

HALIFAX REGIONAL COUNCIL
MINUTES
September 23, 2008

PRESENT:

Mayor Peter Kelly
Deputy Mayor Stephen Adams
Councillors: Steve Streach
Krista Snow
David Hendsbee
Gloria McCluskey
Andrew Younger
Jackie Barkhouse
Mary Wile
Patrick Murphy
Dawn Sloane
Sue Uteck
Sheila Fougere
Russell Walker
Debbie Hum
Linda Mosher
Brad Johns
Robert Harvey
Tim Outhit
Gary Meade
Reg Rankin

REGRETS:

Councillors: Harry McInroy
Bill Karsten
Jim Smith

STAFF:

Mr. Wayne Anstey, Deputy Chief Administrative Officer
Ms. Mary Ellen Donovan, Municipal Solicitor
Ms. Julia Horncastle, Acting Municipal Clerk
Ms. Melody Campbell, Legislative Assistant

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1. **INVOCATION**

The meeting was called to order at 4:20 p.m. with the Invocation being led by Councillor Johns.

2. **SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS**

Councillor Sloane advised of the successful Street Scene Urban Festival that was held on September 20 and 21, 2008 on Gottingen Street and expressed her appreciation to Ms. Debbie Twohig who organized this first-time event. Councillor Sloane noted that she represented Council during the last visit of the Queen Mary II in Halifax on Sunday.

Councillor Hum advised of the Public Information Meeting being held on Wednesday, October 1, 2008 at St. Peters Anglican Church at 3 Dakin Drive regarding implementation of the Western Shore Bedford Basin Land Use Planning Study. She encouraged all residents to attend.

Councillor Snow advised that she and District Youth II will be hosting a grand opening and official naming of the Meltzer Commons in Fall River on Saturday, September 27, 2008 from 1:00 p.m. to 4:00 p.m.

Councillor Hendsbee welcomed the Boston Bruins to HRM and advised that the Bruins are holding their training sessions at Cole Harbour Place. The general public are invited to attend the practice sessions.

Councillor Murphy welcomed L'arche to the community and advised that L'arche will be opening a home on Sullivan Street and he noted it will provide a home to eight residents. The Councillor invited residents to attend the annual Bean and Ham supper at St. Margarets Church on September 27, 2008 at 7:00 p.m.

Councillor Sloane advised of the "Keep Rocking in the Free World" concert that will be held on Grand Parade on Saturday, September 27, 2008.

3. **APPROVAL OF MINUTES - September 9, 2008**

MOVED by Councillor McCluskey, seconded by Councillor Meade, that the Regional Council minutes of September 9, 2008 be approved. MOTION PUT AND PASSED.

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

Additions:

- 12.1 Property Matter - Acquisition - Lawrencetown Road
- 12.2 Business Parks Development Functional Plan - Part 1
- 12.3 Mainland Common Master Plan - Review and Update
- 12.4 Cultural Advisory Committee
- 12.5 HRM Public Art Policy
- 12.6 Councillor Snow - Waverley Memorial/L.C. Skerry Elementary School

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

- 5. **BUSINESS ARISING OUT OF THE MINUTES - None**
- 6. **MOTIONS OF RECONSIDERATION - None**
- 7. **MOTIONS OF RESCISSION - None**
- 8. **CONSIDERATION OF DEFERRED BUSINESS - None**
- 9. **CORRESPONDENCE, PETITIONS & DELEGATIONS**
 - 9.1 **Correspondence - None**
 - 9.2 **Petitions**

Councillor Hendsbee presented two petitions, one containing 833 names, the second containing 1042 names requesting that Brindi, a five year old mixed-breed dog owned by Ms. Francesca Rogier not be euthanized and urged the acceptance of Ms. Rogier's offer of training and a boundary fence.

- 10. **REPORTS**
 - 10.1 **CHIEF ADMINISTRATIVE OFFICER**
 - 10.1.1 **Proposed Strategy for 1588 Barrington Street**

A report dated July 31, 2008, on the above noted, was before Council.

MOVED BY Councillor Johns, seconded by Councillor Sloane, that Halifax Regional Council:

- 1. Direct staff not to proceed with the reissuing of Request for Proposals, Creative Cluster Concept and Feasibility Study for the development of a creative arts cluster at 1588 Barrington Street, Alderney Landing and Peace Pavilion; and**
- 2. Provide a \$30,000 grant to the Khyber Arts Society in order to develop a business/strategic plan for the establishment of a contemporary art centre at 1588 Barrington Street.**

Councillor Younger raised concern that one of the issues was to be brought back to the Cultural Advisory Committee for assessment and now it is before Regional Council. The concern raised by the Cultural Advisory Committee is the appropriateness of the Khyber Arts Society being the party involved. He noted that there were issues in the past and it may be feasible for another tenant to have this opportunity. Mr. Andrew Whittemore, Manger of Community Relations and Cultural Affairs, advised Council that Khyber Arts Society has a new Board with members who have significant business experience. He added that an Expression of Interest is another recommendation that Council could consider.

Councillor Uteck advised that 1588 Barrington Street is a heritage building and is in very poor condition and has fallen into disrepair. Councillor Uteck requested Mr. Whittemore prepare a future report advising Council of a timeline, the work that needs to be done and advising of the plans to fix 1588 Barrington Street. She added that HRM staff need to work with the Khyber Arts Society.

Councillor Streach questioned why the Khyber Arts Society did not apply during the Request for Proposal process and he questioned why this was not before the Cultural Advisory Committee. Mr. Whittemore advised that the Request for Proposal was aimed at consultants. Also it could be a conflict of interest if the Khyber Arts Society submitted a proposal. Mr. Whittemore advised Council that the Khyber Arts Society is not the only group in this position. He advised that many facilities are HRM owned and run by community groups.

Councillor McCluskey questioned the plan for Alderney Landing and the Peace Pavilion. Mr. Doug Rafuse, Manager of Service Delivery, advised that Alderney Landing and the Peace Pavilion will be dealt with as separate entities.

In response to a query by Councillor Johns, Ms. Mary Angela Munro, Area Coordinator of Cultural Affairs, advised that staff are working with Transportation and Public Works to investigate the infrastructure work that is required on the building. Ms. Munro advised that air quality testing will be done.

In response to a question by Councillor Sloane, Mr. Whittemore advised that staff envision a management agreement between HRM and the Khyber Arts Society. He added this agreement will provide conditions and expectations, which will be of benefit to each party if anything goes wrong during the agreement.

In response to a question by Councillor Streach, Mr. Whittemore advised that the Khyber Arts Society is under a lease agreement at this time and staffs' intention is to prepare a management agreement. The building is currently 30% occupied.

Mr. Wayne Anstey, Deputy Chief Administrative Officer, advised Council that the Khyber Arts Society is currently under a lease agreement. HRM and the Khyber Arts Society were in a management agreement in the past and some issues arose. Currently the Society has a new Board and Management Group that could make a management agreement feasible.

In response to a question by Councillor McCluskey, Mr. Rafuse advise the cost to HRM to run the building at 1588 Barrington Street was \$68,000.00 last year.

MOTION PUT AND PASSED.

10.1.2 Case 01188: Fall River - Alternate Housing Forms/Water Service Area

A report dated September 10, 2008, on the above noted, was before Council.

MOVED BY Councillor Snow, seconded by Councillor Sloane, that Halifax Regional Council:

- 1. Initiate the process to consider amending the Planning Districts 14 and 17 Municipal Planning Strategy and Land Use By-law to consider:
 - a) permitting alternate housing forms other than single unit dwelling within an Open Space Design Development;**
 - b) permitting increased density within an Open Space Design Development for alternate housing form where the Development is within the water service boundary and within a centre identified under the Regional Plan; and****
- 2. Initiate the process to consider amending Schedule B of the Regional Subdivision By-law to include PID #00506501 within the Water Service Boundary; and**
- 3. Request staff to follow the public participation program as approved by Council in February 1997 plus additional consultation with the Fall River Vision Implementation Committee.**

MOTION PUT AND PASSED.

10.1.3 First Reading By-Law T-704, An Amendment to By-Law T-700, Respecting Tax Deferrals - Indexed Income Eligibility

A report dated July 23, 2008, on the above noted, was before Council.

MOVED BY Councillor Walker, seconded by Councillor Sloane, that Regional Council approve First Reading of By-Law T-704, An Amendment to By-Law T-700, Respecting Tax Deferrals - Indexed Income Eligibility, as shown in Attachment 1 of the staff report dated July 23, 2008 and set a public hearing date. MOTION PUT AND PASSED.

11. MOTIONS

12. ADDED ITEMS

12.1 Property Matter - Acquisition - Lawrencetown Road

- This item was addressed at an earlier In Camera session, and was now before Council for ratification.

MOVED BY Councillor Hendsbee, seconded by Councillor Walker, that Halifax Regional Council:

- Authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and sale for the acquisition of PID #00461699, Lot L-4-B-AX, 3110 Lawrencetown Road, Lawrencetown as per the terms outlined in the report dated September 8, 2008.
- That the report dated September 8, 2008 not be released until the transaction is complete.

MOTION PUT AND PASSED.

12.2 Business Parks Development Functional Plan - Part 1

- This item was addressed at an earlier Committee of the Whole session, and was now before Council for ratification.

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

1. Approve-in-principle Part I of the Business Parks Development Functional Plan, dated July 2008, as a foundation and management plan to guide and enable HRM's leadership in development of its industrial/business park program to support the objectives of the Municipal Economic Strategy and Regional Plan: and
2. Request staff to initiate the process to consider amending the Regional Municipal Planning Strategy and Secondary Planning Strategy(s) Policies, Land Use By-law Regulations and Site Development Standards using the land use related recommendations of the Business Parks Development Functional Plan, Part I, as the framework for such amendments, and to undertake public participation as indicated in the September 17, 2008 Supplementary Report.
3. Be mindful of the public transit implications of this plan consistent with the five-year transportation strategy.
4. All land uses are considered as part of the public consultation.

MOTION PUT AND PASSED.

12.3 Mainland Common Master Plan - Review and Update

- This item was addressed at an earlier Committee of the Whole session, and was now before Council for ratification.

MOVED BY Councillor Wile, seconded by Councillor Walker, that Regional Council approve the 2008 update as an addition to the 1992 Mainland Common Master Plan as attached to the July 22, 2008 report. MOTION PUT AND PASSED.

12.4 Cultural Advisory Committee

- This item was addressed at an earlier Committee of the Whole session, and was now before Council for ratification.

MOVED BY Councillor Uteck, seconded by Councillor Sloane that Regional Council extend the term of the Cultural Advisory Committee to December, 2008. MOTION PUT AND PASSED.

12.5 Public Art Policy

- This item was addressed at an earlier Committee of the Whole session, and was now before Council for ratification.

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

1. **Adopt the Public Art Policy as provided in Attachment Two of the September 16, 2008 report,**
2. **Rescind HRM's existing Murals, Monuments and Markers Policy (Attachment Three of the September 16, 2008 report);**
3. **Amend the Heritage & Culture Tourism (Q312) and Parkland Development (Q107) Reserve Business Cases to better align their purpose and allocated uses in order to advance Public and Community Art initiatives and local cultural programming in general, as well as to discontinue the annual transfer of \$25,000 from C760 to Q312 (Attachment Four of the September 16, 2008 report; and**
4. **Local Councillor be included in local art projects.**

MOTION PUT AND PASSED.

12.6 Waverley Memorial/L.C. Skerry Elementary School

Councillor Snow advised of concerns at the Waverley Memorial/L.C. Skerry Elementary School. She added that these are safety concerns. A new school is scheduled to be constructed but the date has been put forward to 2010. There are concerns over the noted infrastructure issues:

- flooding basement
- leaky roof
- mold problems
- crumbling walls
- asbestos filled walls

MOVED BY Councillor Snow, seconded by Councillor Sloane, that Regional Council request Mayor Kelly send a letter to The Honourable Karen Casey, Minister of Education, the Department of the Environment and the Halifax Regional School Board advising of the concerns of the condition of the school and a request to reevaluate and move forward the 2010 date for the construction of the new school.
MOTION PUT AND PASSED.

13. NOTICES OF MOTION - NONE

14. ADJOURNMENT

The meeting was adjourned at 5:04 p.m.

Julia Horncastle
Acting Municipal Clerk

The following items circulated as information:

6. Memorandum from Director, Community Development dated September 1, 2008
re: Financial Performance of HRM's Major Facilities 2007 - 2008
7. Memorandum from the Acting Municipal Clerk dated September 19, 2008
re: Requests for Presentation to Council - Francesca Rogier