

HALIFAX REGIONAL COUNCIL
MINUTES

June 2, 2009

PRESENT:

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

REGRETS:

Councillor Robert Harvey

STAFF:

Mr. Wayne Anstey, Deputy Chief Administrative Officer
Ms. Karen Brown, Municipal Solicitor
Ms. Julia Horncastle, Acting Municipal Clerk
Ms. Sheilagh Edmonds, Legislative Assistant
Ms. Chris Newson, Legislative Assistant

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1. INVOCATION

The Mayor called the meeting to order at 4:12 p.m. with the Invocation being led by Councillor Dalrymple.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillor McCluskey acknowledged Admiral Madison, Commodore Greg Green, and Commander Mark Norman and expressed her appreciation for giving her the opportunity to sail on the Preserver and St. John's for three days.

Councillor Blumenthal suggested the Mayor send a telegram to Sidney Crosby wishing him good luck. Councillor Blumenthal offered congratulations to the Bloomfield Art Show, and noted that the Bloomfield Art program will continue in the fall. Councillor Blumenthal offered congratulations to the Italian Community who will be celebrating the 63rd Anniversary of the Italian Republic this evening. He also advised that any children in the north end, aged between 4 and 6 who wished to sign up for T-Ball, and children aged between 7 to 9 who wanted to play softball, to contact Nancy Fougere or John Wayne Matheson.

Councillor Sloane thanked Jesse Jollimore and staff at the North End Clinic for organizing a Women's Wellness Day last Wednesday at the Clinic. She also advised that the Clinic will be celebrating the opening of their public garden, explaining that it is a fruit and vegetable garden at Murray Warrington Park. The produce is given away to members of the community and is made into salsa which the community sells to raise funds which are used to maintain the gardens.

Councillor Lund advised that the first of several Relays for Life will take place at Sir John A. High School in Tantallon, Saturday, June 6, 2009 at 6:00 p.m. He noted that this is the fifth year for the event and 25 teams have signed up. He added that last year the teams raised more money than any other relay in Canada. Councillor Lund advised that there would be live entertainment and the luminary ceremony will begin at 10:00 p.m. and it is anticipated there will be more than 500 lighted candles.

Councillor Nicoll congratulated the Navy's Tridents Triathlon Club who are hosting their 5th Annual Shearwater Kids of Steel Triathlon at CFB Shearwater Pool on Sunday, June 7, 2009 from 12:00 p.m. to 5:00 p.m. She added that this event is the first race of the season in the Triathlon Nova Scotia kids series and is open to anyone under 16 years of age. Councillor Nicoll advised that this Saturday was International Trails Day, and it will be the official opening of the Shearwater Flyer Trail Saturday, June 6, 2009 at 12:00 p.m.

Councillor Nicoll advised that Cole Harbour is very proud of Sidney Crosby and she encouraged everyone to show their support by putting up a Penguins Team flag.

Councillor Rankin advised that on June 12, 2009, 11:00 a.m. there will be a ceremony marking the grand opening of the Prospect Community Centre, and he welcomed all Councillors to attend.

Councillor Watts advised that this week is HRM Bike Week, an annual event which has received a great deal of support from local businesses, community groups, and nonprofit groups. She reviewed some of the events which will occur and referred to the website for a complete listing of activities. Councillor Watts also advised that on Monday, June 8, 2009 a member of the military who has served in Afghanistan will be arriving in Halifax, he has been cycling from Edmonton. She noted that he is raising funds for the important community work that Oxfam Canada has been involved with in Afghanistan.

Councillor Dalrymple reminded the residents of Beaverbank and Kinsac areas of the annual Beaverbank Clean-up being held Saturday, June 6, 2009, beginning at 9:30 a.m. and it is sponsored by the Beaverbank Community Awareness Association.

Councillor Mosher announced that the Public Information Meeting for the Regatta Point Development will be held Thursday, June 4, 2009 at St. John the Baptist Church on Purcell's Cove Road, at 7:00 p.m. She also announced that the Ka-boom Playground will be built at John W. McLeod Elementary School on the Purcell's Cove Road. Councillor Mosher added that this is going to be an accessible playground and available to the community. She explained that there will be two prep days, and that the playground will be constructed in one day. In this regard, she advised that volunteers are needed as it takes approximately 275 people to put it together. Councillor Mosher thanked Principal Lynn Douglas and the students, for determining there was a need for an accessible playground and their assistance with the design.

Councillor Outhit advised that Saturday, June 6, 2009 is Ridgevale Day in Ridgevale and there will be a yard sale in the morning and a barbeque and picnic in the afternoon. Councillor Outhit advised that Saturday, June 6, 2009 is the annual spring fair at Bedford South School, in the afternoon; and on Wednesday, June 10, 2009, 7:00 p.m. at Basinview School there will be a meeting in regard to the implementation of the Bedford Waterfront Visioning and that the three options will be presented by the consultants.

Councillor Sloane noted that tomorrow is the 15th Anniversary of the Downtown Halifax Business Commission Clean Sweep; and it is the kick-off of National Environment Week and the kick-off of the Enviro Team, which is comprised of students helping to keep the downtown clean during the summer time.

Councillor McCluskey advised that last Saturday, the ground-breaking ceremony for the community garden at the Findlay Community Centre was held. She added that this will be a great addition to the neighbourhood.

Councillor Adams extended sincere congratulations to the students and staff of J. L. Ilesley High School and members of the Legion for the project of cleaning up the McIntosh Run. In particular, Councillor Adams expressed his appreciation to Ms. Gabriel for coordinating the event.

Deputy Mayor Hendsbee announced that St. Ann's Church in Lake Echo will be holding its annual fair on June 12 - 14, 2009; and on June 13, 2009, starting at 10:00 a.m. the Lake Echo Lion's will be hosting a highway litter clean up campaign; and Saturday, June 13, 2009 will be the one year anniversary of the wildfire in the Mineville area. There will be a commemoration event and a neighbourhood street party held in the afternoon. Deputy Mayor Hendsbee advised that June 13 and 14 St. James Church Hall in Seaforth will be exhibiting a student art show from 12:00 p.m. - 5:00 p.m. Deputy Mayor Hendsbee offered congratulations to Councillor Lorelei Nicoll, advising that today was her 25th wedding anniversary.

Councillor Johns reminded residents of Sackville that this weekend was the *Sackville Community Proud* and *Love Sackville* weekend, which comprise of a number of events throughout the weekend. He noted that the annual Millwood Commons Cleanup will be part of these events, and will be held on Saturday, June 6, 2009 from 9:00 a.m. to 12:00 p.m. at the Millwood Playground Commons area.

Councillor Mosher advised that the 2009 Halifax Greekfest will be held at St. George's Greek Orthodox Church, 38 Purcell's Cove Road, Friday, June 12 - Sunday June 14, 2009. She noted the various events and directed anyone who wanted complete information to the website. She added that there will be a free Park and Ride Shuttle bus leaving from the West End Mall during the events.

Councillor Younger announced the Michael Wallace and Ian Forsythe School Fairs and Community Barbeques would be held Saturday, June 6, 2009, from 11:00 a.m. to 2:00 p.m. Councillor Younger also announced the Festival of Hope Saturday, June 6, 2009 at Alderney Landing, sponsored by the Dartmouth Community Health Board.

Councillor Barkhouse announced the Grand Opening of the newest section of the Shearwater Flyer Trail Saturday, June 6, 2009. She noted that she was unable to attend the event, but Councillor Nicoll would be representing Council. She expressed appreciation to the volunteers who worked on the trail.

Deputy Mayor Hendsbee wished good luck to his colleagues on Council who were running in the upcoming Provincial election.

Councillor Smith advised that the Jack George Cleanup Day will be held on Saturday, June 6, 2009, starting at the Dartmouth North Community Centre, and this will be followed by a barbeque at Cyril Smith Beach. Councillor Smith announced the annual Polish Festival will be held at St. Anthony's Hall Saturday, June 6, 2009 beginning at 12:00 noon; and the annual Stairs Memorial breakfast fundraising event will be taking place in the morning of June 6, 2009.

Councillor Blumenthal offered his best wishes to the Councillors running in the Provincial Election.

3. APPROVAL OF MINUTES - May 5 & 6, 2009

MOVED by Councillor McCluskey, seconded by Councillor Wile that the minutes of May 5 & 6, 2009 be approved. MOTION PUT AND PASSED

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

Additions: 13.1 Councillor Adams - Sambro Loop Transit
13.2 Legal Matter - HRMbyDesign
13.3 Personnel Matter - Citizen Appointments to Boards, Committees and Commissions

Deputy Mayor Hendsbee suggested that Council deal with as much of the Council agenda items at this time but leave the HRMbyDesign item to be dealt with after the public hearings this evening.

Councillor Mosher entered the meeting at 4:33 p.m.

MOVED by Deputy Mayor Hendsbee, seconded by Councillor Sloane that Council deal with the agenda items other than the public hearings and HRMbyDesign this afternoon, and that HRMbyDesign be dealt with after the public hearings this evening. MOTION PUT AND PASSED.

There being no further additions or deletions, **Council accepted the agenda, as amended.**

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 HRM by Design

This item was dealt with later in the meeting. See page 10.

8.2 Streetscape Capital Projects Implementation Strategy

A report dated May 8, 2009 was before Council.

Councillor Uteck noted that the Deputy Chief Administrative Officer has advised that the Capital Commission will be reinstated. Given that there is some question concerning the costs associated with this matter she suggested that it be forwarded to the Capital Commission which will be formed soon.

MOVED by Councillor Uteck, seconded by Councillor Sloane that this matter be referred to the pending Capital Commission Committee.

Mr. Peter Bigelow, Manager, Real Property Planning responded to questions.

MOTION PUT AND PASSED.

9. PUBLIC HEARINGS

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

This item was dealt with later in the meeting. See page 11.

9.2 By-Law S-605, An Amendment to By-Law S-600, Respecting Solid Waste - ICI Cardboard

This item was dealt with later in the meeting. See page 11.

9.3 Case 01148 - Bedford West Capital Cost Contributions

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

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.1 Correspondence - None

10.2 Petitions -None

10.3 Presentation:

10.3.1 CFB Halifax - Captain John Newton

This item was dealt with later in the meeting. See page 10.

11. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.1 Cost Sharing Agreement - Burnside Pedestrian Overpass

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

MOVED by Councillor Smith, seconded by Councillor McCluskey that Halifax Regional Council recommend the Mayor and Municipal Clerk execute a cost-sharing agreement with Nova Scotia Transportation and Infrastructure Renewal for the construction of a pedestrian/bicycle overpass across Highway 111 at Burnside Drive. MOTION PUT AND PASSED

11.1.2 Hosting of the Federation of Canadian Municipalities' (FCM) Annual Conference, June 2011

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

MOVED by Councillor Walker, seconded by Councillor Wile that Halifax Regional Council authorize staff to initiate a formal agreement with the Federation of Canadian Municipalities to host the 2011 Annual Conference, and that the Mayor and Municipal Clerk be authorized to sign the agreement, once developed, on behalf of the Municipality. MOTION PUT AND PASSED.

11.1.3 Write-Off of Uncollectible Accounts

- A report dated May 22, 2009 was before Council.

MOVED by Councillor McCluskey, seconded by Councillor Wile that Halifax Regional Council recommend that:

- 1. The general revenue accounts in the amount of \$582,613.38 comprised of \$537,661.23 principle and \$44,952.15 interest as detailed in Schedule 2 be formally written out of the books of account.**

2. **The real property tax and lienable charges in the amount of \$188,176.76 comprised of \$140,485.18 principal and \$47,691.58 interest as detailed in Schedule 3 be formally written out of the books of account.**
3. **The business occupancy tax accounts in the amount of \$622,419.54 comprised of \$476,543.85 principal and \$145,875.69 interest as detailed in Schedule 4 be formally written out of the books of account.**

Ms. Catherine Sanderson, Senior Manager, Financial Services, responded to questions.

MOTION PUT AND PASSED.

The meeting recessed at 5:00 p.m.

Council reconvened at 6:00 p.m. with all Members in attendance with the exception of Councillors Streach, Smith and Harvey.

Councillor Mosher requested a moment of silence in memory of Mr. Walter Nolan, former Alderman, dedicated Community Volunteer and recent Chair of the Halifax Homeowners Association.

8. CONSIDERATION OF DEFERRED BUSINESS

8.1 HRM by Design

MOVED BY Councillor Blumenthal, seconded by Councillor Johns that this item be deferred to the June 16, 2009 Council session due to a full agenda and the absence of Councillors. MOTION TO DEFER PUT AND PASSED.

Councillor Hum noted her objection to the deferral as members of the public and staff were already in attendance.

8.2 Streetscape Capital Projects Implementation Strategy

This item was dealt with earlier in the meeting. See page 8.

Council agreed to deal with Item 10.3.1 at this time.

10.3.1 CFB Halifax - Captain John Newton

- A letter dated May 28, 2009 from Captain John F. Newton, Base Commander, Canadian Forces Base Halifax, was before Council.

Captain John Newton, CFB Halifax, presented a short film to Council and requested permission for a ceremonial fly-past as part of the Consecration of the Queen's Colours event on June 27th, 2009.

MOVED BY Councillor Walker, seconded by Councillor Sloane that Halifax Regional Council grant permission for the landing and flypast of aircraft over the Garrison Grounds, Halifax on June 25-27, 2009. MOTION PUT AND PASSED.

9. PUBLIC HEARINGS

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

- A copy of the PowerPoint presentation was before Council.
- An extract of the April 7, 2009 Regional Council minutes was before Council.
- A report dated April 3, 2009 was before Council.

Mr. Darrell Joudrey, Planner, presented the report.

Mayor Kelly opened the public hearing calling for any speakers for or against the proposal. Hearing none, the following motion was placed.

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

MOVED BY Councillor Barkhouse, seconded by Councillor Karsten that Halifax Regional Council approve the proposed amendments to the Eastern Passage / Cow Bay Municipal Planning Strategy and Land Use By-Law as shown in Attachments A and B of the staff report dated March 12, 2009. MOTION PUT AND PASSED.

9.2 By-Law S-605, An Amendment to By-Law S-600, Respecting Solid Waste - ICI Cardboard

- A copy of the PowerPoint presentation was before Council.
- An extract of the May 5, 2009 Regional Council minutes was before Council.
- A report dated April 22, 2009 was before Council.

Mr. Jim Bauld, Manager, Solid Waste Resources, Transportation and Public Works, presented the report. He advised that due to the challenges faced by apartment buildings in regard to separation at source of mixed paper/cardboard; the local paper recyclers have agreed to continue accepting mixed paper from apartment buildings over the next three months during the soft launch of the By-Law, effective July 1, 2009, with staff monitoring

the progress and reporting to the Solid Waste Resource Advisory Committee in September 2009.

In response to questions of clarification from Members of Council, Mr. Bauld advised that:

- Section 12.4 of the proposed By-Law addresses quick service fast food restaurants where the customers receive the food at the counter and then seat themselves and would not apply to full service restaurants.
- Placing cardboard in plastic bags would be acceptable as long as the intent of the By-Law was met and the material was discernable.
- Residential cardboard would still be required to be taped and bundled.
- Section 15.2 regarding source separating applies to commercial only.
- Small business owners would not be required to purchase a fifth bin.
- Staff will continue to speak with the haulers and retail outlets as part of their Education Outreach Program.

Councillor Uteck commented that the penalties and fines for illegal dumping, a minimum of \$200, were not sufficient.

Mayor Kelly opened the public hearing calling for any speakers for or against the proposal. Hearing none, the following motion was placed.

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

MOVED BY Councillor Karsten, seconded by Councillor Rankin that Halifax Regional Council approve By-Law S-605, An Amendment to By-Law S-600, Respecting Solid Waste as attached to the April 22, 2009 staff report. MOTION PUT AND PASSED.

9.3 Case 01148 - Bedford West Capital Cost Contributions

- An extract of the May 12, 2009 Regional Council minutes was before Council.
- A Supplementary Report dated May 20, 2009 was before Council.

Mr. Paul Morgan, Planner, Community and Regional Planning, and Mr. Peter Duncan, Manager, Capital Cost Contributions Project, Infrastructure and Asset Management, presented the report. Ms. Cathie O'Toole, Director, Finance, was also in attendance to respond to questions of Council.

Mr. Morgan and Mr. Duncan responded to questions of clarification from members of Council as follows:

- Wastewater will flow to the Mill Cove Sewage Treatment Plant until approximately November 2010 when it would then be directed to the Halifax Sewage Treatment Plant.
- Without the extension of water/sewer services there would be no build out permitted for this area.
- The Master Plan program, under which the Bedford West development was approved, was in process prior to the Regional Plan and was incorporated into the Regional Plan.
- A financial plan had been submitted including disbursements and risks; the proposal would not have been subject to the same tasks concerning fiscal health as it was subject to the Capital Cost Contribution Policy, Multi-year Financial Strategy and the budgeting process. The impact on fiscal health has been assessed by existing policies and it can be accommodated in the budget.

Mayor Kelly opened the public hearing calling for speakers for or against the proposal and reviewed the procedures for Public Hearings.

Mr. Dick Miller, Halifax, President of West Bedford Holdings Limited, advised that they hold a majority of lands in the area as one of twenty (20) landowners. He is in support of the proposal. The process was the result of over four years of public participation including the Watershed Advisory Committees, Community Councils and other groups. There are 400+ acres approved under Development Agreements and another 100 acres as of right that also includes the Business Campus and Knowledge Park environment. The subdivision under the Development Agreement would not occur until the Capital Cost Contribution policy was in place. The process has been guided by the Regional Plan growth management strategies resulting in predictable, fair, and cost effective decision making to manage development to ensure the most effective use of land/services/facilities. The risks and fiscal capacity issues are addressed in the Supplementary Report. There will be regular review on the timing of the development by the Infrastructure and Asset Management department and if the timing differs from what was originally intended, the matter would be brought before Regional Council to discuss the strategy.

Ms. Maureen Donovan, Halifax, President of Dakin Company, advised that she has been involved with the Bedford West review and attended a number of meetings. The analysis has been rigorous. There has been a remarkable commitment by the citizens on the initial Committee. A decision to move forward would be in the best interest of all.

Mr. Mike Hanusiak, General Manager of Clayton Development, commented that if the Capital Cost Contribution policy did not go forward, the proposed interchange would be at risk as would the additional 600 acres of land in Bedford South that would not be able to be developed without the construction of an interchange. Decisions have been made based on the provincial announcement last year and schools are also planned for the area. There are several developers in Bedford South who will be affected by this decision as the interchange would also service the Royale Hemlocks, Oceanview Drive, Paper Mill

Lake area and provide a secondary access, imperative for emergency responders, as well as relieve traffic along the Bedford Highway. It is important for Council to proceed to the next stage of the Master Plan Process and proceed with the fiscal health for the three remaining planning areas.

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

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

MOVED BY Councillor Outhit, seconded by Councillor Hum that Halifax Regional Council approve the amendments presented in Attachment A of the staff report dated April 20, 2009 - Case 01148 - Amendments to Bedford West Secondary Planning Strategy and Regional Subdivision By-Law regarding Wastewater Servicing and Capital Cost Contribution Charges.

Mr. Peter Duncan, Manager, Capital Cost Contribution Project, Infrastructure and Asset Management, advised that staff had reviewed the letter received June 2, 2009 from the law firm of Stewart McKelvey noting that the policy/methodology was not new and that a financial report had been tabled with the staff report dated May 20, 2009.

Councillor Hum noted that there has been an extensive public process. The infrastructure would benefit everyone who drives through the area. There has been extensive development in the area and an additional entrance/exit for Royal Hemlocks was needed in order to proceed with further development of Bedford South and Bedford West. She encouraged Council to move forward with this proposal.

Councillor Blumenthal retired from the meeting at 7:00 p.m.

In response to Councillor Johns, Ms. Cathie O'Toole noted that the risks associated with approval of this proposal were mitigated and manageable; there was nothing that would negatively impact fiscal health that could not be controlled.

In response to Councillor Younger, Ms. O'Toole advised that approval of this proposal would not preclude any other money coming forward for the other planning areas.

Councillor Rankin also expressed concern with the fiscal health and that this proposal not negatively impact the remaining Master Plan areas.

Council recessed at 7:47 p.m.

Council reconvened at 8:03 p.m.

Councillor Uteck retired from the meeting at 8:03 p.m.

In response to Councillor Sloane, Mr. Jaime Hannam, Halifax Water, advised that Halifax Water was undertaking a Wastewater Function Master Plan under the Regional Plan that will review current requirements/proposed planning and will also address planned development.

Councillor Outhit commented that the Bedford South and West developments were planned and visioned. The Capital Cost Contribution experience has been a wonderful example of the private sector and government working together. He noted he was pleased that approval of this proposal would not preclude the three remaining master plan areas.

MOTION PUT AND PASSED.

MOVED BY Councillor Rankin, seconded by Councillor Lund that Halifax Regional Council request a staff report for the August 4, 2009 Council session outlining the fiscal health and remaining capacity in regard to initiating Secondary Planning Strategies for the three remaining Master Plan areas of Port Wallis, Sandy Lake, and Highway 102 West Corridor adjacent to Blue Mountain - Birch Cove Lakes Park and assurance that these three areas will be dealt with fairly and not stymied. MOTION PUT AND PASSED.

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.1 Correspondence - None

10.2 Petitions - None

10.3 Presentation

10.3.1 CFB Halifax - Captain John Newton

This item was dealt with earlier in the meeting. See page 10.

11. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.1 Cost Sharing Agreement - Burnside Pedestrian Overpass

This item was dealt with earlier in the meeting. See page 9.

11.1.2 Hosting of the Federation of Canadian Municipalities' (FCM) Annual Conference, June 2011

This item was dealt with earlier in the meeting. See page 9.

11.1.3 Write-Off of Uncollectible Accounts

This item was dealt with earlier in the meeting. See page 9.

11.1.4 Proposed By-Law L-131, An Amendment to By-Law L-100, Respecting Charges for Local Improvements - Clearwater Drive Bridge (Private Road) - Timberlea

- A report dated May 22, 2009 was before Council.

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

- 1. Direct staff to provide financial assistance to the property owners for the rehabilitation of the existing bridge on Clearwater Drive, a private road.**
- 2. Approve in principle and begin the formal process for the adoption of By-Law L-131, attached hereto as Appendix A, Respecting Charges to Provide for the Rehabilitation of the Existing Bridge on Clearwater Drive, a Private Road, and the assignment of Local Improvement Charges for full recovery of HRM's financial assistance.**
- 3. Require that the property owners serviced by the bridge for a Society as defined under the Nova Scotia Societies Act and register with the Registry of Joint Stock Companies for the purpose of maintaining the bridge on an on-going basis.**
- 4. Require that the property owners be responsible for all facets of the project including but not limited to relevant design, construction, inspection and permits, and that upon completion of the bridge repairs, require that the property owners provide certification from a professional engineer that the bridge meets the load requirements for the safe passage of heavy firefighting apparatus before full firefighting service is restored.**
- 5. Direct staff to return to Council at a later date with an analysis of costs, benefits and implications of providing financing assistance for the recapitalization of private roads and bridges, and a proposed policy to**

establish criteria and process for exceptional circumstances where involvement of the municipality may be warranted.

MOTION PUT AND PASSED.

11.1.5 First Reading Proposed By-Law A-401, an Amendment to By-Law A-400, Respecting Alternative Voting for Ordinary Municipal Elections

- A report dated May 14, 2009 was before Council.

MOVED BY Councillor Outhit, seconded by Councillor Sloane that Halifax Regional Council give first reading of By-Law A-401 Respecting Alternative Voting and set a public hearing date. MOTION PUT AND PASSED.

11.1.6 Fiscal Health

MOVED BY Councillor Younger, seconded by Councillor McCluskey that this item be deferred to the June 16, 2009 Committee of the Whole. MOTION TO DEFER PUT AND PASSED.

11.1.7 Provincially Funded Police Officers & Facility Lease Reserve Q-325

- A report dated May 11, 2009 was before Council.

MOVED BY Councillor Walker, seconded by Councillor McCluskey that Halifax Regional Council recommend that the Business Case for the Provincially Funded Police Officers & Facility Lease Reserve - Q325 be approved to fund costs specifically attributable to the provincially funded officers. MOTION PUT AND PASSED.

11.2 MARINE DRIVE, VALLEY AND CANAL, HARBOUR EAST AND NORTH WEST COMMUNITY COUNCILS

11.2.1 Case 01201 - Amendments to the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy and Land Use By-Law - Signs for Home Based Business Uses

Items 11.2.1 (i) and 11.2.1 (ii) were dealt with together at this time.

- A report dated May 29, 2009 from the Marine Drive, Valley & Canal and Western Region Community Councils was before Council.
- A report dated May 29, 2009 from the North West Community Council was before Council.

MOVED BY Councillor Johns, seconded by Councillor Outhit that Halifax Regional Council give first reading to the proposed amendments to the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy and Land Use By-Law as set out in Attachment “A” and “B” of the staff report dated April 1, 2009 with an amendment to Attachment “B” to require that the height of the sign be restricted to 8 feet or less and not be attached to the home, and schedule a public hearing. MOTION PUT AND PASSED.

11.3 REGIONAL PLAN ADVISORY COMMITTEE

11.3.1 Business Parks Development Functional Plan, Bayers Lake / Ragged Lake

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

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

- 1. Approve-in-principle Part II of the Business Parks Development Functional Plan, dated April 2009, as a detailed future land use plan for the Bayers Lake Ragged Lake Business Parks area;**
- 2. Request that staff initiate the process to consider amending the Regional Municipal Planning Strategy and Secondary Planning Strategy(s) Policies, Land Use By-Law Regulations and Site Development & Building Standards using the land use related recommendations of the Business Parks Development Functional Plan, Part II, as the framework for such amendments and to follow the public participation program as approved by Council in February 1997.**

Councillor Sloane expressed concern with the designation of office space up to five (5) floors in Bayers Lake as the intent of the Urban Design plan has been to encourage people/business to move back to the Peninsula. Approval of the proposal would be encouraging commercial urban sprawl. She noted that residents want services they can walk to yet the amenities are moving out.

Councillor Hum expressed support for the Bayers Lake/Ragged Lake Business Park development noting that approval in principle of the functional plan was a step forward in properly planning for development and would also provide opportunity for trail head development in the vicinity of the Blue Mountain/Birch Cove area. She noted that the pristine area behind the KENT property should be used recreationally and requested that

there be public consultation as the development moves forward and that approval in principle not close the book on future public input. She stressed the importance of forming an Advisory Committee. Implementation of the Washmill Lake underpass will provide opportunities to address current transit deficiencies and future infrastructure /expansion issues.

Councillor Mosher noted her support in moving forward with the Business Park Functional Plan. Development of the Business Park area could be done along with the downtown core as it would be financially feasible to provide an area for support services on the outskirts with the head offices located in the downtown. She advised that she was 100% in support of developing the downtown. The Bayers Lake/Ragged Lake Business Park Functional Plan area was a designated growth area in the Regional Plan and if HRM is requesting that people move to that area then services also have to be there to meet the intent of the Regional Plan which was to have nodes where people may live, work and have access to recreational activities within walking distance or with access to public transit services. Part of the attractiveness for selling the downtown would be to have these areas for the support personnel.

Councillor Watts advised that she was not opposed to the direction of the Functional Plan but requested that Council be mindful of these comments and the comments of the public when considering the HRMbyDesign matter.

Councillor Outhit noted his support for the Functional Plan. He explained that Council had just approved a funding plan that would enable an increase of 30,000 people in the Bedford West area and he would not want them to have to drive to the downtown to work and shop. There are certain types of businesses that can be housed in these clusters. The proposal is a framework, a plan, a foundation that HRM hopes will be successful. He encouraged planned development for both the Functional Plan area and the downtown.

Councillor Rankin noted his support for the proposal commenting that the plan has been greatly anticipated by the business community in Bayers Lake/Ragged Lake. The proposal will offer a new rationale for the Ragged Lake Park that can be better branded for the benefit of HRM. He requested a practical action plan from staff on the implementation stages.

Mr. Fred Morley, Chair, Regional Planning Advisory Committee, and Executive Vice President & Chief Economist, Greater Halifax Partnership, commented that the Business Park Functional Plan had been before the Regional Plan Advisory Committee a few times and after much debate and discussion, a recommendation was brought forward to Council on the appropriateness of moving forward beyond a develop/sell approach to a planned approach. A great deal of discussion was held at the Committee level in regard to eliminating conflicting uses of land and to allow for full use of land for the benefit of business and the tax base. As an Economist, he commented that thriving, growing

communities need a number of good options for business. There should be a range of options so that development can occur where it needs to and wants to go.

Councillor Lund advised that he serves on the Regional Plan Advisory Committee. The functional plan is impressive and overdue as there has been uncontrolled development in that area. He requested that, as development moves forward, attention be given to the environmental impacts on: the Blue Mountain/Birch Cove area; lands west of Ragged Lake as it is being developed as a wilderness area; and that the potential archeological site in the Bayers Lake area be protected after the assessment is complete.

Councillor Sloane advised that she agreed with having Master Plans but had concerns with not taking care of established business areas such as the Gottingen and Barrington Street areas. The streetscaping of the capital district item was deferred over concerns of a small sum of money due in part to the tax base not being there as people/businesses are moving out. She questioned why taxes were not the same in the business parks as they were downtown. The downtown needs a boost and without her concerns being addressed, she was not in support of the proposal.

Deputy Mayor Hendsbee advised that he was the Vice-Chair of the Regional Plan Advisory Committee. A staff presentation would have addressed many of the concerns raised by Council. The height limit of five (5) storeys in the Bayers Lake Business Park area was proposed because of viewplanes. The Business Park has been in evolution since the early days of the City of Halifax and has become a more of a retail/service park than an Industrial Park. Infrastructure for the area, water/buses/active transportation opportunities, are lagging behind and is required to hook into the Ragged Lake Park. The wilderness area will complement the business parks. He noted that he looked forward to debates on the tax reform strategy as a rationalized commercial tax structure was required and needs to be more fair and equitable for all areas not just the downtown.

Councillor Wile explained that there were certain businesses in the Bayers Lake Business Park that could not be placed in the downtown. The businesses made the choice to locate to the area, they were not forced to go. The Washmill Underpass would alleviate traffic issues by leading traffic from Regency Park Drive to North West Arm Drive. She noted that the Bayers Lake Business Association appreciated the opportunity to discuss their concerns with the Consultant.

MOTION PUT AND PASSED.

11.4 SPECIAL EVENTS ADVISORY COMMITTEE

11.4.1 Summer Festival Grant Recommendations 2009 / 2010

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

MOVED BY Councillor Johns, seconded by Councillor Sloane that Halifax Regional Council support the Summer Fest Sub-Committee recommendation to award a grant of \$25,000 to the Cole Harbour Harvest Festival.

Councillor Johns noted errors in the staff report dated April 23, 2009:

- Page 3, Item 5: Weir Rockin '09 had withdrawn their application from this process;
- Page 2, Item 1. The total budget for the Cole Harbour Harvest Festival, shown as \$26,500, should be \$34,500.

In response to Deputy Mayor Hendsbee, Councillor Johns advised that the unsuccessful applicants are not currently considered for other funding but staff have been requested to look for opportunities.

MOTION PUT AND PASSED.

11.4.2 HRM Hallmark Event Grant Renewals

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

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

- 1. Amend the Civic Event Policy and Granting Framework and Market Levy Special Event Reserve (MLSER) Business Case to:**
 - 1. Remove the International Air Show as a Hallmark Event.**
- 2. Increase the grants from the 2009/10 Marketing Levy Special Events Reserve (Q315) as follows:**
 - (i) an increase of \$15,000 to the Atlantic Jazz Fest for a total award of \$40,000;**
 - (ii) an increase of \$10,000 to the Bluenose International Marathon for a total award of \$50,000;**
- 3. Maintain the existing grants from the 2009/10 Marketing Levy Special Events Reserve (Q315) in the amounts of:**
 - (i) \$90,000 to the Royal Nova Scotia International Tattoo;**
 - (ii) \$40,000 to the Atlantic Film Festival;**
 - (iii) \$50,000 to the Halifax International Busker Festival on condition that the award be held pending delivery and review of their budget;**
 - (iv) \$10,000 to the Pop Explosion;**

(v) \$10,000 to the Scotia Festival of Music.

In response to Deputy Mayor Hendsbee, Mr. Andrew Whittemore, Manager, Community Relations/Cultural Affairs, advised that the policy identifying Hallmark Events was approved by Council and the definition was included in the staff report. The process involves the Special Events Advisory Committee reviewing the applications on an annual basis with the applicants being required to present to the Committee. Each repeat event is analysed to determine if they had met their previously stated intent. The Committee has the ability to recommend addition/removal of Hallmark events on an annual basis with the final decision resting with Regional Council. There is no limitation on the number of Hallmark Events.

MOTION PUT AND PASSED.

11.4.3 Proposed HRM Hallmark Events and Funding Recommendations

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

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

- 1. Amend the Civic Event Policy and Granting Framework to include the Halifax Pride Festival as a Hallmark Event.**
- 2. Award the Halifax Pride 2009 event a \$25,000 grant through the Marketing Levy Special Events Reserve (Q315) with \$5,000 to be held for debt repayment to HRM and that the award be contingent upon the submission of a balanced Operating Budget to staff and the Special Events Advisory Committee.**
- 3. Not approve the SEDMHA International Minor Hockey Tournament as a Hallmark Event as they have withdrawn their application for this year.**
- 4. Consider establishing a new Amateur Sporting Event Program of \$25,000.00 during the 2009/10 budget deliberations, and; consider an award to SEDMHA International Minor Hockey Tournament, subsequent to an evaluation, under the new program.**
- 5. Approve the Halifax Greek Fest as an Annual Event and award the event a \$3,500.00 grant through the Annual Event Grant Program (C760), subject to approval of Recommendation 1. (Approval of the Halifax Pride Event as a Hallmark Event would free \$3,500.00 from the Annual Event Grant Program that could then be awarded to the Halifax Greek Fest).**

In response to Councillor McCluskey, Councillor Johns advised that SEDMHA would be reviewed next year for consideration as a Hallmark Event as they had withdrawn their application for this year.

MOTION PUT AND PASSED.

11.4.4 Special Events Grant Funding Requests

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

MOVED BY Councillor Johns, seconded by Councillor Hum that Halifax Regional Council maintain the 2009/10 funding from the Marketing Levy Special Events Reserve (Q315) in the amount of \$8,000.00 for the Canadian Senior Baseball Championship.

Councillor Johns explained that the 2009 Canadian Senior Baseball Championship was one of three awards referred back to the Special Events Advisory Committee by Council on April 21, 2009 for reconsideration. The Committee debated the issue extensively with the final decision being not to recommend an increase in funding due to additional funds being invested by HRM toward infrastructure improvements that would benefit the event. An additional \$25,000 was being invested through the HRM Parks and Capital budget; \$16,000 from HRM Operating budget; \$7,000 from Councillor Younger's Capital District Fund as well as the \$8,000 proposed award from the Special Events Fund.

Councillor Younger clarified that the \$7,000 from his Capital District fund was not given to the Baseball group, it was for bleacher seating for use at the Beazley Field site and would be transported to other areas of HRM as needed. He noted that the Baseball event would be the first time the seats would be utilized but they were not specifically donated for this event. He also noted that the timing for some of the infrastructure improvements to Beazley Field, lighting/changing bulbs, happens to coincide with the Baseball tournament but were requested prior to the event and have been in waiting for years. The tournament will actually be paying for infrastructure upgrades that will remain after the event. He emphasised that the Baseball Tournament would be a National event that would be televised throughout the Maritimes and merited the support.

Without a vote being taken on the motion on the floor, the following motion was placed.

MOVED BY Councillor Younger, seconded by Councillor Karsten that Halifax Regional Council recommend that the Senior Baseball Championship award be increased to \$15,000.

Councillor Younger noted that work was needed in regard to how the grant awards were determined as they should not be based on a percentage of the ask or each applicant would request the maximum.

Councillor Dalrymple expressed concern with the timing of the infrastructure upgrades and inquired if they were normal upgrades that should have been completed some time ago. He sensed that funds were being promised to upgrade fields but the work was not getting done.

Mr. Phil Townsend, Acting Director, Infrastructure and Asset Management, explained that without the support of infrastructure, events of this caliber could not take place. He noted that HRM was not charging back the operating costs although a portion of it would be directly related to the event; the setup for the event and the moving of bleachers would not be occurring if it were not for the event. Infrastructure upgrades were being accelerated to ensure the event is successful.

In response to Councillor Dalrymple, Mr. Whittemore explained that the information regarding the infrastructure upgrades to the field was not originally known by the Committee. The Committee did assess that information when asked by Council to reconsider the proposed award.

Councillor Karsten noted that the figures presented in regard to intended infrastructure upgrades to the field should not be taken into consideration when contemplating an award for this group. Teams will be coming from across Canada for this event. He advised that he was in complete support of the award being increased to \$15,000.

Councillor Hum noted that she was in support of a total award of \$15,000. She was in support of National and International events coming to Halifax and this was a good opportunity to get Halifax's name out there in relation to sporting events.

In response to Councillor Hum, Mr. Whittemore advised that the funding would come from the Q315 Market Levy Special Event Reserve with a current balance of approximately \$60,000.

Councillor Younger noted that the list of Capital items would have been helpful for Council in regard to this discussion noting that the nets were installed last year at Beazley field due to an injury sustained by a youth from a stray baseball. Work on the dugouts was committed prior to the event coming forward as they were built too small. The capital investments have nothing to do with this event.

Councillor Johns noted that as the Chair of the Special Events Advisory Committee it was his responsibility to speak to the Committee's decision. One of the issues that influenced the Committee's decision upon reconsideration of the award amount was the list of Capital

projects. The Committee felt that HRM was already investing significant amounts of funding to support/benefit the event.

MOTION PUT AND PASSED.

11.5 MEMBERS OF COUNCIL

11.5.1 Councillor Adams - Request for report re: Tax Implications for Property Damage due to Fire

MOVED BY Councillor Adams, seconded by Councillor Mosher that Halifax Regional Council request a staff report on developing a policy to allow rebates/reimbursement of property taxes for properties destroyed by fire.

Deputy Mayor Hendsbee noted that this was not a new issue and that it had been debated many times by the Grants Committee and included property destroyed by hurricane/flood/fire without the issue being finalized. He emphasised that it needs to move forward and that the rebates/reimbursements be made retroactive and prorated for others who have lost their homes.

Councillor McCluskey noted that the provincial Assessment Act reflects the state of the property as of December 1st. In response to Councillor Adams, Ms. Karen Brown, Municipal Solicitor, advised that as per Section 87.3 of the HRM Charter, the municipality may not change assessment of property except in accordance with the Assessment Act.

MOTION PUT AND PASSED.

12. MOTIONS

12.1 Councillor McCluskey

MOVED BY Councillor McCluskey, seconded by Councillor Younger that Halifax Regional Council request a staff report for the June 16, 2009 Council session to initiate the process to have St. George's Lane, Dartmouth, made a one-way street.

Councillor McCluskey explained that the residents petitioned to have the street made a one-way street as the widest portion of the street was only 12 metres and the standard for a local street was 16 metres. She expressed concern with emergency vehicles not being able to get through during an emergency.

Councillor Karsten requested that the report identify whether Regional Council would have the authority to designate a one-way street.

MOTION PUT AND PASSED.

13. ADDED ITEMS

13.1 Sambro Loop Transit

MOVED BY Councillor Adams, seconded by Councillor Mosher that Halifax Regional Council request a staff report outlining the scheduling/costing/routing and fares that would pertain to the Sambro Loop Transit Route. MOTION PUT AND PASSED.

13.2 Legal Matter - HRMbyDesign

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

MOVED BY Councillor Walker, seconded by Councillor Nicoll that Halifax Regional Council not re-open the HRMbyDesign Public Hearing. MOTION PUT AND PASSED.

13.3 Personnel Matter - Citizen Appointments to Boards, Committees and Commissions

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

MOVED BY Councillor Mosher, seconded by Councillor Walker that Halifax Regional Council approve the Citizen appointments for the Halifax Dartmouth Canada Day Committee and the Halifax Regional Water Commission as outlined in Attachment 1 of the staff report dated April 28, 2009, and that the appointments to the Halifax International Airport Authority Board be referred back to the Membership Selection Committee. MOTION PUT AND PASSED.

14. NOTICES OF MOTION

14.1 Councillor Rankin

Take notice that at the next regular Regional Council meeting to be held on Tuesday, the 16th day of June, 2009, I propose to move First Reading of By-Law L-131, the purpose of which is to amend Schedule "A" of By-Law L-100 to permit the implementation of a Local Improvement Charge to finance the remediation of the privately owned bridge located on Clearwater Drive in Timberlea.

14.2 Councillor Sloane

Take notice that at the next regular meeting of the Halifax Regional Council to be held on June 16, 2009, I intend to introduce a motion to close June Street at West Street to vehicular traffic.

15. ADJOURNMENT

The meeting adjourned at 9:52 p.m.

Julia Horncastle
Acting Municipal Clerk

INFORMATION ITEMS
June 2, 2009

1. Proclamation - National Hunger Awareness Day - June 2, 2009
2. Proclamation - Ride to Work Day - June 15, 2009
3. Memorandum from Managing Director, External & Corporate Affairs dated May 26, 2009 re: DND Highway Sign Update
4. Memorandum from Director, Business Planning & Information Management & Halifax Harbour Solutions Project dated May 22, 2009 re: Harbour Solutions Project - Fourth Quarter Report - January to March 2009
5. Memorandum from Acting Director, Community Development dated May 26, 2009
re: Peninsula Community Facilities and Services Review
6. Memorandum from the Acting Municipal Clerk dated May 29, 2009
re: Requests for Presentation to Council - None