

# HALIFAX REGIONAL MUNICIPALITY

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## HALIFAX REGIONAL COUNCIL MINUTES MAY 16, 2006

### **PRESENT:**

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

### **STAFF:**

Mr. Dan English, Chief Administrative Officer  
Ms. Mary Ellen Donovan, Municipal Solicitor  
Ms. Sherryll Murphy, Acting, Municipal Clerk  
Ms. Stephanie Parsons, Legislative Assistant  
Ms. Julia Horncastle, Legislative Assistant

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1. **INVOCATION**

Mayor Kelly called the meeting to order at 1:07 p.m. Councillor Fougere led the invocation.

2. **APPROVAL OF MINUTES**

**MOVED by Councillor Meade, seconded by Councillor Rankin that the minutes of the May 2, 2006 meeting of Halifax Regional Council, as distributed, be approved. MOTION PUT AND PASSED UNANIMOUSLY.**

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

It was agreed to address item 9.2 and 10.1.1 prior to the public hearing.

**MOVED by Councillor Adams, seconded by Councillor Mosher that the agenda be approved as amended. MOTION PUT AND PASSED UNANIMOUSLY.**

4. **BUSINESS ARISING OUT OF THE MINUTES - NONE**

5. **MOTIONS OF RECONSIDERATION - NONE**

6. **MOTIONS OF RESCISSION - NONE**

7. **CONSIDERATION OF DEFERRED BUSINESS - NONE**

9.2 **Petitions**

9.2.1 **Hamshaw and Pender Lands**

Councillor Hum submitted a petition on behalf of residents of HRM supporting the inclusion of the Hamshaw and Pender Lands in the Regional Plan.

9.2.2 **Sunset Ridge Lands**

Councillor Hum submitted a petition on behalf of the residents of District 16 supporting the inclusion of the Sunset Ridge Lands as presented in the Regional Plan.

9.2.3 **Woodgrain Furniture Finishing**

Councillor Younger submitted a petition on behalf of the residents of District 19 requesting that Regional Council request that staff remove the Woodgrain Furniture Finishing Limited business from 200 Waverley Road. Woodgrain Furnishing Limited was issued a permit by HRM to conduct business at that location, which is in contravention to the existing Development Agreement entered into between the City of Dartmouth and Bowport Enterprises Ltd in 1982.

#### **9.2.4 Field Designation - Dogs Off Leash**

Councillor Uteck submitted a letter requesting a portion of the playing field between Jubilee Road and LeMarchant-Saint Thomas School be designated as a space in which dogs are allowed to run off-leash.

#### **9.2.5 North Woodside Community Centre Crosswalk**

Councillor Kent submitted a petition on behalf of community members and patrons of North Woodside Community Centre expressing concern regarding the crosswalk in front of the centre.

Councillor Hum clarified that 90 percent of the signatures on petition 9.2.2 do not reside in District 19.

#### **10.1.1 Tender 06-350- North Preston Sewage Treatment Plant Upgrade - East Region**

- A staff report dated May 1, 2006 was before Council.

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

- 1. Replace pages K3, K4, K77 and K7 of the 2006-07 Proposed Capital Project Supplementary Reports and 2007-08 & 2008-09 Proposed Plan with the Revised Capital Project Supplementary Report - North Preston STP upgrade CSU00146 as per Attachment A, of the May 1, 2006 report;**
- 2. Provide advanced funding approval as per the Revised Capital Budget Supplementary Report Attachment A, of the May 1 2006 report;**
- 3. Award Tender No. 06-350, North Preston Sewage Treatment Plant Upgrade - West Regional to Windbridge Construction Limited for materials and services**

listed at the unit prices quoted for a Tender price of \$2,085,825 including net HST from Capital Account No. CSU00146, North Preston Sewage Treatment Plant Upgrade, with funding authorized as per the Budget Implications Section of the May 1, 2006 report.

4. Approve the appointment of CBCL Limited for construction inspection and administration for a total of \$194,446 including net HST with funding as outlined in the Budget Implications Section of the May 1, 2006 report.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**8. PUBLIC HEARING**

**8.1 Regional Municipal Planning Strategy (The Regional Plan)**

- First Reading was given to the Regional Municipal Planning Strategy and Regional Subdivision by-law on April 25, 2006 with an amendment to grandfather recently approved rezoning applications.
- A supplementary staff report dated May 8, 2006 was before Council
- An extract of Regional Council Minutes of April 25, 2006 was before Council
- Submissions regarding the Regional Municipal Planning Strategy were received from the following and are on file in the Clerk's office.

Ms. Allison McDonald, Halifax; Mr. Gary Shupe; Ms. Tamera Hill; Mr. Jack William, Ontario; W.A. MacQuarrie, Waverley; Mr. David Stewart, Old Sambro Road; Ms. Kim Lavington, Bedford; Ms. Allison Fraser, Halifax; Mr. William Woolworth, Sheppards Way, Queensland; Ms. Janet Barlow, Active and Safe Routes Coordinator, NS; Ms. Janice Bayers; A.J. Giles Investments, Lawrencetown; Ms. Kim Conrad, Conrad Brothers Limited, Dartmouth; Ms. Virginia MacLeod, Sackville; Mr. George McCarthy, Dartmouth; Mr. Michael Corbett, Porters Lake; Mr. Scott Marquardt, Halifax; Mr. Brian Harvey, Halifax, Mr. Don Pickrell; E. Dorety, Allen Heights Development Ltd; Mr. Gordon Smith, St. Margaret Bay; Ms. Anne Whiteney, Sackville; Mr. David O'Brien, Sackville; Mr. Craig Brigley, Halifax; Mr. Eric Thompson, Waterfront Development; Dr. Robert Strang, Capital Health; Mr. Shalom Mandaville, Soil and Water Conservation; Mr. David Wimberly, Head of St. Margaret's Bay; Ms. Emily McMillan, Sierra Club of Canada; Mr. Janelle Kennedy-Teale, Halifax; Ms. Catherine Barteaus; Ms. Beth McGee, Seabright; Ms. Lisa Daume, Upper Sackville; Mr. Robert Dawson, Halifax; Ms. Marilyn Challis, Lower Sackville; Ms. Nancy Lee, Halifax; Mr. Scott Asling, Porters Lake; Ms. Shirley Towill, Bedford; Mr. Ross Hazelden; Mr. Keith Johns, Sackville; Mr. Sheldon Lucas,

Sackville; Mr. Brian Sloan, Middle Sackville; Ms. Janet Davis, Sackville; Mr. Own Lapiere, Sackville; Mr. Don Andrea, D&D & Removal Services; Ms. Anne Beazley, Sackville; T. Taggart, Sackville; Ms. Julia Burris, Sackville; Ms. Suzanne Nickerson, Sackville; Ms. Valerie Gillis, Sackville; Ms. Andrea Boyce, Chair, SAC Harry R Hamilton Elementary School; unidentified submission; Ms. Joanne Bolger, Sackville; Ms. Anne Merritt, Sackville; Ms. Janet Davis, Sackville; Bill and Lorrie Luff, Sackville; Mr. Kevin Toal, Sackville

**MOVED By Councillor Rankin, Seconded by Deputy Mayor Walker that Halifax Regional Municipality adopt the procedures outlined in the supplementary report dated May 8, 2006, for the Regional Plan public hearing and subsequent debate.**

Councillor Rankin outlined the process as per page 2 of the supplementary report dated May 8, 2006.

Ms. Mary Ellen Donovan , Solicitor addressed Council and reviewed the amendments to Administrative Order that were adopted by Council on May 27, 2006:

- As per section four, submissions are to be received no later than 3:00 p.m. on the advertised date or any continuation date for a public hearing,
- As per section six, the applicant would have 10 minutes to present their proposal following the staff presentation,
- Council will have an opportunity to ask questions of clarification to the applicant after their presentation,
- Council agreed that the Municipal Clerk may advise members of the public where they appear on the speaker's list but not provide the list to the public
- Following the closing of the public hearing the minutes will list those who spoke and once approved, the minutes will be available to the public.
- As per section 10, only those who sign up to speak on the first day are entitled to speak.

Deputy Mayor Walker assumed the Chair at 1:20 p.m.

Councillor Johns addressed Council and recanted his statements of alleged bribery regarding the Regional Plan on April 25, 2006. He apologized to Council, Regional Planning Committee, staff, developers, and Kimberly Lloyd Developments, who may have been adversely affected by those statements. To avoid a conflict of interest Councillor Johns removed himself from the public hearing process.

Councillor Johns left the meeting at 1:24 p.m.

Mayor Kelly resumed the Chair at 1:25 p.m.

A brief discussion ensued and Mr. Dunphy, Director, Planning and Development clarified that the intent of the recommendation is not to constrain Council to make a decision on May 30, 2006 but to begin the process of debate and ask questions of staff.

Without a vote being taken the following motion was placed.

**MOVED by Councillor Mosher, seconded by Councillor Sloane that the motion be amended to provide that the debate on this matter be held on May 23, 2006 and the May 30 session of Council be cancelled.**

A discussion ensued with Mr. French commenting that if Council chose to begin debate on May 23, 2006, staff will try to respond to as many questions as possible, however there may be some questions that require additional time to provide a complete response.

A recorded vote was requested. His Worship advised that approval of this motion would require a 2/3 majority.

**THE MOTION TO AMEND WAS PUT AND DEFEATED.**

Members of Council voting in favour of the motion were Mayor Kelly and Councillors: Streach, McInroy, McCluskey, Younger, Smith, Murphy, Sloane, Mosher, Adams, Harvey, Goucher, Mayor Kelly.

Members of Council voting against the motion were Deputy Mayor Walker and Councillors Snow, Hendsbee, Karsten, Kent, Wile, Uteck, Fougere, Hum, Rankin, Meade.

The main motion was now on the floor.

**MOVED by Councillor Mosher, seconded by Councillor Sloane that the motion be amended to provide that the debate on this matter be held on May 23, 2006 and the May 30 session of Council be cancelled. MOTION WAS PUT AND PASSED.**

Mr. Austin French, Manager, Regional Planning addressed Council and introduced Mr. Hugh Millward, Chair of the Regional Planning Committee and advised that he would be giving the presentation on the proposed Regional Municipal Planning Strategy.

Mr. Millward addressed Council and using a Powerpoint presentation provided an overview of the plan and the latest changes of the draft Regional Plan. Mr. Millward advised Council that there have been no changes to the presentation since the April 25, 2006 meeting. Mr. Millward reviewed the following six questions and explained how the draft plan addressed these questions: Why do we need a regional plan? Where are we in the process? What is in the draft plan? How has the Plan changed? Will the plan deliver tangible benefits? What are the next steps?

Mr. Millward expressed a sincere thanks to members of the Committee and HRM staff, and stated that the plan is a tribute to their abilities and incorporates best practices from around the world.

A copy of the presentation is on file.

Mr. French addressed Council once again and briefly reviewed the public hearing process as adopted by Council earlier in the meeting.

Council recessed at 2:05 p.m. and reconvened at 2:16 p.m.

Responding to questions of Council, Mr. French clarified that Council can amend the Regional Plan whenever they deem it necessary to do so. The development agreement process will take place during the community planning process.

The Chair outlined the procedures for the public hearing and reading from the speaker's list called for the following members of the public.

**Mr. David Patriquin**, Halifax, using a Powerpoint presentation stated that he was supportive of the Blue Mountain/Birch Cove Lakes Park however it is important that the adjacent Resource Land/Natural Corridor be considered as part of the park for ecology reasons. He raised the following concerns with respect to the study and the impacts of Highway 113 on the park:

- The study does not adequately address potential negative impacts of the highway on ecological functions,
- Highway 113 can have negative impacts on the wildlife corridors and can be critical because the neck of Chebucto Peninsula and the greater mainland are critical for migration of species, secondly it is important to preserve bio diversity.

Mr. Patriquin's notes and the Powerpoint presentation are on file with the Municipal Clerk's Office.

**Ms. Stephaie Soderro**, Trax, Ecology Action Centre, stated:

- Trax encourages Council to approve the Regional Plan to enhance, preserve and protect the environment and promote sustainable transportation,
- Trax does not support allocating any more land for urban settlement development, as it will erode the effectiveness of the plan in terms of environmental benefits, transit viability and cost savings,
- The Active Transportation Plan, Commuter Plan and community level plans are supported by Trax.

**Mr. Shalom Mandaville**, Soil & Water Conservation Society submitted various documents for consideration in relation to the Regional Plan. He commented that there is no strong stormwater treatment system in HRM and requested that Regional Council institute an advertised and open quasi legal scientific investigation to address lake/river management aspects within HRM.

A copy of the documents submitted are on file with the Municipal Clerk's Office.

**Mr. Bill McMulin**, Bedford read from his written submission and advised Council of the following:

- He is representing the Brightwood Golf and Country Club,
- Issues such as an aged outdated facility, liability with errant golf balls, and municipal regulation resulted in members of the club voting in favour of moving the club to a more suitable location,
- The redevelopment of the property is consistent with the existing Dartmouth Municipal Planning Strategy and the new Regional Plan,
- Policy H3 of the Dartmouth MPS provides a process for redevelopment and recommends that Council allow them to use that process,
- Redevelopment of the property could help reinvigorate downtown Dartmouth because under the Regional Plan the Brightwood property is included within the urban settlement designation. The urban settlement designation provides an opportunity to resolve some transportation issues, is adjacent to schools, shopping, transit, employment, lakes, parks and recreational facilities.

A copy of the submission is on file with the Municipal Clerk's Office.

**Mr. Garry James**, East Preston read from his notes and advised Council of the following:

- He is opposed to the Regional Plan, as it will adversely affect the community of East Preston. It is his opinion that the Regional Plan discriminates against the Preston area and will weaken the community over the next 25 years,
- The Regional Plan benefits the politicians and other communities with more financial influence,

- He expressed concern that what was done to Africville will gradually happen to Preston over the next 25 years,
- The boundary of the land in Preston should be preserved and protected
- Mr. James offered the following suggestions to Council to assist in maintaining and developing the community of Preston
  - increased transportation service
  - extension of water and sewage to the community of East Preston
  - consideration for recreational fields

A copy of Mr. James's notes are on file with the Municipal Clerks Office.

**Mr. Rick Baker**, Halifax spoke in opposition to the Chebucto Road Project and asked the following questions:

1. What is the net benefit? Will the changes to the roadway cause a net benefit to HRM as a whole?
2. Where is the money going to be spent?
3. What are the studies, is it two minutes savings in commute time or 20 minutes?
4. Is it worth it to acquire the 11 pieces of property and one home to do this project?
5. Nine individuals do not intend to sell their properties. If people will not sell and Council needs to expropriate, is someone willing to state that it is necessary and worth it?

**Ms. Sharon Russell**, Halifax, commented that the Chebucto Road project is not required and that HRM should be promoting healthier living and safety. She raised concern that property values will deteriorate.

**Ms. Carolyn King**, Halifax, Chebucto Neighbour Hood Association, spoke in opposition to the Chebucto Road Reversing Lane Project and noted that:

- The project is a waste of taxpayers money, given that the planners do not know if the project will have the intended effect,
- Widening Chebucto Road will not make the traffic go faster, it will move traffic congestion to their neighbourhood which includes residences, churches, and a seniors residence. Crossing the road safely will become an issue,
- The Association requests that Council reconsider this portion of the Regional Plan.

A copy of Ms. King's submission is on file with the Municipal Clerks Office.

**Ms. Fran O'Hearn**, Halifax, advised Council that more study is required to understand the Chebucto Road Project and its effect on the community. She requested that Council consider how and why this decision will be made and requested that Council place a moratorium on these lands.

**Mr. Michael Geldart**, Cole Harbour requested that Council consider the following amendments:

- Change the designation of his property to R1-R7
- Include a future transportation corridor to connect to Highway 204-107 at exit 7 and the future Cherrybrook Bypass.

He further advised Council of the following:

- The lands in question are currently under a moratorium and that he expected the Regional Plan would help him move forward as he has a list of potential buyers.
- New construction roads should be allowed on abutting roads, but because the lands are designated urban reserve it is not permitted.

Council recessed at 3:04 p.m. and reconvened at 3:18 p.m.

**Ms. Andrea McQuillin**, Halifax spoke in opposition to the Chebucto Road project and noted the following:

- The plan does not discuss the impact on the people,
- A residential road from the rotary to Cunard Street was never intended to handle this type of traffic,
- She asked Council if Chebucto Road to Mumford Road is really the problem, or is it a bandaid solution to a chronic problem,
- She requested that Council amend the Regional Plan to remove the project until a credible analysis has been provided and other options discussed such as Metro Link buses, dedicated lanes, and minimal occupancy vehicles.

**Mr. Gord Gamble**, Bayers Lake Business Association, advised Council that the submission outlines eight areas of concern and requested that these concerns be addressed in the Regional Plan within sections of 5.5 and 5.3. Those concerns are as follows:

- Traffic Congestion - issues relating to frequency and location of stop-lights, stop signs, intersections and driveways,
- Transportation Infrastructure and Safety - the location of left turning places, driveway entrances and lay-bys affect traffic flow and safety,
- Crime- additional lighting and police presence may assist in crime prevention,
- Signage - need consistent brand building signage,
- Aesthetics - increase aesthetics to remain competitive,
- Growth - give consideration to a conduct a market analysis,
- Transit Service - increased frequency and consideration for a bus terminal,
- Sidewalks - accessible sidewalks are required.

A copy of Mr. Gamble's submission is on file with the Municipal Clerk's Office.

**Mr. John Hayes**, Halifax expressed concern regarding the Chebucto Road Project and commented that the plan can proceed without expropriating land, cutting down trees and removing front lawns. These actions are too drastic.

**Mr. Marshall Williams**, East Preston Rate Payers Association, East Preston Community Group read from his notes and the following was noted:

- The Regional Plan is focussed on new development as opposed to balancing growth within the existing communities,
- There has been a decreased level of service and fewer opportunities for growth,
- The plan excludes the community of East Preston,
- The community opposes the Regional Plan as currently proposed,
- Concern was expressed regarding the restrictions on the type of land uses, inadequate Metro Transit service and water and sewage services. He offered various solutions to the transportation and water issues such as:
  - Creating one tax rate for the municipality to allow for similar levels of service based on area income
  - Utilizing taxes from one area to subsidize initiatives in other areas.
  - Within the existing structure, allowing businesses to apply for exemptions.

A copy of Mr. William's notes are on file with the Municipal Clerks Office.

**Ms. Shirley Harding**, Halifax, indicated that she supports an Active Transportation Plan but does not support widening Chebucto Road. She requested that Council take into consideration the safety concerns. She asked if the value of her home decreases will her taxes decrease.

**Mr. John Abati**, Halifax, advised Council that he has concerns relating to open spaces where resource recreation and conservation designations are combined as one. It is misleading and the perception is that the land is protected. He also suggested the following:

- Inclusion of tree cutting bylaws to restrict clearing out areas,
- Hydro poles to be placed underground to protect trees,
- Will the parkland dedication be a grass area or a forested patch, or woodlot. He suggested that the plan should be amended so that the whole parkland area could incorporate corridors which allow a mix of urban and wooded areas,
- He commented that Blue Mountain/Birch Cove should remain intact and that the highway will have an impact on all the species,
- The Highway will not reduce traffic on Hammonds Plains Road,
- The detriment from the heat and pollutants will affect the watersheds downhill.

**Mr. Frank Longstaff**, Lake Echo, read his submission and requested that Kellswater Holdings Limited be granted permission under the grandfathering clause to continue to develop their land.

A copy of Mr. Longstaff's submission is on file with the Municipal Clerk's Office.

**Mr. Raymond Plourde**, Wilderness Community Ecology Action Centre, stated:

- He supports the plan and is pleased to see the increase in green space provisions given that smart cities preserve green spaces.
- He is also supportive of the natural corridors and Blue Mountain Park. However the Land Use Bylaws for Halifax do not match the park boundaries in the plan and requested that Council amend the Bylaws to match the boundaries in the plan to ensure there is no confusion.

**Mr. Geoff Le Boutillier**, St. Mary's Bay Stewardship Association, read from his submission and commented that :

- The Association is disappointed that the coastal areas of Hubbards and Tantallon are considered Rural Commuter,
- Expressed concern that there is no separate nomenclature to distinguish the villages between Hubbards and Tantallon,
- There is concern that Bowater Mersey requested that a portion of the Open Resource land be re-designated Rural Commuter to prepare it for sale and eventual development,
- He requested that Council consider the following for Coastal Areas, a different colour on the map, a different governance regime and a different designation such as "Coastal Heritage",
- He proposed that the Coastal Heritage designation would trigger an open and transparent process of development reviewed by an advisory board modelled after the Watershed Advisory Board.

A copy of Mr. LeBoutillier's submission is on file at the Municipal Clerk's Office.

**Mr. Ed Grace**, Sackville, read from his submission and indicated his support of the proposed amendment to establish growth controls in Sackville. The areas of concern are

- Traffic congestion at the Kent's building supply intersection,
- The delay in building the Beaver Bank bypass,
- The sewer system can not handle additional capacity,
- Flooding of Union Street,
- Sewage issues at the Lively Road Subdivision, Springfield Lake and the Little Springfield Lake,
- Overcrowding of schools.

A copy of Mr. Grace's submission is on file at the Municipal Clerk's Office

Council recessed at 4:00 p.m. and reconvened at 4:10 p.m.

**Mr. Aubrey Fricker**, Halifax, commented that the Capital District definition is not clear. He commented that given that there will be ongoing reviews of the plan that the public should know the steps in the process are. Public awareness and access are important. He also made the following statements:

- There is a need for more organized public communication,
- The website is not current,
- E-mails do not receive a response,
- Only a small proportion on the population responded to the Regional Plan,
- He encouraged Council to embark on more collaborations with teachers and professors,
- There was no analysis on the content of the plan and people are not aware of the importance of the Plan.

**Ms. Nancy Rogers Currie**, Halifax, spoke in opposition to the Chebucto Road Project and stated that:

- Chebucto Road is comprised of a sustainable neighbourhood,
- Expressed concern that the safety of the children crossing Chebucto Road to get to the Westmount School, a special needs school, is compromised,
- There is currently a blind crest on the street which poses a problem.

**Ms. Virginia MacCleod**, Springfield Lake, stated:

- The plan is shortsighted, and irresponsible,
- There is a lack of infrastructure,
- Sewage is not at capacity,
- The existing roads cannot handle additional traffic,
- There are several parts of Sackville Drive that are dangerous,
- Local schools are filled to capacity,
- Springfield Lake is losing oxygen due to over development and fertilizer use,
- The proposed buffer zone is not adequate,
- There should be a moratorium in Middle Sackville as it has the same problems as Hammonds Plains Road and Beaverbank Road.

**Mr. Andrew Giles**, Lawrencetown, addressed Council and advised that:

- He is in support of the Regional Plan.
- The Plan includes positive changes to his community.
- The process has been well planned, open and fair.

A copy of Mr. Gile's submission is on file with the Municipal Clerk's Office.

**Mr. Brian Rendell**, Bedford stated:

- He is in support of the Regional Municipal Planning Strategy,
- A significant effort was put forth by stakeholder groups and the public at large,

- The process has been fair and open,
- The plan may not be perfect but is a step in the right direction,
- He encouraged Council to move forward with the plan without amendment.

A copy of Mr. Rendell's submission is on file with the Municipal Clerk's Office.

**Mr. Kevin Moynihan**, Halifax, raised concern regarding the Chebucto Road Project and commented that:

- The project would have a negative impact on citizens crossing the road, specifically the elderly and the children,
- The road is currently loud, unsafe and dangerous, and widening the road will make it more dangerous,
- It does not make sense to move traffic faster through the neighbourhood,
- He suggested that the Rotary be fixed first and that HRM consult with specialist in this regard,

**Mr. Paul Hiscock**, Dartmouth, indicated:

- He is in support of the Regional Plan and that the municipality needs growth, investment and jobs,
- Council needs to ensure that growth continues, so that everyone understands the rules and further that the cost and timelines need to be known,
- He supports staff and commended their excellent leadership,
- HRM needs to move forward, and a consensus on all these matters will never happen,
- He recommended that Council approve the plan without amendment. Council can provide leadership by finalizing the details and assisting those who want to invest in HRM.

Council recessed at 4:34 p.m.

The meeting reconvened at 6:00 p.m. with the following members of Council present: Mayor Kelly, Deputy Mayor Walker and Councillors Streach, Snow, Hendsbee, McInroy, McCluskey, Younger, Karsten, Kent, Smith, Wile, Murphy, Sloane, Uteck, Fougere, Hum, Mosher, Adams, Harvey, Goucher, Rankin and Meade.

**Ms. Valerie Logan**, Blind Bay, noted:

- There are approximately 6,500 citizens in the Prospect Road area who do not have access to public transportation,
- Areas like Sackville, Beaver Bank and Hammonds Plains are overcrowded and the residents are paying the same taxes as persons who have access to public transportation,
- The Plan should be done in stages,

- If a transportation system was put in place on the Prospect Road it might alleviate some of the traffic on Chebucto Road.
- She has forty seven acres which are in the rural commuter area of the Plan, noting it was zoned general in 1987 but now it is deemed to be a hub,
- HRM should come into the communities to ascertain how people want to develop their land,
- There should be a way to approve the Plan while leaving loopholes to allow for changes at a later point.

**Mr. Adam Conrad**, Porter's Lake, stated he was not in favour of the Regional Plan as it does not address community transit. He noted taxes continue to rise in rural areas yet these areas do not have access to many of the services in other areas of HRM such as additional policing.

**Mr. Robert MacPherson**, Vice President, Kimberly Lloyd Development stated:

- Kimberly Lloyd Developments supports the Plan and feel it is fair and equitable,
- The consultation has been extensive and there has been no shortage of opportunities to participate in the process,
- His company has participated in the development of the plan,
- The process provided opportunities to be heard and all requests were taken seriously,
- This plan is not perfect however the extensive input as well as guidance from municipal staff has ensured this plan is equitable,
- Council should adopt the plan,
- This is a first step in a foundation for future growth and there is a need to put the plan in place.

**Ms. Brenda Shannon**, Heritage Trust of Nova Scotia, stated:

- Heritage Trust is in favour of protection for built heritage and the recognition of such in the Plan,
- The Trust has put forward recommendations to tighten up the process which were filed with the clerk,
- Heritage Trust is supportive of the process.

Ms. Shannon's submission is on file in the Clerk's office.

**Mr. Bill Evans**, Mineville, requested that under the Plan an exemption be provided for the water setbacks for his property to allow him to build with the provisions that were provided to him at the time of his purchase of the land. Mr. Evans submission is on file in the Clerk's office.

**Ms. Patricia Richards**, East Chezzetcook, speaking on behalf of the Forest Hills Shopping Centre, Jeddore, stated:

- They are in favour of the Plan and what is included,

- They have been designated as a Rural Commuter Local Centre which recognizes the shopping centre as an important commercial service on the Eastern Shore and provides an opportunity for them to move forward,
- They would like the watershed study for the Musquodoboit area to be shared with the residents of the Eastern Shore when it is completed,
- The major concern is the issue of timelines and trying to look at streamlining timelines for development procedures,
- How can residents ensure that the Regional Plan is not going to put them in a situation where the timeline for development agreements, plan policy changes and amendments is extended beyond the existing practice,
- He encouraged Council to move forward as quickly as possible with the community planning process on the Eastern Shore.

**Mr. Alan Robertson**, Halifax, stated:

- The Plan is good,
- Point Pleasant is designated as a regional park and under that definition indoor recreation, sports fields, sports courts and playground together with the necessary accessory buildings would be allowed,
- The design competition clarified citizens expectations for the park to be kept as natural with no buildings, entertainment centres nor playgrounds,
- The uses permitted under the Regional Plan are incompatible with what the citizens wanted, the design principles that were established for the competitors use and the designs that were submitted by the competitors,
- The Regional Plan is inconsistent with the master plan that is being prepared by the consultants,
- Either the Regional Park definition be changed to disallow the uses in Point Pleasant Park or a note be included in the definition to the effect that where an approved master plan exists for a regional park, uses prescribed by that master plan shall take precedence over uses allowed under the Regional Plan and the development of the park shall be guided by the master plan.

**Ms. Carlita Hunter**, Timberlea, stated there is a proposed parking lot for the wilderness area where she lives resulting in a natural area being destroyed. She noted that the parking lot will result in a stream being bulldozed, topsoil moved and the potential to kill off natural wildlife. She requested Council insert a safeguard to ensure the laws are going to be followed and not allow special interest groups to move in.

**Mr. Brendan Briggs**, Sackville, stated:

- The Plan as a whole is a very well thought out Plan,
- He supports the section regarding development in Sackville,
- Sackville is growing towards a vision of a healthy community,

- Growth and development are the livelihood of the construction industry and the answer is to build the schools and necessary infrastructure needed to keep pace with the expanding population in HRM.

**Mr. Peter Lavelle**, Halifax, stated:

- He had expressed concerns with the Regional Plan and the effects on the established neighbourhoods in the regional centre and asked what safeguards are in the plan to ensure there is no destruction of those neighbourhoods,
- What safeguards are in the plan to limit development to under utilized sites and prevent the destruction of existing neighbourhoods,
- A concern is that in the application of the Plan the directive to increase density in the regional centre will override the intention to protect existing communities,
- Without some clear vision recognizing the value of existing older neighbourhoods these communities will be put at risk,
- The Plan creates an atmosphere where it is assumed that all residential neighbourhoods in the regional centre have the potential for development of greater intensity in the current use,
- He would like to see the protection of neighbourhoods be as fundamental to the Plan as the protection of the environment.

**Ms. Susan Hall**, Halifax, stated:

- She is not sure the Chebucto Road expansion project would be an effective project,
- She is concerned with the safety on the corner at the intersection of Mumford and Chebucto Road as many children use this intersection,
- She stated this will be a destabilization of the existing neighbourhood,
- This element of the Plan seems to be retrograde in nature,
- She requested Council extract this project from the overall Plan.

**Mr. Ben McCrea**, Armour Group, stated:

- He objected to the draft Plan particularly as it does not apply to the City of Lakes Business Park,
- The concept of a sub office park is valid,
- There is new development and new businesses in the park,
- He objected to the what is happening in the City of Lakes Business Park as there seems to be undermining of the policies,
- There was some movement to stop erosion and protect the investments of many of the developments in that park,
- The well being of the City of Lakes Business Parks is not addressed in the Regional Plan.

Councillor Streach asked staff whether the Regional Plan captures the essence of what the City of Lakes Business Park was set up to represent.

**Ms. Beverly Miller**, Halifax, stated:

- The Plan has a bias towards active transportation but includes very little on protecting pedestrians and cyclists,
- There is an increase in the provision for open spaces for new residential areas of HRM but there is no specific mandate for more open space or parks in the urban centres,
- If HRM wants people to live downtown there must be provision for amenities,
- The park designation is unsuitable for Point Pleasant Park,
- The Plan does not show a commitment to heritage designations,
- There is nothing in the Plan to encourage professional artists,
- There is nothing in the Plan to ensure there is a variety or diversity of housing.

**Mr. Eric Thomason**, Halifax, stated:

- The widening of Chebucto Road does not provide safety for the residents and reversible traffic can be a challenge,
- The property values in the west end are strong. The Chebucto Road neighbourhood is one of the true R-1 zoning areas on the Peninsula,
- Widening of Chebucto Road will diminish the property values,
- The congestion problem is only during the rush hours,

**Mr. Franklin Medjuck**, Halifax, representing a number of downtown companies, referenced Chapter 6, page 106, article 6.11 regarding development next to heritage properties and suggested the paragraph starting with the words “Policy CH-2 will provide guidance.....” have the word “shall” replaced with the word “may” as it applies to the list so that it becomes permissive rather than mandatory. He stated that this would minimize appeals and allow more flexibility.

Council recessed at 7:00 and reconvened at 7:10 p.m.

**Mr. Paul Pettipas**, CEO, Nova Scotia Homebuilders, stated:

- The Plan has come a long way,
- The general public has had many opportunities to provide input,
- One of the challenges is the appeal procedure to the UARB which delays development,
- Councillors say they like the Plan but not when it comes to their District and suggested that if the Plan says a development meets all the principles then Council should not say no to a neighbourhood,
- Amendments should be considered at a Public Hearing,
- The Plan is a step in the right direction.

**Mr. Chris Miller**, Rockingham, speaking about the Blue Mountain Birch Cove Lakes wilderness area congratulated staff on putting this area forward as a regional park. He noted:

- There are wetlands and forest areas which need to be protected,

- People make a decision on where to live based on the open green spaces and natural areas,
- The urban reserve are private lands within the proposed regional park,
- Urban settlement are lands outside the park,
- This was done to avoid the land being devalued prior to being purchased or otherwise required by HRM,
- He recognized the need to do this; however, he encouraged Council to take a closer look at that map as the Land Use By-law amendment to the Halifax mainland area shows the boundaries for these lands do not match that of the proposed park shown on figure 13 of the Regional Plan.

**Ms. Maggie MacDonald**, Halifax Chamber of Commerce, stated:

- The Chamber is supportive of a Regional Plan,
- The Plan is important to the future of Halifax,
- It is time to move ahead and the Plan should be approved,
- The land use approaches the how, what, when, where and why development should proceed,
- Once the Plan is approved it will be the beginning of the next phase of development in Halifax.

**Ms. Jane MacMillan**, Halifax, stated:

- She was against the destruction being proposed for Chebucto Road,
- The residents feel they have paid enough and this proposal to widen the road and expropriate property will decrease the value of their properties and is too much to ask of these citizens,
- HRM should not be making it easier for citizens to drive to work.

**Mr. Jim Guild**, Halifax, noting his presentation was with respect to the Chebucto Road widening project stated:

- The Chebucto Road widening will waste money and wipe out trees,
- It will ruin a number of residential properties,
- It will make the neighbourhood look sterile and make walking less enjoyable,
- It will not improve the traffic flow and will make crosswalks more dangerous than they are presently,
- He was urging Council to cancel this project.

**Mr. Danny Chedrawe**, Halifax, stated:

- People should not get caught up in the details of the Plan as it is about vision,
- The quality of life in the city has slipped,
- The most important part of this Plan is urbanization, and the benefits would be tremendous if this can be accomplished in improving the quality of life,
- There is a need to attract families back to the core,

- There is a need to provide housing that is more affordable to the average citizen,
- If more people can be attracted to the urban core the quality of life in the city will improve,
- There needs to be vision and there is a need to move forward.

**Mr. Nick Price**, Terrain Group, noted he was speaking on the Plan as it applies to the Westgate Development noting:

- Terrain Group is trying to incorporate a residential or mixed use component in the next phase of the development
- Terrain Groups is requesting Council look at changing the designation in the regional growth plan to enable a residential component.

On a question from Councillor Goucher, Mr. Price advised he had provided his concerns and request to staff.

**Mr. Graham Read**, Halifax, stated:

- He hoped Council would approve the overall intent and condition of the Plan and provide guidance for future development,
- He wished the Plan was more aggressive in insisting on human scale development in harmony with existing neighbourhoods in areas on peninsular Halifax and downtown Dartmouth,
- There is a clause that would promote variety of the urban skyline and expressed concern that this would open the possibility for the development of high rise development next to medium development areas,
- The Plan may be at odds with the Commons Plan,
- Where there are specific park plans these should take precedence,
- Would like the word “shall” to remain in article 6.1.1 stay on page 106,
- He supports the core vision of the Plan but there are some details that need work.

**Mr. Jeff Turnbull**, Dartmouth, speaking on behalf of the Citizens for Brightwood, urged Council not to change the zoning for Brightwood and requested the land be protected under a park and open space designation.

**Mr. Gerry Prusse**, Dartmouth, representing the Citizens of Brightwood, stated, in her opinion the Plan does not address the community process with regard to Brightwood.

Council recessed at 8:00 and reconvened at 8:10 p.m.

**Mr. Austin Turner**, Porter’s Lake, stated:

- The area designated as Comprehensive Development District for Porter’s Lake includes only the area of the shopping centre and it had previously included the Exit 20 ramp by Highway 107,

- Council should reconsider adding the area directly adjacent to Exit 20 ramp on the eastern side as a Comprehensive Development area.

**Ms. Elizabeth Pacey**, Halifax, stated:

- She is pleased that the plan includes protection for heritage.
- The plan should include a policy that would require the intensity of new development on a heritage property be similar to that which existed on the property originally,
- It is important to have special provisions in the land use by-law for property owners near heritage buildings.
- Policy CH-2 should remain “shall consider” and not be changed to “may consider”.

**Mr. Robin Barrett**, Beaver Bank, stated:

- He has a concern with watercourse setback and buffers in that if there is a 20% slope on the uphill side of a watercourse, any work done will cause silt to flow into the brook or lake,
- The current wording is such that no matter whether it is an uphill or downhill slope the 200 foot buffer still applies,
- He has a concern with zoning on traffic corridors and noted he feels it is important to protect the traffic corridors,
- He has concern with the increasing cost of buildings lots and housing,
- There is not a lot of information on affordable housing in the current document.

**Mr. Kevin Riles**, Urban Development Institute of Nova Scotia (UDI), stated

- He supported the Regional Plan goals,
- In his opinion the secondary plans are crucial and there is a need to work together to sort these out,
- There is a need to eliminate frivolous appeals on development,
- This process needs to go forward.

**Mr. Alan Roache**, stated it is important to his livelihood that this Plan is put in place. He requested that Sunset Ridge be included in the Plan, as the growth in that area is consistent with the Plan. It is one of the few projects that will keep tradesmen in town.

**Mr. Duncan MacAdams**, Halifax, commended the Mayor and Council on the Plan as well as those who assisted in development of the Plan. He stated public participation and community visioning, in his opinion, were a key piece in the Plan.

The following speakers did not come forward when called. Valerie Payne, Dr. Robert Strang, Phil Stewart, Nancy Conrad, Terry Casavechia, Eleanor Reynolds, Lachlan Barber, Howard Epstein, Beth McGee and George Haliburton,

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

**MOVED by Councillor Karsten, seconded by Councillor Karsten, that the public hearing close. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Deputy Mayor Walker, seconded by Councillor McInroy, that Halifax Regional Council:**

1. **Approve the Regional Plan as set out in Attachments “A-D” of the Regional Planning Committee’s April 19, 2006 report, as amended by:**
2. **Attachment “A” of the supplementary report dated May 11, 2006;**
3. **Attachment “B” of the supplementary report dated May 11, 2006;**
4. **Designate the Burnside East area as a Suburban District Centre on Map 1 - Settlement and Transportation.**

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

**MOVED by Councillor Rankin, seconded by Deputy Mayor Walker that the motion be deferred to June 13<sup>th</sup> and issues to be addressed be referred to staff.**

Councillor Rankin stated the main motion implies that there is endorsement of the document noting, there were a number of issues raised which may have to be responded to in writing. He further noted staff may have to determine, for consideration of Council, which amendments are substantial.

**MOVED by Councillor McInroy, seconded by Councillor Rankin that staff consider whether the last phase of the Montague development could be completed subject to a minor amendment with certain conditions on that development. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Councillor Meade, seconded by Councillor Rankin, that staff consider whether wind turbines could be exempt from the 35ft. height restrictions. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Councillor Adams, seconded by Councillor Rankin, that staff examine the possible expansion of the serviceable boundary in Bear Cove for water servicing. MOTION PUT AND PASSED UNANIMOUSLY.**

Councillor Adams noted the issue of Brightwood had been brought forward by speakers and requested the following motion with regard to Brightwood be noted for the record in the minutes: *“That Council initiate the process to consider but not limited to amending the Dartmouth Municipal Planning Strategy and Land Use By-law to establish comprehensive development district on the Brightwood Golf and Country Club land at 227 School Street, Dartmouth. Approve attachment A of the staff report dated December 20, 2005 Terms of Reference for the creation of the Brightwood Public Participation Committee in accordance with Dartmouth Municipal Planning Strategy and further the committee be mandated to come back with alternatives other than what is proposed. Adopt a public participation program as presented in Attachment A of the December 28, 2005 report”*.

**MOVED by Councillor Mosher, seconded by Councillor Karsten, that staff, in the supplementary report, address comments and questions raised by members of the public. MOTION PUT AND PASSED UNANIMOUSLY.**

In response to Councillor Mosher regarding the Transportation Strategy, Mr. Dunphy, Director of Planning and Development, advised the report is being prepared and would be coming to Council prior to the responses relating to the Regional Plan.

**MOVED by Councillor Hendsbee, seconded by Councillor Murphy, that all the written public submissions be referred to staff to be addressed in the supplementary report. MOTION PUT AND PASSED UNANIMOUSLY.**

Councillor Hendsbee requested the following District 3 items be addressed in the report:

1. Request to rezone lands adjacent to Highway 107, Exit 20, Porter's Lake to CDD.
2. The request to have a mechanism to address, recognize and permit the advancement of the Kellswater Development proposal in Lake Echo.
3. The request to enhance community transit service and advance Metro Link transit opportunities along Highways 7, 107, and 207.
4. The request for the rezoning of lands south of the old Lawrencetown Road and east of the old Miller Road near Cole Harbour from Ross Road on the 207 from R-7 to R-1 zoning to be designated as Urban Settlement and not Urban Reserve to allow for on site septic systems to be included within the water service district.
5. Advance the possibility of water service district extension into the East Preston area.
6. Investigate the possibility to establish a satellite sewage treatment plant (perhaps an engineered wetland in the bogs of East Preston and Lawrencetown area) that could serve those communities as an alternative for on site septic systems.
7. Identify the road reserve/traffic corridor for the potential of creating a controlled access link between Route 207 to Highway 107 with Highway 7 at Exit 17 where they all converge with the proposed Cherry Brook 107 bypass junction.

**MOVED by Councillor Hendsbee, seconded by Councillor Snow, that staff re-evaluate the proposed CDD zone in Lake Echo to a more central location either near the Bell St./Mineville Rd./Highway 7 intersection or by Highway 107 at Exit 18. MOTION PUT AND PASSED.**

**MOVED by Councillor Uteck, seconded by Councillor Sloane, that staff address the issue of density bonusing for affordable housing as well as underground wiring and/or the use of natural gas; language as currently written regarding heritage properties and whether it is suitable enough and should there be notification on the process when registering a heritage property. MOTION PUT AND PASSED UNANIMOUSLY.**

Councillor Streach stated there should be clear acknowledgement in the Plan that it does not intend to grow the urban centres population at the expense of the rural communities. He further noted there is no reference in the plan to the City of Lakes Business Park and it should be noted that it is an important part of this municipality and will be recognized.

**MOVED by Councillor Younger, seconded by Councillor McCluskey, that the issue of noxious use in buffer zones between industrial areas and residential areas be addressed. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Councillor Smith, seconded by Councillor Sloane, that staff examine the Park and Open Space designation for Brightwood and the policies regarding prevention of rapid unplanned change be identified. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Councillor Kent, seconded by Councilor Sloane, that staff;**

- 1. Consider a functional plan for costal heritage.**
- 2. Ensure the report addresses the impact on McNabs and Lawlors Islands of the Regional Park definition.**
- 3. Staff consider a rural bus service and community transit in the Cow Bay area and include this on Map 7.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

Councillor Harvey requested that staff address the issues and concerns with regard to development in Middle and Upper Sackville and the stress on the infrastructure such as sewers, storm water, schools and Sackville Drive above Beaver Bank Road.

**MOVED by Councillor Goucher, seconded by Councillor Sloane, that the wording on page 25 regarding the piece of Provincial property be changed from should to shall. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Councillor Snow, seconded by Councillor Hendsbee, that clarification be provided on the process and associated costs involved for a land owner, that was in a holding zone, to have a portion of the property rezoned. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Councillor Sloane, seconded by Councillor Smith, staff look at the policy to see whether it is possible to give an incentive to look after abandoned and boarded up buildings, density bonusing for affordable housing and residential parking on the Peninsula. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Councillor Fougere, seconded by Councillor Sloane, that staff provide information on how Policy T-1, page 66, Map 7, as it references a transportation reserve zone, is intended in the big scheme of things. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Councillor Murphy, seconded by Councillor Sloane, that information be included on as-of-right developments requiring the developers to communicate with the community and the local Councillor when these developments take place. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Councillor Murphy, seconded by Councillor Sloane, that the language be examined under the heritage section such that incentives could be shown either from a tax or application perspective and the language with regard to affordable housing be looked at to include provision for incentives for affordable housing for seniors. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Councillor McCluskey, seconded by Councillor Snow, that land for habitat humanity be examined as well as an area that could be used for winter parking in her district. MOTION PUT AND PASSED UNANIMOUSLY.**

The deferral motion was now before Council.

**MOVED by Councillor Rankin, seconded by Deputy Mayor Walker that consideration of the following motion be deferred to June 13<sup>th</sup> and issues to be addressed be referred to staff**

***MOVED by Deputy Mayor Walker, seconded by Councillor McInroy, that Halifax Regional Council:***

- 1. Approve the Regional Plan as set out in Attachments "A-D" of the Regional Planning Committee's April 19, 2006 report, as amended by:***
- 2. Attachment "A" of the supplementary report dated May 11, 2006;***
- 3. Attachment "B" of the supplementary report dated May 11, 2006;***
- 4. Designate the Burnside East area as a Suburban District Centre on Map 1 - Settlement and Transportation.***

**MOTION PUT AND PASSED UNANIMOUSLY.**

**9. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**9.1 Correspondence - None**

**9.2 Petitions**

**9.2.1 Hamshaw and Pender Lands**

This matter dealt with earlier in the meeting. (see page 3)

**9.2.2 Sunset Ridge Lands**

This matter dealt with earlier in the meeting. (see page 3)

**9.2.3 Woodgrain Furniture Finishing**

This matter dealt with earlier in the meeting. (see page 3)

**9.2.4 Field Designation - Dogs Off Leash**

This matter dealt with earlier in the meeting. (see page 4)

**9.2.5 North Woodside Community Center Cross Walk**

This matter dealt with earlier in the meeting. (see page 4)

**10.           REPORTS**

**10.1          CHIEF ADMINISTRATIVE OFFICER**

**10.1.1       Tender 06-350- North Preston Sewage Treatment Plant Upgrade - East  
Region**

This matter dealt with earlier in the meeting see page 4 and 5.

**11.           MOTIONS - NONE**

**12.           ADDED ITEMS - NONE**

**13.           NOTICES OF MOTION - NONE**

**14.           ADJOURNMENT**

There being no further business, the meeting adjourned at 9:35 p.m.

Sherryll Murphy  
Acting Municipal Clerk

The following information items were distributed to Council:

1. Proclamation - Kids Day America / International - May 27, 2006
2. Proclamation - Purina Walk for Dog Guides Day - May 28, 2006
3. Memorandum from Chair, Audit Committee dated April 25, 2006  
re: Comprehensive Audits
4. Memorandum from Director, Transportation & Public Works dated May 5, 2006  
re: Petition for New Paving, Springgreen Drive and Ladyslipper Crescent, Oakfield -  
Central Region
5. Memorandum from Acting Director, Environmental Management Services  
dated May 10, 2006 re: Pesticide By-law P-800
6. Memorandum from Chief of Police dated May 10, 2006  
re: Safety - Armdale Rotary (Councillor Mosher request May 2, 2006)
7. Memorandum from the Municipal Clerk, dated May 12, 2006  
re: Requests for Presentation to Council - Urban Development  
Institute (UDI) of Nova Scotia