

REVISED

HALIFAX REGIONAL COUNCIL
MINUTES
June 17, 2008

PRESENT:

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

REGRETS:

Councillor Sue Uteck

STAFF:

Mr. Dan English, Chief Administrative Officer
Mr. Wayne Anstey, Deputy Chief Administrative Officer
Ms. Mary Ellen Donovan, Municipal Solicitor
Ms. Julia Horncastle, Acting Municipal Clerk
Ms. Shawnee Gregory, Legislative Assistant
Ms. Sheilagh Edmonds, Legislative Assistant

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1. INVOCATION

The Mayor called the meeting to order at 11:35 a.m., with the Invocation being led by Councillor Younger.

SPECIAL PRESENTATION - CITIZENSHIP AWARDS

This item was dealt with later in the meeting. See page 16.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

This item was dealt with later in the meeting. See page 17.

3. APPROVAL OF THE MINUTES - NONE

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

Additions:

- 13.1 Contractual Matter - Standard Pipe Agreement
- 13.2 Request for Proposal 07-417 - Public Art Commission, Nova Scotia Fallen Peace Officers Memorial, Halifax Grand Parade Square

Changes :

Deputy Mayor Adams requested that items 11.1.6 and 11.1.7 be dealt with immediately following item 8.2.

MOVED BY Councillor Mosher, seconded by Councillor Snow, that item 8.15 be moved up on the agenda after item 9.2. MOTION PUT AND PASSED.

It was requested that item 11.4 be dealt with prior to item 9.1.

Councillor Fougere raised a procedural point regarding item 6.1, the Motion of Reconsideration. She advised that the Rules of Order stated that a motion of reconsideration must come in writing and also questioned how it had made its way on to the agenda without a notice of motion.

Ms. Mary Ellen Donovan, Municipal Solicitor, advised that the Municipal Clerk had checked the recording of the June 10, 2008 Regional Council meeting and that a verbal notice of motion had, in fact, been given.

Councillor Fougere indicated that she was aware of the notice of motion being given verbally, however, she advised that the rules of order stated that there should be a seconder and that the motion should be in writing. She challenged this item being on the agenda. She stated that she would like it noted for the record that Councillor Hendsbee

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verbally moved the motion of reconsideration, however, it was not in writing and that she objected to this.

Ms. Donovan stated that her recollection had been that when a notice of reconsideration had been given it was stated on the floor and typically not typed or written out.

Councillor Rankin indicated his intention to raise a motion of privilege after the Citizenship Awards at the 6:00 p.m. session and Council obliged.

MOVED BY Councillor Walker, seconded by Councillor Johns, that the agenda, as amended, be approved. MOTION PUT AND PASSED.

5. BUSINESS ARISING OUT OF THE MINUTES

6. MOTIONS OF RECONSIDERATION - June 10, 2008

6.1 Councillor Hendsbee re: Tender 08-245 - Chebucto Road - Reversing Lane Project - West Region

Councillor Hendsbee stated that it should be noted that when the official minutes come forward on this matter he believed that the 11/11 verdict had been recorded inaccurately.

Council was advised that unless agreed upon by Council that this item be added to the agenda it could not be discussed again until the August 12, 2008 Council session.

MOVED BY Councillor Hendsbee, seconded by Councillor Karsten, that the motion of reconsideration regarding Tender 08-245 be added to the agenda.

A recorded vote was taken on the motion.

MOTION PUT AND PASSED.

Those voting in favour were Mayor Kelly, Deputy Mayor Adams and Councillors Streach, Snow, Hendsbee, McInroy, Karsten, Smith, Wile, Walker, Mosher, Johns, Outhit, Rankin and Meade.

Those voting against were Councillors Younger, Barkhouse, Murphy, Sloane, Fougere, Hum and Harvey.

Councillors McCluskey and Uteck were absent for the vote.

Councillor Hendsbee advised that he believed that delaying this matter until August would cause further frustration to both residents and construction crews.

MOVED BY Councillor Hendsbee, seconded by Councillor Streach, to reconsider the motion of June 10, 2008.

A recorded vote was taken on the motion.

MOTION PUT AND PASSED.

Those voting in favour were Mayor Kelly, Deputy Mayor Adams and Councillors Streach, Snow, Hendsbee, McInroy, Karsten, Smith, Wile, Walker, Mosher, Johns, Harvey, Outhit, Rankin and Meade

Those voting against were Councillors Younger, Barkhouse, Murphy, Sloane, Fougere and Hum.

Councillors McCluskey and Uteck were absent for the vote.

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

1. **Award Tender No. 08-245, Chebucto Road - Reversing Lane Project - West Region to Basin Contracting Limited for a Total Tender Price of \$2,080,619.14 (net HST included) with funding from Capital Account No. CTV00732 - Rotary/Chebucto Reversing Lane, as outlined in the Budget Implications section of the report dated May 30, 2008.**
2. **Approve an increase to the Capital Budget CTV00732 of \$510,000 with additional funding provided from a withdrawal from Account Q101 as outlined in the Budget Implication Section of the report dated May 30, 2008.**

MOTION PUT AND PASSED.

7. **MOTIONS OF RESCISSION - NONE**

8. **CONSIDERATION OF DEFERRED BUSINESS**

8.1 **By-Law T-138, An Amendment to By-Law T-108, Respecting Regulations of Taxis and Limousines (Supplementary Report)**

- A Supplementary Report dated May 22, 2008 was before Council.

MOVED BY Deputy Mayor Adams, seconded by Councillor Walker, that Halifax Regional Council approve:

1. **That limitations remain in place in all three zones; and**
2. **That zones being opened from Friday 11:00 p.m. to Saturday 3:00 a.m. and Saturday 11:00 p.m. to Sunday 3:00 a.m.**

Councillor Hendsbee advised that he believed that a taxi owner should only be allowed to own one rooflight and that HRM should recall and reissue all lights. He noted that HRM should also eradicate leasing agreements, that he would like those who are currently on the waiting list have first priority for lights and that taxi capacity should be increased by fifty (50) percent.

Council recessed at 11:56 p.m.

Council reconvened at 1:08 p.m. with the same members present with the exception of Councillors McInroy, Fougere, Mosher, Johns and Outhit.

A discussion on the motion ensued with Staff Sergeant Robin McNeil responding to questions. The following points were noted:

- C Staff Sergeant McNeil was unsure as to whether or not opening the zones at peak times would increase service;
- C There are approximately five (5) to seven (7) roof lights available in the county area;
- C There are a total of three hundred and fifty (350) drivers on the waiting list for roof lights in all three (3) zones;
- C Of those three hundred and fifty (350), one hundred and seventy seven (177) drivers were on the Halifax waiting list, however, many were already licensed owners in other zones.

Councillor Hendsbee left the meeting at 1:20 p.m. He advised that he would be attending the funeral of a senior resident who had suffered a heart attack due to the Lake Echo area fires.

Councillor Mosher entered the meeting at 1:29 p.m.

- C Several Councillors noted that the Municipal Government should not be regulating any private business with the exception of safety standards;
- C At the public hearing in February, a taxi broker noted that there were nineteen (19) lines and six (6) operators available when calling for a taxi. It was suggested that communications be augmented to aid the efficiency of taxi service;
- C The two (2) motions currently on the floor had been covered by the public hearing notice in the paper;
- C At the public hearing in February many speakers noted that 11:00 p.m. to 3:00 a.m. was not the only time there was a service deficiency;
- C There was concern that opening the zones would create even more problems regarding taxi service in suburban and rural areas as taxis would be flocking to the downtown core.

Council agreed to split the motion and that a recorded vote be taken.

Part 1

MOVED BY Deputy Mayor Adams, seconded by Councillor Walker, that Halifax Regional Council approve that limitations remain in place in all three zones. MOTION PUT AND PASSED.

Those voting in favour were Mayor Kelly, Deputy Mayor Adams and Councillors Barkhouse, Smith, Wile, Murphy, Walker, Hum, Mosher, Rankin and Meade.

Those voting against were Councillors Streach, Snow, Younger, Karsten, Sloane and Harvey.

Councillors Hendsbee, McInroy, McCluskey, Uteck, Fougere, Johns and Outhit were absent for the vote.

Part 2

MOVED BY Deputy Mayor Adams, seconded by Councillor Walker, that Halifax Regional Council approve that zones being opened from Friday 11:00 p.m. to Saturday 3:00 a.m. and Saturday 11:00 p.m. to Sunday 3:00 a.m. MOTION PUT AND PASSED.

Those voting in favour were Mayor Kelly, Deputy Mayor Adams and Councillors Barkhouse, Smith, Wile, Murphy, Walker, Hum, Rankin and Meade.

Those voting against were Councillors Streach, Snow, Younger, Karsten, Sloane, Mosher and Harvey.

Councillors Hendsbee, McInroy, McCluskey, Uteck, Fougere, Johns and Outhit were absent for the vote.

MOVED BY Deputy Mayor Adams, seconded by Councillor Wile, that taxi drivers may request the estimated total fare up front.

Councillor McCluskey entered the meeting at 2:32 p.m.

A discussion on the motion ensued. Several Councillors expressed concern with passengers or drivers being taken advantage of as it is often difficult to determine what the final cost of a trip will be when factors such as traffic are taken into consideration.

It was noted that perhaps requesting a portion of the estimated fare would be more reasonable.

It was noted that there was no other jurisdiction that requests payment of taxi fare up front.

Councillors Younger and Karsten were concerned with the implied prejudice that may go along with drivers only requesting up front payment from certain individuals. Councillor

Karsten indicated that this could be interpreted as discrimination as there were no guidelines to say what criteria to ask for proof of payment or payment up front would be.

Councillor Sloane suggested having a transparent film on taxi cab windows which would outline the rules of conduct for both the passenger and driver. Staff Sargent McNeil advised that it could certainly be looked into and Deputy Mayor Adams noted that the industry had been attempting to incorporate a public and drivers bill of rights.

Councillor Fougere entered the meeting at 2:46 p.m.

Councillor Streach suggested that requesting proof of payment may be a more reasonable approach and proposed a friendly amendment to the motion to partially enable drivers to ask for proof of payment.

Deputy Mayor Adams obliged. The motion now reads:

MOVED BY Deputy Mayor Adams, seconded by Councillor Wile, that taxi drivers may request adequate proof of payment of the fare up front. MOTION PUT AND PASSED.

MOVED BY Deputy Mayor Adams, seconded by Councillor Wile, that roof light advertising be permitted on taxis as long as the roof light remains visible to ensure vehicle identification.

Mr. Kevin Hindle, Regional Coordinator of Taxi and Limousine Services, advised that the By-Law currently allowed advertising anywhere on the car in compliance with the motor vehicle act and that advertising anywhere that restricts the view of roof light was prohibited.

Deputy Mayor Adams then clarified that the By-Law stated that the roof light must be attached to the roof and that this motion would be to allow the roof light to rest on the advertising.

MOTION PUT AND PASSED.

MOVED BY Councillor Karsten, seconded by Councillor Younger, that Taxi owner licenses only be issued to taxi drivers licensed and in good standing in the Halifax Regional Municipality. MOTION PUT AND PASSED.

MOVED BY Councillor Karsten, seconded by Councillor Mosher, that Taxi owner licenses be limited to one per licensed driver.

It was noted that by moving this motion existing licenses would not change, therefore, it would be grandfathered on a go forward basis.

MOTION PUT AND PASSED.

MOVED BY Councillor Mosher, seconded by Councillor Sloane, that Taxi owner licenses be cancelled if the licensed driver loses his or her taxi driver's license.

Staff Sergeant McNeil advised that this would simply connect the licenses of one person.

Mr. Wayne Anstey, Deputy Chief Administrative Officer, advised that even after a license is suspended the decision may be appealed.

MOTION PUT AND PASSED.

MOVED BY Councillor Karsten, seconded by Councillor Sloane, that Taxi owner and driver licenses continue to be non-transferable. MOTION PUT AND PASSED.

MOVED BY Councillor Younger, seconded by Councillor Karsten, that the Halifax Regional Municipality disband the Taxi and Limousine Committee and repeal Administrative Order #38.

Deputy Mayor Adams stated that, since their creation, the Taxi and Limousine Advisory Committee had implemented national certification and that members were taking time and money to sit on this Committee. He advised that Council could certainly forward any information they received regarding Taxis on to the Committee.

Several Councillors believed that disbanding the committee would eliminate public participation and acknowledged the member's hard work.

Councillor Younger suggested a rewrite of the Committee's Terms of Reference as many issues addressed at the hearing were not included in their mandate.

Councillor Smith suggested removing the drivers, brokers and Councillors from the Committee and creating a new resident stake holder committee to advise Council.

Councillor Hendsbee entered the meeting at 3:31 p.m.

Deputy Mayor Adams advised that the entire report was the result of a motion from the Taxi Committee to Council regarding transferability and that staff was then asked by Council to come back with that information and additional items.

MOTION DEFEATED.

Council recessed at 3:33 p.m.

Council reconvened at 3:46 p.m.

8.2 Taxi & Limousine Advisory Committee - Review of Taxi Fares to Increase Taxi Rates

C A report dated May 26, 2008 was before Council.

MOVED BY Deputy Mayor Adams, seconded by Councillor Streach, that Halifax Regional Council approve:

1. That the report to Regional Council be deferred for a period of three months to obtain input from the drivers; and
2. To monitor the ongoing gas prices since the date of the last fare increase in 2005.

MOTION PUT AND PASSED.

**11.1.6 Second Reading Proposed By-Law N-301, An Amendment to By-Law N-300, Respecting Nuisances (Supplementary Report)
Motion - Deputy Mayor Adams - Move Second Reading**

C An extract of the May 27, 2008 Regional Council minutes was before Council.

C A Power Point presentation was before Council.

C A Supplementary report dated April 7, 2008 was before Council.

MOVED BY Deputy Mayor Adams, seconded by Councillor Streach, that Halifax Regional Council approve By-Law N-301 Respecting Nuisances attached as Appendix "A" of the supplementary staff report dated April 7, 2008.

Several Councillors expressed concern with how the identity of the animal owner could be proved. Staff Sergeant McNeil advised that proof could be achieved by the complainant submitting a picture or video or by stating that they recognize the animal as belonging to their neighbour. He stated that the proposed By-Law included summary offences for violations. He noted that both nuisance and animal control officers would be enforcing the By-Law.

Staff Sergeant McNeil also indicated that there would be no animal trapping conditions as cats would not be picked up and owners would be penalized via tickets and court dates.

A recorded vote was taken on the motion.

MOTION PUT AND PASSED.

Those voting in favour were Mayor Kelly, Deputy Mayor Adams and Councillors Streach, McCluskey, Younger, Barkhouse, Smith, Sloane, Fougere, Walker, Hum, Mosher, Outhit, Rankin and Meade.

Those voting against were Councillors Hendsbee, Karsten, Wile and Harvey.

Councillors Snow, McInroy, Murphy, Uteck and Johns were absent for the vote.

**11.1.7 Second Reading Proposed By-law A-302, an Amendment to By-law A-300, Respecting Animals and Responsible Pet Ownership
Motion - Deputy Mayor Adams - Move Second Reading**

- C An extract of the May 27, 2008 Regional Council minutes was before Council.
- C A Power Point presentation was before Council.
- C A Supplementary report dated May 1, 2008 was before Council.
- C A letter dated March 20, 2008 was submitted.

MOVED BY Deputy Mayor Adams, seconded by Councillor Sloane, that Halifax Regional Council:

- 1. Approve By-Law A-302, Respecting Animals and Responsible Pet Ownership attached as Appendix "A" of the supplementary staff report dated May 1, 2008.**
- 2. Approve an amendment to Administrative Order 11, Respecting Animals as outlined in Appendix "B" of the supplementary staff report dated May 1, 2008.**

MOTION PUT AND PASSED.

8.3 Case 01148 - Amendments to the Bedford West Secondary Planning Strategy and Regional Subdivision By-Law (Supplementary Report) (May 13, 2008)

- C An extract of the May 13, 2008 Regional Council minutes was before Council.
- C A supplementary report dated May 17, 2008 was before Council.
- C A report dated April 24, 2008 was before Council.

MOVED BY Councillor Outhit, seconded by Councillor Karsten, that Halifax Regional Council:

- 1. Initiate the process to consider amendments to the Bedford West Secondary Planning Strategy sanitary sewer servicing policies and to consider amendments to the Regional Subdivision By-Law regarding adoption of capital cost contribution charges:**
- 2. Adopt the public participation program outlined in Attachment C of the staff report dated May 17, 2008.**

Mr. Peter Duncan, Manager of the Capital Cost Contribution project provided the presentation on Case 01148. The following highlights were noted:

- C The amendments surround treatment capacity;
- C There will be an estimated population growth of approximately eighty four thousand (84,000) people over the next twenty five (25) years;
- C Six (6) areas in the region have been defined as urban settlements and may be considered for servicing over the next twenty five (25) years;
- C A benefit will be the elimination of approximately two million (2,000,000) dollars in wastewater as a result of the removal of the force main on Hammonds Plains Road;
- C There is only expected to be a finite amount of settlement and it was believed that reallocation of sewage will take place with low or minimal impact to other areas.

A discussion ensued with Mr. Duncan and Mr. Austin French, Manager of Planning Services responding to questions.

Councillor Sloane expressed concern that this plan was encouraging sprawl and that it went against Council's motion to look at alternative ways of treating sewage with regards to the Harbour Solutions Project. She stated that if the proposed plants went offline the sewage would go into the harbour. Regarding sprawl, Mr. French indicated that all of the areas brought to Council's attention were those areas which were identified for growth in the Regional Plan.

Mr. Duncan advised that the proposed wastewater upgrades would now fall under Halifax Water and that without the upgrade they would be short capacity. He also stated that the cost of the servicing study had been awarded to CBCL for urban settlements and that they had not yet initiated secondary studies.

Councillor Outhit advised that he had previously requested that this item be deferred as he had concerns regarding capacity. He thanked staff for meeting with him and indicated that he was now comfortable with moving forward, however, he also noted that he was not yet comfortable with the long term flushing studies.

MOVED BY Councillor Johns, seconded by Councillor Karsten, that Halifax Regional Council continue the meeting until 5:00 p.m. MOTION PUT AND PASSED.

Councillor Sloane left the meeting at 4:38 p.m.

Councillor Johns requested that existing sewage and piping problems, particularly in district 19, be priority over new development.

Mr. Paul Morgan, Senior Planner, advised that a public meeting would be held by staff and that property owners within the plan area would be invited. He indicated that a meeting notice would also run in the paper and the issue would be vetted through the affected Community Councils prior to this.

Councillor Murphy left the meeting at 4:47 p.m.

MOTION PUT AND PASSED.

8.4 North West Community Council - Case 01048 - Bedford West Development Agreement and Municipal Planning Strategy Amendments, Sub-areas 3 and 4

C A report dated May 26, 2008 was before Council.

MOVED BY Councillor Harvey, seconded by Councillor Karsten, that Halifax Regional Council approve First Reading of the proposed amendments to the Bedford Municipal Planning Strategy as presented in Attachment "A" of the staff report dated April 24, 2008 and schedule a joint public hearing with the North West Community Council. MOTION PUT AND PASSED.

8.5 Correspondence - Maritime Forces Atlantic - Request for Fly-past

C A letter dated May 26, 2008 from Captain W. A. Woodburn, Base Commander, Canadian Forces Base Halifax, was submitted

MOVED BY Councillor Younger, seconded by Councillor Fougere, that Halifax Regional Council approve the request from the Maritime Forces Atlantic for a fly-past on June 21 and June 22, 2008 at 2:00 p.m. MOTION PUT AND PASSED

8.6 Correspondence - Halifax Dartmouth Canada Day Celebration - Request for Military Fly-past

C A letter dated June 4, 2008 from Mr. Peter Majeau, Chair, Halifax-Dartmouth Canada Day Committee was submitted.

MOVED BY Councillor Snow, seconded by Councillor Barkhouse, that Halifax Regional Council approve the request from the Halifax - Dartmouth Canada Day Committee for a fly-past on July 1, 2008. MOTION PUT AND PASSED.

8.7 Request for Permanent Encroachment on Memory Lane, Lower Sackville

C A report dated May 13, 2008 was before Council.

MOVED BY Councillor Harvey, seconded by Councillor Snow, that Halifax Regional Council approve the attached encroachment agreement to allow the Sackville Rivers Association to install a trail head sign on Memory Lane. MOTION PUT AND PASSED.

Councillor Harvey advised that the trail head would remain on Old Sackville Road and that it must be a joint project between the provincial government and HRM.

8.8 Lease Agreement - Parcel M-1 (PID 40805848) Glen Arbour Way, Hammonds Plains

C A report dated May 28, 2008 was before Council.

MOVED BY Councillor Meade, seconded by Councillor Snow, that Halifax Regional Council authorize the Mayor and Municipal Clerk to execute the Lease Agreement between the Annapolis Group Inc., (*Landlord*) and the Halifax Regional Municipality (*Tenant*) for the subject property based on the key terms and conditions outlined in this report. MOTION PUT AND PASSED.

8.9 Interim Award Policy - 2008

C A report dated June 2, 2008 was before Council.

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

- a) **Council approve the Interim Award Policy as set out in the Discussion Section of the staff report dated June 2, 2008 for the entire period July 1 to September 2; and**
- b) **The Interim Award Policy apply when a regular Regional Council meeting has been cancelled or the regular schedule creates more than eight (8) business days between Council meetings.**

MOTION PUT AND PASSED.

8.10 Proposed Administrative Order SC-53 - Respecting Closure of a Portion of Shore Road, Dartmouth

C A report dated June 3, 2008 was before Council.

MOVED BY Councillor McCluskey, seconded by Councillor Snow, that Halifax Regional Council approve and pass Administrative Order Number SC-53 regarding the closure of a portion of Shore Road, Dartmouth identified as Parcels H1 and H2 on a plan entitled "Plan of Survey of Lots WR-1A, WR-1B, WR-1C & WR-1D being a Subdivision of Lot WR-1, Lot WR-1C & Lot WR-1D being a consolidation of Lot H1 and H2 Lands Conveyed to Halifax Regional Municipality, Lot WR-1 Lands conveyed to Brian McNaulty & Mary Adams" prepared by Civtech Engineering & Surveying Limited dated March 5, 2008. MOTION PUT AND PASSED.

Council recessed at 4:58 p.m.

The meeting reconvened at 6:00 p.m. with all Council members present, with the exception of Councillor Uteck who had sent regrets.

SPECIAL PRESENTATION - CITIZENSHIP AWARDS

On behalf of HRM, Mayor Kelly, and Council members, Deputy Mayor Adams welcomed those in attendance to the annual citizenship awards presentation. He advised that the students who were receiving the awards this evening have been chosen by their teachers and principals based on the criteria that they exemplify a motivated, caring, achieving, and giving individual who is a role model for others. He added that these individuals are not only good students but they give back to their school and community.

Deputy Mayor Adams assumed the Chair, and the Mayor and Councillors presented the awards to the following:

Lily Hartley, Musquodoboit Rural High School
Michelle Hubley, Duncan MacMillan High School
Falon Robatie, Harold T. Barrett Jr. High School
Gregory Veinott, Lockview High School
Victoria Herron, George P. Vanier Junior High School
Jillian Mosher, Gaetz Brook Junior High School
Sam Parmiter, Ross Road School
Chelsea Fraser, Graham Creighton Junior High School
Jennifer Melissa Brace, Astral Drive Junior High School
Geoffery Skyes, Prince Arthur Junior High School
Neil McKenna, Ellenvale Junior High School
Dominique Comeau, Ecole du Carrefour
Sarah MacKinnon, Eric Graves Memorial Jr. High School
Becky Kerr, Sir Robert Borden Junior High School
Arianne Meredith, Eastern Passage Education Centre
Kaitlyn Williams, Bicentennial School
Kyle Stewart-Tattrie, John Martin Junior High School
Katrina Renee Bowers, Highland Park Junior High School
Martena Anderson, St. Patrick's - Alexandra School
Toshi Imai, Oxford School
Tarequ Yousef, Fairview Junior High School
Allyson Brown, Clayton Park Junior High School
William Hatfield, Cornwallis Junior High School
Matthew Power, Kings View Academy
Teminna Haider, St. Agnes Junior High School
Alanah Higgins, Cunard Junior High School
Paige Cameron, Elizabeth Sutherland School
Grace O'Hara, Herring Cove Jr. High School

Andrew Higgins, Rockingstone Heights
Kathlene Robinson, Sackville Heights Junior High School
Sarah Elisabeth Cameron, Sacred Heart School of Halifax
Shelby Clattenburg, Halifax Christian Academy
Sara-Anne Kingsbury, Leslie Thomas Junior High School
Jill Chamberlaine, Cavalier Drive Junior High School
Natalie Bagloee, A. J. Smeltzer Junior High
Jennifer Wadden, Armbrae Academy
Cora Leigh Macdonald, Bedford South School
Heather Webster, Bedford Junior High School
Matthew Burke, Ridgecliffe Middle School
Mathew Slaunwhite, Brookside Junior High School
Brendan Prouse, Five Bridges Junior High School
Matthew Ball, Madeline Symonds Middle School

Chanshike Kim, of Park West School was not able to be in attendance.

Council recessed at 6:29

The meeting reconvened at 6:41 p.m. with the same members present.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillor Hendsbee expressed his sincere appreciation to all those who participated in fighting the forest fire which happened this past weekend in the Porters Lake and Lake Echo area, and to those who assisted in the evacuation as a result of the fire. Councillor Hendsbee also thanked Mayor Kelly for his time and dedication throughout the ordeal.

Mayor Kelly noted that Councillor Hendsbee worked tirelessly throughout the weekend in regard to the fire, and expressed his appreciation for his efforts.

Councillor McInroy thanked the residents of Cole Harbour for their efforts in assisting those in need as a result of the fire and, in particular, he thanked the staff of Cole Harbour Place.

Councillor Meade noted that a forest fire also broke out in the Tantallon area of his district last Friday and he expressed his appreciation for all those who were involved in fighting the fire.

At the request of the Mayor, Chief Bill Mosher, Fire Services addressed Council. Chief Mosher commented that after this weekend's events, it demonstrated to him that he works for an amazing organization with amazing people and he appreciates the opportunity to work with such dedicated individuals.

Councillor Snow advised that on Saturday, June 21, 2008, 10:00 a.m. - 2:00 p.m. the Royal Canadian Mounted Police are hosting a *Safe Summer Kick-off* at the Wal-Mart in Bedford. As well, she advised that on June 21, 2008, 2:00 p.m. - 4:00 p.m. the Woodbine Family Association is hosting an annual barbeque and the opening of their new playground. Councillor Snow thanked Ashley Mosher, Alexa Jollimore, Melissa Jollimore, Liam Hawkins, and Grant Hawkins for their outstanding performance in the Canadian Gymnastic Championships in Calgary. Councillor Snow congratulated Andrew Snow, who received two silver medals in the Special Olympics Summer Games.

At 6:50 p.m. Councillor Hendsbee retired from the meeting.

Councillor Karsten advised that June 21, 2008, 9:00 a.m. - 4:00 p.m., MicMac Mall lower parking lot, a Mobile Hazardous Waste Depot Pickup will be held.

Councillor Sloane offered her thanks to Parks Canada for opening up George's Island to the public this past weekend.

Councillor McCluskey advised that this past Sunday she toured the area which was burned during the forest fire and, after seeing how close the fire came to homes, it was clear that it was very challenging for the fire fighters and that they did a phenomenal job in fighting the fire.

Councillor Outhit advised that Bedford Days was being held from June 25, 2008 to July 1, 2008. He referred to the website for anyone wanting additional information. Councillor Outhit noted that this year's festivities were being dedicated to the memory of the late Gary Martin, Councillor for Bedford.

Councillor Murphy advised that the Nova Scotia Special Olympics was held at Saint Mary's University this past weekend and it was a proud weekend for all participants. He offered congratulations to Hillary Baptiste on winning a silver medal.

Councillor Smith advised that tomorrow evening (June 18, 2008) there will be a special meeting of the Dartmouth North Community Center Board of Directors along with the community to discuss the lease agreement process with HRM. He encouraged everyone in District 9 to attend the meeting to give support and direction.

Councillor Mosher offered congratulations to Clean Nova Scotia on their 20th Anniversary which was held this past week. She also advised that Greekfest was held this past weekend and was very successful. Councillor Mosher thanked the organizing committee, the executive of St. George Orthodox Church and all residents that came out to enjoy the event.

Councillor Johns advised that this past weekend the 5th Annual Canadian Cancer Society Relay for Life was held and it was the most successful to date. He noted that Ramar joined as a new sponsor and over \$120,000 in total was raised. Councillor Johns offered a special congratulations to Steve Craig, advising that he has been a strong supporter and

has spearheaded this event for some time. He noted that this was Mr. Craig's last year and he thanked Mr. Craig and all those involved in the event.

Deputy Mayor Adams advised that this past Saturday morning, a community garden in Spryfield was planted in the median of North West Arm Drive/Old Sambro Road. He thanked the Mainland South Heritage Society, the Urban Farm Museum, *Bloomin Flowers* for the design, and local residents. Deputy Mayor Adams noted that 900 flowers were planted. He thanked Councillor Mosher and Municipal Staff for their support and assistance, and Minister Murray Scott for allowing for the project to proceed.

Councillor Barkhouse advised of a Bike Rodeo at the Tallahassee School, on Saturday, June 21, 2008 at 10:00 a.m.

Councillor Younger advised that tomorrow night (June 18, 2008) a public meeting was being held on the future of the Woodlawn Library at 7:00 p.m. at Woodlawn United Church, and that the Library Board will be presenting the two site options for the new library.

Councillor Walker noted that there was a very long agenda for tonight's session and he suggested that Regional Council should extend its meeting time this evening.

MOVED by Councillor Walker, seconded by Councillor Karsten that Regional Council extend the meeting time this evening to 11:00 p.m. MOTION PUT AND PASSED.

Council agreed to deal with the following two items prior to the public hearings:

11.3 PENINSULA COMMUNITY COUNCIL

11.3.1 Case 00930 - Municipal Planning Strategy and Land Use By-Law Amendment for 6955 Bayers Road, Halifax

- C A report dated June 10, 2008 from the Chair of Peninsula Community Council, with an attached Supplementary Staff report dated May 21, 2008 was submitted.
- C An e-mail dated June 16, 2008 from Ms. Randa Wheaton, Senior Planner, was submitted.

MOVED by Councillor Murphy, seconded by Councillor Sloane that Regional Council:

1. **Give First Reading to the proposed amendments to the Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-law contained in Attachment "A" of the Staff Report of January 21, 2008, and**

2. Schedule a joint public hearing with Peninsula Community Council to consider approval of the amendments to the Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-law as contained in Attachment "A" of the Staff Report of January 21, 2008.
3. Amend Attachment "A" of the report dated January 21, 2008 by deleting the words 'a' and 'building' from both the proposed Municipal Planning Strategy policy (2.14) and the proposed Land Use By section (99(9) to allow more than one building.

MOTION PUT AND PASSED.

11.4 HARBOUR EAST COMMUNITY COUNCIL:

11.4.1 Case 00798 - Dartmouth Marine Slips Re-development

- C A report dated May 29, 2008 was submitted from the Vice Chair of the Regional Plan Advisory Committee with an attached staff report dated May 13, 2008.
- C A report dated June 6, 2008 was submitted from the Chair of Harbour East Community Council with an attached staff report dated May 16, 2008.
- C A memorandum dated June 16, 2008 was submitted from Mr. David Lane, Senior Planner.

MOVED by Councillor McCluskey, seconded by Councillor Younger that Halifax Regional Council:

1. Give First Reading to consider the proposed amendments to the Dartmouth Viewplane and View Corridor Policy of the Regional Municipal Planning Strategy as provided in Attachment "A" of the staff reports dated May 13 and May 16, 2008 (Attachment 1 of the Harbour East Community Council and Regional Plan Advisory Committee reports), and schedule a joint public hearing with Harbour East Community Council.
2. Give First Reading to consider the proposed amendments to the Viewplane Policy of the Dartmouth Municipal Planning Strategy as provided in Attachment "B" of the staff reports dated May 13 and May 16, 2008 (Attachment 1 of the Harbour East Community Council and Regional Plan Advisory Committee reports), and schedule a joint public hearing with Harbour East Community Council.

3. **Give First Reading to consider the proposed amendments to the Dartmouth Viewplane and View Corridor Policy of the Downtown Dartmouth Secondary Planning Strategy and Land Use By-Law and the addition of site specific policy as provided in Attachments “C”, “D” and “E” of the staff report dated May 16, 2008 and Attachments “C” and “D” of the staff report dated May 13, 2008 (Attachment 1 of the Harbour East Community Council and Regional Plan Advisory Committee reports), and schedule a joint public hearing with Harbour East Community Council.**

In moving the motion, Councillor McCluskey advised that the submitted memorandum dated June 16, 2008 notes a correction to the PIDs in the proposed amendments (Attachments D & E) of the May 16, 2008 Harbour East Community Council report, and she indicated that she was moving the motion with these corrections.

MOTION PUT AND PASSED.

9. PUBLIC HEARINGS

9.1 By-law A-400, Respecting Alternative Voting for Municipal Elections

- C First reading of this matter was given at a meeting of Regional Council dated May 27, 2008.
- C An extract of the May 27, 2008 Regional Council minutes was submitted.
- C A Power Point presentation was submitted.
- C A supplementary report dated June 10, 2008 was submitted.

Ms. Cathy Mellett, Division Manager, Client Services, Business Planning and Information Management addressed Council and provided an overview of the supplementary staff report which outlined three minor changes in By-Law A-400 that differed from the version that was before Regional Council on May 13, 2008.

Ms. Mellett responded to questions of clarification.

Mayor Kelly reviewed the Rules of Procedure for Public Hearings and opened the hearing for anyone wishing to speak.

Ms. Beverly Miller, Halifax, commented that she felt the dates chosen might be a bit soon for the public information process.

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

MOVED by Councillor Younger, seconded by Councillor Fougere that Halifax Regional Council approve By-Law A-400, Respecting Alternative Voting for

Ordinary Municipal Elections as attached to the supplementary report dated June 10, 2008. MOTION PUT AND PASSED.

9.2 Case 00971 - Municipal Planning Strategy and Land Use By-Law Amendments and Development Agreement, Halkirk (Keith's Brewery) Lands, Lower Water, Bishop and Hollis Streets, Halifax

First Reading of this matter was given at a meeting of Regional Council held on May 13, 2008.

- C A staff report dated April 2, 2008 was before Council.
- C A letter dated June 13, 2008 from Mr. Philip Pacey, President of the Heritage Trust of Nova Scotia was before Council.
- C An e-mail dated June 5, 2008 from Ms. Gillian Pullen was before Council.
- C An extract of the May 13, 2008 Regional Council minutes was before Council.
- C A supplementary report dated May 28, 2008 was before Council.
- C An information report from the District 12 Planning Advisory Committee dated April 21, 2008 was submitted.
- C A report from the Heritage Advisory Committee dated May 9, 2008 was submitted.

Mr. Paul Sampson, Planner I, provided the staff presentation on the request by Halkirk Properties Limited to amend the Halifax Municipal Planning Strategy and Halifax Peninsula Land Use Bylaw to permit a mixed-use development on the southern portion of the "Keith's Brewery" lands by development agreement.

Staff responded to questions of clarification.

Mr. Bill Campbell, addressed Council advising that he was a private consultant, and that he was representing Halkirk Properties. Mr. Campbell provided a presentation on Halkirk's proposal, noting the following points:

- C It is predominately a residential development
- C The policy allows for a comprehensive development.
- C Want to maintain a consistent design theme in the Brewery District, thus the request to the CBD (Central Business District)
- C Balance of the development will support the restoration of Keith Hall
- C Consideration is being given to displaying any artifacts found on the site in a similar manner to what they have done with the Salter's Gate project
- C Farmers Market - has been designed in the project for temporary and permanent space
- C The architectural detail of Halkirk House will be compatible with its neighbours
- C The building design is a Green Building characteristic format

- C Vehicular circulation – deliveries, drop-offs, and parking will all be off-street
- C Wind and shadow analysis have been carried out.

Mr. Campbell responded to clarification questions of Council.

At 7:53 p.m. Council recessed.

At 8:06 p.m. Council reconvened.

Mayor Kelly reviewed the Rules of Procedure for Public Hearings, and opened the hearing.

Mr. Patrick LeRoy, Halifax, spoke in support of the proposal. In his remarks, Mr. LeRoy advised that in 1975 he worked on the restoration of the Benjamin Weir house. He added that he did not agree with concerns made about the impact the Halkirk proposal would have on the heritage of this house and neighbouring properties. Mr. LeRoy indicated that he felt the proposal was respectful to the heritage of the neighbourhood and that it would result in the interior and exterior restoration of Keith Hall. Mr. LeRoy addressed various aspects outlined in the proposal and the change to the boundary of the Central Business District and noted that this project celebrates the contrast between old and new, and the designers have set new standards socially, spatially, and environmentally and guided by the principles of the HRM by Design exercise and the policies and objectives outlined in the current MPS. He requested that Council approve this application.

Mr. Brad Smith, Dartmouth, spoke in support of the proposal advising that growth was critical in order to retain youth in the area and this was an opportunity to intensify the downtown. Mr. Smith added that, from the perspective of a taxpayer, the Municipality needs the taxes that it would generate. As well, he advised this project creates iconic growth and respects heritage and is important that projects like this move forward. Mr. Smith noted that some comments have been made that the tall buildings impact on tourism. He pointed out that Tourism represents 2.4 % of GDP whereas the Financial Services sector represents 24% of GDP. He noted other major cities where heritage buildings and new projects co-exist very well, and suggested that the same can happen here.

Mr. Angus MacDonald, Halifax, spoke in opposition to the proposal advising that it was not in keeping with the Municipal Planning Strategy (MPS) in regard to height, shadow, and wind factors. He advised that the Municipality should demand that developers keep to the MPS. Mr. MacDonald added that he supported development but it must be in keeping with the heritage of the city, and that he feels the waterfront area was not meant to be part of the Central Business District.

Mr. Laird Wilton, Dartmouth, addressed Council in support of the proposal. He advised that he believed this type of development needs to be encouraged, as this will help revitalize the city.

Mr. Fred Morley, Halifax, spoke in support of the development. In his remarks he advised that there is a collective vision for a more vibrant downtown and that instead of new construction occurring, taxes are going up. He indicated that development like this is consistent with every vision document the Municipality has. Mr. Morley concluded his remarks by advising that it is better to have more people living and working in the area, and that this project was a step in the right direction.

Mr. Paul Hopkins, Halifax, spoke in support of the project advising that this was a progressive addition to the downtown and it conforms with the most recent heritage thinking. He added that it is a well balanced mix of the old into the new and he was a firm supporter of this project and felt it should proceed without further delay.

Mr. Michael Himmelman, Halifax, noted various significant developments that were constructed in the downtown area over the past couple of decades and advised that the activity seemed to stop at a point in time. He advised that the lack of progress and new construction has led to high taxes in the downtown, and he requested Council's support of the project.

Mr. Adam Conter, Halifax, addressed Council and indicated that he was in support of growth in the City. He advised that he left the Province in 2000 to go to university and when he returned he saw little difference. Mr. Conter noted that there is no vibrancy in the City, and in order to get the youth to stay there needs to be more growth. He added that a development like this will lead to a greener city because people can live close to their work; and it will help develop Barrington Street.

Ms. Tori Jarvis, Halifax, spoke in support of the development. She advised that she has lived in Halifax her whole life and, working in sales she has had opportunities to bring clients to view the City. Ms. Jarvis noted that of all the areas she took her clients on tours, Spring Garden Road was the most popular because of the people out walking and the energy of the street. She added the proposed development is a good mix of old and new; it is beautiful and environmentally friendly; and it will bring people to the downtown area.

Mr. Peter Morehouse, Bedford, advised that he was founder of Fusion Halifax, an organization of young people between the ages of 20 and 40 who are in the early stages of their careers. Mr. Morehouse indicated that he has spoken with hundreds of these individuals and his comments reflect these conversations. In this regard, Mr. Morehouse indicated he supported the project. He advised that the downtown which is the heart of the City is crumbling and this development will have a great impact on improving the downtown. Mr. Morehouse noted that heritage and development are not mutually exclusive and that in other parts of the world it works well together. He

concluded by suggesting that Council needs to support this project and, by doing so, it sends a message to young people that the City is not afraid of growth, change, and investment.

Mr. D. Blouin, Halifax spoke in opposition to the proposal. In his remarks Mr. Blouin expressed concern about the views being blocked by this development, the shadows it would cast and the increasing wind levels. He pointed out that it violates provisions in the MPS and the Halifax Waterfront Plan. Mr. Blouin also expressed concern about the height and design of the building, suggesting that it violates principles and practice of sustainable building. Mr. Blouin noted that the Heritage Advisory Committee did not approve the proposal and that both staff and the applicant by requesting an amendment to the Municipal Planning Strategy, are asking Council to overturn the democratic process.

Mr. Kent Lane, Halifax, advised that he was very much in favour of the project and felt that it would benefit the city as a whole. Mr. Lane indicated that the developer's previous project of Salter's Gate shows their attention to detail, concern about energy efficiency and sustainability. He encouraged Council to support the application adding that it will fit into the surrounding area and become a remarkable part of the skyline.

Mr. Paul MacKinnon, Halifax, addressed Council and advised that he was the Executive Director of the Downtown Halifax Business Commission and that he and his Board support this proposal. Mr. MacKinnon advised that the development will increase people in the downtown, it will increase the tax base, and more people will support business in downtown. He also noted that it supports the principles of *HRM by Design* and conforms to good urban design principles. Mr. MacKinnon referred to concerns expressed about the height of the building and advised that he felt it was a good trade-off for being able to keep Keith Hall and the Brewery.

Mr. Merv Russell, Halifax, spoke in support of the proposal, and pointed out that it involves the restoration of Keith Hall and the building of Halkirk House. Mr. Russell advised that the population of the City will continue to grow and the downtown core must be ready for it. He added that some people believe the downtown is suffering due to bureaucratic processes. He also pointed out that this proposal will add over \$750,000 annually to HRM's revenues without additional infrastructure cost for the city for water, sewer, streets, sidewalks and underground power line installations. Mr. Russell advised that approving this proposal will show that HRM embraces positive growth for the downtown area.

Mr. Dan Wallace, Halifax spoke in support of the proposal, commenting that the next generation needs a vibrant and liveable downtown.

Mr. Steven Debelie, Halifax spoke in support of the development advising that it respects the history of the City, and he would like to see it move forward. He added that it will help get people into the city and help the city grow and thrive.

Ms. Christa Akerman, Halifax, spoke in support of the proposal. She advised that she owned a bridal boutique in Salters Gate, and was pleased that the financial arrangement enabled her to open in a location in the downtown area, rather than having to go outside of the core area. She also noted that since she lives in the downtown area, she now works and lives within the same location. Ms. Akerman suggested that residential opportunities are needed in the downtown area if it is to thrive. She added that the development has taken into account the architectural considerations of the area and the heritage preservation.

Ms. Janet Shotwell, Halifax spoke in opposition to the proposal. She advised that she owned a book café on Hollis Street and, as such, has heard a lot of views on this proposal. In this regard, she noted that most people do not understand why it requires the height that is proposed, when nine or ten stories would be better. She questioned if staff had asked the developers for a lower high rise. Ms. Shotwell added that she felt the Alexander Tower will feel oppressive to the pedestrians, and she also questioned what would happen to the space allotted for the Farmers Market, if it should be relocated.

Mr. Craig Chisholm, Halifax, advised that he was involved in the construction of the Salters Gate project and that this proposal will create hundreds of local jobs in the construction industry. Mr. Chisholm added that he estimated that the labour on the project would be \$12 million which is wages and benefits to tradespeople, and these tradespeople, in turn, pay taxes to HRM. Mr. Chisholm indicated his support for the project noting that he was in favour of private developers injecting cash into the local economy.

At 9:11 p.m. Council recessed.

At 9:25 p.m. Council reconvened with Mr. Wayne Anstey as Acting Chief Administrative Officer.

The Mayor pointed out that there were many more speakers left on the list for the public hearing, and he noted that there was a lengthy agenda and some pressing issues for Council to deal with this evening. He questioned if Council wanted to continue with the public hearing until 10:00 p.m., and at that time stop the hearing and deal with as many other agenda items as possible. The Mayor added that Council would continue with the public hearing at next week's meeting.

MOVED by Councillor Sloane, seconded by Councillor McInroy that Council continue with the public hearing until 10:00 p.m. at which time, the hearing will recess and Council will deal with the other items on the agenda; the public hearing will be reconvened at the next regular Council meeting (June 24, 2008). MOTION PUT AND PASSED.

Council continued with the public hearing as follows:

Mr. Jake Whalen, Dartmouth, spoke in support of the project commenting that he was pleased to see some real growth in Halifax.

Mr. Steve Lionais, Halifax, advised that he supported the proposal adding that this will contribute to his enjoyment of the city. Mr. Lionais noted that he has chosen to live on the Peninsula and that he loves the vibrancy of the area and wanted to see more vibrant development. He pointed out that much of the opposition pertains to shadows, wind, and height but that the development process has addressed these issues.

Ms. Elizabeth Pacey, Halifax, spoke in opposition to the proposal. She noted that in 2003 Heritage Trust requested from Council that the Old South Suburb be made into a heritage conservation area, but realized that the Barrington Heritage area would be first priority. Ms. Pacey provided background historical information on the area in question and the various historical homes, and indicated that the proposed tower would not be in keeping with the surroundings. She also suggested that the heritage aspect of area was an attraction and brought in tourist dollars.

Ms. Elizabeth Newman, Dartmouth, spoke in support of the proposal. In her remarks she noted that she worked in the hospitality industry and currently was involved in the restaurant *CUT*, located in Salter's Gate. Ms. Newman noted the potential of having people working and living in the downtown and she requested Council's support of the project.

Mr. Michael Bradfield, Halifax, addressed Council and advised that he joined Heritage Trust this year. Mr. Bradfield added that historic properties are economic asset and not just for tourism but for people in the community. He noted that when buildings are out of scale with each other, it affects the enjoyment of that asset. He also noted that scale does not mean vibrancy or progress. Mr. Bradfield advised that he liked the project but felt the location was not suitable, and that it would be more appropriate in an area like Purdy's Wharf. He pointed out that development like Bishop's Landing is in keeping with the area.

Mr. Louis Lemoine, Halifax, spoke in support of the proposal. Mr. Lemoine advised that he was in the development business, and he was very supportive of this proposal as this was the type of economic initiative Council needs to take and that it will not only help the city, but the region as well. Mr. Lemoine added that Council needs to create an environment to allow investment to thrive, whereas, it is currently antiquated and slow. He noted that fair and predictable processes need to be created. In closing, Mr. Lemoine pointed out that developers are not anti-heritage, and that they see the value in protecting heritage and will work with any group in doing so.

Mr. Alan Ruffman, Ferguson's Cove, spoke in opposition to the proposal. Using a map, he provided a brief history of the Central Business District (CBD) boundary. He

suggested that the difference in this proposal from the one the applicant brought forward a few years ago was that they want to change the CBD boundary to immunize it from being appealed. Mr. Ruffman expressed concern with the proposed tower—the Alexander Tower—noting that it does not fit in the area and it does not respect the heritage of the area. He also pointed out that most of the development is residential as there is very little market for commercial development despite what developers are saying. Mr. Ruffman advised that this development was seeking to change the rules to fit the development, rather than the development fitting the plan, and Council should not approve the proposal.

Mr. Phillip Pacey, Halifax, advised that he was representing Heritage Trust and he was requesting that Council reject this proposal. Mr. Pacey noted that heritage sites have a great impact on tourism and that there were 30 registered heritage properties within the area in question, and it has a collection of Scottish Georgian architecture, which is the largest outside of Scotland. Mr. Pacey noted that Halifax City Council adopted the plan for Halifax Waterfront Development which ensured low rise development, and pointed out that this plan should not be changed without a similar consultation. In concluding his remarks, Mr. Pacey asked Council to reject the proposed Plan amendments and the development agreement.

At 10:04 p.m. Council recessed the public hearing and dealt with the following agenda items:

8.15 Councillor Mosher - Request to Add May 27, 2008 Information Item #11 to the Agenda - Plebiscite re: Tax Reform Question

C An information report dated May 20, 2008, originally submitted at the May 27, 2008 Regional Council was before Council.

MOVED by Councillor Mosher, seconded by Councillor Wile that Regional Council request a plebiscite on tax reform be conducted to coincide as part of the 2008 Municipal Election.

Councillor Mosher advised that she was requesting the plebiscite because she felt the public workshops that have been held have not been as effective, and that many people want to express their opinions on this issue. She added that the additional cost would only be \$70,000.

A discussion ensued and it was **MOVED by Councillor Karsten, seconded by Councillor Younger that the question on the motion be called. MOTION PUT AND PASSED.**

THE MOTION WAS PUT AND DEFEATED.

Councillor Mosher advised that she was resigning from the Tax Reform Committee.

8.17 Councillor Snow - Request for Report re: Municipal Planning Strategy Amendments re: Increased Density for Alternate Housing Forms

This matter was dealt with during Notice of Motions. See page 35.

8.18 In Camera Recommendation - Legal Matter - Settlement of Claim

This item was addressed at an earlier In Camera session dated June 10, 2008 and was now before Council for ratification:

MOVED by Councillor Snow , seconded by Councillor Barkhouse, that Halifax Regional Council:

- 1. Settle the claim brought by the Plaintiff in the amount of \$12,692.40;**
- 2. Not release to the public the Private and Confidential report dated January 4, 2007.**

MOTION PUT AND PASSED.

8.19 In Camera Recommendation - Personnel Matter - Citizen Appointments to Boards, Committees & Commissions

This item was addressed at an earlier In Camera session dated June 10, 2008 and was now before Council for ratification:

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

- 1. Approve the Citizen appointments to Boards/Committees/Commissions as outlined in Attachment 1 of the staff report dated June 9, 2008.**
- 2. Approve the extension of the Term of Appointment for Urban Design Task Force Members until the Committee fulfills its mandate.**
- 3. Approve the interim appointment of Jim Kirby to the Water Commission until October 31, 2008.**

MOTION PUT AND PASSED.

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.1 Correspondence - NONE

10.2 Petitions - None

11. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.1 Tender 08-247 - Pavement Resurfacing - Buckingham Drive and New Paving of HRM Owned Subdivision Streets - Sylvania Terrace - West Region

This item was dealt with later in the meeting. See page 35.

11.1.2 Request for Proposal 08-089 - Pyrotechnic Services, HRM Civic Events

C A report dated June 6, 2008 was before Council.

MOVED by Councillor Outhit, seconded by Councillor Snow that Halifax Regional Council award RFP #08-089, Pyrotechnic Services, HRM Civic Events to the highest scoring proponent, Concept Fiatlux at a total cost of \$136,553.18 (net HST included) with funding from Operating Account C760 Civic Events as outlined in the budget implications section of the report.

A brief discussion ensued and staff responded to questions.

MOVED by Councillor Smith, seconded by Councillor McCluskey that the question on the motion be called. MOTION PUT AND PASSED.

THE MOTION WAS PUT AND PASSED.

11.1.3 Legislation Amendments

C A report dated June 10, 2008 was before Council.

MOVED by Councillor Smith, seconded by Councillor Karsten that Halifax Regional Council approve the recommended amendments to the *Municipal Government Act* and related legislation and that the recommended amendments be forwarded to the Province of Nova Scotia for consideration.

The Municipal Solicitor responded to questions.

At the request of Councillor Fougere, the Mayor advised that each amendment would be voted on separately.

Without a vote being taken on the original motion, the following motions were put:

MOVED by Councillor Sloane, seconded by Councillor Karsten that Amendment I *Spending Power for Special Events*, as outlined in the June 10, 2008 staff report be approved and forwarded to the Province of Nova Scotia for consideration. MOTION PUT AND PASSED.

MOVED by Councillor Karsten, seconded by Councillor Fougere that Amendment II *Acceptance of Public Streets* as outlined in the June 10, 2008 staff report be approved and forwarded to the Province of Nova Scotia for consideration. MOTION PUT AND PASSED.

MOVED by Councillor Smith, seconded by Councillor Walker that Amendment III *In Camera Discussions of Intergovernmental Matters* as outlined in the June 10, 2008 staff report be approved and forwarded to the Province of Nova Scotia for consideration. MOTION PUT AND PASSED.

MOVED by Councillor Snow, seconded by Councillor Karsten that Amendment IV *Local Improvement Charges* as outlined in the June 10, 2008 staff report be approved and forwarded to the Province of Nova Scotia for consideration. MOTION PUT AND PASSED.

MOVED by Councillor Smith, seconded by Deputy Mayor Adams that Amendment V *Limitation Period for Land Use By-law Prosecutions* as outlined in the June 10, 2008 staff report be approved and forwarded to the Province of Nova Scotia for consideration. MOTION PUT AND PASSED.

MOVED by Councillor Sloane, seconded by Councillor Karsten that Amendment VI *Amounts Owed* as outlined in the June 10, 2008 staff report be approved and forwarded to the Province of Nova Scotia for consideration. MOTION PUT AND PASSED.

MOVED by Councillor Sloane, seconded by Councillor Meade that Amendment VII *Community Council* as outlined in the June 10, 2008 staff report be approved and forwarded to the Province of Nova Scotia for consideration. MOTION PUT AND PASSED.

MOVED by Councillor Karsten, seconded by Councillor McCluskey that Amendment VII *Charge for Future Benefit* as outlined in the June 10, 2008 staff report be approved and forwarded to the Province of Nova Scotia for consideration. MOTION PUT AND PASSED.

MOVED by Councillor McInroy, seconded by Councillor Younger that Amendment IX *Summary Offence Tickets* as outlined in the June 10, 2008 staff report be

approved and forwarded to the Province of Nova Scotia for consideration.
MOTION PUT AND PASSED.

MOVED by Councillor Johns, seconded by Deputy Mayor Adams that Amendment X Fences Obstructing Safe Traffic Flow as outlined in the June 10, 2008 staff report be approved and forwarded to the Province of Nova Scotia for consideration. **MOTION PUT AND PASSED.**

MOVED by Councillor Sloane, seconded by Councillor McCluskey that Amendment XI Search Warrants as outlined in the June 10, 2008 staff report be approved and forwarded to the Province of Nova Scotia for consideration. **MOTION PUT AND PASSED.**

MOVED by Councillor Walker, seconded by Deputy Mayor Adams that these amendments be referred to the Union of Nova Scotia Municipalities with a request for support. **MOTION PUT AND PASSED.**

11.1.4 Municipal Government Act Amendment - Dartmouth Bridge Transit Terminal

C A report dated June 10, 2008 was before Council.

MOVED by Councillor Smith, seconded by Councillor McCluskey that Halifax Regional Council approve, in principle, the concept of creating a new transit terminal on the Dartmouth Common; and further, that Halifax Regional Council approve the recommended amendment to the *Municipal Government Act* in relation to the Dartmouth Common and that the recommended amendment be forwarded to the Province of Nova Scotia for consideration for the Fall 2008 sitting of the Legislature.

Councillor Smith advised that Harbour East Community Council had passed a motion to ask for legislative amendments for the whole area and he questioned if this encompasses the whole area or if it was just the area that transit will use.

In response, Ms. Mary Ellen Donovan, Municipal Solicitor advised that the proposed amendment includes not only the transit facilities fronting on Nantucket Avenue but also parking lots for the Sportsplex. She added that if there were to be an expansion of the Sportsplex, then that would occupy a portion of the parking lot, thereby necessitating further expansion of the existing parking lot.

Councillor Smith advised that he felt the motion should include the Wilderness Park area between Nantucket and Thistle Streets (the area west of Dartmouth High School).

The Mayor indicated that the motion would reflect this.

At this time the Mayor pointed out it was 11:00 p.m. and he questioned if Council wished to continue, or adjourn as per the motion passed earlier in the evening.

MOVED by Councillor Fougere, seconded by Deputy Mayor Adams that the Council meeting be extended to finish the current agenda item, and to deal with item 13.2.

MOVED by Councillor Snow, seconded by Councillor Karsten that the motion be amended to include that Council also deal with item 8.17. THE AMENDMENT WAS PUT AND DEFEATED.

MOVED by Councillor Smith, seconded by Councillor McCluskey that the motion be amended to include that Council also deal with item 8.12. THE AMENDMENT WAS PUT AND PASSED.

THE MOTION AS AMENDED WAS PUT AND PASSED.

Council continued discussion on item 11.1. 4:

Mr. Mike Labrecque, Director of Public Works and Transportation responded to questions.

MOVED by Councillor Snow, seconded by Councillor Sloane that this matter be referred back to staff and that a public information meeting be held in the community. THE MOTION WAS PUT AND DEFEATED.

THE MOTION WAS PUT AND PASSED and now reads as follows:

That Halifax Regional Council approve, in principle, the concept of creating a new transit terminal on the Dartmouth Common, *including the Wilderness Park area between Nantucket and Thistle Streets (the area west of Dartmouth High School)*; and further, that Halifax Regional Council approve the recommended amendment to the *Municipal Government Act* in relation to the Dartmouth Common and that the recommended amendment be forwarded to the Province of Nova Scotia for consideration for the Fall 2008 sitting of the Legislature.

12. **MOTIONS:** None

13. **ADDED ITEMS:**

13.1 **Contractual Matter - Standard Pipe Agreement**

This item was deferred to the June 24, 2008 Regional Council meeting.

13.2 REQUEST FOR PROPOSAL 07-417 - Public Art Commission, Nova Scotia Fallen Peace Officers Memorial, Halifax Grand Parade Square

This matter had been dealt with at a Committee of the Whole session held earlier on this date and was now before Council for ratification.

MOVED by Councillor Fougere, seconded by Councillor Johns that Regional Council:

- 1. Award RFP#07-417, Public Art Commission, Nova Scotia Fallen Peace Officers Memorial, Halifax Grand Parade Square to the highest scoring proponent, The Collaborative Group led by Cody Lee Stephenson, in the amount of \$137,027.91 (net HST included) with funding from Capital Account CDG 00487 - Public Art Repair - New, as outlined in the Budget Implications section of the staff report dated May 1, 2008.**
- 2. Approve the recommended site for the memorial as specified in the report dated May 1, 2008.**

MOTION PUT AND PASSED.

8.12 Grant Committee - HRM Community Grants Program 2008 - 2009: Recommended Awards

- C A report dated June 3, 2008 was before Council.

MOVED by Councillor Walker, seconded by Councillor Sloane that Halifax Regional Council approve the HRM Community Grants Program awards as detailed in Attachment 1 of the report dated May 26, 2008, for a total of 60 grants with a combined total value of \$461,625.40 from operating account M311-8004.

MOTION PUT AND PASSED.

The Mayor noted that Council completed the agenda items as agreed to and he questioned if Council wished to continue to deal with additional items.

MOVED by Councillor Karsten, seconded by Councillor McCluskey that Council extend its meeting time to deal with items 11.1.1 and Item 14, Notices of Motion.
MOTION PUT AND PASSED.

11.1.1 Tender 08-247 - Pavement Resurfacing - Buckingham Drive and New Paving of HRM Owned Subdivision Streets - Sylvania Terrace - West Region

C A report dated June 4, 2008 was before Council.

MOVED by Councillor Meade, seconded by Councillor Johns that Halifax Regional Council award Tender No. 08-247, Pavement Resurfacing - Buckingham Drive and New Paving of HRM Owned Subdivision Streets - Sylvania Terrace; West Region to England Paving & Contracting Limited for a Total Tender Price of \$462,777.55 (net HST included) with funding from Capital Account No. CZU01082 - Resurfacing and Capital Account No. CZU01080 - New Paving of HRM Owned Subdivision Streets, as outlined in the Budget Implications section of the report dated June 4, 2008. MOTION PUT AND PASSED.

14. NOTICES OF MOTION:

- 14.1 Councillor Sloane** Take Notice that at the next regular meeting of the Halifax Regional Council to be held on June 24, 2008 I intend to introduce a motion to allow the Mayor and Chief Administrative Officer the ability to schedule Council sessions over a two-day (1:00 p.m. - 10:00 p.m.) period so that Council may catch up on the required work in regular Council and Committee of the Whole.
- 14.2 Councillor Johns** - Take Notice that at the next regular meeting of the Halifax Regional Council to be held on June 24, 2008, I intend to introduce a motion to amend Administrative Order #33 to state all areas of District 19 who do not receive municipal water or sewer services be included under Section 2(b) of Administrative Order #33.
- 14.3 Councillor McCluskey** - Take Notice that, at the next regular Regional Council meeting on June 24, 2008, I propose to introduce for introduction by Council as a Policy pursuant to Section 315 of the Municipal Government Act, Administrative Order SC-53. The purpose of which is to effect closure of a portion of Shore Road, Dartmouth, Nova Scotia.
- 14.4 Councillor Snow** - Take Notice that, at the next regular Regional Council meeting to be held on June 24, 2008 I intend to move a motion requesting a staff report on the possibilities of creating a new policy in the Districts 14/17 MPS to consider increasing the permitted density for alternate housing (two unit, townhouse, multi) forms in an open space subdivision where water service is provided. Further, that staff consider limiting this policy to PID#00506501 as a test case prior to the implementation of the Fall River Vision. And, that staff provide a report on the possibility of expanding the water service area to include PID#00506501 to enable a higher density open space subdivision.

15. ADJOURNMENT

Due to time constraints, the following agenda items were not dealt with and were deferred to the June 24, 2008 Regional Council meeting:

- 8.11** Western Region Community Council - Uniform Charge for White Hills Residents Association
- 8.13** Regional Plan Advisory Committee - Amendment to Terms of Reference - Quorum
- 8.14** Councillor Hum - Request for Report re: Environmental Issue - Cement Plant Site, Kearney Lake Road
- 8.16** Councillor McInroy - Request for Report re: Metro Transit Special Constable Security
- 11.1.5** Proposed Administrative Order SC-52, Respecting Closure of a Portion of Kelly Street, Halifax (Parcels K1 & K2)
- 11.2.1** Increase to Uniform Charge for Silversides Residents Association
- 11.5.1** IIHF World Junior Hockey Championships Request for Funding
- 13.1** Contractual Matter: Standard Pipe Agreement

The meeting adjourned at 11:33 p.m.

Julia Horncastle
Acting Municipal Clerk

The following items were submitted as information:

1. Memorandum from Director, Finance dated June 2, 2008
 re: Investment Activities - Quarter Ending March 31, 2008

2. Memorandum from Co-Chairs, Investment Policy Advisory Committee
 dated June 2, 2008 re: Quarter Ending March 31, 2008

3. Memorandum from the Acting Municipal Clerk dated June 13, 2008
 re: Requests for Presentation to Council - None