

# HALIFAX REGIONAL MUNICIPALITY

---

## HALIFAX REGIONAL COUNCIL MINUTES

May 13, 2008

**PRESENT:** Mayor Peter Kelly, Chair  
Deputy Mayor Stephen D. 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 M. Sloane  
Sue Uteck  
Sheila Fougere  
Russell Walker  
Debbie Hum  
Linda Mosher  
Brad Johns  
Robert P. Harvey  
Tim Outhit  
Reg Rankin  
Gary G. Meade

**STAFF:** Mr. Dan English, Chief Administrative Officer  
Ms. Geri Kaiser, Deputy Chief Administrative Officer  
Mr. Randolph Kinghorne, Municipal Solicitor  
Ms. Julia Horncastle, Acting Municipal Clerk  
Ms. Sheilagh Edmonds, Legislative Assistant  
Ms. Melody Campbell, Legislative Assistant

## TABLE OF CONTENTS

1.	INVOCATION .....	4
	Swearing In Ceremony Councillor District 21 - Bedford .....	4
2.	SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS .....	4
3.	APPROVAL OF MINUTES .....	5
4.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS .....	5
5.	BUSINESS ARISING OUT OF THE MINUTES .....	5
6.	MOTIONS OF RECONSIDERATION .....	5
7.	MOTIONS OF RESCISSION .....	5
8.	CONSIDERATION OF DEFERRED BUSINESS .....	5
9.	PUBLIC HEARINGS	
9.1	By-Law P-1100 and Proposed Administrative Order 45, Respecting Charges for Private Road Maintenance - Area Rate for Petpeswick Drive Improvement Society .....	5
10.	CORRESPONDENCE, PETITIONS & DELEGATIONS	
10.1	Correspondence .....	6
10.2	Petitions .....	6
10.3	Presentations .....	6
	10.3.1 Blue Nose International Marathon .....	6
	10.3.2 Halifax International Airport Authority - Annual Report .....	6
11.	REPORTS	
11.1	CHIEF ADMINISTRATIVE OFFICER	
	11.1.1 Tender 07-170 - Mainland Common Ballfield Pressbox .....	7
	11.1.2 Capital Budget Increase & Award of Tender 08-P-618, Maplewood on the Lakes Playground Equipment Supply and Installation .....	7
	11.1.3 Tender 08-P-662 - Planting of Seedlings, Point Pleasant Park	8
	11.1.4 Tender 08-015 - Ravenscraig Sportsfield Construction .....	8
	11.1.5 Tender 08-215 - Paving Renewal and New Sidewalk, Prince Street, Central Region .....	8
	11.1.6 Tender 08-225 - Queen Street (Alderney Drive to Wentworth	

	Street) - Pavement Renewal and Sidewalk Renewal - East Region . . . . .	9
11.1.7	Tender 08-227 - Paving Renewal and New Sidewalk, Stokil Drive, Central Region . . . . .	9
11.1.8	Tender 08-235 - Traffic Signal Installation - Akerley Boulevard and John Savage Avenue - East Region . . . . .	9
11.1.9	Tender 08-242 - Intersection Improvement, Hammonds Plains Road at Pockwock Road - Central Region . . . . .	10
11.1.10	Main Street Dartmouth Planning Vision and Streetscape Concept . . . . .	10
11.1.11	Proposed Business Improvement District for Main Street, Dartmouth . . . . .	11
11.1.12	Lease Renewal - Community Ballfields and Dartmouth Lawn Bowling Green, Lots M-1 & M-4, Pleasant Street, Dartmouth . . . . .	12
11.1.13	Encroachment Agreement - Department of National Defence (DND) Pleasant Street Storm Sewer . . . . .	12
11.1.14	Case 01148 - Amendments to the Bedford West Secondary Planning Strategy and Regional Subdivision By-Law . . . . .	12
11.1.15	Proposed By-Law O-109, Respecting Open Air Burning . . . . .	13
11.1.16	Case 00971 - Municipal Planning Strategy and Land Use By-Law Amendments and Development Agreement, Halkirk (Keith's Brewery) Lands, Lower Water, Bishop and Hollis Streets, Halifax . . . . .	14
11.1.17	First Reading Proposed By-Law S-425, An Amendment to By-Law S-400, Respecting Charges for Street Improvements . . . . .	15
11.2	HARBOUR EAST COMMUNITY COUNCIL	
11.2.1	Case 01079 - Five Story Buildings in Dartmouth Crossing . . . . .	15
11.2.2	Dartmouth Bridge Terminal . . . . .	15
11.3	ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES	
11.3.1	Hybrid Automobiles . . . . .	15
11.4	BIKEWAYS ADVISORY COMMITTEE	
11.4.1	Active Transportation Advisory Committee . . . . .	16
11.5	DISTRICT 12 PLANNING ADVISORY COMMITTEE	
11.5.1	Case 01046 - Municipal Planning Strategy & Land Use By-Law Amendments and Development Agreement, South Park Street and Brenton Place . . . . .	16
11.6	SPECIAL EVENTS ADVISORY COMMITTEE	
11.6.1	Civic Events Granting Process Overview . . . . .	17
11.7	MEMBERS OF COUNCIL	
11.7.1	Councillor Fougere - Surveying Activity on Chebucto Road . . . . .	17
12.	MOTIONS . . . . .	18
13.	ADDED ITEMS . . . . .	18
14.	NOTICES OF MOTION . . . . .	20

15. ADJOURNMENT ..... 20

**1. INVOCATION**

The meeting was called to order at 1:04 p.m. with the Invocation being led by Councillor Younger.

**SWEARING IN CEREMONY - COUNCILLOR DISTRICT 21 BEDFORD**

Mayor Kelly administered the Oath of Office to Councillor Elect Tim Outhit. Councillor Outhit took his seat in Council as Councillor for District 21 - Bedford. The Councillor addressed his fellow Councillors and stated that he looked forward to working with them collaboratively for the greater good of the community.

Council recessed at 1:33 p.m. to move to the Committee of the Whole agenda.

Council reconvened at 3:55 p.m.

**2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS**

Councillor Fougere expressed condolences on behalf of Council on the passing of Mr. Andrew Bourgeois. Andrew was a long-term municipal employee. Condolences are expressed to his partner Ms. Leslie Hickman and family. Council observed a moment of silence in respect for Mr. Bourgeois.

Councillor Fougere advised that on Wednesday, May 21<sup>st</sup> a Tax Reform Consultation meeting will be held at St. Agnes School.

Councillor Sloane added that on May 15<sup>th</sup> a workshop will be held on the Downtown Transit Shuttle at the Bluenose Room, Delta Halifax. The Blue Nose Marathon is taking place throughout the City and cheering sections will be taking place along the marathon route, all are welcome to join. Councillor Sloane's cheering party will be at the YMCA along South Park Street.

Councillor Hendsbee sent appreciation to staff, volunteers, tourists and hockey fans on the success of the IIHF held in Halifax from May 2-14. He wishes Team Canada well as they move on to Quebec City. The Councillor added that a Tax Reform Consultation meeting will be held on May 23<sup>rd</sup> at Lake Echo Community Centre.

Councillor Murphy advised that he is hosting a cheering committee for the Blue Nose Marathon along Isleville Street on Sunday, May 18<sup>th</sup>.

Councillor Mosher advised that a Tax Reform Consultation meeting will take place at Halifax West High School on Wednesday, May 14<sup>th</sup> at 7:00 p.m.

Councillor Younger advised that the Affirmative Industries building has won the Canadian Institute of Planners National Award in Planning Excellence in Social Housing.

Councillor Smith noted that his cheering party for the Blue Nose Marathon will be held near the top of Nantucket Drive on Sunday, May 18<sup>th</sup>.

Councillor Karsten noted that Tax Reform Consultation meetings will be held on May 21<sup>st</sup> at Cole Harbour Place and May 26<sup>th</sup> at the Dartmouth Sportsplex.

Deputy Mayor Adams welcomed Councillor Outhit to Council. The Councillor advised that on May 22<sup>nd</sup> there will be a meeting to discuss Community Visioning in Spryfield. On May 22<sup>nd</sup> there will be a Turkey Bingo in Harrietsfield to raise funds for the playground committee.

**3. APPROVAL OF MINUTES**

**MOVED by Councillor Sloane, seconded by Councillor Karsten that the minutes of April 22 & 29, 2008 be approved. MOTION PUT AND PASSED.**

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

**Deletion:**

11.2.2 Dartmouth Bridge Terminal

**Additions:**

13.1 Law Amendments Update

13.2 Proposed By-Law S-308, An Amendment to By-Law Amendment to By-Law S-300, Respecting Streets

13.3 Proposed By-Law A-400, Respecting Alternative Voting

13.4 Chebucto Road Infrastructure Improvements

13.5 Hammonds Plains Road Widening

**MOVED by Councillor Sloane, seconded by Councillor Wile 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 - NONE**

**9. PUBLIC HEARINGS**

**9.1 By-law P-1100, and Proposed Administrative Order 45, Respecting**

**Charges for Private Road Maintenance - Area Rate for Petpeswick Drive Improvement Society**

- A report dated March 28, 2008 was before Council.

Councillor Hendsbee excused himself from this item indicating a possible conflict of interest.

Mr. Gordon Roussel, Financial Consultant, Finance, presented the report dated March 26, 2008, to Council.

In response to a question by Councillor Uteck, Mr. Roussel advised that all abutting property owners were notified.

Mayor Kelly called three times for speakers to come forward for or against the proposed bylaw. There were no speakers present.

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

**MOVED BY Councillor Younger, seconded by Council Snow, that Regional Council:**

1. **Approve By-Law P-1100 and Administrative Order 45, Respecting Charges for Private Road Maintenance - Area Rate for Petpeswick Drive Improvement Society as outlined in Appendix "B" of the report dated March 28, 2008.**
2. **Authorize the Mayor to sign, on behalf of HRM, the Management and Operating Agreement between HRM and the Society as shown in Appendix "C" of the report dated March 28, 2008.**

**MOTION PUT AND PASSED.**

**10. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**10.1 Correspondence - None**

**10.2 Petitions - None**

**10.3 Presentations**

**10.3.1 Blue Nose International Marathon - Rod McCulloch, Co-Chair**

Mr. Rod McCulloch, Co-chair of the Blue Nose International Marathon provided a presentation to Council. The Blue Nose International Marathon will be held on May 17 and 18, 2008.

Councillor McCluskey advised that the ferry will be crossing the harbour on the half hour beginning at 8:00 a.m. and ending at 6:15 p.m. on Sunday.

In response to a query by Councillor Johns, Mr. McCulloch advised that the Blue Nose Marathon is a qualifying race.

**10.3.2 Halifax International Airport Authority - Annual Report**  
**(i) Tom Ruth, President and CEO**  
**(ii) Michael Healy, Vice President, Infrastructure & Technology**

Mr. Tom Ruth, President and CEO and Mr. Michael Healy, Vice President of Infrastructure and Technology provided the Halifax International Airport Authority Overview and Annual Report.

Councillor Outhit questioned whether the Authority were looking into mass transportation to the airport. In response, Mr. Ruth advised that this is an option being discussed. Many of the airport employees could use this type of transportation to and from work, and it would also be beneficial to businesses in the area.

In response to Councillor concerns regarding signage, Mr. Ruth advised that this is currently looking at improved signage at the airport is being looked at as a future project.

In response to a question by Councillor Walker, Mr. Ruth advised that, with the airport expansion, the plan is to install a pedway with moving sidewalks.

**11. REPORTS**

**11.1 CHIEF ADMINISTRATIVE OFFICER**

**11.1.1 Tender 07-170 - Mainland Common Ballfield Pressbox**

- A report dated May 5, 2008 was before Council.

**MOVED BY Councillor Wile, seconded by Councillor Walker that Regional Council award Tender No. 07-170, Mainland Common Ballfield Pressbox to J.W. Lindsay Enterprises Limited for a Total Tender Price of \$114,547.61 (net HST included) with funding from Capital Account Nos. CPC00814 and CPX01015 - Mainland Common, as outlined in the Budget Implications section of the report dated May 5, 2008.**

**MOTION PUT AND PASSED.**

**11.1.2 Capital Budget Increase & Award of Tender 08-P-618, Maplewood on the Lakes Playground Equipment Supply and Installation**

- A report dated March 31, 2008 was before Council.

**MOVED BY Councillor Meade, seconded by Councillor Rankin, that Regional Council:**

- 1. Approve an increase in the Gross Capital Budget to Account No. CPX01017 - New Park Development, by \$59,000 with no change to the Net Budget, to reflect**

the additional funds from the Maplewood on the Lakes Area Rate Account C190.

2. Award Tender No. 08-P-618 to Canadian Maritime Engineering for a Total Tender Price of \$51,674.12 (net HST included) with funding from CPX01017 - New Park Development, as outlined in the Budget Implications section of report dated March 31, 2008.

**MOTION PUT AND PASSED.**

**11.1.3 Tender 08-P-662 - Planting of Seedlings, Point Pleasant Park**

- A report dated April 30, 2008 was before Council.

**MOVED BY Councillor Uteck, seconded by Councillor Fougere, that Regional Council award Tender No. 08P662, Planting of Seedlings Point Pleasant Park (PPP) to Coastal Trilling Reforestation for a price of \$51,611.00 ( net HST included) with funding from CPU 00930, Point Pleasant Park Upgrades as indicated in the April 30, 2008 report.**

In response to a question by Councillor Hendsbee, Mr. Peter Bigelow, Manager, Real Property Planning, advised that the trees are seedlings from age 1 year to 4 years. For warranty and investment purposes the tender process was the best option for HRM.

**MOTION PUT AND PASSED.**

**11.1.4 Tender 08-015 - Ravenscraig Sportsfield Construction**

- A report dated April 30, 2008 was before Council.

**MOVED BY Councillor Mosher, seconded by Deputy Mayor Adams, that Regional Council award Tender No. 08-015, Ravenscraig Sportsfield Construction to Elmsdale Landscaping Ltd. for a Total Tender Price of \$360,640.60 (net HST included) with funding from Capital Account Nos. CP300856 - Sports Field Upgrades, CPU00924 - New Park Development, CPU00934 - Sportsfield Upgrades and CPX01026 - Regional Park Washroom Facilities, as outlined in the Budget Implications section of the report dated April 30, 2008.**

**MOTION PUT AND PASSED.**

**11.1.5 Tender 08-215 - Paving Renewal and New Sidewalk, Prince Street, Central Region**

- A report dated May 5, 2008 was before Council.

**MOVED BY Councillor Harvey, seconded by Councillor Sloane, that Regional Council:**

- 1. Approve the recovery of Local Improvement Charges for the new concrete sidewalk on Prince Street - Central Region by an area rate for District 20;**
- 2. Award Tender No. 08-215, Paving Renewal and New Sidewalk, Prince Street - Central Region to Ocean Contractors Limited for a Total Tender Price of \$501,630.65 (net HST included) with funding from Capital Account No. CYU01081 - Paving Renewal Program and Capital Account CJU01083 - New Sidewalks, as outlined in the Budget Implications section of the report dated May 5, 2008.**

**MOTION PUT AND PASSED.**

**11.1.6 Tender 08-225 - Queen Street (Alderney Drive to Wentworth Street) - Pavement Renewal and Sidewalk Renewal - East Region**

- A report dated May 2, 2008 was before Council.

**MOVED BY Councillor Smith, seconded by Councillor Karsten, that Regional Council award Tender No. 08-225, Queen Street (Alderney Drive to Wentworth Street ) Pavement Renewal and Sidewalk Renewal - East Region to Dexter Construction Company Limited for a Total Tender Price of \$371,723.83 (net HST included) with funding from Capital Accounts No. CYU01081 - Paving Renewal Program, CKU01084 - Sidewalk Renewals and CDG00271 - Downtown Streetscapes, as outlined in the Budget Implications section of the report dated May 2, 2008.**

**MOTION PUT AND PASSED.**

**11.1.7 Tender 08-227 - Paving Renewal and New Sidewalk, Stokil Drive, Central Region**

- A report dated May 5, 2008 was before Council.

**MOVED BY Councillor Johns, seconded by Councillor Mosher, that Regional Council:**

- 1. Approve the recovery of Local Improvement Charges for the new concrete sidewalk and new concrete curb and gutter on the north side of Stokil Drive - Central Region by an area rate for a portion of District 19;**
- 2. Award Tender No. 08-227, Paving Renewal and New Sidewalk, Stokil Drive - Central Region to Dexter Construction Company Limited for a Total Tender Price of \$442,469.26 (net HST included) with funding from Capital Account No. CYU01081 - Paving Renewal Program and Capital Account CJU01083 - New Sidewalks, as outlined in the Budget Implications section of the report dated**

**May 5, 2008.**

**MOTION PUT AND PASSED.**

**11.1.8 Tender 08-235 - Traffic Signal Installation - Akerley Boulevard and John Savage Avenue - East Region**

- A report dated April 25, 2008 was before Council.

**MOVED By Councillor Smith, seconded by Councillor Wile that Regional Council award Tender No. 08-235, Traffic Signal Installation - Akerley Boulevard and John Savage Avenue - East Region to Black and McDonald Limited for a Total Tender Price of \$302,010.61 (net HST included) with funding from Capital Account No. CTU01085 - Traffic Signal Installation and Account No. CTU00561 - Traffic Signal Installation, as outlined in the Budget Implications section of the report dated April 25, 2008.**

**MOTION PUT AND PASSED.**

**11.1.9 Tender 08-242 - Intersection Improvement, Hammonds Plains Road at Pockwock Road - Central Region**

- A report dated May 3, 2008 was before Council.

**MOVED BY Councillor Meade, seconded by Councillor Rankin, that Regional Council award Tender No. 08-242, Intersection Improvements, Hammonds Plains Road at Pockwock Road - Central Region to XL Electric for a Total Tender Price of \$202,114.84 (Net HST included) with funding from Capital Account No. CTU00422 - Intersection Improvement Projects, as outlined in the Budget Implications section of the report dated May 3, 2008.**

**MOTION PUT AND PASSED.**

Council adjourned at 4:30 p.m.

Council reconvened at 6:00 p.m with all members of Council present with the exception of Councillor Streach.

**11.1.10 Main Street Dartmouth Planning Vision and Streetscape Concept**

- A report dated February 22, 2008 was before Council.

Mr. Barry Yanchyshyn, Senior Landscape Architect, provided a presentation to Council.

Councillor Younger advised that the business community and residents in the area approve of the plan.

Councillor Hendsbee advised that a significant number of his district's residents use this area as a travel corridor to and from work and travel to the core. He advised that the NSCC area should be widened and noted concern that fire station and capacity issues have not been addressed.

Deputy Mayor Adams and Councillor Mosher stated that Herring Cove Road has had an ongoing streetscape project that is not near completion. The Councillors expressed concern that a new project is starting when their area and Councillor John's area have started and are not completed. Mr. Bigelow, Manger, Real Property Planning, replied that staff are working with Councillors to determine priorities.

Councillor Johns expressed concern over the lack of progress in the Sackville area for the past three years. He stressed the need for staff commitment to get projects done.

Deputy Mayor Adams was advised by staff that if the staff recommendation is approved, it will not compromise the Herring Cove Road project as it stands.

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

1. **Approve in principle the findings and recommendations of the "Main Street Dartmouth - Planning Vision and Streetscape Concept" dated January 20, 2008;**
2. **Direct staff to proceed immediately preparing the "terms of reference" implementing a demonstration "Pocket Park" project at the SW corner of Woodlawn and Main Street.**
3. **Authorize staff to initiate the preparation of a Secondary Planning Strategy for Main Street Dartmouth and vicinity, using the Planning Vision outlined in the consultant report as a framework for developing Plan policy and regulations, and employing the public participation program appended as Attachment 3; and,**
4. **The projects and phasing outlined in the report be used as a basis for planning possible future capital budgets associated with the Regional Streetscape Program.**

**MOTION PUT AND PASSED.**

**11.1.11 Proposed Business Improvement District for Main Street, Dartmouth**

- A report dated April 18, 2008 was before Council.

**MOVED BY Councillor Younger, seconded by Councillor Hendsbee, that Regional Council:**

1. **Endorse the establishment of a Business Improvement District for Main Street, Dartmouth, in accordance with the boundary contained in Attachment 1 of the report dated April 18, 2008.**
2. **Approve the proposed area rate levy of \$0.1718 per \$100.00 of assessed value for business occupancy and \$0.14 per \$100.00 of assessed value for commercial to be applied within the Business Improvement District effective with the 2008-09 fiscal year with a minimum of \$150 and a maximum of \$5,000 per property: and**
3. **Direct staff to execute the standard BID management agreement between HRM and the District 6 Main Street, Dartmouth and Area Business Improvement District Commission.**

**MOTION PUT AND PASSED.**

**11.1.12 Lease Renewal - Community Ballfields and Dartmouth Lawn Bowling Green, Lots M-1 & M-4, Pleasant Street, Dartmouth**

- A report dated April 29, 2008 was before Council.

**MOVED BY Councillor Barkhouse, seconded by Councillor Walker, that Regional Council authorize the Mayor and Municipal Clerk to execute the Lease Agreement between the Province of Nova Scotia - Transportation and Infrastructure Renewal (Her Majesty the Queen), (Landlord) and the Halifax Regional Municipality (Tenant) for the subject properties based on the key terms and conditions outlined in the report dated April, 29, 2008.**

**MOTION PUT AND PASSED.**

**11.1.13 Encroachment Agreement - Department of National Defence (DND) Pleasant Street Storm Sewer**

- A report dated April 14, 2008 was before Council.

**MOVED BY Councillor Barkhouse, seconded by Councillor Sloane, that Regional Council approve the Encroachment Agreement attached to the April 14, 2008 staff report to allow DND to install a storm sewer with manhole across Pleasant Street as part of infrastructure upgrades at 12 Wing Shearwater.**

**MOTION PUT AND PASSED.**

**11.1.14 Case 01148 - Amendments to the Bedford West Secondary Planning Strategy and Regional Subdivision By-Law**

- A report dated April 24, 2008 was before Council.

**MOVED BY Councillor Rankin, seconded by Councillor Sloane that Council approve:**

- 1. Alternative 2 of the staff report - Instruct staff not to consider one or both of the servicing policy amendments recommended by staff.**
- 2. And further, in the alternative, for staff to prepare a report to Council quantifying in a wider examination, all current and latent demands that the Halifax Treatment Plant is to accept over the longer term.**
- 3. The review to include but not limited to all undeveloped and adjacent lands to Bayers Lake Park and the nearby proposed Governors Lake North and Halifax Peninsula.**
- 4. Cost of installing pipe to Halifax and the cost to complete the Mill Cove plant.**

Councillor Sloane added that there is a plan to bring sewage from Tantallon to the downtown and she requested that this be addressed in the report.

Councillor Hum indicated that it would be beneficial to have a staff presentation. Mr. Roger Wells, Regional Community Planning, advised that this is an initiation report to engage the public and stakeholders. The existing plan has sub area 12 directing its sewage to the Mill Cove Sewage Plant. Since its adoption, the consultant determined that it may be more cost effective to bring sewage to Halifax. This is an initiation report to consider changing the secondary plan for sub area 12. There will be opportunities for developers to come forward and a report will come back to Council with all the issues addressed. Mr. Peter Duncan, Manager, CCC Project, advised that the urban settlement area has not been factored in at this point.

Councillor Wile expressed concern about sewage flow to the Halifax system. She raised the question as to how HRM can handle the capacity with continuing growth in Bedford West.

In response to a question by Councillor Walker, Mr. Wells advised that if the recommendation is passed, it will come back to Regional Council with a report. This is an initial report.

Councillor Johns raised concerns of the effects this will have on District 19.

Councillor Sloane advised that this may have an impact on HRM by Design.

Councillor Rankin noted that he is not willing to go to the public without the risks being addressed.

Without a vote on the previous motion, the following motion was placed.

**MOVED BY Councillor Outhit, seconded by Councillor Sloane, that Item 11.1.14 be referred back to staff for a report and deferred to the next meeting of Regional Council.**

Councillor Uteck added that this is a change from the plan that was determined when the Harbour Solutions project started.

Councillor Walker added that Council needs to have the information on the subject lands that HRM is dealing with and a number indicating the exact volume of sewage being diverted.

Councillor Sloane added that the areas of growth and the downtown plant were discussed at a prior Council meeting. The Councillor requested that these minutes be added to the report.

**MOTION PUT AND PASSED.**

**11.1.15      Proposed By-Law O-109, Respecting Open Air Burning**

- A report dated April 28, 2008 was before Council.

**MOVED BY Councillor Younger, seconded by Councillor Rankin, that Regional Council defer Proposed By-Law O-109 to a future Committee of the Whole. MOTION PUT AND PASSED.**

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

- A staff report dated April 2, 2008, a District 12 Planning Advisory Committee Report, a Heritage Advisory Committee Report and Pedestrian Wind Study was before Council.

Mr. Paul Sampson, Planner, provided a presentation to Council. Drawings of the changes to the building facades were distributed to Council.

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

- 1. Give First Reading to the Proposed amendments to the Halifax Municipal Planning Strategy and Peninsula Land Use By-law as contained in Attachment A of the April 2, 2008 and schedule a public hearing.**
- 2. Move Notice of Motion to consider the proposed Development Agreement as contained in Attachment B of the April 2, 2008 report to allow for a mixed-use development and schedule a public hearing. The public hearing for the development agreement shall be held concurrently with that indicated in Recommendation 1.**
- 3. To amend Attachment "B" of the report by replacing Schedules I, J, K, L, M, O,**

**P and Q with new versions dated May 12, 2008 showing revisions resulting from changes to the western facade of the Alexander tower facing Hollis Street.**

- 4. To adopt the District 12 PAC motion that the proposed Phase 3 design details be equal to this proposal in terms of materials, scaling, massing, architectural details, and height to be complementary to the existing streetscape such as Keith Hall, the Benjamin Wier House, and Halkirk House.**

Councillor Murphy asked if the interior architectural integrity will be saved. Mr. Sampson advised that this is not an aspect of the development agreement. The Councillor stressed the need to save the history.

Councillor Hendsbee stated that the underground parking, storm surge and runoff needs to be addressed so that no further issues arise with flooding.

Councillor Uteck indicated that in the report a motion is noted from the District 12 PAC meeting, this was a comment, not a motion.

Councillor Harvey expressed concern that this may be superceded by HRM by Design and should be dealt with under those regulations. Mr. Austin French, Manager, Planning Services advised that project has been in process for quite some time, and it is not anticipated that the public hearing for HRM by Design will be held until the fall.

In response to a question by Councillor Wile, staff advised that there are provisions in the development agreement that space is available for the Farmer's Market if it stays on site.

Councillor Sloane advised that the stained glass and some other architectural features will be preserved.

**MOTION PUT AND PASSED.**

**11.1.17 First Reading Proposed By-Law S-425, An Amendment to By-Law S-400, Respecting Charges for Street Improvements**

- A report dated April 18, 2008 was before Council.

**MOVED BY Councillor Meade, seconded by Councillor McCluskey, that Regional Council approve First Reading of By-Law S-425, "Respecting Charges for Street Improvements as shown in the report dated April 18, 2008.**

**MOTION PUT AND PASSED.**

**11.2 HARBOUR EAST COMMUNITY COUNCIL**

**11.2.1 Case 01079 - Five Story Buildings in Dartmouth Crossing**

- A report dated May 2, 2008 was before Council.

**MOVED BY Councillor Smith, seconded by Councillor Karsten, that Regional Council give First Reading to the proposed amendments to the Municipal Planning Strategy and Land Use By-Law presented in Attachment “A” of the April 18, 2008 staff report and schedule a public hearing.**

**MOTION PUT AND PASSED.**

**11.2.2 Dartmouth Bridge Terminal**

Item deleted from the agenda under the approval of the Order of Business.

**11.3 ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES**

**11.3.1 Hybrid Automobiles**

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

**MOVED BY Councillor Murphy, seconded by Councillor Wile, that Regional Council request that the Mayor, on behalf of Regional Council write to manufacturers and trade associations within the automobile industry, urging them to adopt a standard for the emission of sound from all hybrid vehicles.**

Councillor Younger noted that he has difficulty supporting this as it reduces urban noise pollution and this is what these vehicles are designed for.

Councillor McCluskey added that these vehicles have low emissions and low noise is good for the environment.

Councillor Wile clarified that the intention is not to change the cars, it is to have visually impaired able to hear vehicles around them.

**MOTION PUT AND PASSED.**

**11.4 BIKEWAYS ADVISORY COMMITTEE**

**11.4.1 Active Transportation Advisory Committee**

- A report dated May 5, 2008 was before Council.

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

- 1. Approve the Terms of Reference for the Active Transportation Advisory Committee, attached as Attachment “A” to the report dated May 5, 2008.**

2. **Establish the Active Transportation Advisory Committee, to be effective in November 2008, and**
3. **Dissolve the Bikeways Advisory Committee at that time.**

**MOTION PUT AND PASSED.**

**11.5 DISTRICT 12 PLANNING ADVISORY COMMITTEE**

**11.5.1 Case 01046 - Municipal Planning Strategy & Land Use By-Law Amendments and Development Agreement, South Park Street and Brenton Place**

- A report dated April 21, 2008 and a Pedestrian Wind Study was before Council.

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

1. **Give First Reading to consider the proposed amendments to the Halifax Municipal Planning Strategy and Halifax Peninsula Land Use By-Law, as contained in Attachments “A” and “B” of the staff report dated March 28, 2008 and schedule a public hearing.**
2. **Give Notice of Motion to consider the proposed development agreement, as contained in Attachment “C” for the staff report dated March 28, 2008 to allow a 19 storey mixed use residential/commercial building on the northeast corner of South Park Street and Breton Place, Halifax. (The public hearing for the development agreement shall be held concurrently with that indicated in Recommendation 1.)**

**MOTION PUT AND PASSED.**

**11.6 SPECIAL EVENTS ADVISORY COMMITTEE**

**11.6.1 Civic Events Granting Process Overview**

- A report dated May 9, 2008 was before Council.

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

9. **Amend HRM’s Civic Events Policy Framework and Market Levy Special Events Reserve Business Case (Attachment 3 of the report dated May 9, 2008) to expand the list of HRM Hallmark Events *to include:***

- I) **the Atlantic Film Festival,**

- ii) the Atlantic Jazz Festival, and
  - iii) the Blue Nose International Marathon;
10. Approve a 3 year funding schedule for Hallmark Events and the 2008/2009 funding for non-annual events from the Market Levy Special Events Reserve (Q315) (Table 1 of the report dated May 9, 2008) as amended;
  11. Approve 2008/2009 proposed funding amounts from the Festival and Events Grant program through Operating Budget C760 (Table 2 of the report dated May 9, 2008);
  12. Approve 2008/2009 proposed funding amounts from the Summer Festival Grant program through Operating Budget C760 (Table 3 of the report dated May 9, 2008):
  13. Reallocate the \$11,500 capacity in C760 to existing annual events and the festival and grants process which was achieved by realigning 3 events under the Hallmark event category (Q315).

**MOTION PUT AND PASSED.**

**11.7 MEMBERS OF COUNCIL**

**11.7.1 Councillor Fougere - Surveying Activity on Chebucto Road**

**MOVED BY Councillor Fougere, seconded by Councillor Walker, that Regional Council request a written response from the traffic division to advise why surveying was taking place on Chebucto Road between Connaught Avenue and Windsor Street.**

**MOTION PUT AND PASSED.**

**12. MOTIONS - NONE**

**13. ADDED ITEMS**

**13.1 Law Amendment Update**

Ms. Mary Ellen Donovan, Municipal Solicitor, advised that HRM would be making a number of appearances at law amendments over the next several weeks for different issues including the charter, the Municipal Election Act and e voting, HRM by Design and changes to the Municipal Heritage Property Act. She indicated that Council had not been briefed regarding the Municipal Government Act which was slated for law amendment that evening. She stated that the difficulty was the two week filing timeline for appeal records as the government was proposing the reduction of time lines for the various steps involved in the hearing of planning appeals. Ms. Donovan advised that the new fourteen day filing deadline was challenging for staff particularly during weeks with statutory holidays. She proposed the minor amendment of making the filing period fourteen business days rather than calendar days to commence from

the date the municipality is served with the appeal notice. Ms. Donovan requested Council's endorsement of this amendment.

Ms. Donovan also requested Council's endorsement for amendments in an opposition bill for the Trade Union Act which had not yet been reported back to the house. She stated that the two areas of concern were regarding the number of personal members who could be required to provide the compliment for a jurisdiction and to an arbitrator being able to transfer personnel. Ms. Donovan also noted that these were matters for decision between Council, the Halifax Regional Police and Chief and not for independent outside parties.

In response to questions from Councillors Murphy and Uteck, Ms. Donovan noted that there was an amendment the province had included in this bill stating that parties would incur costs which was part of legal staff's concern with the fourteen day appeal period; that the board would impose costs. She advised that the board would be looking into this issue.

**MOVED BY Councillor McInroy, seconded by Councillor Younger that Halifax Regional Council endorse HRM making representation at the Law Amendments regarding appeal periods and the Trade Union Act. MOTION PUT AND PASSED.**

Councillor Hendsbee requested an update on the e voting law amendments and the Dartmouth Bridge Terminal. Ms. Donovan stated that the e voting issue was moving along nicely and that Notice of Motion would be given that evening to move the By-Law as there was a contractual provision that provides that all these processes needed to be complete by May 15, 2008. She also noted that there were talks to adjust this date. Regarding the Bridge Terminal, Ms. Donovan indicated that a report would be coming forward, however, that it was not appropriate for this to go forward to Council at the current time and that the target should be in the fall.

**MOTION PUT AND PASSED.**

**COMMITTEE OF THE WHOLE RECOMMENDATIONS:**

**13.2            Proposed By-Law S-308, An Amendment to By-law S-300, Respecting Streets**

**MOVED BY Councillor Younger, seconded by Councillor Wile, that Halifax Regional Council approve in principle and begin the formal process for the adoption of By-Law S-308, Amendments to Street Bylaw S-300 "By-Law Respecting Streets." MOTION PUT AND PASSED.**

**13.3            Proposed By-Law A-400, Respecting Alternative Voting**

**MOVED BY Councillor Harvey, seconded by Councillor Karsten that Regional Council:**

- 1.        Approve in principle By-Law A-400, Respecting Alternative Voting for Municipal**

**Elections and set a public hearing date.**

2. **Approve the date of August 22, 2008 for the completion of the final list of electors to be used in the 2008 Municipal School Board elections.**
3. **That advance polling days for the alternative voting options will be from 8:00 a.m. on Saturday, October 4, 2008 to 8:00 p.m. on Monday, October 6, 2008.**

**IN CAMERA RECOMMENDATION:**

**13.4 PROPERTY MATTER - Chebucto Road Infrastructure Improvements**

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

1. **Approve the Resolutions attached to the May 2, 2008 Private and Confidential report pursuant of the provisions of the Expropriation Act and Municipal Government Act, for the expropriation of the required properties and temporary construction easements for the purposes of completing the infrastructure in the event negotiated agreements are not reached in a timely manner;**
2. **Approve statutory offers as set out in the May 2, 2008 Private and Confidential report with funding and related administrative and professional fees as per the Budget Implications Section of the report;**
3. **Approve a withdrawal from Q101 - Sale of Land Reserve in the amount of \$361,900.**
4. **Approve an increase to Capital Account CTV00732 as per the budget implications section of the May 2, 2008 Private and Confidential staff report; and**
5. **Further request that the Attorney General grant by order immediate possession or use of the lands by the expropriating authority for the completion of works required in the public interest.**

**It is further recommended that the May 2, 2008 Private and confidential staff report not be released until all transactions are complete.**

**MOTION PUT AND PASSED. (12 in favour; 9 against)**

Those voting in favour were: Mayor Kelly, Councillors: Snow, Hendsbee, Karsten, Barkhouse, Smith, Walker, Mosher, Adams, Outhit, Rankin, Meade,

Those voting against were: Younger, Wile, Murphy, Sloane, Uteck, Fougere, Hum, Johns, Harvey.

**13.5 Hammonds Plains Road Widening**

**MOVED BY Councillor Meade, seconded by Councillor Karsten that Hammonds Plains widening and paving be considered in the 2008/09 Capital Budget.**

**MOTION PUT AND PASSED.**

**14. NOTICES OF MOTION**

**14.1 Councillor Younger**

Take notice that, at the next regular Regional Council meeting, to be held on Tuesday, the 27<sup>th</sup> day of May 2008, I propose to move First Reading of By-Law S-308, Amendments to Streets By-Law S-300, the purpose of which is to address issues related to the creation of the new Water & Wastewater Utility and issues related to the impact street cuts have on pavement life.

**14.2 Councillor Smith**

Take notice that, at the next regular Regional Council meeting, to be held on Tuesday, the 27<sup>th</sup> day of May 2008, I propose to move First Reading of By-Law A-400, Respecting Alternative Voting for Ordinary Municipal Elections.

**15. ADJOURNMENT**

The meeting was adjourned at 9:32 p.m.

Julia Horncastle  
Acting Municipal Clerk

The following information items were submitted:

1. Proclamation - Hepatitis C Awareness Month - May 2008
2. Proclamation - Halifax Chemistry Appreciation Weekend - May 8 - 11, 2008
3. Proclamation - International Day Against Homophobia and Transphobia - May 17, 2008
4. Proclamation - National Public Works Week - May 18 - 24, 2008
5. Memorandum from Director, Transportation & Public Works dated May 1, 2008  
re: National Public Works Week - May 18 - 24, 2008
6. Memorandum from Director, Infrastructure & Asset Management dated April 29, 2008  
re: Alternative Uses of Chester Rail Spur Corridor
7. Memorandum from Director, Infrastructure & Asset Management dated April 30, 2008  
re: Hammonds Plains Road Widening
8. Memorandum from Director, Infrastructure & Asset Management dated April 29, 2008  
re: Petition for Street Repaving, Kingsmere Court - District 15, West Region
9. Memorandum from Chief Administrative Officer dated March 25, 2008  
re: Examination and Reconciliation - Parkland Reserve Funds
10. Memorandum from Acting Director, Community Development dated April 24, 2008  
re: Good Neighbours Great Neighbourhoods Media Launch
11. Memorandum from Chair, Grant Committee dated May 7, 2008  
re: HRM Community Grant Program 2008 - 2009: Ineligible Applications
12. Memorandum from Returning Officer dated May 8, 2008  
re: Special Election Halifax Regional Municipality District 21 - Bedford
13. Memorandum from Director, Infrastructure & Asset Management dated May 7, 2008  
re: Commuter Rail Information Sheet
14. Memorandum from Chief of Police dated April 24, 2008  
re: Public Space Video Project Update
15. Memorandum from the Acting Municipal Clerk dated May 9, 2008  
re: Requests for Presentation to Council - None