

HALIFAX REGIONAL COUNCIL  
MINUTES

June 11, 2013

PRESENT:

Mayor Mike Savage  
Deputy Mayor Reg Rankin  
Councillors: Barry Dalrymple  
David Hendsbee  
Bill Karsten  
Lorelei Nicoll  
Gloria McCluskey  
Darren Fisher  
Waye Mason  
Jennifer Watts  
Linda Mosher  
Russell Walker  
Stephen Adams  
Matt Whitman  
Brad Johns  
Steve Craig  
Tim Outhit

STAFF:

Mr. Richard Butts, Chief Administrative Officer  
Mr. Martin Ward, Municipal Solicitor  
Ms. Cathy Mellett, Municipal Clerk  
Mr. Matt Godwin, Legislative Assistant

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**1. INVOCATION**

The Mayor called the meeting to order at 1:01 p.m. with the Invocation being led by Councillor Watts.

**2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS**

Councillors noted a number of community announcements and acknowledgements.

Councillor McCluskey entered the meeting at 1:05 p.m.

**3. APPROVAL OF MINUTES – May 14, 2013**

**MOVED by Councillor McCluskey, seconded by Councillor Nicoll that the minutes of May 14, 2013 be approved. MOTION PUT AND PASSED.**

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

Additions:

13.1 Administrative Order 55 – Deputy Mayor Rankin

13.2 Request for Report – Councillor Fisher – Facility Leasing Agreement – East Dartmouth Boys and Girls Club

**MOVED by Councillor Craig and seconded by Councillor Whitman 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. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**9.1 Correspondence**

**9.1.1 Request for Flypast – Canadian Armed Forces – November 11, 2013**

**MOVED by Councillor Mason, seconded by Councillor Karsten that Halifax Regional Council grant permission for the Canadian Armed Forces to fly a Sea**

**King helicopter over Grand Parade at a height of 500 feet above the highest obstacle on Monday, November 11, 2013 at 11:02 a.m. in conjunction with the Remembrance Day Ceremony.**

**MOTION PUT AND PASSED UNANIMOUSLY. (15 in favour, 0 against)**

Councillors Mosher and Johns were not present for the vote.

**9.2 Petitions – NONE**

**10. REPORTS**

**10.1 CHIEF ADMINISTRATIVE OFFICER**

**10.1.1 Long Term Infrastructure Plan Strategy**

The Long Term Infrastructure Plan Strategy, dated May 30, 2013, was before Regional Council.

**MOVED by Deputy Mayor Rankin, seconded by Councillor Fisher that Halifax Regional Council:**

- 1. Approve the following priority categories for federal-provincial infrastructure funding:
  - a) Public transit**
  - b) Urban core investment campaign**
  - c) Wastewater system upgrades****
- 2. Direct advocacy work to begin on infrastructure funding with other levels of government and related stakeholders.**

The Deputy Mayor noted that this is a considerable opportunity for HRM to upgrade its infrastructure and this report allows for HRM to set its priorities for this process. He also spoke to his concerns regarding the work required for the wastewater system, which will cost as much as \$2.4 billion in Halifax.

The Mayor noted that the Atlantic Mayors, at the Federation of Canadian Municipalities (FCM) conference, resolved to push for further discussions leading to greater funding to address wastewater system upgrades.

Councillor Karsten thanked staff for taking this proactive step. Canadian municipalities have accomplished much in getting their interests onto the national agenda, including the Building Canada Fund, indexing the gas tax and having cities mentioned in the 2012 federal budget. The Atlantic Mayors motion demonstrates that there is more to be done and cities are moving forward.

Councillor Dalrymple indicated his support for the motion, but noted that work is still required on water services expansion in Beaverbank and Fall River. Water services expansion should be part of the priorities list.

Councillor McCluskey asked staff when Council can expect to receive the project plan pertaining to Urban Core Investments as discussed on page 4 of the report, with Ms. Anne Totten, Corporate Policy Analyst, responding that it can be expected in the summer. Ms. Totten further noted that there is no timeline for additional communications with the Minister of Transport, Infrastructure and Communications, but a letter will be sent within a few days of this report's approval.

Councillor Watts noted that she would like to have active transportation included, as a priority, particularly pertaining to connectivity links.

Councillor Watts asked staff why HRM is not applying to the \$1.25 billion P3 Canada Fund, which funds larger projects. Ms. Totten responded that this fund is for projects over \$100 million and staff can look into making an application to this fund.

Councillor Watts pointed to the \$21 million Aerotech Wastewater Treatment Facility Upgrade at the airport, but suggested staff be cautious with respect to the broader commercial development of the airport, particularly retail and commercial development.

Councillor Nicoll indicated she appreciated seeing the efforts of the FCM and noted that the wastewater system upgrade will be the biggest pressure. She suggested that these priorities should return to Council with a business case to help establish what the top priorities will be.

Mr. Greg Keefe, Chief Financial Officer, noted that the identified priorities were raised throughout the budget process. This report is to open discussion with the federal government.

Councillor Johns asked if the gas tax is worth \$26 million per year, with Mr. Keefe confirming this.

Councillor Johns noted there is unfair emphasis on infrastructure projects in urban areas, given that there are numerous overdue issues in suburban and rural communities, including sewage surging in Sackville, along with bottle-necking in the Lower Sackville and Springfield Lake sewage treatment.

Councillor Outhit indicated his support of these priorities, but noted that commuter rail should be a priority consideration for staff, particularly given that this is the type of item the federal government is hoping to fund.

Councillor Whitman echoed comments made by Councillors Johns and Outhit and noted that HRM has a number of infrastructure issues, including the Hammonds Plains Road. He also indicated he would like to see transit extended to Hammonds Plains.

Deputy Mayor Rankin acknowledged the leadership of the Mayor and iterated the importance of geographic balance. He asked if there is an assurance that the Province will grant funding to HRM for these priorities, with Ms. Totten responding that there is no clear allocation method.

Councillor Walker reminded Council that this discussion is high-level, with the priorities document meant to begin dialogue, not provide significant detail. He pointed to the \$1.25 billion P3 Canada Fund and asked staff if they can consider projects for application to this fund. He also noted that the Province did not consider the capacity of municipalities when it demanded work begin on the wastewater systems.

Mr. Mike Labrecque, Deputy Chief Administrative Officer, responded there is nothing currently being considered by HRM that would meet the criteria for the P3 Canada Fund, but that Council may have a project which can be considered.

Councillor Hendsbee requested that a comprehensive list be put forward.

Councillor Dalrymple asked if there will be an opportunity to influence the priorities being listed here at another time, or if this is the only opportunity to add items. He also noted that the federal government lists drinking water as one of its priorities.

Ms. Totten responded that this item is the opening volley and is not about specific asks. Staff will then send a letter to the Province and begin advocating for priorities, which will be brought back to Council later.

Councillor Adams noted that the Herring Cove water extension remains incomplete, with the final phase remaining. HRM has already put in \$12 million toward this project and he asked staff if they will be considering this project as one of their priorities.

Ms. Totten responded that the program criteria has not been finalized and only when it is can projects be considered.

Councillor Fisher indicated his preference that staff remain focused on the priorities and that he will support Councillor Nicoll's motion.

Councillor Karsten noted that all Councillors have infrastructure issues in their areas, including the Cow Bay flooding issue in his own district.

The Mayor spoke to the importance of renewing and enhancing HRM's infrastructure. The Build Canada fund was set to expire, but thanks to the efforts of his municipal colleagues federal funds have been renewed. He offered thanks to the Minister of Transport, Infrastructure and Communications. The Mayor also stated that transit remains an important issue, and that active transportation must be a component of these investments. Economic development in the regional centre has to be a major priority, given that the core is the economic engine of the municipality where jobs are

created, and historically HRM has not invested enough here. The downtown needs more residents and this opportunity should be a cause for municipal unity.

Councillor Watts asked that staff ensure active transportation interacts with public transit, with Ms. Totten noting that staff will build this into their advocacy.

**MOVED by Councillor Dalrymple, seconded by Councillor Johns that Halifax Regional Council amend category c) to read “water and wastewater system upgrades”.**

Councillor Watts indicated she was uneasy including this item given that it may conflict with the ongoing Regional Plan process.

Councillor Johns noted that this is an opportunity to address outstanding issues related to water and gives staff more leniency to include this.

Councillor Dalrymple responded that this will not change the current process regarding the water approval process, but this does allow for water projects to become a priority.

Councillor Walker noted that water and wastewater are within the jurisdiction of the Halifax Water Commission and they will bring forward their own priorities. Councillors on that Commission will have input.

**The MOTION TO AMEND WAS PUT AND PASSED UNANIMOUSLY. (17 in favour, 0 against)**

**MOVED by Councillor Nicoll, seconded by Councillor Johns that the motion be amended to direct staff to return to Regional Council with a Business Case in each category to establish the priorities.**

**The MOTION TO AMEND WAS PUT AND PASSED UNANIMOUSLY. (17 in favour, 0 against)**

The Mayor called the question on the amended motion, as follows:

**MOVED by Deputy Mayor Rankin, seconded by Councillor Fisher that Halifax Regional Council:**

- 1. Approve the following priority categories for federal-provincial infrastructure funding:
  - a) Public transit**
  - b) Urban core investment campaign**
  - c) Water and Wastewater system upgrades****
- 2. Direct advocacy work to begin on infrastructure funding with other levels of government and related stakeholders.**

3. **Direct staff to return to Regional Council with a Business Case in each category to establish the priorities.**

**MOTION PUT AND PASSED. (12 in favour, 5 against)**

Those voting in favour were: Deputy Mayor Rankin; and Councillors Dalrymple, Hendsbee, Fisher, Mason, Watts, Mosher, Adams, Whitman, Johns, Craig, Outhit.

Those voting against were: Mayor Mike Savage; and Councillors Karsten, Nicoll, McCluskey, Walker.

**10.1.2 Case 18255 – Amendments to the Dartmouth Municipal Planning Strategy & Land Use By-Law for 530 Portland Street and 104 Green Village Lane, Dartmouth**

The report, dated May 27, 2013 was before Council.

**MOVED by Councillor McCluskey, seconded by Councillor Karsten that Halifax Regional Council:**

1. **Authorize staff to initiate the process to consider amending the Dartmouth Municipal Planning Strategy (MPS) and Land Use By-law (LUB), for the lands at 530 Portland Street and 104 Green Village Lane, to enable an increase in residential density by development agreement, as well as to exempt the requirement to establish a Public Participation Committee for the associated development agreement amendment process for this property.**
2. **Request staff to follow the public participation program for the MPS amendment process as approved by Council in February 1997.**

Councillor Watts asked what are the implications of exempting the establishment of the public participation committee.

Mr. Darrell Joudrey, Planner, Community Recreation Services, responded that the request to not establish the public participation committee was made by the applicant. The application falls under the Penhorn visioning process, which was part of Phase I of the Central Plan consultations and the corridors project. Staff deemed that sufficient consultation had already taken place and noted that this decision does not preclude staff from engaging in further public outreach if required.

**MOTION PUT AND PASSED UNANIMOUSLY. (15 in favour)**

Councillors Mosher and Johns were not present for the vote.

## **10.2 TRANSPORTATION STANDING COMMITTEE**

### **10.2.1 Nova Scotia Moves Program – 2013 Funding Applications**

The report, dated May 28, 2013, was before Regional Council.

**MOVED by Deputy Mayor Rankin, seconded by Councillor Craig that Halifax Regional Council submit applications to the NS Moves for funding of the following projects:**

- **Transit Priority Measures Study**
- **Transit Plan Public Engagement**
- **Highfield Transit Terminal - Passenger Amenities**
- **Highfield Transit Terminal - Active Transportation Connections**
- **Bicycle Accommodation for Ferry Terminals**
- **Long Lake Trail Functional Plan**
- **New Metro Transit Route Map**
- **Institutional District Transportation Management Association**

Deputy Mayor Rankin noted that HRM received \$750,000.00 last year and that the money received for successful applications will go to those jobs not accommodated in the budget, but which remain priorities.

**MOTION PUT AND PASSED UNANIMOUSLY. (15 in favour)**

Councillors Mosher and Johns were not present for the vote.

### **10.2.2 Ideal Carsharing City and HRM on the Move**

The report, dated May 27, 2013 was before Regional Council.

**MOVED by Councillor Hendsbee, seconded by Councillor Fisher that Halifax Regional Council direct staff to review the 'Ideal Carsharing City' letter, dated May 16, 2013 and the "HRM on the Move The Mobility Plan", dated September 2012 and produce a report with specific consideration for adding dedicated car share parking spaces at HRM park and rides and HRM facilities and also consider the contracting out of HRM's fleet of smart cars.**

Councillor Karsten asked if this report will return to Council, with Deputy Mayor Rankin responding that it will ultimately return to Council.

**MOTION PUT AND PASSED UNANIMOUSLY. (16 in favour)**

Councillors Johns was not present for the vote.

### **10.2.3 Encroachments, Sidewalk Cafés & Sandwich Board Signs**

The report, dated May 27, 2013 was before Regional Council.

**MOVED by Councillor Watts, seconded by Councillor Whitman that Regional Council:**

- 1. Request an update on amendments to By-Law S-800 and report back to the Transportation Standing Committee on the status of the amendments;**
- 2. Request staff to perform a cross-jurisdictional review to examine best practices around ensuring accessibility where permanent encroachments have been permitted and report back to the Transportation Standing Committee;**
- 3. Request that any future applications for permanent encroachments on sidewalks be brought for review by the Accessibility Advisory Committee, and that the Committee's feedback be incorporated as a part of the staff report.**

**MOTION PUT AND PASSED UNANIMOUSLY. (17 in favour)**

Councillor Watts noted that this motion originated with the Accessibility Advisory Committee and was discussed at the Transportation Standing Committee.

The Mayor commended the work of the Accessibility Advisory Committee.

## **11. MOTIONS**

### **11.1 Councillor Adams**

MOVED by Councillor Adams, seconded by Councillor Hendsbee that Halifax Regional Council request a staff report outlining the costs and logistics to provide weekly green bin pick-up for all residents of HRM in July and August; and, that funding from the existing budgetary surplus from 2012-13 be considered as a possible funding option.

**MOTION PUT AND PASSED UNANIMOUSLY. (17 in favour)**

### **11.2 Councillor Whitman**

**MOVED by Councillor Whitman, seconded by Councillor Mason that Halifax Regional Council request a staff report to review and consider the implementation of a reversing lane on the Bedford Highway from the Kearney Lake Road to Halifax during the morning and evening rush hour traffic.**

Councillor Whitman indicated his desire to see the infrastructure being used in a more efficient manner, given that many commuters are stuck on the Bedford Highway.

Councillor Outhit indicated his support for this report if required, but questioned if a separate report is required given that a broader corridor study for this area is already underway.

Mr. David McCusker, Regional Transportation Manager, Planning and Infrastructure, noted that the corridor study is to give Regional Council a sense of priority for new developments, and this item is currently not being considered.

Councillor Mason proposed an amendment to the motion; that the final line of the motion include: "as well as possible inclusion of a high occupancy vehicle lane".

Councillor Whitman and members of Council indicated support for this amendment.

The motion now reads:

**MOVED by Councillor Whitman, seconded by Councillor Mason that Halifax Regional Council request a staff report to review and consider the implementation of a reversing lane, including consideration of the use of a High Occupancy Vehicle lane, on the Bedford Highway from the Kearney Lake Road to Halifax during the morning and evening rush hour traffic.**

**MOTION PUT AND PASSED UNANIMOUSLY. (17 in favour)**

**MOVED by Councillor Rankin, seconded by Councillor Hendsbee that Halifax Regional Council go In Camera to discuss the Private and Confidential In Camera Information Report - re: Settlement of claims \$0 to \$100,000.**

**MOTION PUT AND PASSED UNANIMOUSLY. (17 in favour)**

Regional Council convened to In Camera at 3:10 p.m.

## **12. IN CAMERA**

*Council may rise and go into a private In Camera session, in accordance with Section 19 of the Halifax Regional Municipality Charter, for the purpose of dealing with the following;*

### **Private and Confidential Information Items**

1. Private and Confidential In Camera Information Report - re: Settlement of claims \$0 to \$100,000

This item was discussed In Camera.

## **13. ADDED ITEMS**

### **13.1 Administrative Order 55**

**WHEREAS on March 5, 2013 Regional Council approved Administrative Order 55, as outlined in the staff report dated March 16, 2012 and amended by motion, to become effective 120 days from the date of approval;**

**MOVED by Deputy Mayor Rankin, seconded by Councillor Nicoll that Administrative Order 55 be and hereby is effective immediately.**

Deputy Mayor Rankin provided background on the item for the benefit of Council.

**MOTION PUT AND PASSED UNANIMOUSLY. (17 in favour)**

**13.2 Councillor Fisher**

**MOVED by Councillor Fisher, seconded by Councillor McCluskey that Halifax Regional Council request a report outlining the transition from the current management agreement to a standard Facility Lease Agreement for the operation of the Dartmouth East Community Centre by the Dartmouth East Boys & Girls Club and that the report be brought back to Council in a timely manner.**

**MOTION PUT AND PASSED UNANIMOUSLY. (17 in favour)**

**14. NOTICES OF MOTION**

**14.1 Councillor Adams**

TAKE NOTICE that, at the next regular Regional Council, to be held on Tuesday, the 18<sup>th</sup> day of June, 2013, I propose to move First Reading of By-Laws S-437, the purpose of which is to amend By-Law S-400 Respecting Charges for Street Improvement to set the LIC's rate for the paving of gravel roads owned by NSTIR paved under the Aid to Municipality Program.

**14.2 Councillor Watts**

TAKE NOTICE at the next meeting of Halifax Regional Council on June 18, 2013 I will put forward a motion to request that Regional Council add to the June 25, 2013 Regional Council agenda a Committee of the Whole session that would provide an update on the draft Regional Plan and a summary of the Stantec report Quantifying the Costs and Benefits to HRM, Residents and the Environment of Alternate Growth Scenarios.

And further, that the deadline for public feedback on the draft Regional Plan Revisions be extended to July 5, 2013 to accommodate public response.

**14.3 Councillor Johns**

TAKE NOTICE that at the next regular meeting of Halifax Regional Council, to be held on June 18, 2013, I intend to move that Council direct staff to immediately begin the process of drafting a Terms of Reference for a new volunteer management board for the Sackville Sports Stadium, similar to all other multi-district regional facilities in the municipality and to begin the recruitment and training of qualified volunteers who will comprise this management board.

**14.4 Councillor Fisher**

TAKE NOTICE that, at the next regular Regional Council meeting, to be held on Tuesday, the 18<sup>th</sup> of June 2013, I propose to move a Motion to request a staff report outlining the process to review the Dartmouth MPS regarding Development Agreements for multiple unit dwellings. The staff report should provide recommendations for improved MPS policy criteria on matters such as unit type/mix/density, building and site design, and locational requirements.

**15. ADJOURNMENT**

The meeting was adjourned at 3:55 p.m.

Cathy J. Mellett  
Municipal Clerk

**INFORMATION ITEMS**

1. Memorandum from the Director of Planning and Infrastructure dated April 23, 2013  
re: Ban on Lawn Fertilizers Containing Phosphorus
2. Memorandum from the Municipal Clerk dated June 4, 2013 re: Requests for  
Presentation to Council - None