

HALIFAX REGIONAL COUNCIL  
MINUTES

April 19, 2011

PRESENT:

Mayor Peter Kelly  
Councillors: Steve Streach  
Barry Dalrymple  
David Hendsbee  
Lorelei Nicoll  
Gloria McCluskey  
Darren Fisher  
Bill Karsten  
Jackie Barkhouse  
Mary Wile  
Dawn Sloane  
Sue Uteck  
Jennifer Watts  
Russell Walker  
Debbie Hum  
Linda Mosher  
Stephen Adams  
Brad Johns  
Robert Harvey  
Tim Outhit  
Peter Lund

REGRETS:

Deputy Mayor Jim Smith  
Councillors: Jerry Blumenthal  
Reg Rankin

STAFF:

Mr. Richard Butts, Chief Administrative Officer  
Ms. Mary Ellen Donovan, Municipal Solicitor  
Ms. Cathy Mellett, Municipal Clerk  
Ms. Shawnee Gregory, Legislative Assistant

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**1. INVOCATION**

The Mayor called the meeting to order at 1:50 p.m. with the Invocation being led by Councillor Watts.

**2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS**

Councillor Watts announced that April 21 was Earth Day and outlined some of the activities occurring in HRM. She indicated that a meeting regarding upgrades and development of Ardmore Park would be held on April 27, 2011 and Citadel High School's production of Les Miserables would be held from April 28 to 30, 2011.

Councillor Hendsbee stated that it was National Volunteer Week and thanked all volunteers in HRM, particularly in District 3; noting that the 2011 Volunteer Appreciation Night would be held on April 20, 2011. He also advised that a local neighborhood street meeting for residents of River Drive, Lake Echo would be held on April 21, 2011.

Councillor Harvey thanked and congratulated the Sackville area volunteers who would be recognized at the 31<sup>st</sup> Annual Sackville Volunteer Banquet and the 2011 Volunteer Appreciation Night on April 20, 2011.

Councillor Fisher indicated that the Kinsmen Community Breakfast would be held on April 24, 2011 at the East Dartmouth Community Centre and that a breakfast is held on the fourth Sunday of each month.

Councillor McCluskey stated that a meeting would be held on April 20, 2011 regarding the view planes and development of a lot behind the Royal Bank Building in Dartmouth.

Councillor Sloane indicated that a Public Information Meeting would be held on April 21, 2011 regarding the YMCA project on the corner of Sackville and South Streets. She announced that herself, Cyril Lunney and BJ Wilson would be participating in 'So You Think You Can Act' on April 30, 2011 at Casino Nova Scotia to raise funds for a film.

Councillor Lund indicated that Shatford Memorial School would be holding their annual auction on April 29, 2011, on April 30, 2011 the Bay Chorale would be presenting 'Singing through the Storm' and on May 5 and 6, 2011 Madeline Symonds Middle School would be presenting Beauty and the Beast.

Councillor Johns congratulated the Sackville Kinsmen Club on their 50<sup>th</sup> anniversary; noting that an anniversary dinner would be held on April 23, 2011. Councillor Johns also wished to recognize the passing of a former member of District 19 who was living in District 2, Mr. Harold Wentzell, and requested Mayor Kelly send a letter of condolence to Mr. Wentzell's family.

Councillor Dalrymple congratulated all volunteers, particularly the Halifax Search and Rescue members at the Lakeview Headquarters on being one of HRM's Organizations of the Year.

Councillor Walker stated that Mr. Ken Simpson, CEO of the Union of Nova Scotia Municipalities (UNSM) passed away on April 16, 2011 after a battle with cancer. Councillor Walker requested a moment of silence be held in Mr. Simpson's honour.

**3. APPROVAL OF MINUTES – April 5, 2011**

**MOVED by Councillor McCluskey, seconded by Councillor Nicoll that the minutes of April 5, 2011 be approved as presented. MOTION PUT AND PASSED.**

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

Additions:

- 12.1 PROPERTY MATTER – Rockingham Community Centre Property
- 12.2 LEGAL MATTER – Claims Settlement – Beaver Bank Kinsac Community Centre
- 12.3 PERSONNEL MATTER – Citizen & Councillor Appointments to Boards & Committees

It was agreed that item 10.1.4 would be dealt with at the end of the agenda.

**MOVED by Councillor Sloane, seconded by Councillor Wile that the agenda be approved as amended. 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**

**8.1 Motion - Councillor Sloane**

**MOVED by Councillor Sloane, seconded by Councillor Lund that it be referred to the Community Planning and Economic Development Standing Committee to request an update on implementation of the Events Strategy, specifically, the new regional scaled events that have been advanced since its implementation, and what if any budget implications this has. MOTION PUT AND PASSED.**

**9. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**9.1 Correspondence - None**

**9.2 Petitions - None**

**10. REPORTS**

**10.1 CHIEF ADMINISTRATIVE OFFICER**

**10.1.1 Advanced Tender for Resurfacing Beazley and Metropolitan Tracks**

A report dated February 28, 2011 was before Council.

**MOVED by Councillor Outhit, seconded by Councillor Watts that Halifax Regional Council approve:**

- 1. Advanced 2011/2012 project funding of \$725,000 for the resurfacing of the Beazley and Metropolitan Track Facilities;**
- 2. An increase to Project No. CPX01178 Track and Field Upgrades for \$72,000; and**
- 3. Should HRM not be successful in its funding application with the Province, that the Metropolitan Field resurfacing project be the priority for 2011/2012.**

**MOTION PUT AND PASSED.**

**11.1.2 Project Budget Increase – Canada Games Centre Solar Grant**

A report dated March 14, 2011 was before Council.

**MOVED by Councillor Wile, seconded by Councillor Walker that Halifax Regional Council:**

- 1. Approve an increase of \$138,765.00 to Project No. CB100091, Mainland Common Recreation Facility, to reflect recent secured additional cost sharing funding as outlined in the Budget Implications section of the report dated March 14, 2011; and**
- 2. That this additional funding be used to procure bleacher seating for the field house, for an amount not to exceed \$138,765.00.**

A discussion on the motion ensued with staff responding to questions.

In response to Councillor Watt's concern that this would be using funds to support spectators as opposed to active recreation use of this facility, Mr. Phil Townsend, Director of Infrastructure and Asset Management, advised that most of the equipment needs at the facility had already been addressed. He stated that, through the provision of bleachers, there was the opportunity for revenue generation to help the facility

support itself and to support further active participation; noting that the bleachers were deemed important by the operators.

**MOTION PUT AND PASSED.**

**11.1.3 Washmill Lake Court Underpass**

A report dated April 11, 2011 was before Council.

**MOVED by Councillor Wile, seconded by Councillor Walker that Halifax Regional Council:**

- 1. Approve funding from Project No. CQ300748, in the amount of \$4,500,000 to complete Phases 2 and 3 of the Washmill Lake Court project as per the 2011/12 Draft Project Budget Program, as outlined in the Discursion section of the report dated April 11, 2011; and**
- 2. Authorize an increase to the contract with Dexter Construction Company Limited for Washmill Lake Court – Phase 2 (Purchase Order #2070491284, in the amount of \$2,700,000 (HST 100% recoverable), with funding from Project No. CQ300748, as outlined in the Budget Implications section of the report dated April 11, 2011.**

A discussion on the motion ensued with staff responding to questions.

Mr. Townsend indicated that an additional \$450,000 in funding was coming from the Business Park Reserve; noting that funding from the Reserve was already in place for HRM's portion of the one third funding from each level of government.

Mr. Townsend advised that, upon speaking with the Auditor General, it was agreed that the wording of the Reserve Policy was ambiguous and; therefore, HRM's actions were not contrary to the Policy.

Several members of Council expressed concern that the Reserve Policy is vague and perhaps does not permit this use. It was also suggested that the Policy be reviewed.

Mr. Ken Reashor, Director of Transportation and Public Works, advised that any traffic analysis in the area would account for future growth.

Councillor McCluskey requested to know the breakdown of monies in the Business Park Reserve allotted to Bayers Lake and Burnside and stated that she wished to make a recommendation that the Audit and Finance Standing Committee review the Policy.

Mr. Townsend indicated that if Council chose to stop the project and not finish the work by October 31, 2011 as outlined in the application for Stimulus Funds, there was the potential for the Federal Government to request the funding already provided to be returned; noting that some funds were being held back until the deadline.

Councillor Harvey noted that there should not be debate about if the project should be funded but how.

A recorded vote was requested.

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

Those voting in favour were Mayor Kelly and Councillors Adams, Dalrymple, Fisher, Harvey, Hendsbee, Hum, Johns, Karsten, Lund, McCluskey, Mosher, Nicoll, Outhit, Streach, Uteck, Walker and Wile.

Those voting against were Councillors Barkhouse, Sloane and Watts.

Deputy Mayor Smith and Councillors Blumenthal and Rankin were absent for the vote.

**10.1.4 2011 / 2012 Business Plans and Budget  
(i) Board of Police Commissioners Report**

This item was dealt with later in the meeting. Please see page 12.

**10.2 COMMUNITY PLANNING & ECONOMIC DEVELOPMENT STANDING  
COMMITTEE**

**10.2.1 Business Improvement District Service Agreement Renewal 2011**

A report dated April 15, 2011 from the Community Development & Economic Development Standing Committee was before Council.

**MOVED by Councillor Uteck, seconded by Councillor Sloane that Halifax Regional Council authorize the Mayor and Municipal Clerk to execute the Business Improvement District Service Agreement as set out in Attachment 1 of the February 8, 2011 staff report for one year, effective April 1, 2011. MOTION PUT AND PASSED.**

**10.3 ENVIRONMENT & SUSTAINABILITY STANDING COMMITTEE**

**10.3.1 Invasive Species**

A report dated April 8, 2011 from the Environment and Sustainability Standing Committee was before Council.

**MOVED by Councillor Lund, seconded by Councillor Sloane that Halifax Regional Council approve the following service delivery expectations related to Invasive Species for the 2011/2012 fiscal year:**

- 1. That staff prioritize efforts and staff resource allocation to Water Resource Management in 2011, and plan for an update to the Alien Invasive Species Strategy in 2012/2013;**
- 2. That no new budget requests be made for invasive species management efforts in 2011/2012;**
- 3. That no new service delivery related to Alien Invasive Species Management be planned for 2011/2012;**
- 4. That staff continue to provide public information on the Halifax Regional Municipality (HRM) website on current recommendations related to invasive species management issues; and**
- 5. That staff forward, for budget consideration in 2012/2013, a resourcing plan to enable municipal advancement on invasive species management.**

**MOTION PUT AND PASSED.**

#### **10.4 GRANT COMMITTEE**

##### **10.4.1 Less Than Market Value Sale – 9 Leary’s Cove Road, East Dover to the Village Green Recreation Society**

A report dated April 4, 2011 from the Grants Committee was before Council.

**MOVED by Councillor Walker, seconded by Councillor Wile that Halifax Regional Council enter into an Agreement of Purchase and Sale with the Village Green Recreation Society for the purchase of 9 Leary’s Cove Road, East Dover, for the sum of \$12,489.18 plus cost of sale, and subject to the terms and conditions set out in the Discussion section of the January 5, 2011 staff report. MOTION PUT AND PASSED.**

#### **11. MOTIONS**

##### **11.1 Councillor Fisher**

**MOVED by Councillor Fisher, seconded by Councillor McCluskey that Halifax Regional Council request a staff report on any modifications to the public consultation process established by Council in 1997 pertaining to the ways in which we inform the public of upcoming public meetings, Land Use By-Laws**

**(LUB), or Municipal Planning Strategy (MPS) amendments or changes, so as to better utilize additional methods of reaching out to residents in the future.**

Councillor Fisher advised that this was meant to address additional methods to engage the public.

**MOTION PUT AND PASSED.**

**11.2 Councillor McCluskey**

**MOVED by Councilor McCluskey, seconded by Councillor Fisher that Halifax Regional Council request a staff report from Solid Waste Resources to set out a process which will result in the elimination of the delivery of flyers to residential properties.**

A discussion on the motion ensued.

Councillor McCluskey noted that while she realized other reports had been written on this matter in the past, she was requesting a process be set out which had not been done before. She also stated that leaving flyers was considered littering and could also indicate residents were out of town if left for an extended period.

Councillor Wile pointed out that Council Newsletters were considered flyers and requested this be addressed in the report as well.

Several members of Council requested that the previous reports on this matter be resubmitted to Council.

Councillor Watts indicated that this matter was raised at the last Environment and Sustainability Standing Committee meeting; noting that the Committee had asked staff to draft a report outlining options and education opportunities.

**MOTION PUT AND PASSED.**

**12. ADDED ITEMS**

**12.1 PROPERTY MATTER – Rockingham Community Centre Property**

This item was addressed at an earlier In Camera meeting and was before Council for ratification.

**MOVED by Councillor Hum, seconded by Councillor Walker that Halifax Regional Council:**

1. **Approve, in principle, the potential market sale of a portion of the HRM owned property at 199 Bedford Highway to the abutting property owner, and authorize staff to proceed with negotiations regarding the proposal as outlined in this report; and**
2. **This report not be released to the public until the property transaction is concluded.**

**MOTION PUT AND PASSED.**

**12.2 LEGAL MATTER – Claims Settlement – Beaver Bank Kinsac Community Centre**

This item was addressed at an earlier In Camera meeting and was before Council for ratification.

**MOVED by Councillor Dalrymple, seconded by Councillor Fisher that Halifax Regional Council:**

1. **Approve the amount of \$3.4 million dollars from HRM insurers, ARCH/GCAN, for settlement of damage to the Beaver Bank Kinsac Community Centre;**
2. **Approve a transfer of \$100,000 from operating account M320 – Insurance Claims to CBX01281 Beaver Bank Community Centre; and**
3. **Increase Project account CBX01281 Beaver Bank Community Centre by \$3,094,781 to reflect the addition of insurance funds.**
4. **That the March 31, 2011 report be released to the public.**

**MOTION PUT AND PASSED.**

**12.3 PERSONNEL MATTER – Citizen & Councillor Appointments to Boards & Committees**

This item was addressed at an earlier In Camera meeting and was before Council for ratification.

**(i) Transportation Standing Committee Report**

**MOVED by Councillor Karsten, seconded by Councillor Hendsbee that Halifax Regional Council:**

1. **Approve the following Citizen appointments to the Advisory Committee on Accessibility, for a term to expire November 2012: Tom, Boyd, Troy Nauffts,**

**Theresa Horwill, Mary Newcombe, Brian Aird, Jack Jones, Cynthia Bryant, and David MacLean;**

- 2. Approve that the Councillor appointment to the Canadian Urban Transit Association be a representative from the Transportation Standing Committee, as recommended by Council.**
  - 3. That Councillor Hendsbee be appointed as the Transportation Standing Committee representative to the Regional Plan Advisory Committee.**
- (ii) Administrative Standing Committee Report – Appointment to Board of Police Commissioners**

**MOVED by Councillor Karsten, seconded by Councillor Hendsbee that Regional Council appoint Councillor Steve Streach to the Board of Police Commissioners to fill an unexpired term to November 30, 2012. MOTION PUT AND PASSED.**

### **13. NOTICES OF MOTION**

#### **13.1 Councillor Sloane**

“Take notice that at the next regular meeting of the Halifax Regional Council to be held on May 3, 2011, I intend to introduce a motion requesting that Regional Council:

- 1) Authorize staff to include, as part of the first annual review of the Downtown Halifax Secondary Municipal Planning Strategy and the Downtown Halifax Land Use By-law, the consideration of potential amendments to the Maximum Pre-Bonus and Maximum Post Bonus Height Maps to increase the height on properties identified by civic addresses 5161-5167 South Street, Halifax, from the current height of 13.716 metres, as was originally recommended by the Urban Design Task Force, and for the maximum height on these properties to be calculated as per the definition of building height, as contained under Part 2 of the Land Use By-law.
- 2) Request that staff follow the public participation program approved by Council on February 25, 1997.”

#### **13.2 Councillor McCluskey**

As Councillor McCluskey had to leave the meeting briefly, Councillor Karsten read the following notice of motion on her behalf:

“Take notice that at the next regular meeting of the Halifax Regional Council to be held on May 3, 2011, I intend to introduce a motion to request that staff be directed to initiate

a review of the Business Park Reserve Policy in discussion with the Audit & Finance Committee, in order to review and clarify uses for the reserve.”

The meeting recessed at 3:11 p.m.

The meeting reconvened at 3:27 p.m.

#### **10.1.4 2011 / 2012 Business Plans and Budget (i) Board of Police Commissioners Report**

A report dated April 11, 2011 from the Board of Police Commissioners was before Council.

The draft HRM Proposed Operating Budget 2011/12 was submitted.

The draft HRM Proposed Project Budget 2011/12 was submitted

A Capital Project Supplementary Report was submitted.

Mr. Richard Butts, CAO, presented the Proposed Operating and Project Budgets 2011/12 to Council. He advised that staff were successful in maintaining a flat tax rate and increased capital from operation as well. Mr. Butts also stated that overtime has been cut back by 20% with the exception of fire services and police staff and that while property tax numbers were increasing, other revenues remained flat.

Mr. Bruce Fisher, Acting Chief Financial Officer, reviewed the 2011/12 budget details. Highlights were as follows:

- Capital from operating funding has risen substantially which means HRM will not have to rely as much on debt
- The 'Project Budget' refers to the 'Capital' Budget
- The Skating Oval has been fully funded and included in the budget without the requirement of a tax increase
- The new Dartmouth Terminal has been included as well as the design of the new Woodside Ferry
- There is no change in tax rates; however, the tax bill for an average home will go up by approximately \$82 excluding fire protection and supplementary education funding

**MOVED by Councillor McCluskey, seconded by Councillor Sloane be it resolved that Halifax Regional Council table the 2011/012:**

- **Operating, Project and Reserve Budgets;**
- **Transit Annual Service Plan; and**
- **Board of Police Commissioners Police Budget**

**as presented without debate and return on April 27, 2011 to commence the budget debate.**

**MOTION PUT AND PASSED.**

**14. ADJOURNMENT**

The meeting was adjourned at 3:52 p.m.

Cathy J. Mellett  
Municipal Clerk

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**INFORMATION ITEMS**  
**April 19, 2011**

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1. Proclamation – Administrative Professionals Week – April 24 – 30, 2011
2. Proclamation – Primary Immunodeficiency Day – April 29, 2011
3. Proclamation – Global Love Day – May 1, 2011
4. Memorandum from Director, Infrastructure & Asset Management dated April 5, 2011  
re: Terence Bay Protected Area – ATV Use Petition
5. Memorandum from Director, Legal Services & Risk Management dated March 28, 2011 re: Status of By-Law Prosecutions – November 2010
6. Memorandum from Chair, Grant Committee dated April 4, 2011  
re: Canadian Naval Memorial Trust – Funding Request for Design Competition – Naval Memorial / Maritime Museum of the Atlantic
7. Memorandum from Chair, Environment & Sustainability Standing Committee dated April 8, 2011 re: Corporate Knights Sustainable Cities Rankings 2011
8. Memorandum from Director, Business Planning & Information Management dated April 18, 2011 re: 2011 / 2012 Corporate Plan (To be circulated)
9. Memorandum from the Municipal Clerk dated April 15, 2011  
re: Requests for Presentation to Council – None