

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES February 25, 2003

PRESENT:

Mayor Peter J. Kelly
Councillors: Stephen Streach
Gary Hines
Keith Colwell
Ron Cooper
Brian Warshick
Condo Sarto
Bruce Hetherington
Jim Smith
John Cunningham
Jerry Blumenthal
Dawn Sloane
Sue Uteck
Sheila Fougere
Russell Walker
Diana Whalen
Linda Mosher
Robert P. Harvey
Len Goucher
Reg Rankin
Gary Meade

REGRETS:

Deputy Mayor Harry McInroy
Councillors: Stephen D. Adams
Brad Johns

STAFF MEMBERS:

Mr. George McLellan, Chief Administrative Officer
Mr. Wayne Anstey, Municipal Solicitor
Ms. Vi Carmichael, Municipal Clerk
Ms. Patti Halliday, Legislative Assistant

Table of Contents

1.	INVOCATION	4
2.	APPROVAL OF MINUTES - February 11, 2003	4
3.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS	4
4.	BUSINESS ARISING OUT OF THE MINUTES	4
5.	MOTIONS OF RECONSIDERATION - NONE	4
6.	MOTIONS OF RESCISSION - NONE	4
7.	CONSIDERATION OF DEFERRED BUSINESS - February 11, 2003	4
	7.1 Project 00382, Bedford West Master Plan	4
8.	CORRESPONDENCE, PETITIONS AND DELEGATIONS	6
	8.1 Correspondence - None	6
	8.2 Petitions	6
	8.2.1 Councillor Harvey - Smoke Free Apartments for Senior Citizens ..	6
	8.2.2 Councillor Fougere - Bus Service on Quinpool Road	6
9.	REPORTS	6
	9.1 NORTH WEST COMMUNITY COUNCIL	7
	9.1.1 Proposed Area Rate: Redevelopment of Former Sackville Heights Elementary School, 45 Connolly Road, Sackville	7
	9.1.2 Case 00511 - Various Amendments to the MPS and LUB, Bedford	7
	9.2 CHIEF ADMINISTRATIVE OFFICER	7
	9.2.1 Project 00558: Capital Cost Contribution - Wentworth/Bedford South	7
	9.3 MEMBERS OF COUNCIL	9
	9.3.1 Councillor Sloane - Acquisition of Theodore Tugboat and Intellectual Property Rights	9
10.	MOTIONS	9
11.	ADDED ITEMS	9

11.1	Membership Selection Committee - Boards and Committees	9
11.2	Budget - Strategic Issues and Outlook	10
11.3	Legal Matter - Collection Area 7, Residential Collection Contract, RFP 02-097	10
12.	NOTICES OF MOTION	10
12.1	Councillor Goucher - First Reading - By-Law S-106	10
13.	ADJOURNMENT	10

1. **INVOCATION**

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

2. **APPROVAL OF MINUTES - February 11, 2003**

MOVED by Councillor Goucher, seconded by Councillor Blumenthal, that the minutes of February 11, 2003 be approved, as circulated. MOTION PUT AND PASSED UNANIMOUSLY.

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

The following items were added to the agenda:

11.1 Membership Selection Committee - Boards and Committees

11.2 Budget - Strategic Issues and Outlook

11.3 Legal Matter - Collection Area 7, Residential Collection Contract, RFP 02-097

Councillor Hetherington requested that Item 11.3 be moved up on the agenda to be discussed earlier in the meeting. Council agreed to address this as Item 7.2 under Deferred Business.

MOVED by Councillor Blumenthal, seconded by Councillor Whalen, that the Order of Business, Additions and Deletions be approved. MOTION PUT AND PASSED UNANIMOUSLY.

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

Acknowledgment

Councillor Uteck acknowledged and welcomed representatives and students of the Atlantic Provinces Special Education Program who were present in the gallery.

5. **MOTIONS OF RECONSIDERATION - NONE**

6. **MOTIONS OF RESCISSION - NONE**

7. **CONSIDERATION OF DEFERRED BUSINESS - February 11, 2003**

7.1 Project 00382, Bedford West Master Plan

- C This matter was before Council on February 11, 2003 and was referred back to staff.
- C A staff report prepared for Dan English, Deputy Chief Administrative Officer, dated January 17, 2003, regarding the above, was previously circulated to Council.
- C Briefing notes for February 23, 2003 Regional Council session re: Bedford West Master Planning Study, which outlined the three matters before Council for this meeting, were circulated to Council.

With the use of overheads, Mr. Paul Morgan, Planner, presented the issue to Council.

MOVED by Councillor Goucher, seconded by Councillor Rankin, that Regional Council:

- 1. Approve the Bedford West master plan study area boundary illustrated on Attachment I of the staff report dated January 17, 2003.**
- 2. Approve the Bedford West master plan study Terms of Reference presented in Attachment II of the staff report dated January 17, 2003; and**
- 3. Adopt a public participation program for Bedford West as described in Attachment V of the staff report dated January 17, 2003.**

Mr. Morgan responded to questions of Council making the following points:

- C The prime development areas would be sub-areas 1, 2A, 3 and 4A.
- C The areas that would be considered to be secondary would be sub-areas 2B and 5B as, based on preliminary examination, they do not have as much potential for serviced development.
- C Staff is asking Council to look the development potential within this entire study area and it is possible that staff will come back in the end and conclude a development boundary to be substantially less than this area.

Councillor Uteck stated she hoped transportation infrastructure will be examined in this study.

Councillor Whalen expressed concern that the Terms of Reference for this study are the same as those approved for Wentworth/Bedford South. The Councillor stated Bedford West is a more long term process and she questioned how this would affect capital cost contribution. Mr. Morgan stated, to a certain extent, this will have to be worked through as the process

proceeds. Councillor Whalen suggested if this study is to have the same scope as Wentworth/Bedford South the boundaries should be more clear.

For the record, Councillor Whalen inquired what type of expectation is attached to being included in the master plan area. In response, Mr. Morgan stated, at this point, Council is being asked to engage in a study of the area to look at the development potential. What areas may or may not be included through amendments to the planning documents will only be known once the study has concluded.

MOTION PUT AND PASSED UNANIMOUSLY.

As agreed to during Approval of the Order of Business, Council addressed Item 11. 3 Legal Matter - Collection Area 7, Residential Collection Contract, RFP 02-097 as Item 7.2.

7.2 Legal Matter - Collection Area 7, Residential Collection Contract, RFP 02-097

C This matter was discussed during an In Camera session held prior to the regular session and was now before Council for ratification.

MOVED by Councillor Colwell, seconded by Councillor Hetherington, that Halifax Regional Council award the contract for source-separated solid waste collection and transportation services in Collection Area 7 to Leo J. Beazley (1996) Ltd. for \$4,232,374, as provided in their revised submission to the Municipality dated February 19, 2003, subject to a satisfactory pre-award meeting, subject to receipt of all appropriate documents, and all in accordance with the requirements of the RFP No. 02-097, and further that this report not be released. MOTION PUT AND PASSED.

8. CORRESPONDENCE, PETITIONS AND DELEGATIONS

8.1 Correspondence - None

8.2 Petitions

8.2.1 Councillor Harvey - Smoke Free Apartments for Senior Citizens

Councillor Harvey served a petition from residents requesting that smoke-free apartments in senior citizen buildings be provided for non-smokers. The Councillor requested that the petition be forwarded to the Metropolitan Regional Housing Authority.

8.2.2 Councillor Fougere - Bus Service on Quinpool Road

Councillor Fougere served a petition containing approximately 79 signatures of residents requesting bus service on Quinpool Road in the evenings and weekends. The Councillor asked that the petition be forwarded to staff for an information report.

9. REPORTS

9.1 NORTH WEST COMMUNITY COUNCIL

9.1.1 Proposed Area Rate: Redevelopment of Former Sackville Heights Elementary School, 45 Connolly Road, Sackville

C A report from the North West Community Council, dated February 17, 2003, regarding the above, was before Council for its consideration.

MOVED by Councillor Harvey, seconded by Councillor Goucher, that Regional Council approve an area rate in the amount of \$0.01 per \$100.00 of assessed value to be applied against the properties within the mapped area depicted in Appendix A, B, C, D and E of the staff report dated December 3, 2002, effective with the 2003/04 fiscal year for the purpose of redeveloping the former Sackville Heights Elementary School, 45 Connolly Road, Sackville, into a community centre. MOTION PUT AND PASSED UNANIMOUSLY.

9.1.2 Case 00511 - Various Amendments to the MPS and LUB, Bedford

C A report from the North West Community Council, dated February 17, 2003, regarding the above, was before Council for its consideration.

MOVED by Councillor Goucher, seconded by Councillor Harvey, that Regional Council give First Reading to consider amendments to the Bedford Municipal Planning Strategy and Land Use By-Law and schedule a joint Public Hearing for March 18, 2003. MOTION PUT AND PASSED UNANIMOUSLY.

9.2 CHIEF ADMINISTRATIVE OFFICER

9.2.1 Project 00558: Capital Cost Contribution - Wentworth/Bedford South

C A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

Mr. Paul Dunphy, Director, Planning and Development Services, provided background comments on this matter. Ms. Catherine Sanderson, Manager, Revenue, then presented the report. Copies of her presentation were circulated to Council.

MOVED by Councillor Whalen, seconded by Councillor Hetherington, that Regional Council:

- 1. Give First Reading to the proposed Subdivision Bylaw amendments which apply to the former City of Halifax and Town of Bedford, as presented in Attachment 1 of the staff report dated February 20, 2003, and Schedule a Public Hearing date for March 25, 2003.**
- 2. Adopt in principle the proposed amendments to By-Law S-106, Respecting Sewer Charges, as presented in Attachment 2.**
- 3. Establish a Capital Cost Charge Reserve to meet the funding requirements for HRM's share of the Capital Infrastructure Costs for the Wentworth/Bedford South Charge Area, and that a formal business case be brought before Council in accordance with the Reserves Policy.**

Responding to questions of Council, staff made the following points:

- C Bedford West abuts the interchange which will be built. If Bedford West uses the interchange and benefits from it, HRM will be establishing a charge area to have Bedford West contribute to the cost of the interchange, which will reduce the Municipality's share.
- C The amendment to the sewer redevelopment charge is a fee which is collected when someone applies for a building permit. It does not appear on the water bill.
- C The majority of the sewage from this area will be flowing into the Halifax treatment plant as there is limited capacity in Bedford/Mill Cove.
- C Regional infrastructure was not intended to be funded through the capital cost charge. However, new property owners in that area will contribute to regional infrastructure, which is being funded through borrowing and through the capital budget, through their taxes.
- C These homes will still pay the pollution control charges which fund the sewage treatment plants. The charge being eliminated is the sewer redevelopment charge which applies to trunk sewers.
- C The homes will go on the assessment roll right away and reach full assessment the year after occupation.
- C This policy improves the overall situation and people who benefit are paying primarily as opposed to the past when everybody paid.

- C It is anticipated that, through the regional planning process, staff will have a sense of all the infrastructure needs in the major master plan areas that will be approved. Each time one comes forward to Council for approval, this general format will be used for the presentation of the costs and the risks associated with the particular development. Staff will also indicate what the accumulated costs and risks are from each of the incremental additions.
- C One of the identified priorities for Planning and Development and other departments to examine was a review of the schedule of fees including the sewer redevelopment charge.
- C Recreation facilities are currently not included in infrastructure charges, however, Council has requested the Province to make changes to the Municipal Government Act to have them included in the policies in the future. Council also approved a motion for staff to investigate increasing the open space charge from five percent to ten percent in most areas of the municipality.
- C Staff met over the period of a year with representatives of industry. Although no one is happy to be paying more, they do recognize the financial situation of the municipality and the competing needs for tax dollars and feel it is reasonable and fair. Their biggest concern is they want assurance that the municipal dollars will be there to supplement the dollars that have been collected from them. Staff noted that this is the purpose of the reserve policy.
- C Staff will be coming back to Council in the near future with some funding options for the reserve for Council to consider.

MOTION PUT AND PASSED.

9.3 MEMBERS OF COUNCIL

9.3.1 Councillor Sloane - Acquisition of Theodore Tugboat and Intellectual Property Rights

Due to recent developments with respect to this issue, Councillor Sloane requested that this item be deferred for one week.

MOVED by Councillor Sloane, seconded by Councillor Goucher, that this be deferred for one week. MOTION PUT AND PASSED.

10. MOTIONS

11. ADDED ITEMS

11.1 Membership Selection Committee - Boards and Committees

- C** A report from the Membership Selection Committee, regarding the above, was circulated to Council for its consideration.

MOVED by Councillor Rankin, seconded by Councillor Hetherington, that:

- 1. Nicola Hanson be appointed to the Halifax-Dartmouth Natal Day Steering Committee to fill an unexpired term to November 2005.**
- 2. Fred Morley, Hugh Millward, Larry Hughes, Doris Maley and Joe O'Brien be appointed to the Regional Planning Community Stakeholder Committee to February 2004. MOTION PUT AND PASSED UNANIMOUSLY.**

11.2 Budget - Strategic Issues and Outlook

- C** Copies of the presentation regarding Budget - Strategic Issues and Outlook were circulated to Council. A page re: Decisions on the Capital Shortfall were circulated. A proposed schedule of Committee of the Whole 2003/04 Business Planning and Budget Presentations was circulated.

Mr. George McLellan, Chief Administrative Officer, Mr. Mike Labrecque, Real Property and Asset Management, Mr. Rick Paynter, Director, Public Works and Transportation Services, and Mr. Bruce Fisher, Manager, Financial Planning, made a presentation to Council regarding the Long Term Capital Plan. Copies of the presentation were provided to Council. Staff responded to questions of clarification from Council.

Mayor Kelly thanked Mr. McLellan and staff for the presentation.

Several members of Council expressed thanks and congratulations to Mr. McLellan and senior staff for their efforts. Mr. McLellan also extended thanks to staff.

11.3 Legal Matter - Collection Area 7, Residential Collection Contract, RFP 02-097

This item was addressed earlier in the meeting as Item 7.2 under Deferred Business.

12. NOTICES OF MOTION

12.1 Councillor Goucher - First Reading - By-Law S-106

TAKE NOTICE that at the next regular meeting of Halifax Regional Council, to be held on Tuesday, March 4, 2003, I propose to move First Reading of By-Law S-106, the purpose of

which is to amend By-Law S-100, the Sewer Charges By-Law, to exempt properties which are located in Capital Cost Charge Area from the Sewer Redevelopment Charge.

13. ADJOURNMENT

There being no further business, the meeting adjourned at 8:30 p.m.

Vi Carmichael
Municipal Clerk