

HALIFAX REGIONAL MUNICIPALITY

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HALIFAX REGIONAL COUNCIL  
MINUTES  
April 7, 2009

PRESENT:

Mayor Peter Kelly  
Deputy Mayor David Hendsbee  
Councillors: Steve Streach  
Barry Dalrymple  
Lorelei Nicoll  
Gloria McCluskey  
Andrew Younger  
Bill Karsten  
Jackie Barkhouse  
Jim Smith  
Mary Wile  
Jerry Blumenthal  
Sue Uteck  
Jennifer Watts  
Russell Walker  
Debbie Hum  
Stephen Adams  
Robert Harvey  
Tim Outhit  
Peter Lund  
Reg Rankin

REGRETS:

Councillors: Dawn Sloane  
Linda Mosher  
Brad Johns

STAFF:

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

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**1. INVOCATION**

Mayor Kelly called the meeting to order at 6:00 p.m. with the Invocation being led by Councillor Hum.

**2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS**

Councillor McCluskey advised Council that Dartmouth High will present a concert for Keating Hall on Monday, April 20, 2009 at 7:00 p.m. to raise funds for sound and lighting equipment for the Dartmouth High School Auditorium in Keating Hall. The Councillor noted that a great deal of talent will be attending including host Don Connolly, Sam Moon, Steve Dooks, Ria Kim among other great performers. A Silent Auction will be held from 5:00 p.m. to 6:30 p.m.

Deputy Mayor Hendsbee extended congratulations to all volunteers noting that the 35<sup>th</sup> Annual Provincial Volunteers Appreciation Awards Ceremony will be held on Tuesday, April 14, 2009. He added that April is Volunteer Appreciation month.

Councillor Smith extended congratulations to the Canadian Armed Forces Atlantic Military All-stars Women's Hockey Team and their coach Rocky Thorne. The team came in first place at the Canadian Nationals in Shearwater. The Councillor advised that many members of the team have had tours of duty in Afghanistan.

Councillor Barkhouse advised that on Wednesday, April 8, 2009 at 6:30 p.m. at the Tallahassee Recreation Centre, the Eastern Passage Community Garden Committee will be meeting. She advised that all members of the Community are welcome to attend.

Councillor Adams noted the passing of Mr. Sergei Kostin. Mr. Kostin was a member of the HRM taxi community. The Councillor requested a moment of silence in Mr. Kostin's memory.

Councillor Blumenthal extended best wishes to the community for the Passover and Easter Holidays.

Councillor Dalrymple advised that the LWF Minor Baseball Association registration will be held on Tuesday, April 7 from 6:00 p.m. to 8:00 p.m. and the Minor Soccer Association will hold its registration to be held on Wednesday, April 8 from 6:30 p.m. to 8:30 p.m., each at the LWF Community Hall.

Councillor Smith advised of a Public Information Meeting to be held at Farrell Hall on Wednesday, April 8, 2009 at 7:00 p.m. to discuss the rezoning of 60 Simmonds Drive from an I-2 to I-4 to enable the operation of a scrap metal business.

3. **APPROVAL OF MINUTES - March 24, 2009**

**MOVED BY Councillor Younger, seconded by Councillor Wile, that the minutes of March 24, 2009, as presented, be approved. MOTION PUT AND PASSED.**

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

Additions:

- 13.1 Fiscal Framework
- 13.2 URB Decision: Waterside Centre (1855 - 1873 Hollis Street, 1860 - 1870 Upper Water Street and 5143 Duke Street, Halifax)
- 13.3 Waterside Centre (1855 - 1873 Hollis Street, 1860 - 1870 Upper Water Street and 5143 Duke Street, Halifax) - Approval of Development Agreement
- 13.4 Councillor Adams - Request Mayor to write a letter to the Minister of Natural Resources regarding the Long Lake Provincial Park
- 13.5 Councillor Harvey - Status of Metropolitan Field

Change to Order of Business

Councillor Streach - Address Items 13.2 and 13.3 prior to Item 11.

Deferral:

- 11.4.1 Councillor Watts - March 10/09 Information Item #1 to Council Agenda - Crosswalk Safety Education and Public Awareness Campaign to April 14, 2009 Council agenda

**MOVED BY Councillor Wile, seconded by Councillor McCluskey, that the agenda, as amended, be approved. MOTION PUT AND PASSED.**

5. **BUSINESS ARISING OUT OF THE MINUTES**

6. **MOTIONS OF RECONSIDERATION - NONE**

7. **MOTIONS OF RESCISSION - NONE**

8. **CONSIDERATION OF DEFERRED BUSINESS - NONE**

9. **PUBLIC HEARINGS**

9.1 **Less than Market Value Sale Lot 1115, 59 Dorey Avenue, Dartmouth Adult Services Centre Association**

- A staff report dated December 15, 2008 was before Council.
- A supplementary report dated December 16, 2008 was before Council.
- A Grants Committee report dated February 26, 2009 was before Council.

Ms. Peta Jane Temple, Team Lead, Tax, Grants & Special Projects presented the reports to Council.

Correspondence on the proposal was received from the following in support of the recommendation:

Karen & Ernie Nauffts, Dartmouth.  
Patricia Jones.

Mayor Kelly explained the rules of procedure for public hearings then opened the public hearing calling for speakers for or against the proposal.

**Mr. Darren Ruck**, Chair of DASC Industries, spoke in favour of the sale of Lot 1115, 59 Dorey Avenue. He advised Council that DASC is a premier non-profit organization that supplies great services to the community. He added that the Dorey Avenue land is ideal, allowing the Association to remain in Burnside. He advised that the sale of the lot at 59 Dorey Avenue for \$100,000 or less is ideal. He stated that this is a great opportunity for the Province and the City.

**Ms. Bonnie Gibson, Eastern Passage**, advised Council that she is a parent of one of the employees of DASC. She stated that the programs offered by the Association is phenomenal. She noted that she would prefer the building be sold for \$1.00 but added that \$100,000 is fine. She hopes that this opportunity will enable DASC to open more spots for those on the waiting list.

**Mr. Simon Gillis, Dartmouth**, a volunteer with the DASC Board, addressed Council stating that he would support a reduction in the sale price. The vision of DASC is to have a type of building built to LEED standards. He added that the City should provide DASC the best opportunity without incumbrance. He expressed concern over the access of the site stating that with the curb's curved line it will be difficult to get buses and tractor trailers to the site. He stated the access could be a safety concern. In closing he requested Council to reconsider offering the land to DASC unencumbered, and for HRM to donate time and energy to provide practical access to the site.

**Ms. Cathy Daigle Gammon, Fall River**, Executive Director of DASC, expressed appreciation to Council and Ms. Temple for their work on this proposal. She added that she would still like to have the land for \$1.00 noting that the project is amazing and every savings to the Association is appreciated. She advised Council that DASC provides a whole range of services and this larger space will provide an opportunity to provide an

environment for employee empowerment and growth. She stated that DASC is both a non-profit and a business and added that everything gets reinvested in its people.

**Mr. Mark Gaskall, Halifax**, spoke in support of DASC Industries and he noted he is in favour of the purchase and that he hopes it goes through. He advised that he has four proxies, a brother who is a client of DASC for twenty years, a late father who was a board member, and he himself who is a board member and a business owner who uses the services of DASC.

**Ms. Judy Brundage, Cole Harbour**, advised Council that she is the parent of a thirty seven year old man who uses DASC. She stated that her son has reached great potential with the services of DASC and their excellent staff. She stated that there are many people on the waiting list and she added that she would like to see the property sold for \$1.00.

Mayor Kelly called three times for any additional speakers. Hearing none, it was **MOVED BY Councillor McCluskey, seconded by Councillor Younger that the public hearing be closed. MOTION PUT AND PASSED.**

**MOVED BY Councillor Smith, seconded by Councillor McCluskey that Regional Council approve the sale of Lot 1115, 59 Dorey Avenue, Dartmouth for the sum of \$1.00.**

Ms. Temple responded to questions of Council:

In response to a question by Councillor Wile, staff advised that there are approximately 167 persons at DASC, with a waiting list of approximately 45. This new space will enable DASC to open up a few more spaces, and add more capacity for expanded services.

Deputy Mayor Hendsbee advised Council that HRM needs to be prudent with its resources, and that if this land is sold for \$1.00, revenue will be lost. He added that he assumes that DASC will be requesting a tax exemption. In response to a question by the Deputy Mayor, Ms. Temple provided examples of similar situations to Council and noted that considerations have been made in the past.

In response to a further question by Deputy Mayor Hendsbee, Ms. Temple advised that this land is not declared surplus.

Councillor Blumenthal raised concerns that if the land is sold for \$1.00 it will set a precedent. He added that there are other organizations that will be requesting the same consideration.

Councillor Walker advised Council that the Grants Committee made the recommendation to sell the land to DASC for the sum of \$101,592.00, although it was not an easy decision.

Councillor Hum advised that Council should support the Grants Committee recommendation. She noted that most of the speakers had indicated that they were fine with the recommended purchase price of approximately \$100,000.

Councillor Uteck entered the meeting at 7:09 p.m.

**MOVED BY Councillor Streach, seconded by Councillor Nicoll that the motion be amended to add a buy back clause to the agreement. MOTION PUT AND PASSED.**

**MOVED BY Councillor Walker, seconded by Councillor Streach, that the motion be amended adding a clause to the agreement stating a three year time period to start development with an additional three years to complete. MOTION PUT AND PASSED.**

The amended motion now reads:

**MOVED BY Councillor Smith, seconded by Councillor McCluskey that Regional Council approve the sale of Lot 1115, 59 Dorey Avenue, Dartmouth for the sum of \$1.00 and that the following clauses be added to the agreement: a buy back provision and a clause stating a three year time period to start development with an additional three years to complete. MOTION PUT AND PASSED.**

This item continues after Item 13.2.

**10. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**10.1 Correspondence**

**10.1.1 111 Wing Air Force Association of Canada - Request Ceremonial Flypast - Battle of Britain**

- A letter dated March 14, 2009 from Mr. John Knudsen, Parade Co-ordinator, Battle of Britain Parade and Ceremony, was before Council.

**MOVED BY Councillor McCluskey, seconded by Councillor Karsten, that Regional Council grant 111 Wing Air Force Association of Canada's request for a Ceremonial Flypast for the Annual Battle of Britain Parade and Ceremony on Sunday, September 20<sup>th</sup> at approximately 2:10 p.m. MOTION PUT AND PASSED.**

**10.1.2 Royal Canadian Legion - Request for Ceremonial Flypast - First Special Service Force Association Annual Reunion**

- A letter dated March 9, 2009 from Mr. Roger Purnell, Zone 13 Commander, Royal Canadian Legion Zone 13, was before Council.

**MOVED BY Councillor McCluskey, seconded by Councillor Wile, that Regional Council grant the Royal Canadian Legion's request for a Ceremonial Flypast for the First Special Service Force Association on Saturday, August 23, 2009 at 11:00 a.m. MOTION PUT AND PASSED.**

**10.2            Petitions - None**

**13.            ADDED ITEMS**

Items 13.2 and 13.3 were addressed at this time as noted in the amended Order of Business.

**13.2            URB Decision: Waterside Centre (1855 - 1873 Hollis Street, 1860 - 1870 Upper Water Street and 5143 Duke Street, Halifax)**

This item was dealt with at an earlier Incamera session and was now before Council for ratification.

**MOVED BY Councillor Rankin, seconded by Councillor Streach, that Halifax Regional Council:**

- 1.        Instruct staff not to file an appeal of the decision of the Nova Scotia Utility and Review Board dated March 26, 2009 which overturned the decision of Council and ordered HRM Council to approve the Development Agreement;**
- 2.        It is further recommended that the Private and Confidential report dated April 2, 2009 not be released to the public.**

The Chair advised that a recorded vote would be taken on the motion.

**MOTION PUT AND PASSED. (18 in favour, 3 against)**

Those voting in favour were Mayor Kelly, Councillors Adams, Barkhouse, Blumenthal, Dalrymple, Harvey, Hum, Karsten, Lund, McCluskey, Nicoll, Outhit, Rankin, Smith, Streach, Uteck, Walker, Younger

Those voting against were Deputy Mayor Hendsbee, Councillors Watts, Wile

Councillors Sloane, Mosher, Johns were absent for the vote.

Council recessed at 7:35 p.m.

Council reconvened at 7:40 p.m.

**9.1 Less than Market Value Sale Lot 1115, 59 Dorey Avenue, Dartmouth Adult Services Centre Association**

Following a break in the proceedings Ms. Mary Ellen Donovan, Municipal Solicitor, clarified that the motion for Item 9.1 Less than Market Value Sale Lot 1115, 59 Dorey Avenue, Dartmouth Adult Services Centre Association must have two thirds support to pass. The vote was readdressed at this time.

The motion on the floor:

**MOVED BY Councillor Smith, seconded by Councillor McCluskey that Regional Council approve the sale of Lot 1115, 59 Dorey Avenue, Dartmouth for the sum of \$1.00 and that the following clauses be added to the agreement: a buy back provision and a clause stating a three year time period to start development with an additional three years to complete.**

The Chair advised that a recorded vote would be taken on the motion.

The motion did not achieve two thirds majority, therefore:

**MOTION DEFEATED. (13 in favour, 7 against)**

Those voting in favour were Mayor Kelly, Deputy Mayor Hendsbee, Councillors Streach, Dalrymple, Nicoll, McCluskey, Younger, Karsten, Barkhouse, Smith, Watts, Adams, Lund

Those voting against were Councillors Wile, Blumenthal, Walker, Hum, Harvey, Outhit, Rankin

Councillors Mosher and Johns were absent for the vote. Councillor Uteck did not vote as she was not present for the Public Hearing.

Councillor Karsten gave Notice of Motion of Reconsideration.

Councillor Walker suggested that since Councillor Smith's motion was defeated, that a positive motion be put on the floor. He indicated that he was prepared to move the Grants Committee recommendation.

Councillor Adams pointed out that a Notice of Motion of Reconsideration on this matter has been given and it should be addressed before another motion is considered, to which Council agreed.

**13.3 Waterside Centre (1855 - 1873 Hollis Street, 1860 - 1870 Upper Water Street and 5143 Duke Street, Halifax) - Approval of Development Agreement**

Item 13.3 was addressed at this time as noted in the amended Order of Business.

In response to a question by the Deputy Mayor Hendsbee, Ms. Donovan advised that a change in the plans from a brick to glass tower would be a substantive change.

The Clerk advised Council of those who were eligible to vote on the matter.

**MOVED BY Councillor Streach, seconded by Councillor Outhit, that in accordance with the decision of the Utility and Review Board dated March 26, 2009, Halifax Regional Council:**

1. **Approve the development agreement, as contained in Attachment A of the June 16, 2008 staff report, including the amendments thereto as contained in Attachments A, B, and C of the July 11, 2008 supplementary staff report, to allow for the redevelopment of 1855 -1873 Hollis Street, 1860 -1870 Upper Water Street and 5143 Duke Street, Halifax.**
2. **Require that the development agreement be signed and returned within 120 days, or any extension thereof granted by Regional Council on request of the Developer, from the date of final approval by Regional Council or any other bodies as necessary, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.**

The Chair advised that a recorded vote would be taken on the motion.

**MOTION PUT AND PASSED. (13 in favour, 1 against)**

Those voting in favour were Councillors Adams, Barkhouse, Harvey, Hum, Karsten, McCluskey, Outhit, Rankin, Streach, Uteck, Walker, Wile, Younger

Those voting against were Deputy Mayor Hendsbee.

Councillors Sloane, Mosher, Johns were absent for the vote. Mayor Kelly, Councillors Blumenthal, Dalrymple, Lund, Nicoll, Smith, Watts were ineligible to vote as they were not present for the Public Hearing.

**11. REPORTS**

**11.1 CHIEF ADMINISTRATIVE OFFICER**

**11.1.1 Tender No. 60136950, Traffic Paint - Joint Tender with Province fo Nova Scotia**

- A report dated March 19, 2009 was before Council.

**MOVED BY Councillor Karsten, seconded by Councillor McCluskey, that Regional Council award Tender No. 60136950 (net HST included) from Operating Account No. R747-6517 Traffic Signs, with funding as outlined in the Budget Implications section of the report dated March 19, 2009.**

Councillor Younger expressed concern that the paint used for marking wears very quickly and he questioned whether another type of paint could be utilized. In response, staff advised that water and oil based paints are the two main types of paints for marking and these paints are widely used paints in the industry.

**MOTION PUT AND PASSED.**

**11.1.2 Tender No. 09-025 - Rebuild Engines & Gear Boxes - Woodside 1 Ferry**

- A report dated March 13, 2009 was before Council.

**MOVED BY Councillor Barkhouse, seconded by Councillor Nicoll, that Regional Council award Tender No. 09-025, for the Rebuild of Engines & Gear Boxes, for the Woodside 1 Ferry to Atlantic Tractors & Equipment Ltd. For a Tender Price of \$145,736.00 (net HST included) with funding from Capital Account No. CVD00436 as outlined in the Budget Implications for the report dated March 13, 2009. MOTION PUT AND PASSED.**

**11.1.3 Award - Unit Price Tender No. 09-203, Pavement Resurfacing - Dunbrack Street E/W Willett St. To Lacewood Dr. - West Region**

- A report dated March 23, 2009 was before Council.

**MOVED BY Councillor Wile, seconded by Councillor Walker, that Regional Council award tender No. 09-203, Pavement Resurfacing - Dunbrack Street (Willett Street - Lacewood Drive) - West Region to Basin Contracting Limited for a Total Tender Price of \$516,084.85 (net HST included) with funding from Capital Account No. CZU01082 - Resurfacing Program, as outlined in the Budget Implications section of the report dated March 23, 2009. MOTION PUT AND PASSED.**

**11.1.4 Award - Unit Price Tender No. 09-204, Slayter Street (Thistle Street - School Street), Pavement Resurfacing & Sidewalk Renewal**

- A report dated March 20, 2009 was before Council.

**MOVED BY Councillor Smith, seconded by Councillor McCluskey, that Regional Council award Tender No. 09-204, Slayter Street (Thistle Street - School Street), Pavement Resurfacing & Sidewalk Renewal - East Region to Sackville Trenching for a Total Tender Price of \$259,725.73 (net HST included) with funding from Capital**

Account No. CZU01082 - Resurfacing Program and Capital Account No. CKU01084 - Sidewalk Renewals, as outlined in the Budget Implications section of the report dated March 20, 2009. MOTION PUT AND PASSED.

**11.1.5 Award - Unit Price Tender No. 09-214, Bike Lanes, Bedford Highway - Central Region**

- A report dated March 24, 2009 was before Council.

**MOVED BY Councillor Outhit, seconded by Councillor Hum, that Regional Council:**

1. Approve a budget increase of \$235,000 Municipal Rural Infrastructure Funding to Capital Account CTU00420 - Bikeway Master Plan Implementation as outlined in the Budget Implications section of the report dated March 24, 2009.
2. Award Tender No. 09-214, Proposed Bike Lanes - Central Region to Sackville Trenching Limited for a Total Tender Price of \$369,810.39 (net HST included) with funding from Capital Account Nos. CTU00420 - Bikeway Master Plan Implementation and CYU01076 - Curb Renewal, as outlined in the Budget Implications section of the report dated March 24, 2009.

**MOTION PUT AND PASSED.**

**11.1.6 Award - Unit Price tender No. 09-222, Balsam Circle, Paving Renewal - Central Region**

- A report dated March 19, 2009 was before Council.

**MOVED BY Councillor Harvey, seconded by Councillor Outhit, that Regional Council award Tender No. 09-222, Balsam Circle, Paving Renewal - Central Region to Dexter Construction Company Limited for a Total Tender Price of \$454,777.31 (net HST included) with funding from Capital Account No. CYU01081 - Paving Renewal Program, as outlined in the Budget Implications section of the report dated March 19, 2009. MOTION PUT AND PASSED.**

**11.1.7 Award - Unit Price Tender No. 09-224, Pavement Renewal Glenwood Avenue - East Region**

- A report dated March 18, 2009 was before Council.

**MOVED BY Councillor McCluskey, seconded by Councillor Karsten, that Regional Council:**

1. Approve a budget increase of \$341,420.11 (net HST included) to Capital Account No. CYU01081 - Paving Renewal Program, funded through cost sharing with Halifax Water (HW).
2. Award Tender No. 09-224, Proposed Pavement Renewal, Glenwood Avenue (Somerset St. to Prince Albert Rd.) - East Region to Amber Contracting Limited for a Total Tender Price of \$618,612.99 (net HST included) with funding from Capital Account No. CYU01081 - Paving Renewal Program, as outlined in the Budget Implications section of the report dated March 18, 2009.

**MOTION PUT AND PASSED.**

**11.1.8 Award - Unit Price Tender No. 09-231, Robie Street (South Street to Inglis Street, East Side), Curb & Gutter Renewal, Asphalt Resurfacing & Sidewalk Renewal - West Region**

- A report dated March 23, 2009 was before Council.

**MOVED BY Councillor Uteck, seconded by Councillor Walker, that Regional Council award Tender No. 09-231, Robie Street (South Street to Inglis Street), curb & gutter renewal, asphalt and sidewalk renewal - West Region to Dexter Construction Company Limited for a Total Tender Price of \$345,556.29 (net HST included) with funding from Capital Account Nos. CKU01084 - Sidewalk Renewal, CYU01076 - Curb Renewal, and CZU01082 - Resurfacing Program as outlined in the Budget Implications section of the report dated March 23, 2009. MOTION PUT AND PASSED.**

**11.1.9 Award - Unit Price Tender No. 09-233, Akerley Boulevard at Joseph Zatzman Boulevard, Traffic Signal Upgrades - East Region**

- A report dated March 20, 2009 was before Council.

**MOVED BY Councillor Smith, seconded by Councillor McCluskey, that Regional Council award Tender No. 09-233, Akerley Boulevard at Joseph Zatzman Boulevard, Traffic Signal Upgrades - East Region to XL Electric Limited for a Total Tender Price of \$208,376.60 (net HST included) with funding from Capital Account No. CTU00419 - Traffic Signal Rehabilitation, as outlined in the Budget Implications section of the report dated March 20, 2009. MOTION PUT AND PASSED.**

**11.1.10 Award - Unit Price Tender No. 09-240, Crack Sealing Phase 1 - Various Locations**

- A report dated March 20, 2009 was before Council.

**MOVED BY Councillor Karsten, seconded by Councillor Nicoll, that Regional Council award Tender No. 09-240, Crack Sealing - Phase 1 - Various Locations to Road**

**Savers Maritime Ltd. for a Total Tender Price of \$179,643.76 (net HST included) with funding from Capital Account No. CZU01082- Resurfacing Program, as outlined in the Budget Implications section of the report dated March 20, 2009. MOTION PUT AND PASSED.**

**11.1.11 Proposed Funding Agreement for the Halifax Seaport Farmers' Market**

- A report dated March 3, 2009 was before Council.

Councillor Nicoll declared a conflict and was excused from Council Chamber.

**MOVED BY Councillor Uteck, seconded by Councillor Watts, that Regional Council approve the draft funding agreement (Attachment 1 of the report dated March 3, 2009) between HRM and the Nova Scotia Farmers' Market Development Cooperative and the City Market of Halifax Cooperative Limited to facilitate the disbursement of the \$1,000,000 grant for the purposes of leasehold improvements associated with the Halifax Seaport Farmers' Market project.**

In response to a query by Councillor Karsten, Mr. Wayne Anstey, Acting Chief Administrative Officer, and Ms. Mary Ellen Donovan, Municipal Solicitor, advised Council that the Farmers Market is now a non-profit organization. The motion for funding that was passed last year was to provide funds to the Port Authority and was in order at the time. It was noted that in order for the market to receive ACOA funding, a non-profit entity must be in place. The Port would not enter into that agreement at the time and ACOA was not prepared to accept an alternative.

Ms. O'Toole, Director of Finance, advised that it was conveyed to Council in August that the Farmers Market was in the process of becoming a non-profit Organization.

In response to a question by Councillor McCluskey, Ms. Donovan advised that the Farmers Market is registered with the Registry of Joint Stock Companies as a non-profit cooperative.

The Chair advised that a recorded vote would be taken on the motion.

**MOTION PUT AND PASSED. (15 in favour, 3 against)**

Those voting in favour were Mayor Kelly, Deputy Mayor Hendsbee, Councillors Adams, Barkhouse, Dalrymple, Harvey, Hum, Lund, Outhit, Rankin, Streach, Uteck, Walker, Watts, Wile

Those voting against were Councillors Karsten, McCluskey, Younger

Councillors Sloane, Mosher, Johns, Blumenthal, and Smith were absent for the vote. Councillor Nicoll declared a conflict on this item and did not vote.

**MOTION PUT AND PASSED.**

11.1.12 Office Systems Furniture

- A report dated March 23, 2009 was before Council.

**MOVED BY Councillor Karsten, seconded by Deputy Mayor Hendsbee, that Regional Council endorse the continued sole sourcing of Haworth systems furniture to meet the corporate accommodations only in the following instances: in the case of current systems add on, and in cases where there is sufficient Haworth product in HRM's stock to warrant completing it with Haworth. Cases of new office systems requiring new set ups will be through the open competitive tender process.**

Councillor Karsten made reference to the verbal update to the Audit Committee in November 2008. He advised that in his recollection and those of the Audit Committee, it was noted that any new furniture setups would be put out to tender. He advised that he was under the assumption that staff would be going out to tender on any new installations.

In response to a query by Councillor McCluskey, Mr. Terry Gallagher, Acting Manager, Infrastructure and Asset Manager, advised that the multi disciplinary team, who evaluated the Expression of Interest, was made up of HRM staff, an external company and an interior designer. Mr. Gallagher advised that he will supply the names of those involved in the process. Mr. Townsend advised the Councillor that the EOI requested it meet criteria for compatible furniture. He advised that one company did come forward and set up a system that was not compatible. He advised that staff must look at the long term cost implications and the value in the long term when multiple furniture systems are in play. Councillor McCluskey added that when it comes down to price, it may not be that important for furniture to be compatible.

Councillor Harvey noted that open competition is a better option. In response to a query by Councillor Harvey, Mr. Townsend advised that Haworth Systems has been used prior to amalgamation in the City of Halifax since 1987. He stated that it is estimated that there is approximately \$2,000,000 worth of stock in use. Mr. Townsend advised Council that stock varies, although staff utilizes as much as possible at all times.

Councillor Walker advised that it was noted at the Audit Committee that large installations would be put out to tender. Mr. Townsend advised that a great deal of consideration was taken on this matter. He added that multiple tenders and suppliers would not be beneficial in the long term from the operational point of view. He added that these issues are continually being evaluated by Procurement staff.

In response to a question by Councillor Streach, Mr. Townsend stated that discounts on Haworth furniture is based on purchases in previous years. The Councillor stressed the importance of a free market and competitive bids.

Councillor Younger expressed concern that the other system that was considered was only evaluated on paper, and not brought in and set up for evaluation.

**MOTION PUT AND PASSED.**

**11.1.13 By-Law L-127, An Amendment to By-Law L-100, Respecting Local Improvement Charges - Hillside Water Utility Upgrade, Bomont Subdivision, Elmsdale**

- A report dated March 5, 2009 was before Council.

**MOVED BY Councillor Streach, seconded by Councillor McCluskey, that Regional Council approve First Reading of By-Law 127, Respecting Local Improvement Charges - Hillside Water Utility, Bomont Subdivision, Elmsdale as shown in Attachment 1 of the March 5, 2009 staff report. MOTION PUT AND PASSED.**

**11.1.14 By-Law L-129, An Amendment to By-Law L-100, Respecting Local Improvement Charges - 2046-2068 Brunswick Street, Halifax**

- A report dated March 6, 2009 was before Council.

**MOVED BY Councillor Wile, seconded by Councillor Uteck, that Regional Council approve First Reading of By-Law L-129, Respecting Local Improvement Charges - 2046-2068 Brunswick Street, Halifax as shown in Attachment 1 of the March 6, 2009 staff report. MOTION PUT AND PASSED.**

**11.1.15 Proposed Administrative Order SC-56, Respecting Closure of a Portion of Princess Place, Halifax**

- A report dated March 9 2009 was before Council.

**MOVED BY Councillor Watts, seconded by Councillor Younger, that Regional Council approve Administrative Order SC-56, Respecting Closure of a Portion of Princess Place, Halifax. MOTION PUT AND PASSED.**

Council recessed at 9:00 p.m.

Council reconvened at 9:07 p.m.

**11.1.16 HRM by Design**

- A Staff Supplementary Report dated April 2, 2009 was before Council.
- An Urban Design Task Force Report dated March 12, 2009 was before Council.
- A Regional Plan Advisory Committee Report dated February 19, 2009 was before Council.
- A Heritage Advisory Committee Report dated March 12, 2009 was before Council.
- A Staff Report dated February 4, 2009 was before Council.
- The Proposed Downtown Halifax Secondary MPS was before Council.
- The Proposed Downtown Halifax Land Use By-Law was before Council.

- The Proposed Barrington Street Heritage Conservation District Revitalization Plan and By-Law was before Council.

**MOVED BY Deputy Mayor Hendsbee, seconded by Councillor Wile, that Regional Council:**

1. **Give First Reading to the proposed Downtown Halifax Secondary Municipal Planning Strategy, as contained in Attachment A-1 of the February 4, 2009 report and as amended under Attachments “A, B, C, E, F, G, H, J, M and P” of the supplementary report dated April 2, 2009 and schedule a Public Hearing.**
2. **Give First Reading to the proposed Downtown Halifax Land Use By-law, as contained in Attachment A-2 of the February 4, 2009 report and as amended under Attachments “D, I, K, and N” of the supplementary report dated April 2, 2009 and schedule a Public Hearing.**
3. **Waive the standard procedure found under Administrative Order 1 for a Notice of Motion for the consideration of the proposed Barrington Street Heritage Conservation District Revitalization Plan & By-law and the proposed amendments to the Heritage Property By-law (By-law H-200), the Building By-law (By-law B-201), and the Encroachment By-law (By-law E-200).**
4. **Give First Reading to the proposed Barrington Street Heritage Conservation District Revitalization Plan & By-law, as contained in Attachment A-3 of the February 4, 2009 report and schedule a public hearing.**
5. **Give First Reading to the proposed amendments to the Regional Municipal Planning Strategy, as contained in Attachment B-1 of the February 4, 2009 report, and schedule a Public Hearing.**
6. **Give First Reading to the proposed amendments to the Regional Municipal Planning Strategy, as contained in Attachment B-2 of the February 4, 2009 report, and schedule a Public Hearing.**
7. **Give First Reading to the proposed amendments to the Halifax Peninsula Land Use By-law, as contained in Attachment B-3 of the February 4, 2009 report, and schedule a Public Hearing.**
8. **Give First Reading to the proposed amendments to the Heritage Property By-law (By-law H-200), as contained in Attachment B-4 of the February 4, 2009 report, and schedule a Public Hearing.**
9. **Give First Reading to the proposed amendments to the Building By-law (By-law B-201), as contained in Attachment B-5 of the February 4, 2009 report, and schedule a Public Hearing.**

10. Give First Reading to the proposed amendments to the Encroachment By-law (By-law E-200), as contained in Attachment B-6 of the February 4, 2009 report, and schedule a Public Hearing.
11. Appoint the Urban Design Task Force as the Plan monitoring body discussed in Section 8.6 of the proposed Downtown Halifax Secondary Municipal Planning Strategy for a period of two years or until Council decides otherwise.

In response to a question by Councillor Uteck, Mr. Dunphy, Director of Community Development, advised that in respect to the grandfathered applications, if substantive amendments were to be made, staff would give the applications priority in order to meet their designated timelines.

**MOTION PUT AND PASSED.**

**11.2 HARBOUR EAST COMMUNITY COUNCIL**

**11.2.1 Case 01224 - Amendments to Eastern Passage/Cow Bay Municipal Planning Strategy and Land Use By-Law, Eastern Passage**

- A Harbour East Community Council report dated April 3, 2009 was before Council.
- A staff report dated March 12, 2009 was before Council.

**MOVED BY Councillor Barkhouse, seconded by Councillor Smith, that Regional Council give First Reading of the proposed amendments to the Eastern Passage/Cow Bay Municipal Planning Strategy and Land Use By-law as shown in Attachments "A" and "B" of the March 12, 2009 staff report and schedule a Public Hearing. MOTION PUT AND PASSED.**

**11.3 NORTH WEST COMMUNITY COUNCIL**

**11.3.1 Uniform Charge for Waterstone Neighbourhood Association**

- A North West Community Council report dated March 27, 2009 was before Council.
- A staff report dated February 19, 2009 was before Council.

**MOVED BY Councillor Harvey, seconded by Councillor Adams, that Regional Council approve a uniform charge of \$75.00 per property to be applied against the properties within the mapped area depicted in Appendix "A" of the staff report dated February 19, 2009 for a three year period effective with the 2009-10 fiscal year for the purpose of funding the activities of the Waterstone Neighbourhood Association. MOTION PUT AND PASSED.**

**11.4**            **MEMBERS OF COUNCIL**

**11.4.1**           **Councillor Watts - Request to add March 10/09 Information Item #1 to the Agenda - Crosswalk Safety Education and Public Awareness Campaign**

This item was deferred to the April 14, 2009 Regional Council meeting.

**12.**            **MOTIONS**

**13.**            **ADDED ITEMS**

**13.1**           **Fiscal Framework**

This item was dealt with at an earlier Committee of the Whole session and was now before Council for ratification.

**MOVED BY Councillor Nicoll, seconded by Councillor McCluskey, that Halifax Regional Council build the budget based on holding the tax rate. MOTION PUT AND PASSED.**

**MOVED BY Councillor Nicoll, seconded by Councillor McCluskey, that Halifax Regional Council approve that any saving realized in 09/10 to be deposited in the Variable Operating Stabilization Reserve to offset future economic events. MOTION PUT AND PASSED.**

**MOVED BY Councillor Nicoll, seconded by Councillor McCluskey, that Halifax Regional Council apply the fire protection surplus of \$4.7 million in 09/10 through a one time reduction in the rate. MOTION PUT AND PASSED.**

**13.2**           **URB Decision: Waterside Centre (1855 - 1873 Hollis Street, 1860 - 1870 Upper Water Street and 5143 Duke Street, Halifax)**

This item was addressed after Item 10.2 as noted in the amended Order of Business.

**13.3**           **Waterside Centre (1855 - 1873 Hollis Street, 1860 - 1870 Upper Water Street and 5143 Duke Street, Halifax) - Approval of Development Agreement**

This item was addressed after Item 10.2 as noted in the amended Order of Business.

**13.4**           **Councillor Adams - Request Mayor to write a letter to the Minister of Natural Resources regarding the Long Lake Provincial Park**

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The Councillor expressed concern over the status of the Long Lake Provincial Park, adding that residents in the Spryfield area would like to have access to the park.

**MOVED BY Councillor Adams, seconded by Councillor Walker, that Mayor Kelly write to the Honourable Carolyn Bolivar-Getson, Nova Scotia Minister of Natural Resources requesting a response to when the master plan of Long Lake Provincial Park will be completed and a specified time of when the park will become functional. MOTION PUT AND PASSED.**

**13.5            Councillor Harvey - Status of Metropolitan Field Track**

Councillor Harvey advised that he received notice that the Metropolitan Field Track is shut down for events this summer with no upgrades determined in the proposed budget. He expressed concern that the track is shut down indefinitely and is not part of an upgrading process.

**MOVED BY Councillor Harvey, seconded by Deputy Mayor Hendsbee, that the issue of the status of Metropolitan Field Track in Sackville be added as an item at April 14, 2009 Committee of the Whole. If this cannot be accommodated as an agenda item next week, a staff report be prepared for Council as soon as possible.**

**The Councillor is requesting staff provide information on why the field is closed this season and an update to the upgrading and the long term plans of the facility.**

**MOTION PUT AND PASSED.**

**14.            NOTICES OF MOTION**

**14.1           Councillor Karsten**

Councillor Karsten gave a Notice of Motion of Reconsideration on Item 9.1 Less than Market Value Sale Lot 1115, 59 Dorey Avenue, Dartmouth Adult Services Centre Association for the April 14, 2009 Regional Council.

**15.            ADJOURNMENT**

The meeting was adjourned at 9:32 p.m.

Ms. Sheilagh Edmonds  
Acting Municipal Clerk



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**INFORMATION ITEMS**

**March 31, 2009**

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1. Memorandum from Director, Community Development dated March 9, 2009  
re: HRM Newcomers Guide Update
2. Memorandum from Director, Community Development dated March 2, 2009  
re: As Of Right Development In HRM
3. Memorandum from the Acting Municipal Clerk dated March 31, 2009  
re: Requests for Presentation to Council - None