrounding Properties

12.5 Legal Matter - Settlement of Claim against Halifax Regional Municipality

At the request of Councillor Younger, Council agreed to move Item 9.3.1 Nova Scotia Film Development Corporation Presentation forward on the agenda to immediately follow Item 6.1.

MOVED by Councillor Sloane, seconded by Councillor McCluskey, that the Order of Business, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

5. BUSINESS ARISING OUT OF THE MINUTES - NONE

6. MOTIONS OF RECONSIDERATION

6.1 Councillor Snow - Supplementary Education Funding

- C An extract from the draft March 27, 2007 Regional Council minutes was before Council.
- C A copy of the presentation to Committee of the Whole on March 20, 2007, regarding the Harmonizing Education Tax Rates was before Council.
- C A staff report to Committee of the Whole on this matter, dated March 1, 2007, was before Council.
- C Interim Area Rate Guidelines were distributed to members from Councillor Snow.

MOVED by Councillor Snow, seconded by Councillor Martin, that Regional Council give reconsideration to the motion approved at the March 27, 2007 meeting of Regional Council with regard to Supplementary Education Funding.

Councillor Snow noted that responsibility for education lies with the Province, however, HRM agreed years ago to provide supplementary education funding. She commented that the motion passed at the previous Council meeting will result in higher residential and commercial taxes for suburban and rural areas of HRM. Councillor Snow indicated that she wishes for Council to discuss further options, and went on to review the Interim Area Rate Guidelines distributed to members. She advised that, as per the Guidelines, the rate increase is to be advertised publicly, a public meeting is to be held, and the new rate is to have the support of the area Councillor. She indicated that these steps have not occurred and she does not support the rate increase for her residents. Councillor Snow noted a need for a plebiscite on this matter.

Mr. Bruce Fisher, Manager, Fiscal and Tax Policy, clarified that the Interim Area Rate Guidelines are a policy of Council, and not set out in the *Municipal Government Act*. He

noted that these Guidelines apply to new area rates, not existing area rates.

A recorded vote was taken on the following motion at this time:

MOVED by Councillor Snow, seconded by Councillor Martin, that Regional Council give reconsideration to the motion approved at the March 27, 2007 meeting of Regional Council with regard to Supplementary Education Funding. MOTION DEFEATED.

Those voting in favour were Deputy Mayor Uteck, Councillors Snow, McInroy, McCluskey, Murphy, Adams, Martin, Rankin and Meade.

Those voting against were Mayor Kelly, Councillors Hendsbee, Younger, Karsten, Smith, Wile, Sloane, Fougere, Hum, Johns, and Harvey.

Councillors Streach, Kent, Walker, and Mosher were not in attendance.

9.3 Presentation

9.3.1 Nova Scotia Film Development Corporation re: Economic Impact

Ms. Ann MacKenzie, Chief Executive Officer, Nova Scotia Film Development Corporation, addressed Council, noting the following:

- C Nova Scotia is the fourth largest film production centre in Canada;
- C The Nova Scotia film industry created in excess of \$100 million of production revenue within Nova Scotia in each of the past nine years;
- C Between 93-97% of that production revenue is spent in HRM;
- C The industry employs approx. 2500 direct employees, and approx. 4400 indirect employees each year;
- C Film crews employ on average from 75-100 people, plus many extras, and filming takes on average between two to six months to complete;
- C Challenges in maintaining activity levels in the industry include the recent actors strike, and competition with other cities to attract film production;
- C Other cities such as Toronto and Winnipeg have been offering Municipal properties to film companies free of charge for film shoots, and free or discounted services such as parking and policing;
- C The Province, through the NS Film Development Corporation, offers Provincially owned properties free of charge for film shoots, with the exception of museums, and also offers free of charge location services, research, negotiation of deals with hotels, and certain offset costs;
- C The film tax credit offered by the Province is one of the highest in Canada.

Ms. MacKenzie indicated that the NS Film Development Corporation is asking HRM to offer creative ways to contribute to the film industry in HRM, noting that they will incorporate any contributions into their marketing materials.

Ms. Bonnie Kirby, Chair, Nova Scotia Film Development Corporation Board of Directors, presented a video on the film industry in Nova Scotia, reviewing several recent locally shot major films. She encouraged Council to think of the film industry as a business.

Councillor Younger suggested exploring any "in kind" contribution opportunities, noting that public support is needed. He also noted that while in the industry himself, the two major issues with the industry were much film work going to larger local companies, as opposed to smaller local companies, and less high profile US work coming to HRM.

Councillor Hendsbee suggested updating the listing of locally filmed movies on the HRM website.

Councillor Sloane suggested that HRM could offer discounted rates on HRM owned locations for offices and studio space, suggesting the Bloomfield Centre and the soon to be vacant St. Patrick's High School.

Councillor Murphy suggested keeping neighbourhoods where filming is taking place informed, such as distributing a hand out to neighbourhood residents.

Councillor Fougere suggested using a development liaison group model, where HRM staff would work with industry contacts to find options. She also noted a need to "cut through red tape".

Deputy Mayor Uteck suggested first determining what HRM currently does to contribute to the film industry compared to other cities. She noted that filming in HRM needs to be "one stop shopping", and that previous community meetings with film developers have been very helpful to residents.

Councillor Mosher noted the importance of developers returning properties used as filming locations to the state in which they accessed it.

7. MOTIONS OF RESCISSION - NONE

8. CONSIDERATION OF DEFERRED BUSINESS

8.1 Councillor Adams - Request to add March 6, 2007 Information Item #2 to the Agenda - Third Quarter Capital Report Detail

C A Supplementary Information report dated February 26, 2007 was before Council.

In response to questions from Council regarding the \$140 million of uncommitted capital funds, Ms. Cathie O'Toole, Acting Director, Finance, and Mr. Mike Labrecque, Director, Transportation and Public Works, clarified the following:

- C The uncommitted funds are funds that Council have approved in previous fiscal years' capital budgets, and for whatever reason, the project has not been completed or closed out;
- C The reasons for these projects not being completed vary according to the project, but include certain larger projects spanning multiple years to complete;
- C Staff have updated the uncommitted capital to March 31, 2007 and the figure now stands at \$120 million;
- C Approx. \$40 million of the uncommitted funds are the advance approved capital for this budget year, and another \$40 million is for wastewater projects;
- C Staff completed a trend analysis for the past three years, and uncommitted capital funds have decreased slightly each year;
- C That 90% of projects for Design and Construction services and Capital Projects services are delivered or tendered within the fiscal year;
- C That when staff undertake the spring/fall debentures, they consult with business units on when projects will commencing, so that staff debenture for the actual cash flow needs, resulting in interest savings;
- C An interdepartmental working group with key capital project directors and managers was set up this year, to share information on capital projects and the capital funds;
- C An effort was made this year to ensure that what is included in the budget is deliverable within that fiscal year.

Councillor Adams commented that there are millions waiting for larger projects to commence, while there are smaller inexpensive projects that could be completed in the meantime. He encouraged staff to try not to overly delay completing projects.

Mr. Labrecque responded that staff are aware of the delays associated with some projects, and are making efforts to hire more staff to complete projects in a timely manner.

Councillor Mosher suggested holding a Committee of the Whole session dedicated to Human Resources and staffing issues.

8.2 Cost Sharing Agreement with Nova Scotia Transportation and Public Works - Highway 102 - 107 Corridor Study

- C A map indicating the Study Area for the Cost Sharing Agreement for the Highway 102-107 Corridor Study was before Council.
- C A staff report dated March 12, 2007 on the above noted was before Council.

MOVED by Councillor Harvey, seconded by Councillor Martin, that Halifax Regional Municipality enter into a cost-sharing agreement with Nova Scotia Transportation and Public Works (NSTPW) to undertake the Highway 102-107 Corridor Study, and that \$95,200, including HST, be committed from CTR00529 Various Traffic Related Studies, according to the budget implications section of this Report.

In response to questions of clarification from Council, Mr. Dave McCusker, Manager, Regional Transportation Planning, advised the following:

- C The shaded areas on the map provided in the report indicate the scope of the study area, noting that for the extension from Highway 107 to 102, there are two alternative alignments being reviewed, which are both shown on the map;
- C The study should take a year or less to complete;
- C He will request from the Province information on the other bids submitted;
- C It is staffs' intent to make the study consistent with the Regional Plan;
- C The Regional Plan does include using Bayers Road and Highway 102 as a transit corridor for rural express transit and future Metro Link transit; however, transit is not a Provincial responsibility, and it would be up to HRM to make recommendation on the Province's section.

Councillor Smith commented that he supports the motion, and believes that this is a crucial piece of transportation infrastructure for Burnside. He noted that this will allow better access to Burnside, and that a master plan for properties is needed for the Burnside area.

Councillor Fougere indicated that she is not in support of the motion, noting the difficulty with the Province controlling improvements to the 100 series highways, and how this affects the settlement patterns of HRM. She noted that highways 107 and 102 are indicated in the Regional Plan under the Planned Project category, to be undertaken within the 25 year time span of the Plan, and questioned the relevance and accuracy of data gathered within the next three years for a future project that will be completed years down the road. Councillor Fougere commented that this project will drive more traffic onto the Peninsula, noting implications to Bayers Road, Windsor Street, and Connaught Avenue.

Deputy Mayor Uteck indicated that this project will require the removal of buildings. She commented that HRM should keep with the Regional Plan, and that staff should ensure that future reports from Transportation and Public Works be aligned with the Regional Plan. The Deputy Mayor suggested that HRM review the previous studies undertaken on this matter, the cost of those studies, and focus on any new elements. She indicated that HRM's \$95,000 share of this proposed study could be better used on other projects.

Councillor Martin at this time proposed the following amendment to the motion on the floor:

MOVED by Councillor Martin, seconded by Councillor Smith, that the Burnside

portion of the Highway 102 - 107 corridor project be completed within five (5) years.

Mr. Dan English, CAO, noted that a strategic joint regional transportation committee was struck, coming out of the Regional Plan, to ensure that HRM and the Province are working together on transportation initiatives. He indicated that it is best for HRM to support the study, to ensure that HRM's interests are looked after.

A vote was taken on the amendment at this time. **MOTION DEFEATED.**

Councillor Hum noted concern that this project is not aligned with the Regional Plan, nor the Active Transportation Plan, however, she agreed that it is better for HRM to be involved in the project to have a say in the outcome.

Mr. Paul Dunphy, Director, Community Development, indicated that this is an important opportunity for HRM to influence Nova Scotia Transportation and Public Works, and the outcome of this study.

At the request of Councillor Murphy, Mr. McCusker defined the Bayers Road corridor as the road-way from the end of Highway 102 to the Windsor Street intersection. Councillor Murphy noted concern with the impact this will have on traffic once vehicles reach Windsor Street.

Councillor Wile noted concern that this project will impact her district at Highway 102, as well as residents on Bayers Road and Windsor Street; also noting concern that properties will have to be expropriated. She asked that the Councillors' concerns be expressed to the Province by staff.

Councillor Sloane indicated that HRM should not have to pay \$95,000 to be consulted on this study, and urged staff to focus on multiple occupancy car pooling, the condition of existing roadways, and alternative transportation.

Councillor McInroy noted that vehicular traffic is a part of the Regional Plan, and the transportation element of the Plan needs to be addressed.

Councillor Johns commented that the Highway 107 portion of the study is an important element that needs to be addressed.

Councillor Rankin indicated that there are benefits to HRM participation in the study, noting that HRM needs input into the outcome of this project.

Councillor Karsten requested for the record that he supports the motion.

Councillor McCluskey commented that this project is important to the Burnside area.

RECESS

Council agreed to recess at 8:04 p.m., reconvening at 8:14 p.m.

Councillor Adams encouraged staff to provide the Province with a copy of the Regional Plan, and to work with them to ensure that this project will be aligned with the Plan.

Councillor Martin noted support of the motion, indicating a need for traffic relief along Highway 102 in the Bedford area. He commented that Research In Motion will soon be opening, which will increase traffic flow in the area.

MOTION PUT AND PASSED.

8.3 Capital Debt for Regional Recreational Facilities

C A staff report dated March 7, 2007 on the above noted was before Council.

MOVED by Councillor Johns, seconded by Councillor Harvey, that HRM staff prepare a report for Regional Council examining the feasibility of discharging the existing capital debt of the HRM owned Regional recreational facilities as outlined in the staff report dated March 7, 2007 by using the funds from Reserve Q126, Strategic Growth Reserve, and that Alderney Landing also be considered in the report.

At the request of Council, Ms. Cathie O'Toole, Acting Director, Finance, clarified that staff will bring forward a report for April 17, 2007 addressing this issue.

A brief discussion ensued on this matter.

Councillor Rankin requested that the report include a review of how new recreation facilities are funded.

Mr. Dan English, CAO, clarified that there is a clear business case set out for the Strategic Growth Reserve, as approved by Council. He indicated that the motion on the floor does not fit within that business case, and the business case for that reserve would have to be amended by Council.

MOTION PUT AND PASSED.

8.4 Halifax Regional Water Commission Water Dividend Renewal

C A staff report dated March 27, 2007 on the above noted was before Council.

MOVED by Councillor McInroy, seconded by Councillor Adams, that Regional

Council approve execution of the attached Water Dividend Renewal Agreement with the Halifax Regional Water Commission which establishes a dividend based on 1.56% of Rate Base, subject to approval of the Nova Scotia Utility and Review Board (NSUARB), for a three year term (April 1, 2007 - March 31, 2010). MOTION PUT AND PASSED.

8.5 Request for Permanent Encroachment - 2150 Gottingen Street

- C A Supplementary Report on the above noted dated March 6, 2007 was before Council.
- C An extract of Regional Council minutes of February 27, 2007 was before Council.

Councillor Sloane advised that she has met with the applicant, and he wishes to open a pizza shop at the location. She commented that the applicant indicated to her a similar encroachment on another Halifax business, which upon further examination, is not a legal encroachment. Councillor Sloane noted that the applicant is following the rules and has been very cooperative, and the business will be an improvement to the area.

MOVED by Councillor Sloane, seconded by Councillor McCluskey, that Regional Council approve the application for permanent encroachment of proposed duct work in the street right of way at the corner of Brunswick Street and Cornwallis Street, Halifax, to serve a proposed restaurant.

Councillor Karsten indicated he would not be supporting the motion as Council should be looking for ways to support the beautification of streetscapes.

Councillor Murphy noted that allowing this encroachment would be setting an undesirable precedent; however, he will be supporting the motion since the business will be a benefit to the area.

At the request of Councillor Wile, Mr. Ken Reashor, Manager, Traffic Authority, advised that the applicant is leasing the building.

Councillor Younger indicated he would not be supporting the motion, since the duct work will detract from the aesthetics of the building, no other options were discussed in the report for the consideration of Council, and the encroachment is permanent, as opposed to temporary. He requested that the business with the illegal encroachment be looked into by staff.

At the request of Councillor Mosher, Ms. Mary Ellen Donovan, Municipal Solicitor, advised that legal staff were not consulted on this matter. She noted concern that HRM could be legally liable for a claim if discharge from the duct were to freeze on the sidewalk below, and someone were to slip and fall. She noted that the applicant, nor his contractor, are

assuming liability for any such instance, and HRM incurs many claims for slip and fall accidents.

Councillor Rankin indicated that he would like to support new businesses in the neighbourhood; however, Council can only proceed with the rules in place. He encouraged the applicant to proceed with another option to install the ventilation system from the interior.

At the request of Councillor McCluskey, Mr. Reashor and Ms. Donovan advised that they are not aware of any complaints regarding condensation from the illegal duct work at the other business indicated.

Councillor Smith indicated he will support the motion as it will enhance the neighbourhood. He suggested the applicant have a mural painted on the duct work to make it less unsightly.

Councillor Hendsbee suggested that the applicant use signage or an awning to conceal the duct work, or that a Development Agreement be required, for neighbourhood input. He also suggested placing an insurance rider on the property to hold the business owner liable in the case of a slip and fall accident due to condensation from the duct work.

Councillor Sloane suggested that the duct work be concealed with a false chimney and that an insurance rider be signed by the applicant. She commented that businesses and organizations in the neighbourhood support the applicant in opening this business.

Councillor Sloane, with the agreement of the seconder, placed the following amended motion at this time:

MOVED by Councillor Sloane, seconded by Councillor Murphy, that Regional Council approve the application for permanent encroachment of proposed duct work in the street right of way at the corner of Gottingen and Cornwallis Streets (civic address 2150 Gottingen Street), Halifax, to serve a proposed restaurant, with the stipulation that the duct work be covered with a false facade, and an insurance rider be placed on the property, indicating that any liability will be incurred by the owner. MOTION PUT AND PASSED.

8.6 Case # H00198: De-registration of 1790 Granville Street, Halifax (a Municipally Registered Heritage Property)

C A report from the Heritage Advisory Committee, with attached draft minutes extract and staff report dated February 20, 2007, on the above noted, was before Council.

MOVED by Deputy Mayor Uteck, seconded by Councillor Sloane, that Halifax Regional Council set a date for a public hearing to consider the de-registration of

1790 Granville Street, Halifax.

Deputy Mayor Uteck clarified that this is the de-registration of a vacant lot.

MOTION PUT AND PASSED.

MOVED by Councillor Murphy, seconded by Councillor Sloane, that Mayor Kelly write a letter to the Premiere of Nova Scotia requesting that the *Heritage Property Act* be reviewed. MOTION PUT AND PASSED.

8.7 Councillor McInroy - Policies and Procedures Related to HRM's Appointments of Citizens to Committees, Boards and Agencies

Councillor McInroy commented that members of some boards/committees/agencies are paid compensation for attending meetings, whether it be a per diem, monthly or annual allowance, and are sometimes paid for sitting on sub-committees of those boards/committees/agencies as well. He inquired what are attendance requirements, what members are paid, and what is being done to inform the public of the role of HRM's boards/committees/agencies. Councillor McInroy commented that how appointments are made should be more formalized, to keep the process transparent and objective. He also noted that there is not information available on the website for outside committees, such as the Bridge Commission.

MOVED by Councillor McInroy, seconded by Councillor Younger, that staff prepare a report regarding the operation of HRM's boards, committees, and agencies, in particular, discussion on the compensation paid to members on certain agencies, terms of appointment, attendance requirements, efforts to inform the public of the role of HRM's committees, and the overall formalization of the process.

Councillor Younger clarified that Councillors who serve on HRM boards and committees do not receive payment.

MOTION PUT AND PASSED UNANIMOUSLY.

**8.8 Councillor Rankin - Maintenance of Rails and Trails (BLT and others)
(deferred March 27, 2007)**

MOVED by Councillor Rankin, seconded by Councillor Meade, that staff investigate current maintenance agreements to ensure that the trails are maintained in a safe and responsible fashion, and that staff examine funding opportunities for the maintenance of the trails and the possibility of a transfer of the trails from the Province to the Municipality.

Councillor Rankin commented that other similar trails in urban areas are funded based on pedestrian use only; however, this trail is owned by the Province, and the Province allows other types of use, such as ATV's. He noted that the dual use creates twice the maintenance required, which is currently carried out by volunteers, and that residents want a resolution to this matter. Councillor Rankin indicated that one resolution to this matter may be for the Province to transfer ownership of these trails to HRM.

MOTION PUT AND PASSED UNANIMOUSLY.

9. CORRESPONDENCE, PETITIONS & DELEGATIONS

9.1 Correspondence

9.1.1 Request for Ceremonial Flypast - Battle of Britain

C A copy of correspondence from the Battle of Britain Parade Co-ordinator dated March 27, 2007 was before Council.

MOVED by Councillor McCluskey, seconded by Councillor Snow, that Halifax Regional Council request the Mayor to write a letter of support to the Battle of Britain Parade Co-ordinator, acknowledging the request for a flyby at the event on Sunday, September 16, 2007 at 2:00 p.m. MOTION PUT AND PASSED.

9.2 Petitions

Councillor Murphy submitted a petition with approximately 500 signatures, along with letters of support, requesting crosswalks, better lighting, bus stops, and traffic calming in the area of North Barrington Street / Devonshire Avenue / Richmond Street, Halifax.

Councillor Murphy made a motion to this effect later in the meeting. See Item 11.4.

9.3 Presentation

9.3.1 Nova Scotia Film Development Corporation re: Economic Impact

This item was addressed earlier in the meeting. See page 6.

10. REPORTS

10.1 CHIEF ADMINISTRATIVE OFFICER

10.1.1 Tender 07-205 - Paving Renewal, South Street (Alumni Crescent, west leg to Oxford Street) - West Region

- A report dated March 26, 2007, on the above noted, was before Council.

MOVED by Deputy Mayor Uteck, seconded by Councillor Sloane, that Regional Council award Tender #07-205, Paving Renewal, South Street (Alumni Crescent, west leg to Oxford Street) - West Region to Dexter Construction Company Limited for materials and services listed to the unit prices quoted for a Total Tender Price of \$222,280.30 (net HST included) with funding from Capital Account No. CYU00784 - Paving Renewal Program and Capital Account No. CGU00461 - Sewer Lateral Replacements, as outlined in the Budget Implications section of the staff report dated March 26, 2007. MOTION PUT AND PASSED.

10.1.2 Tender 07-200, Uplands Park Phase 2, New Storm Sewer and Sanitary Sewer Replacement, Hammonds Plains - Central Region

- A report dated March 21, 2007, on the above noted, was before Council.

MOVED by Councillor Meade, seconded by Councillor Rankin, that Regional Council award Tender No. 07-200, Uplands Park Phase 2, New Storm Sewer and Sanitary Sewer Replacement, Hammonds Plains - Central Region to Brycon Construction Ltd. for material and services listed at the unit prices quoted for a Total Tender Price of \$326,835.64 (net HST included) with funding from Capital Account No. CGU00575 - Uplands Park - Sanitary and Storm Sewer, as outlined in the Budget Implications section of this report. MOTION PUT AND PASSED.

10.1.3 2008 Municipal & School Board Elections - Voters List

- A report dated March 28, 2007, on the above noted, was before Council.

MOVED by Deputy Mayor Uteck, seconded by Councillor Karsten, that Regional Council direct staff not to proceed with an enumeration for the 2008 Municipal and School Board Elections. MOTION PUT AND PASSED UNANIMOUSLY.

At the request of Councillor Fougere, the Municipal Clerk advised that staff do attempt to identify areas that require special attention, to ensure that those people eligible are aware they can go to the polls and vote, so there is an open registration vote.

10.1.4 First Reading Proposed By-Law C-600, Respecting Capital Cost Charges Motion - Councillor McCluskey - Move First Reading

- C An extract of the draft Regional Council minutes of March 27, 2007 was before Council.
- A Supplementary Report dated March 29, 2007, on the above noted, was before Council.

MOVED by Councillor McCluskey, seconded by Councillor Sloane, that Regional Council approve First Reading of By-law C-600 “A By-law Respecting Capital Cost Charges”, as shown in Attachment A, and schedule a public hearing. MOTION PUT AND PASSED.

It was clarified that the public hearing will be held on April 24, 2007.

10.2 MEMBERS OF COUNCIL

10.2.1 Deputy Mayor Uteck - 2014 Commonwealth Games Bid

This item was deleted from the agenda during the approval of the order of business. See Item 4.

11. MOTIONS

11.1 Deputy Mayor Uteck - Supplementary Education Funding

MOVED by Deputy Mayor Uteck, seconded by Councillor Snow, that Halifax Regional Council approve that the Arts and Music portion of the Supplementary Funding Budget envelope be removed and shown as a separate area rate. MOTION PUT AND PASSED.

Deputy Mayor Uteck indicated that parents have fought hard to keep arts and music from being cut.

Councillor Younger indicated he would not be supporting the motion, as Council has a written agreement from the School Board that guarantees the spending.

Councillor Hendsbee indicated that there should be a guarantee, more than just an agreement, that funding will be maintained for arts and music.

Ms. Cathie O’Toole, Acting Director, Finance, clarified that the tax rates set for supplementary education funding change according to whether one rate is set across the Region, or whether arts and music are area rated.

MOVED by Deputy Mayor Uteck, seconded by Councillor Mosher, that this matter be deferred to the April 10, 2007 Regional Council session. MOTION PUT AND PASSED.

11.2 Councillor McCluskey - Committee of the Whole Sessions

MOVED by Councillor McCluskey, seconded by Deputy Mayor Uteck, to defer this

item to the April 10, 2007 Regional Council session. **MOTION PUT AND PASSED.**

11.3 Councillor Rankin - Regulations for Temporary Construction Uses

MOVED by Councillor Rankin, seconded by Deputy Mayor Uteck, that staff initiate a planning process to, where appropriate, amend the Municipality's land use by-laws to clarify the regulations of temporary construction uses and specifically, temporary rock crushing activities in association with development.

Councillor Rankin commented that his intent is not to prohibit, but to make consistent, manageable and regulated the transportation of materials from lots.

Councillor Younger noted that it may be difficult for the six Community Councils to come to agreement on the amendments to the Land Use By-Laws. He noted that a number of quarry operators have noted concern to him regarding mobile rock crushing operations, in that quarries are required to follow very stringent environmental regulations; however, mobile operations are not.

Councillor Hendsbee noted concern that a road-side crusher for a temporary asphalt plant could be set up, without the required permits. He requested that soil screening and the option of not allowing the materials to be sold to other properties in the area be considered in the report.

MOTION PUT AND PASSED.

11.4 Councillor Murphy - North Barrington Street

MOVED by Councillor Murphy, seconded by Councillor Sloane, that staff examine a strategy for North Barrington to include crosswalks, better lighting, bus stops and traffic calming.

Councillor Murphy outlined the area of North Barrington on a map, noting that this motion is supported by the petition and letters of support he submitted earlier in the meeting (see Item 9.2).

MOTION PUT AND PASSED.

12. ADDED ITEMS

12.1 Councillor Johns - March 20, 2007 Motion re: Tender 07-222 - Traffic Signal Upgrades, Robie Street at Almon Street - West Region and Intersection Improvements, Sackville Drive at Millwood Drive - Central Region

MOVED by Councillor Johns, seconded by Councillor Snow, that Halifax Regional Council award Tender No. 07-222 Traffic Signal Upgrades, Robie Street at Almon Street - West Region and Intersection Improvements, Sackville Drive at Millwood Drive - Central Region without a left hand turning lane to XL Electric for materials and services listed at the unit prices quoted for a Total Tender Price of \$129,642.30 (net HST included) with fund from Capital Account No. CTU00419 - Traffic Signal Rehabilitation Program and CTR00905 - Traffic Improvements, as outlined in the Budget Implications Section of the report dated March 6, 2007. MOTION PUT AND PASSED.

12.2 Property Matter - Bloomfield Centre Review Project: Tenancy Plan

C The following item was addressed at an In Camera session on March 20, 2007 and was now before Council for ratification.

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

- 1. Approve in principle the recommendations detailed in the Discussion section of the January 26, 2007 Private and Confidential staff report and direct staff to proceed with formal notification to tenants;**
- 2. Direct staff to proceed with new lease agreements, as applicable, in accordance with Item 51(1) of the *Municipal Government Act* (1998), effective April, 2007;**
- 3. Not release the January 26, 2007 Private and Confidential staff report to the public until individual tenants have been notified;**
- 4. Direct staff to charge full market value to Ms. Maureen MacDonald, MLA, and offer a one year lease; and**
- 5. Direct staff to move forward with Phase III (Visioning Process) of the Bloomfield Review Project by May 15, 2007.**

MOTION PUT AND PASSED.

12.3 Property Matter - Captain William Spry Community Centre

C The following item was addressed at an In Camera session on March 27, 2007 and was now before Council for ratification.

MOVED by Councillor Adams, seconded by Councillor Mosher, that Halifax Regional Council:

- 1. Approve an increase to the 2006/07 Capital Budget of Capital Account CFG00993 in the amount of \$125,000.00 for the preliminary designs to accommodate more community recreation and youth initiatives by both Recreation and the Library in the Captain William Spry Community Centre, with funding to be provided from a non-repayable withdrawal from the Service Improvement Reserve (Q310) as outlined in the Budget Implications section of the March 27, 2007 Private and Confidential staff report;**
- 2. Authorize staff to provide notice to tenants that their leases will only be renewed until the commencement of the Centre's renovations; and**
- 3. Direct staff to notify the Chebucto Communities Association that their General Service Agreement will not be renewed; and**
- 4. Not release the March 27, 2007 Private and Confidential staff report to the public until individual tenants have been notified.**

MOTION PUT AND PASSED.

12.4 Legal Matter - C.A. Beckett School and Surrounding Properties

- C The following item was addressed at an In Camera session on April 3, 2007, and was now before Council for ratification.

MOVED by Councillor Mosher, seconded by Councillor Adams, that Halifax Regional Council:

- 1. Approve the terms of an agreement between Halifax Regional Municipality and the Halifax Regional School Board concluded at a meeting on January 29th. 2007.**
- 2. Approve the form of agreement attached hereto containing the terms of the agreement concluded between Halifax Regional Municipality and the Halifax Regional School Board.**
- 3. That the report not be released to the public.**

MOTION PUT AND PASSED.

12.5 Legal Matter - Settlement of Claim against Halifax Regional Municipality

C The following item was addressed at an In Camera session on April 3, 2007, and was now before Council for ratification.

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

- 1. Halifax Regional Council settle this claim brought by the Plaintiff in the amount of \$50,000.00 to achieve a full and final settlement of the Plaintiff's action, upon obtaining a full release from the Plaintiff from any further claims arising out of the accident on October 15, 1999; and**
- 2. It is further recommended that the report not be released to the public.**

MOTION PUT AND PASSED.

13. NOTICES OF MOTION - None

14. ADJOURNMENT

The meeting was adjourned at 9:57 p.m.

Jan Gibson
Municipal Clerk

The following information items were circulated to Council.

1. Memorandum from Director, Environmental Management Services dated March 20, 2007 re: Atlantic Canada Sustainability Initiative
2. Memorandum from Director, Legal Services and Risk Management dated March 26, 2007 re: Status of By-Law Prosecutions
3. Memorandum from Director, Transportation and Public Works dated March 20, 2007 re: Performance Penalties - Grass Cutting and Landscape Maintenance
4. Memorandum from Chair, Solid Waste Resource Advisory Committee dated March 29, 2007 re: December 4, 2006 Solid Waste Resource Advisory Committee - Requested Updates - Various
5. Memorandum from Deputy Chief Administrative Officer, Operations dated March 21, 2007 re: Crime Prevention Through Environmental Design (CPTED) Audit - Cole Harbour Pathway System and Underground Pedestrian Tunnels
6. Memorandum from the Municipal Clerk dated March 30, 2007 re: Requests for Presentation to Council - Nova Scotia Tattoo & Nova Scotia Film Development Corporation