

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL
MINUTES
June 24, 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
Ms. Mary Ellen Donovan, Municipal Solicitor
Ms. Julia Horncastle, Acting Municipal Clerk
Ms. Chris Newson, Legislative Assistant
Ms. Melody Campbell, Legislative Assistant

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1. INVOCATION

The Mayor called the meeting to order at 10:54 a.m. with the Invocation being led by Councillor Karsten.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillor Sloane congratulated Joseph Howe School on coming in highest of 29 Nova Scotia schools at the the Nation Wide Fitness Challenge. She added that the Canada Day events brochure will be in the newspaper urging everyone to come out and celebrate Canada Day. She and Councillors Barkhouse and Snow will host Show your Colours Canada at sites in their districts.

Councillor McCluskey wished Mr. Laurie Campbell birthday wishes on his 70th birthday.

Councillor Hendsbee advised of a number of Fire Fighter Appreciation events noting an appreciation supper will be held at the Lake Echo Community Centre on Friday, June 25th, another event taking place is an appreciation barbecue that will be held on Thursday, July 3rd at Cole Harbour Place. A thank you banner is also being prepared for signature in appreciation of the fire fighters and volunteers who worked tirelessly during the fire.

Councillor Murphy advised of the successful Open the Gates held last weekend in District 12 adding his appreciation for the great partnership with National Defense.

Councillor Younger advised of the opening of the Jeux de L'acadie games on June 28th. He noted that there are three thousand people coming to HRM for the event which will end on July 1st. The Annual Fiddle Contest is taking place in Dartmouth from July 1st to July 7th.

Councillor Outhit invited all residents to Bedford Days which will be taking place from June 25th to July 1st.

Councillor Snow congratulated the Waverley Legion and District 2 Lions Club on a successful fundraiser golf tournament. On Saturday, June 28th at 7:00 p.m. a breast cancer fundraiser will be held at Inn on the Lake.

Councillor Barkhouse advised that Canada Day events will be taking place at Fisherman's Cove, Sullivan's Pond and Woodside.

Councillor Smith advised of a fundraiser with an auction and music to be held for a family in the Tufts Cove area. The event will take place on July 4th at Farrell Hall in Dartmouth.

Councillor Harvey invited everyone to enjoy Sackville Patriot Days being held on Canada Day weekend.

Deputy Mayor Adams issued his congratulations to a successful Fun Day event in support of Families Against Violence. The Deputy Mayor congratulated Faith and Heidi on a great event.

3. APPROVAL OF MINUTES - June 10, 2008

MOVED BY Councillor Mosher, seconded by Councillor Snow that the minutes of June 10, 2008, as presented, be approved. MOTION PUT AND PASSED.

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

- Additions:**
- 13.1 PROCLAMATION - Amateur Radio Week
 - 13.2 Councillor Rankin - Western Region Community Council - Chebucto Peninsula Wilderness Coalition
 - 13.3 Councillor Hendsbee - Order from the Nova Scotia Occupational Health & Safety Appeal Board re: Firefighters
 - 13.4 HRM Debt Policy Proposed Revision

Changes: Councillor Mosher requested that item 13.2 Western Region Community Council - Chebucto Peninsula Wilderness Coalition, be dealt with prior to the Public Hearings.

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

5. BUSINESS ARISING OUT OF THE MINUTES - NONE

6. MOTIONS OF RECONSIDERATION - NONE

7. MOTIONS OF RESCISSION - NONE

8. CONSIDERATION OF DEFERRED BUSINESS

8.1 Western Region Community Council - Uniform Charge for White Hills Residents Association

- A report from the North West Community Council dated June 3, 2008 was before Council.

MOVED BY Councillor Meade, seconded by Councillor Sloane that Halifax Regional Council approve a uniform charge of \$50.00 per property to be applied against the properties within the mapped area depicted in Appendix A of the staff report dated May 23, 2008, effective with the 2009-09 fiscal year for the purpose of funding the activities for the White Hills Residents Association. MOTION PUT AND PASSED.

8.2 Regional Plan Advisory Committee - Amendment to Terms of Reference - Quorum

- A report from the Regional Plan Advisory Committee dated June 2, 2008 was before Council.

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

1. **Approve an amendment to the Regional Plan Advisory Committee's Terms of Reference, page 3, Section 13, to change the quorum requirements from six (6) with 1 being a Councillor to 50% of the current membership at any given time with 1 being a Councillor.**
2. **Approve the revised Terms of Reference attached as Attachment 1 to the report dated June 2, 2008.**

Councillor Mosher requested that this issue be forwarded to the Membership Selection Committee for their information as there are too many Committees whose composition is too large which results in quorum issues and subsequent requests for amendments to the Terms of References in regard to quorum requirements.

MOTION PUT AND PASSED.

8.3 Councillor Hum - Request for Report re: Environmental Issue - Cement Plant Site, Kearney Lake Road

MOVED BY Councillor Hum, seconded by Councillor Sloane that Halifax Regional Council request a staff report on the environmental concerns associated with the possible sale and development of the former Old Cement Plant / InterSupply parcel of land, Kearney Lake Road. MOTION PUT AND PASSED.

8.4 Councillor McInroy - Request for Report re: Metro Transit Special Constable Security

MOVED BY Councillor Walker, seconded by Councillor Younger that Halifax Regional Council request a staff report on Transit Special Constable security forces in other

Canadian and North American jurisdictions as well as the legislative requirements to implement such a system in Halifax. MOTION PUT AND PASSED.

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

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

- 1. Request a staff report on the possibility of creating new policy in Districts 14/17 Municipal Planning Strategy (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 and that the policy be limited to PID#00506501 as a test case prior to the implementation of the Fall River Vision.**
- 2. Consideration be given to the possibility of extending the water service area to include PID#00506501 to enable a higher density open space subdivision.**

MOTION PUT AND PASSED.

8.6 Proposed Administrative Order SC-52, Respecting Closure of a Portion of Kelly Street, Halifax (Parcels K1 & K2)

- A staff report dated June 4, 2008 was before Council.

MOVED BY Councillor Mosher, seconded by Councillor Karsten that Halifax Regional Council approve in principle Administrative Order SC-52, Respecting Closure of portions of the Kelly Street right-of-way, as outlined in Attachment "B" of the June 4, 2008 staff report. MOTION PUT AND PASSED.

8.7 Marine Drive, Valley & Canal Community Council - Increase to Uniform Charge for Silversides Residents Association

- A Marine Drive Valley and Canal Community Council report dated June 11, 2008 was before Council.

MOVED BY Councillor Snow, seconded by Councillor Hendsbee that Halifax Regional Council approve effective with the 2008/09 fiscal year, the annual uniform charge for the Silversides Residents Association be increased from \$60 to \$100 per property for all properties within the Silversides subdivision as depicted in the map included as Appendix "A" of the attached May 15, 2008 report to Marine Drive Valley and Canal Community Council. MOTION PUT AND PASSED.

8.8 Special Events Advisory Committee - IIHF World Junior Hockey Championships Request for Funding

- A staff report dated May 12, 2008 was before Council.

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

- 1. A grant of \$200,000 to be provided to Trade Centre Limited (Events Halifax) upon award of the Tournament; and,**
- 2. The grant to be provided in two equal installments of \$100,000 over the 2009/2010 and 2010/2011 budget cycles, respectively, from the Special Events Reserve (Q315) as outlined in the budget implications section of the report dated May 12, 2008.**

In response to Councillor Snow's inquiry on what amount HRM contributed to the Women's and Men's World hockey events, Mr. Andrew Cox, Coordinator, Civic Events and Festivals, advised that \$50,000 was provided for the women's event and \$250,000 over four years (four instalments) was contributed for the men's event. Mr. Paul Dunphy, Director of Community Development, explained the criteria for funding takes into consideration the economic impact the event would have on the Halifax market. Men's hockey was more popular and attracted a larger audience. Consideration was also given to past performance of the International World Junior Hockey event.

Responding to a concern raised by Councillor McCluskey, Mr. Cox explained that the teams themselves do not receive the funding. The International World Hockey Association, as a non-profit group, receives part of the revenue.

Deputy Mayor Adams clarified that the World International Hockey event garnered \$32 million in economic spinoffs for Halifax. He explained that it costs more to bid on the WIHF and the International Juniors Hockey than it does for the women's event. The actual funding being provided is not really enough. The funds do come from the Hotel Levy and it is the hotel industry who will benefit. Mr. Dunphy added that the Hotel Association has commented that \$200,000 is a fair amount in comparison with the last world's event held here. The hotels were not at capacity with the International World Junior Hockey event.

Councillor Sloane advised that she serves on the Special Events Advisory Committee (SEAC). The rationale behind SEAC's recommendation was that the International World Junior event will be held during the Christmas season, and; that the hotels were not at capacity with the previous event. The funding, recommended for distribution by SEAC has to be spread over a variety of groups.

Councillor Younger requested that the scorecard used to rate the applications be provided to Council for all future funding requests.

Councillor Harvey entered the meeting at 11:18 a.m.

Councillor Smith commented that the Ramada Inn in Dartmouth had no economic spinoff from this event. He would like to see more events on the Dartmouth side. He added that the disbursement of complimentary tickets, mentioned on page 3 of the report, may not have been limited to only disadvantaged youth as he had many groups who were not able to get tickets.

Mr. Cox confirmed for Councillor McCluskey that the last event hosted in Dartmouth was a waterfront event connected with Tall Ships 2007. The SEAC is expecting to review an application for the upcoming World Canoe Championships to be hosted in Dartmouth.

MOVED BY Councillor McCluskey, seconded by Councillor Karsten that this item be deferred pending receipt of the scorecards.

Councillor Sloane commented that Council has charged the Special Events Advisory Committee (SEAC) with making decisions and now their decision is being questioned. She added that SEAC's composition includes members from Halifax and Dartmouth. Deferring this item would place the organizers of the event in jeopardy as there are timelines that must be met.

Mr. Cox confirmed that there was a matter of time sensitivity associated with this request and that any further delays would have an impact on the bid process.

MOTION TO DEFER DEFEATED.

Councillor Wile requested that the distribution of complimentary tickets include seniors.

MAIN MOTION PUT AND PASSED.

8.9 In Camera Recommendation - Standard Pipe Agreement

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

- 1. Execute the Standard Pipe Agreement (substantially in the form as Appendix #1) between the Railway and Halifax Regional Municipality for the purpose of installation, use, and maintenance fo a sewer line and related installations, for an annual fee of \$42,760 plus net HST for a total of \$44,226, with funding to be provided from the Capital Account No's CSE00386 to CSE00406, Pollution Control - Halifax Harbour Solutions Project for the first year of the agreement, as per the Budget Implications section of the report dated January 28, 2008. This annual fee may be adjusted yearly by a percentage corresponding to the percentage increase in the Consumer Price Index of Canada.**

2. **Execute the agreement (substantially in the form as Appendix #3) between Dexter Construction Limited and Municipal Enterprises Limited and Halifax Regional Municipality for the purpose of addressing access concerns and to the maintenance of the Sewage Collection System in the future if CN places fill material on top of the Sewage Collection System.**
3. **Not release this report, dated January 28, 2008, to the public until the License is approved by Council and executed.**

MOTION PUT AND PASSED.

Council agreed, during the approval of the agenda, to deal with Item 10.2 Petitions, at this time.

10.2 Petitions

10.2.1 Councillor Smith

Councillor Smith submitted a petition representing 91 companies and 3,259 employees within the area of Commodore Drive, Brownlow Avenue and Eileen Stubbs Avenue in the City of Lakes Business Park in regard to improvements to transit service in the City of Lakes Business Park.

10.2.2 Councillor Outhit

Councillor Outhit advised that he will submit a petition to the Municipal Clerk with 953 signatures requesting that HRM partner with other levels of government to get a rink in Bedford and that Council support the local Rocky Lake Road Group in their efforts to have a temporary dome in place by September.

9. PUBLIC HEARINGS

9.1 Case 00971 (Public Hearing Continuation from June 17/08)

This item was addressed at the evening session of Regional Council, see page 22.

9.2 Case 01079 - Five Story Buildings in Dartmouth Crossing

This item was addressed at the evening session of Regional Council, see page 28.

9.3 By-law S-308, an Amendment to By-law S-300, Respecting Streets

This item was addressed at the evening session of Regional Council, see page 32.

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.1 Correspondence - NONE

10.2 Petitions

This item was addressed earlier in the meeting, see page 11.

11. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.1 Request for Proposal 08-054 - Design / Build Fall River Skatepark

- A staff report dated May 21, 2008 was before Council.
- A letter dated June 4, 2008 from the Honourable Barry Barnett, Minister Health Protection and Promotion, was before Council.

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

- 1. Award RFP No. 08-054, Design/Build Fall River Skatepark to the highest scoring proponent, New Line Skateparks Inc. for a Total Price of \$264,726.52 (net HST included) with funding from Capital Account Nos. CPU00932 - Skateboarding Facilities, CB200454 - Gordon R Snow Community Centre, and CPX01028 - Skateboarding & BMX Facilities as outlined in the Budget Implications section of the report dated May 21, 2008.**
- 2. Increase Capital Account No. CPX01028, Skateboarding & BMX Facilities by \$40,000 to accept approved cost sharing from Nova Scotia Office of Health Promotion and Protection.**

MOTION PUT AND PASSED.

11.1.2 Tender 08-057 - Supply and Installation of Exhaust Extraction Systems for Emergency Vehicles

- A staff report dated June 9, 2008 was before Council.

MOVED BY Councillor McCluskey, seconded by Councillor Meade that Halifax Regional Council award Tender No. 08-057, Supply and Installation of Exhaust Extraction Systems for Emergency Vehicles to Atlantic Air Cleaning Specialists

Ltd. for a Total Tender Price of \$116,803.92 (net HST included) with funding from Capital Account No. CBX01053- Rural Fire Services Station Upgrade, as outlined in the Budget Implications section of the staff report dated June 9, 2008. MOTION PUT AND PASSED.

11.1.3 Tender 08-206 - Paving Resurfacing, Sidewalk & Water Main Renewal and Natural Gas Pipeline, Wellington Street, Halifax, West Region

- A staff report dated June 6, 2008 was before Council.

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

2. Approve a budget increase of \$246,487 to Capital Account No. CZU01082 - Resurfacing, funded through cost sharing with the Halifax Regional Water Commission.
2. Approve an increase in the Gross Capital Budget of Capital Account CZU01082 - Resurfacing in the amount of \$94,524 funded from Q131 - EUGS Co-Location Reserve as per the Budget Implications section of the report dated June 6, 2008 to reflect the cost sharing of the installation of a natural gas pipeline from Heritage Gas.
3. Award Tender No. 08-206, Paving Resurfacing, Sidewalk & Water Main Renewal and Natural Gas Pipeline, Wellington Street, Halifax - West Region to Amber Contracting Limited for a Total Tender Price of \$567,321.51 (net HST included) with funding from Capital Account Nos. CZU01082 - Resurfacing and CKU00783 - Sidewalk Renewals, as outlined in the Budget Implications section of the report dated June 6, 2008.

MOTION PUT AND PASSED.

11.1.4 Tender 08-240 - Micro Surfacing, Phase 2, Various Locations

- A staff report dated June 17, 2008 was before Council.

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

1. Award Tender No. 08-240, Micro Surfacing Phase 2, Various Locations to Industrial Cold Milling, for a Total Tender Price of \$2,181,612.38 (net HST included) with funding from Capital Account No. CZU001082 - Resurfacing, and Capital Account No. CYU01076 - Curb Renewals as outlined in the Budget Implications section of the report dated June 17, 2008;

2. Approve a budget increase of \$265,528.10 to Capital Account No. CZU001082 - Resurfacing, funded through cost sharing with the Halifax Regional Water Commission;
2. Approve an increase in the Gross Capital Budget of Capital Account No. CZU001082 - Resurfacing in the amount of \$10,876.59 funded from HROP GL2314 - Natural Gas Pipeline Future Settlement Charges as per the Budget Implications Sections of the report to reflect the cost sharing of the installation of natural gas pipeline from Heritage Gas.

MOTION PUT AND PASSED.

11.1.5 Harbour Solutions Project - Fourth Quarter Report - January 1, 2008 - March 31, 2008 (Staff Presentation)

MOVED BY Councillor Meade, seconded by Councillor Snow that this item be deferred to the July 8, 2008 session of Regional Council as it is not a time sensitive issue. MOTION PUT AND PASSED.

11.1.6 2008 / 2009 Budgets and Business Plans for Area Rated Services

- A staff report dated June 16, 2008 was before Council.

MOVED BY Councillor Hendsbee, seconded by Councillor Younger that Halifax Regional Council approve the Resolution for Approval of the Operating and Capital Budget and Tax Rates for Fiscal 2008-2009 (Appendix A) including the attached Schedule of General and Area Tax Rates (Appendix B) as presented in the staff report dated June 16, 2008.

Councillor Snow requested clarification on whether or not Fall River and Waverley were to be removed from paying the area rate for sidewalk snow removal as they still appear on the list. Mr. Gordon Roussell, Financial Consultant, Budget and Financial Analysis, responded that discussions have been held on this issue but no final decision has been made.

Mr. Mike Labrecque, Director, Transportation and Public Works, responded to Councillor Walker that he will check into whether or not there will be a re-tender of the snow removal contracts for District 15 and Mainland North. Councillor Walker expressed concern that the rates are high which may result in a budget surplus for next year.

Councillor McCluskey commented that as soon as HRM started plowing sidewalks along transit and arterial routes there was an increase in charges for this service.

These increases are making it difficult for businesses. HRM has to reduce the commercial tax rate.

MOVED BY Councillor Snow, seconded by Councillor Sloane that the Halifax Stanfield International Airport be included in the District 2 area rate for the new Fire Station and Recreation Centre in Fall River. MOTION PUT AND PASSED.

In response to Councillor Hum, Mr. Labrecque explained that a meeting on Local Improvement Charges and sidewalk snow concerns was not held this year for Districts 10, 15 and 16 as staff were to undertake the changes to the services discussed last year and monitor them for a period of time. The area rates would be brought back for review based on services provided, however; it was not staff's intention to revisit the sidewalk snow removal in total. Councillor Hum commented that she felt HRM was charging too much for sidewalk snow removal and, after the fifth winter, there should be operational efficiencies by now yet the cost continues to increase.

Councillor Karsten expressed concern with possible ramifications of the recent motion to include the airport in the District 2 area rate, and upon confirmation from Mr. English, CAO that there may be some concerns due to the tax agreement in place with the airport and placed the following motion:

MOVED BY Councillor Karsten, seconded by Councillor Snow that the motion be amended to request a staff report on the implications, if any, of including the airport in the District 2 area rate for the new Fire Station and Recreation Centre in Fall River. MOTION PUT AND PASSED.

The meeting recessed at 11:55 a.m.

The meeting reconvened at 1:00 p.m.

Councillor McInroy entered the meeting at 1:00 p.m.

11.1.7 Metro Transit Strategic Plan Update - Terms of Reference

- A staff report dated June 18, 2008 was before Council.

Mr. Eddie Robar, Manager, Planning and Product Development, Metro Transit, assisted by Mr. David Reage, Coordinator, Planning and Project Delivery, Metro Transit, presented the report.

Councillors Barkhouse and Rankin entered the meeting at 1:03 p.m.

Councillor Hendsbee encouraged the acquisition of properties now as the prices will only increase.

Councillor Sloane entered the meeting at 1:06 p.m.

Councillor Hum entered the meeting at 1:10 p.m.

MOVED BY Councillor Younger, seconded by Councillor McCluskey that Halifax Regional Council approve, in principle, the Terms of Reference for the Metro Transit Strategic Plan Update.

Mr. Robar responded to Councillor Sloane that Metro Transit is looking into various types of bus passes (daily, weekly, special event) and that the new fare box technology would permit the printing of passes and use of swipe cards for payment. He concurred that the passes would be great for tourism and would increase ridership.

Councillor Streach entered the meeting at 1:13 p.m.

In response to Councillor Walker, Mr. Robar advised that a decision has not yet been made as to the location of the new transit garage. The report will give staff an advantage of having outside parties review the information and provide their advice. Councillor Walker commented that the placement of the transit garage could have an affect on the service.

Councillor Hendsbee expressed concern with the delay and more consulting/analysis being conducted. He had hoped that it was time to move forward with rural express transit for Highways 102, 103 and 107 and metro link facilities.

Mr. Anstey, Deputy Chief Administrative Officer, Operations, clarified that there is a five year transit plan. This year was slated for the transit garage and the capital funds were to purchase buses for the first rural transit express service. The report before Council today is on how to fund the transit garage.

Councillor Snow entered the meeting at 1:17 p.m.

Councillor Hum commented that the public support environmental issues and transit services. HRM needs to move forward as people are wanting to use transit services but the service has to be efficient. There can be no further stalling on these initiatives. She expressed concern that HRM is still searching for locations in Clayton Park for a terminal and parking facilities.

Mr. Wayne Anstey explained that the capital plan was brought forward to Council during the recent budget process and this study will put in place the operational plan.

MOTION PUT AND PASSED.

11.1.8 Taxation of Rural Express Transit

- A staff report dated June 17, 2008 was before Council.

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

- 1. Have the service in place by April 2009 with capital funding coming from the approved 2007/08 capital project and that sufficient operating funds to support the service be included in the 2009/10 operating budget.**
- 2. Direct staff to return to Council no later than the start of fiscal year 2010/11 with a new taxation strategy for transit. Until that time the operating and capital costs of RET are to be funded through the general tax rate.**

In response to Councillor Meade, Mr. Dave McCusker, Manager, Regional Transportation, advised that April 2009 is a fairly cautious deadline but it may be October or November. Councillor Meade requested that staff consider a cost benefit analysis of a long term lease with Sobey's versus expanding the parking lot at the St. Margaret's Centre.

Councillor Rankin expressed the importance of having the enabling infrastructure in place prior to committing to a service that HRM may not be able to deliver. He questioned whether there were sufficient capital funds to fund the infrastructure prior to the spring date. Mr. McCusker responded that the capital funds will provide for some buses and a park and ride at Exit 5. A decision will be made on a parking facility at Exit 4 dependent on the ridership from Exit 5.

Councillor Hendsbee expressed concern with moving this issue forward when there are three separate rates for community transit, also; it would be going forward prior to the Tax Reform initiative and tax reform will need the stability of the current system.

Councillor McInroy commented that, originally, residents were told that if they wanted community transit they had to pay for it. Now, there will be a provision of community / rural service by Metro Transit but it has to be an economical service.

MOTION PUT AND PASSED.

11.1.9 UNSM Fall Conference - HRM Resolutions

- A staff report dated June 17, 2008 was before Council.

MOVED BY Councillor Walker, seconded by Councillor Sloane that Halifax Regional Council direct the HRM Board representative to forward the two resolutions set out in the Discussion section of the staff report dated June 17,

2008 to the UNSM for consideration and endorsement by the UNSM during its 2008 Fall Conference. MOTION PUT AND PASSED.

11.1.10 Request for Municipal Government Act Amendment - Halifax Infirmary Expansion

- A staff report dated June 18, 2008 was before Council.

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

1. Halifax Regional Council approve the recommended amendment to the *Municipal Government Act* granting Council the *discretion* to convey a portion of the Halifax Common to the Province of Nova Scotia, as described in the Discussion Section of this report;
2. The recommended amendment be forwarded to the Province of Nova Scotia for consideration for the Fall 2008 sitting of the House of Assembly;
3. This approval does not presuppose the outcome of negotiations currently underway for the *balance* of Queen Elizabeth High School (i.e., the building site).

MOTION PUT AND PASSED.

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

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

MOVED BY Councillor McCluskey, seconded by Councillor Karsten that Halifax Regional Council approve Administrative Order SC-53, Respecting Closure of a Portion of Shore Road, Dartmouth, as outlined in the June 3, 2008 staff report. MOTION PUT AND PASSED.

11.2 NORTH WEST COMMUNITY COUNCIL

11.2.1 Case 01136 - Amendments to the Sackville Municipal Planning Strategy and Land Use By-Law and Regional Subdivision By-Law Service Requirement Map

- A report from the North West Community Council dated June 17, 2008 was before Council.

MOVED BY Councillor Harvey, seconded by Councillor Sloane that Halifax Regional Council give first reading to the proposed amendments to the Sackville Municipal Planning Strategy and Land Use By-Law, and the Regional Subdivision By-Law, as provided in Attachments “A”, “B” and “C” of the staff report dated May 20, 2008, and schedule a Public Hearing. MOTION PUT AND PASSED.

11.3 MEMBERS OF COUNCIL

11.3.1 Councillor Barkhouse - Request for Report re: Affordable Housing Provisions in Development Agreements

MOVED BY Councillor Barkhouse, seconded by Councillor Younger that Halifax Regional Council request a staff report on possible amendments to the Regional Planning Strategy in regard to provisions for affordable housing in Development Agreements. MOTION PUT AND PASSED.

11.3.2 Councillor Snow - Request for Report re: Fall River Visioning Implementation Committee’s Concerns Regarding Commercial Development

MOVED BY Councillor Snow, seconded by Councillor McCluskey that Halifax Regional Council request a staff report to address the concerns raised by the Fall River Visioning Implementation Committee regarding commercial development occurring within the visioning area prior to the completion of the Fall River Action Plan. MOTION PUT AND PASSED.

12. MOTIONS

12.1 Councillor Sloane - Council Session Schedule

MOVED BY Councillor Sloane, seconded by Councillor Hendsbee that Halifax Regional Council 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. MOTION DEFEATED.

12.2 Councillor Johns - Amendment to Administrative Order #33

MOVED BY Councillor Harvey, seconded by Councillor Hendsbee, that this item be deferred until such time as Councillor Johns is in attendance to speak to the issue. MOTION PUT AND PASSED.

13. ADDED ITEMS

13.1 PROCLAMATION - Amateur Radio Week

This item was addressed at the evening session of Regional Council, see page 22.

13.2 Councillor Rankin - Western Region Community Council - Chebucto Peninsula Wilderness Coalition

MOVED BY Councillor Rankin, seconded by Councillor Meade that Regional Council endorse the goal as initiated by the Chebucto Peninsula Wilderness Coalition and reflected in their application to the Province to have those crown lands bounded by Highway 103 and 333 protected under the Wilderness Area Protection Act. MOTION PUT AND PASSED.

13.3 Councillor Hendsbee - Order from the Nova Scotia Occupational Health & Safety Appeal Board re: Firefighters

MOVED BY Councillor Hendsbee, seconded by Councillor Sloane that Regional Council request a staff report on the recent Order from the Nova Scotia Occupational Health & Safety Appeal Board in regard to the requirement that four (4) firefighters from a single station respond to a structural fire and how it will affect our personnel and response time. MOTION PUT AND PASSED.

13.4 HRM Debt Policy Proposed Revision

This item was addressed at the evening session of Regional Council, see page 33.

14. NOTICES OF MOTION

14.1 Councillor Mosher

“Take notice that at the next regular meeting of Halifax Regional Council, to be held on July 8, 2008, I propose to introduce, as a Policy pursuant to Section 315 of the Municipal Government Act, Administrative Order SC-52. The purpose of which is to effect closure of a portion of Kelly Street.”

14.2 Deputy Mayor Adams

“Take notice that at the next regular meeting of Halifax Regional Council to be held on July 8, 2008, I intend to introduce a motion to request that staff provide a report with respect to providing bus service to areas of HRM with existing bus service at the urban / suburban boundary funded through the general rate, with an area rate equivalent to that paid by residents in the urban areas. This service will include, but not be limited to,

Eastern Passage, Waverley, Lucasville, Williamswood, Harrietsfield and Sambro. This request is for basic service, with 8 - 12 trips per day, based on need.”

14.3 Councillor Younger

“Take notice that at the next regular meeting of the Halifax Regional Council to be held on July 8, 2008, I intend to introduce a motion to amend Administrative Order One the effect of which would be to declare vacant the position of any member of a Committee of Council after three consecutive meetings of the Committee with the sole exceptions being conflict with another committee of Council meeting, a meeting of Regional Council or Committee of the Whole, or with the approval of Regional Council, and further; that quorum of committees be calculated based on the number of non-vacant seats on the Committee.”

14.4 Councillor Younger

“Take notice that at the next regular meeting of the Halifax Regional Council to be held on July 8, 2008, I intend to introduce a motion to propose for adoption an amendment to Administrative Order 15, Section 18, to read:

Where there is an excavation within the street, the application shall include:

- A security deposit in the amount of \$1,000.00.
- A Pavement Impact Charge based on Surface Distress Index (SDI) of street pavement surface.”

SDI	Fee (percentage of pavement reinstatement cost)
8.5 - 10.0	30%
7.0 - 8.5	25%
6.0 - 7.0	20%
4.0 - 6.0	15%
0.0 - 4.0	5%”

14.5 Councillor Sloane

This item was addressed at the evening session of Regional Council, see page 33 .

Council recessed at 2:01 p.m.

Council reconvened at 6:00 p.m. with regrets from Mayor Kelly and Councillor Johns. Deputy Mayor Adams assumed the Chair.

13. ADDED ITEMS

13.1 PROCLAMATION - Amateur Radio Week

The Proclamation was distributed to Council for information.

13.4 HRM Debt Policy Proposed Revision

- This item was addressed at a Committee of the Whole session and was before Council for ratification.

MOVED BY Councillor McCluskey, seconded by Councillor Sloane, that Halifax Regional Council approve the revisions to the HRM Debt Policy and Debt Servicing Plan as part of the existing Multi-Year Financial Strategy, and as outlined in the discussion section of the report dated June 17, 2008. MOTION PUT AND PASSED.

9. PUBLIC HEARINGS

**9.1 Case 00971 (Public Hearing Continuation from June 17/08)
Municipal Planning Strategy and Land Use By-Law Amendment and
Development Agreement, Halkirk (Keith's Brewery) Lands, Lower
Water, Bishop and Hollis Streets, Halifax (Supplementary Report)**

- A Supplementary Report dated May 28, 2008 was before Council.
- A Staff report dated April 2, 2008 was before Council.
- An Information Report dated April 21, 2008 was before Council.
- A report from the Heritage Advisory Committee dated May 9, 2008 was before Council.
- An extract of the May 13, 2008 Regional Council minutes, Item 11.1.16, was before Council.
- A copy of the PowerPoint presentation was before Council.

Councillor Hendsbee excused himself from the Public Hearing as he was not in attendance during the June 17th public hearing.

Written submissions received from the following persons were before Council; Bruce Cameron, Halifax; Don Kydd, Halifax; Adam Meery, Halifax; Catherine LeRoy, Halifax; Glenn and Pat Musgrave; W. Harry Thurlow, Halifax; Heather Oke, Halifax; David Finlayson, Dartmouth; Rie, Halifax; Jean Moraze, Halifax; Ken Ellis, Tori Jarvis, Heather Selig, Halifax; Ian Urguhart; Mel MacIntyre; Mark Turner, Halifax; Joe Burke, Halifax; Ken Chisholm; Brent Cowan, Peggy Cameron; Deborah Jones Szostak, Halifax; Sandra Selva; MM; Pat Shaw; Judy Haiven, Halifax; Kathryn MacLellan; Peter McCurdy, Halifax; Jill Shlossberg; Pat Sarratt; Jim and Heather O'Brien, Halifax; Kevin Ball; Elizabeth Jones, Halifax; Sylvia Mangalam, Bedford; Peter Lavell; Terence and Patricia Rowell, Dartmouth; Angus and Mary MacDonald, Halifax; Susan Martin; Judith Cabrita,

Lawrencetown; Iris Shea, Herring Cove; Fred Hutchinson, Cole Harbour; Beth Keech; Walter Nolan, Halifax; Barbara Blouin, Halifax; Virginia Heym; Glen Taylor; Howard Epstein, Halifax; Maureen MacDonald, Halifax; David Murphy, Halifax; Glenn Fraser, Halifax; Judy Kennedy, Granville Ferry; Bill Jordan; Margaret Jordan; Robert Zimmerman; Sharon Nicolle; Elizabeth Ryan, Halifax; Richard Peisinger, Halifax.

Deputy Mayor Adams advised Council that this is a continuation of the Public Hearing for Case 00971 that was initiated on June 17, 2008. He noted that the speakers that were on the Public Hearing Sign Up Sheet would be called to speak for or against the proposed By-Law.

Mr. Robert Shaw, Halifax, expressed support for the development adding that this is a good collaboration between the Developer and HRM. He noted that modern engineering and design make this a responsible project. He stated he looks forward to a new emerging Halifax.

Mr. Brenton Haliburton, Halifax, advised that he is opposed to the proposal. He raised concern over the negative effects on Government House. He added that few Georgian houses remain in Halifax.

Ms. Elizabeth Snell, Halifax, advised that she is against the proposal. She added concern that it would block off Government House from its historical ties. She advised that it will restrict viewplains of the Harbour and overshadowing will be an issue.

Mr. Frank Laleune, Halifax, advised that Halifax needs growth and infusion in the downtown. He advised that the Developer is working with the City while maintaining heritage. This building will bring more to the downtown by refurbishing a historic building and increase tax revenue.

Mr. Layton Dorey, Halifax, advised Council that surveys indicate that only a small minority is opposed to development. He advised Council that the majority who favour growth need to be considered.

Ms. Judy Haiven, Halifax, stated that she is opposed to the proposal. She raised concerns over wind tunnels and shadow that will be created by the building. This proposal is not built for families, as they are bachelor and one-bedroom condos. She added that this will create more cars in downtown.

Mr. Frank Metcalf, Halifax, advised that this proposal would have detrimental effects with respect to shadows and wind. He stated there will be a loss of view to Dartmouth adding that he is opposed to twenty-one stories. He stated that he is not opposed to development, although this development is three times higher than next door buildings. He added that the building height will affect views and sunlight. He urged Council to reject the proposal.

Ms. Marsha Parker, Halifax, stated that this is a handsome proposal, but hard to visualize on paper. She cannot imagine living in a three story home across the street, as the proposed building will affect shadows, wind and will create a tall wall view. She advised that building height should not exceed street widths and planning guidelines should be followed. She noted that the elevators are located deep in the middle of the building, making it difficult for moving vans. She noted that there will be a negative impact of traffic on Lower Water Street. She urged Council to choose to not make a planning mistake adding that Council cannot afford to keep making mistakes like this.

Ms. Jill Robinson, Halifax, advised that she is against the tower height. She added that the Waterford is eight stories and its scale and context are fine. She noted that those who were opposed to the Maritime Building were correct. She advised that she is not against development, but is against this location.

Ms. Beverley Miller, Halifax, spoke against the proposal. She noted that the report was loose with existing regulation. She advised that this proposal was rejected by staff in 2003. She noted that proper procedure was not followed, there was no PIM on this development. She added that Halifax does not have to choose between development and heritage.

Mr. Oliver Nemeskeri, Halifax, spoke in support of the development. He stated this will be a vibrant location and he added that the development is well designed. He advised of the need to have more of these types of developments in Halifax, adding that retail will thrive.

Ms. Mary Schaefer, Halifax, advised Council that she recently returned to Halifax from Rome. She stated that buildings in Rome do not exceed one story of retail and 5-6 for office space. She added that there is no lack of elegance in Rome or any lack of green space. She noted that Halifax has Victorian and Georgian buildings and this development is in the wrong location. She advised that this proposal is subversive city planning that is out of keeping with the common good of the City and citizens.

Ms. Linda Forbes, Dartmouth, stated that heritage buildings are worthy of protection. She added that she was shocked to stand on George's Island and see that large buildings hide a lot of Halifax. There has to be a way for new and old to coexist with thoughtful planning and respect. She noted that heritage does impact new, as new impacts old. This development is unappealing to visitors and there will be a loss of the integrity of the streetscape. Ms. Forbes noted that this is a good quality building, but it is too big for this area.

Mr. Ron Smith, Halifax, spoke in favour of the development. He stated that there needs to be reurbanization of the downtown with more density. He added that the Municipal Planning Strategy (MPS) has protected much of the heritage, and added that there is a need for a strategy for economic planning and development.

Ms. Ali McKellar, Halifax, stated she has a heritage home in the neighbourhood. She added that newer developments have been added to the area without overpowering the neighbourhood. She advised that the Alexander tower would not compliment the neighbourhood, as it would overshadow it. She noted that many people are looking for homes not condos. She added that the Developer is breaking the rules by having the development at three times higher than other the buildings. She advised that developers should not circumvent regulation and encouraged Council to vote no to the proposal.

Mr. Denis Dyer, Halifax, urged council to reject the proposal. He noted that this area should be protected and preserved. He added that he is encouraging his daughter to learn the history of the area. He added concern of increased wind and he noted this will forever cast shadows over low rise buildings.

Mr. Kevin Richardson, Dartmouth, spoke in support of the development. He advised that this is a request to amend the planning strategy, not a breaking of the rules. He stated that Council put faith in staff and the Developer and support the development for the good of current and future residents.

Ms. Janet Morris, Halifax, advised that she owns a heritage property. She added that the impact of highrises in this area is not compatible although it would fit in other areas of the City. She agreed that this is a good development although it should not be built in this area. She added that a low-rise development would be suitable. She raised concern with respect to the view planes if this is developed.

Mr. Philip Fraser, Halifax, spoke in support of the development. He stated that this is a landmark development and is quality work by Halkirk. He added that this new development is a positive for the City.

Ms. Sarah Senakovicz, Halifax, advised Council that many individuals will not be able to make enough money to buy one of these condos. She raised concern about the environment noting that condo buildings are unsustainable. She added that this development will promote isolation and separation, which is not what a community is based one. She advised that Halifax is a unique city and stated that she does not support the development.

Ms. Joyce McCulloch, Halifax, advised Council that Heritage Trust of Nova Scotia is celebrating 50 years next year. She added that through public input, legislation was passed to protect heritage. She stated that this development is not for the common good.

Mr. Jennifer Hill, Halifax, spoke in opposition to the development. She advised Council that she chose to live in Halifax after attending Dalhousie and living in other cities. She added that she is not against progress. She expressed concern regarding

the development being three times taller, adding that this will set a precedence making it unfair for the developers that have been following the rules. She stated that this development goes against HRM by Design, adding that HRM needs to have a plan and stick to it. She expressed concern over an increase in traffic on Lower Water Street. She added that she has a strong vested interest in city.

Mr. Bill Campbell, representative from Halkirk provided clarification of the following items that were brought forward at the public hearing:

- Wind study indicates similar to speeds on current site with 67 sites little or no increase in wind speed, a decrease near Lower Water Street, some increase at Bishop Street, 2 locations on Hollis expect improvement, one location on Barrington Street indicates marginal increase.
- The shadow study showed positive results.
- The project protects view as indicated in the MPS.
- Halkirk requires this building size for the restoration of Keiths Hall.
- The impact of building height is mitigated by design solutions and setbacks.
- The North wall will be properly flashed and will not require maintenance.

Deputy Mayor Adams called three times for any additional speakers. Hearing none, the following motion was placed:

MOVED by Councillor Murphy , seconded by Councillor Karsten, that the public hearing be closed. MOTION PUT AND PASSED.

MOVED BY Councillor Murphy, seconded by Councillor Fougere, that Regional Council:

- 1. Adopt the amendments to the Halifax Municipal Planning Strategy and Peninsula Land Use By-law as contained in Attachment A of this report, which includes the additional MPS Policy 2.4.5.**

Councillor Sloane advised that although she supports development, she must support the residents that have come forward in opposition to the proposal.

Councillor Fougere stated that no rules are being broken, it is the right of every citizen to request an amendment to the MPS. She advised that HRM has to have a balance of new buildings while considering heritage. She added that this development is not the demise of a neighbourhood.

Councillor Mosher advised that the development meets LEED standards. She stated that HRM needs a balanced blending of new and old buildings. HRM needs to invest in the downtown to attract and retain new professionals adding that the more people in the downtown, the safer the area. She stated that HRM needs a vibrant downtown.

Councillor Harvey stated that his initial concern is the amendments to the MPS are about to be superceded when the Legislature passes the amendments. HRM is a leg behind on heritage, there are heritage properties out there and they need to be dealt with. He advised that he wants the development but it may overwhelm the area. He stated he would be more comfortable with the plan under HRM by Design.

Councillor Outhit advised he is in favour of the development adding that HRM needs to have young people stay to grow the City.

Councillor Murphy advised public art would add to the development, and this should be given some thought. He advised he supports the development, with some reservation, for the benefit of Keiths Hall.

A Recorded Vote was taken. **MOTION PASSED.**

Members of Council voting **in favour** of the motion: Councillors Streach, Snow, McInroy, McCluskey, Younger, Karsten, Smith, Wile, Murphy, Fougere, Walker, Hum, Mosher, Outhit, Rankin, Meade and Deputy Mayor Adams. (17).

Members of Council voting **against** the motion: Councillors Barkhouse, Sloane, Harvey (3).

Mayor Kelly, Councillor Uteck, Councillor Johns were absent from the meeting. As noted earlier, Councillor Hendsbee was absent for the public hearing so he was ineligible to vote.

MOVED BY Councilor Murphy, seconded by Councillor Fougere, that Halifax Council:

Contingent upon the amendments to the Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-law becoming effective pursuant to the requirements of the *Municipal Government Act*, it is further recommended that Regional Council:

- 1. Approve the proposed development agreement as contained in Attachment B of this report, which includes the revised Schedules I, J, K, L, M, O, P and Q;**
- 2. Require that the development agreement be signed and returned within 120 days, or any extension thereof granted by Regional Council on request of the Developer, from the date of final approval by Regional Council or any other bodies as necessary, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end; and**

- 3. Discharge an existing development agreement which applies to portions of the site identified as PID #s 00471078, 00471060 and 00003723, to take effect upon the registration of the new agreement.**

MOTION PUT AND PASSED.

Councillor Rankin excused himself from Council.

9.2 Case 01079 - Five Story Buildings in Dartmouth Crossing

- An extract of the Regional Council minutes of May 13, 2008, Item 11.2.1, was before Council.
- A copy of the PowerPoint presentation dated May 13, 2008 was before Council.
- A report dated May 2, 2008 from the Harbour East Community Council was before Council.

Mr. David Lane, Planner, presented the report to Council.

Written submissions, received from the following persons, were before Council; Mr. Tim Olive, Dartmouth, and Ms. Kate Mills, Dartmouth, Ms. Kim Conrad.

Deputy Mayor Adams reviewed the Rules of Procedure for Public Hearings. He called for those wishing to speak for or against the proposed By-Law.

Mr. Ronald Richards, Dartmouth Crossing Limited, provided a presentation to Council regarding the proposal addressing the following points:

- One story will be retail space.
- It will be 13,000 square feet, 67,000 square feet in total.
- Zoned I-23 office buildings as-of-right.
- The building will compliment existing buildings.

Mr. Tim Olive, Dartmouth, Executive Director of the Downtown Dartmouth Business Commission, stated that in 2006 staff recommended that Regional council not initiate changes to the Dartmouth MPS and LUB regarding this development based on the foundations of the Regional Plan, and in April 2008 staff revised their opinion. This will be a detriment to the downtown business district. He advised this will be a first step to many more applications. He added this is a bad investment for HRM and for future economic development. He added that business parks and shopping malls contribute to the deterioration of the downtown core. He urged Council to deny the application.

Mr. Paul MacKinnon, Halifax, Downtown Halifax Business Commission, advised caution to this proposal as it relates to business in the downtown. He added that HRM staff consider this a minor change, but he added that this will set a precedent. To further allow business in the other areas, takes away from business in the downtown.

He advised that many downtown businesses pay higher taxes than those in Dartmouth Crossing. Downtowns are unique and HRM needs to encourage growth in this area. He urged Council to reject this proposal until the business park study is complete.

Mr. Bernard Smith, Halifax, Spring Garden Area Business Association, added that this amendment is precedent setting. Downtowns need to be built up and need more activity adding that this proposal is counter productive. He stated that the level of taxation in business park is less than downtown. He advised that business needs to be in the downtown. He urged Council to reject this amendment.

Mr. Andrew Murphy, Purcells Cove, advised Council that the tax structure is a major problem as it is based on assessments not services. He added that sprawl is expensive noting that industrial parks do not support themselves as they are subsidized by the core. He added that Dartmouth Crossing has an eight times more tax advantage than one of the towers in Downtown Halifax. The City does not make money on sprawl. He stated that a detailed study showed that Quinpool Road is taxed 5.7 more than the buildings in Dartmouth Crossing. Why should Dartmouth Crossing get a five times tax advantage. He advised that Dartmouth Crossing will destroy the retail sector in Downtown Dartmouth.

Mr. Ronald Richards, Dartmouth Crossing Limited, provided a clarification to Council on the following points:

- Pedestrian traffic will have an economic advantage to the area.
- There is no other site to build another building such as this at Dartmouth Crossing.
- This will provide office services to those working and shopping in the area.
- This is an economic and urban design vision.
- Dartmouth Crossing has built roads, provided landscaping and worked to increase fish stocks.

Deputy Mayor Adams called three times for any additional speakers. Hearing none, the following motion was placed:

MOVED by Councillor Younger, seconded by Councillor Sloane, that the public hearing be closed. MOTION PUT AND PASSED.

MOVED BY Councillor Smith, seconded by Councillor Younger, that Halifax Regional Council approve the proposed amendments to the Dartmouth Municipal Planning Strategy and Land Use By-law as presented in attachment "A" of the April 18, 2008 staff report to permit a single, five storey, office building in Dartmouth Crossing.

Mr. Paul Dunphy, Director of Community Development, stated that the policy to allow for amendments to the MPS and LUB in under direction from Council.

Councillor Smith advised that this proposal was presented to Harbour East Community Council. He added that he does support business in the downtown advising that this is a good project and both areas should be working together. He added that this project will not hurt the downtown.

Councillor McCluskey advised that she cannot support the motion. She advised that shopping centres arrived and they negatively affected business in the downtown. She added that there is a need for office buildings in downtown Dartmouth.

As it was 10:00 p.m. the following motion was placed:

MOVED BY Councillor Walker, seconded by Councillor Karsten, that Regional Council continue past 10:00 p.m. to complete the June 24, 2008, agenda. MOTION PUT AND PASSED.

Councillor Karsten advised that not everyone wants to have their business downtown. He added that what is good for an area can be good for another area.

Councillor Younger agreed that the downtown needs to be enforced. He added that Council is following the policies as were approved. He stated that different areas of the City should be working together.

Councillor Streach stated that his residents support Dartmouth Crossing. He added that one area should not be working against another area.

Councillor Hum advised that although she respects the speakers' comments, she does not see any impact to the businesses of downtown Dartmouth, Halifax, or Spring Garden Road.

Councillor Hendsbee added that retail and office space together make a good blend in an area.

Councillor McInroy expressed disappointment in the anti-development sentiment. Dartmouth Crossing is a flagship development of its type. He added that all parties should be working together.

Councillor Outhit reminded Council that the province is also subsidized. He added HRM needs to continue to develop business.

Councillor Sloane advised she does not support the proposal. She stated that HRM needs to support the downtown areas.

Councillor Younger advised that the purpose for Dartmouth Crossing is mixed use.

Councillor Smith added that Dartmouth Crossing does have bus service noting that with more business and services in the area, it will dictate increased bus service.

A **Recorded Vote** was taken. **MOTION PASSED.**

Members of Council voting **in favour** of the motion: Councillors Streach, Snow, Hendsbee, McInroy, Younger, Karsten, Barkhouse, Smith, Wile, Murphy, Fougere, Walker, Hum, Mosher, Harvey, Outhit, Meade and Deputy Mayor Adams. (18).

Members of Council voting **against** the motion: Councillors McCluskey, Sloane (2).

Mayor Kelly, Councillor Uteck, Councillor Johns and Councillor Rankin were absent from the meeting.

9.3 By-law S-308, an Amendment to By-law S-300, Respecting Streets

- An extract of the Regional Council minutes of May 27, 2008, Item 10.1.8, was before Council.
- A copy of the PowerPoint presentation dated May 13, 2008 was before Council.
- A staff report dated April 28, 2008 was before Council.

Mr. Angus Doyle, Manager, Utilities Coordination, presented the report to Council.

Written submissions received from Mr. Ray Ritchie, President, Heritage Gas was before Council.

Deputy Mayor Adams reviewed the Rules of Procedure for Public Hearings. He called for those wishing to speak for or against the proposed By-Law.

Mr. Ray Ritchie, Halifax, Heritage Gas, advised that the Company does not support the amendment to the by-law. He added the amendments will have a serious impact on Heritage Gas. He advised that his opposition pertains to:

- the amendments will impede natural gas infrastructure
- will be an uneven playing field for a new utility
- does not take into consideration the upgrades Heritage Gas will bring
- the increase in pavement main fee is an excessive burden on Heritage Gas
- the construction moratorium will affect obligations to serve customers
- the change in depth installation will have a cost impact to customers.

Mr. Ritchie suggested the following consideration be given:

- utilize a two-tier fee structure that utilities installing infrastructure are not unfairly penalized
- implement a 20 year moratorium on application for increased fees for pipeline installations
- repeal the construction moratorium on installation of newly finished streets

- maintain the current standard for depth of installation

Deputy Mayor Adams called three times for any additional speakers. Hearing none, the following motion was placed:

MOVED by Councillor Younger, seconded by Councillor McCluskey, that the public hearing be closed. MOTION PUT AND PASSED.

Upon discussion among Council, clarification from staff was recommended. This discussion led to the following motion.

MOVED BY Councillor Younger, seconded by Councillor Barkhouse, that Regional Council defer a decision until July 8, 2008 and request a staff report responding to the following concerns:

- how can HRM better coordinate works with the utilities
- address the difference as it relates to repair and installation
- how going to 30 inches instead of the current 24, as stated by Heritage Gas, will affect Heritage Gas, and the rationale for the depth change, as noted by Heritage Gas
- response to the four considerations by Heritage Gas
- utilize a two-tier fee structure that utilities installing infrastructure are not unfairly penalized
- implement a 20 year moratorium on application for increased fees for pipeline installations
- repeal the construction moratorium on installation of newly finished streets
- maintain the current standard for depth of installation

MOTION PUT AND PASSED.

At this time Councillor Sloane served a Notice of Motion.

14.5 Councillor Sloane

“Take notice that at the next regular meeting of the Halifax Regional Council to be held on July 8, 2008, I intend to introduce a motion to add Hollis Street, south of Bishop Street to South Street to the list of potential Heritage Conservation Streets which HRM by Design has commenced.”

15. ADJOURNMENT

The meeting was adjourned at 11:05 p.m.

Julia Horncastle
Acting Municipal Clerk

INFORMATION ITEMS
June 24, 2008

1. Memorandum from Director, Finance dated June 13, 2008
re: Guidelines - HRM Spending During Municipal, Provincial or Federal Elections
2. Memorandum from Chief of Police dated June 9, 2008
re: Petition from Taxi Drivers / Owners to Increase Limousine Rates to and from the
Airport by more than 20% than Taxi Rates
3. Memorandum from Director, Infrastructure & Asset Management dated June 16, 2008
re: Petition - Rail Corridor Purchase

4. Memorandum from Director, Infrastructure & Asset Management dated June 16, 2008
re: EcoMobility Funding Applications
5. Memorandum from the Acting Municipal Clerk dated June 20, 2008
re: Requests for Presentation to Council - None