

HALIFAX REGIONAL COUNCIL

HALIFAX REGIONAL COUNCIL
MINUTES
November 21, 2006

PRESENT:

Mayor Peter Kelly
Deputy Mayor Sue Uteck
Krista Snow
David Hendsbee
Harry McInroy
Andrew Younger
Bill Karsten
Becky Kent
Jim Smith
Mary Wile
Patrick Murphy
Dawn Sloane
Debbie Hum
Linda Mosher
Stephen Adams
Brad Johns
Robert Harvey
Gary Martin
Reg Rankin
Gary Meade

REGRETS:

Councillors: Steve Streach
Gloria McCluskey
Sheila Fougere
Russell Walker

STAFF:

Mr. Dan English, Chief Administrative Officer
Ms. Mary Ellen Donovan, Municipal Solicitor
Ms. Jan Gibson, Municipal Clerk
Ms. Julia Horncastle, Legislative Assistant

TABLE OF CONTENTS

1.	INVOCATION	04
2.	APPROVAL OF MINUTES - November 7, 2006	04
3.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS	04
4.	BUSINESS ARISING OUT OF THE MINUTES	04
5.	MOTIONS OF RECONSIDERATION	
5.1	Councillor Karsten - Amendment to Terms of Reference - Halifax-Dartmouth Canada Day Committee	04
6.	MOTIONS OF RESCISSION - NONE	05
7.	CONSIDERATION OF DEFERRED BUSINESS - NONE	05
8.	PUBLIC HEARINGS	
8.1	By-Law S-420, An Amendment to By-Law S-400, Respecting Charges for Street Improvements - New Paving Projects Outside the Core Area	08
9.	CORRESPONDENCE, PETITIONS AND DELEGATIONS	
9.1	Correspondence - None	05
9.2	Petitions	05
10.	REPORTS	
10.1	CHIEF ADMINISTRATIVE OFFICER	
10.1.1	Tender 06-083 - Supply of Six (6) New 1500 Gallon Water Tankers	05
10.1.2	Capital Budget Increase/Local Improvement Charges Recovery, Tender 06-260 Shore Drive Paving, New Sidewalk and Watermain Renewal - Central Region	06
10.1.3	Project 00854 - Wind Turbines: Regional Municipal Planning Strategy Amendment	06
10.2	CHEBUCTO COMMUNITY COUNCIL	
10.2.1	Case 00960: Municipal Planning Strategy and Land Use By-Law Amendment for the Urban Farm Museum at	

	21 Kidston Road	07
10.3	MEMBERS OF COUNCIL	
	10.3.1 Councillor Johns - Provincial Priority of Beaver Bank	
	Collector Rd. Interchange - Sackville Dr. to Highway 101 ..	08
11.	MOTIONS	
	11.1 Councillor Hendsbee - Amendment to Administrative Order One	08
	11.2 Councillor Sloane - Selection of Deputy Mayor Process	09
12.	ADDED ITEMS	09
13.	NOTICES OF MOTION	11
14.	ADJOURNMENT	11

1. INVOCATION

The meeting was called to order at 6:00 p.m. with the Invocation being led by Councillor Smith.

2. APPROVAL OF MINUTES - November 7, 2006

MOVED by Councillor Hendsbee, seconded by Councillor Wile, that the minutes of November 7, 2006 be approved. MOTION PUT AND PASSED UNANIMOUSLY.

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

Additions

- 12.1 Councillor McInroy - Request for Report re: Multiple Lane Crosswalk Controls - "Half Signal" Traffic Light Installations
- 12.2 Councillors McInroy & Karsten - Request for Crime Prevention through Environmental Design (CPTED) Audits for Cole Harbour Pathway System and Underground Pedestrian Tunnels
- 12.3 Councillor Younger - Memorandum of Understanding with Halifax Regional School Board (HRSB) and Conseil scolaire acadien provincial (CSAP)
- 12.4 Contractual Matter - Sackville Sports Stadium
- 12.5 Legal Matter - Settlement of Claim

Councillor Karsten requested item 5.1 - Motion of Reconsideration be deferred to November 28, 2006.

Councillor Meade requested the Public Hearing be postponed to 7:00 p.m.

At a later point in the meeting, Councillor Johns requested information item #2, Memorandum from the Director, Transportation and Public Works re Snow and Ice Control Service Standards be brought forward as an agenda item for November 28, 2006.

MOVED by Councillor Meade, seconded by Councillor Snow, that the Order of Business, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

4. BUSINESS ARISING OUT OF THE MINUTES - NONE

5. CONSIDERATION OF DEFERRED BUSINESS

5.1 Councillor Karsten -Councillor Karsten - Amendment to Terms of

Reference - Halifax-Dartmouth Canada Day Committee

At the request of Councillor Karsten, this item was deferred to November 28, 2006.

6. MOTIONS OF RESCISSION - NONE

7. CONSIDERATION OF DEFERRED BUSINESS - NONE

8. PUBLIC HEARINGS

8.1 By-Law S-420, An Amendment to By-Law S-400, Respecting Charges for Street Improvements - New Paving Projects Outside the Core Area - 2005

This item was addressed at a later point in the meeting. (See page 8)

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Correspondence - None

9.2 Petitions

9.2.1 Councillor Rankin

Councillor Rankin served a petition from residents of the Prospect Road group of communities in opposition to the use of lands within or abutting the designated wetland areas known as Drysdale Bog for heavy industry.

9.2.2 Councillor McInroy

Councillor McInroy served a petition on behalf of Cole Harbour residents in support of initiatives for clean up around Cole Harbour Place and surrounding area.

10. REPORTS

10.1 CHIEF ADMINISTRATIVE OFFICER

10.1.1 Tender 06-083 - Supply of Six (6) new 1500 Gallon Water Tankers

- A report dated November 10, 2006, on the above noted, was before Council.

MOVED by Councillor Rankin, seconded by Councillor Meade, that Council award Tender No. 06-083, for Six (6) new 1500 Gallon Water Tankers to Carl Thibault Fire Trucks Inc. for a Tender Price of \$1,579,758.00 (net HST included) with funding from Capital Account No. CVJ00703 as outlined in the Budget Implications section of the November 10, 2006 staff report. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.2 Capital Budget Increase/Local Improvement Charge Recovery Tender 06-260 - Shore Drive Paving, New Sidewalk and Water Main Renewal - Central Region

- A report dated October 31, 2006, on the above noted, was before Council.

MOVED by Councillor Martin, seconded by Councillor Snow, that Council:

1. **Approve an increase in the Gross budget of Capital Account No. CYU00784, Paving Renewal, by \$288,320.75 with no change to the net budget to reflect cost sharing of the water main related work from the Halifax Regional Water Commission as outlined in the Budget Implications section of the October 31, 2006 staff report.**
2. **Approve the recovery of Local Improvement Charges for the new concrete sidewalk and new concrete curb and gutter on Shore Drive from Hatchery Lane to Fort Sackville Road - Central Region by a total district area rate for District 21.**

MOTION PUT AND PASSED UNANIMOUSLY.

10.1.3 Project 00854 - Wind Turbines: Regional Municipal Planning Strategy Amendment

- A report dated October 16, 2006, on the above noted, was before Council.

MOVED by Councillor Mosher, seconded by Councillor Sloane, that Regional Council:

1. **Initiate the process to amend the Regional Municipal Planning Strategy and Land Use By-Laws to prepare policies for the appropriate location of Wind Turbines; and,**
2. **Instruct staff to follow the public participation program as approved by Council**

in February, 1997.

Mr. Shayne Vipond, Planner, presented the staff report advising:

- This report was in response to a functional plan request set out in the Regional Plan,
- These may be main or accessory uses,
- The proposal is phased with the first phase being expected to be completed in four to six months,
- The master plan analysed many factors to determine the most appropriate locations,
- There will be public meetings held.

During discussion, the following comments were made and concerns expressed:

- Jobs will be created,
- There are both environmental and economic benefits,
- This is one of the safest energy technologies,
- There will be extensive public consultation,
- Accessory type applications will require regulations, noting there are no current regulations in place,
- There should be consultation with private land owners as well as communities,
- The proposed timeline should be adhered to as much as possible,
- This process include the ability to put up turbines and feed into HRM infrastructure even if not feeding into the grid at this time,
- It appears that the Eastern Passage/Cow Bay area is very restricted for use,
- HRM should look at guidelines and where future growth patterns are going to be,
- All proposals for wind turbines be done by the development agreement process,
- Ownership of private and HRM owned lands needs to be verified.

Councillor Murphy requested staff provide information on the cost for the study to HRM and Jacques Whitford.

MOTION PUT AND PASSED UNANIMOUSLY.

10.2 CHEBUCTO COMMUNITY COUNCIL

10.2.1 Case 00960: Municipal Planning Strategy and Land Use By-Law Amendment for the Urban Farm Museum at 21 Kidston Road

- A report dated November 7, 2006 on the above noted, was before Council.

MOVED by Councillor Adams, seconded by Councillor Wile, that Halifax Regional

Council:

1. **Authorize staff to initiate a process to consider amending the Halifax Municipal Planning Strategy (MPS) and Mainland Land Use By-law (LUB) to allow expansion of the Urban Farm Museum at 21 Kidston Road (Pid #00327454), and**
2. **Instruct that the Municipal Planning Strategy amendment process include a public participation program in accordance with the Public Participation Resolution adopted by Halifax Regional Council on February 25, 1997.**

MOTION PUT AND PASSED UNANIMOUSLY.

10.3 MEMBERS OF COUNCIL

10.3.1 Councillor Johns - Provincial Priority of Beaver Bank Collector Road Interchange - Sackville Drive to Highway 101

Councillor Johns advised that the Province had announced that detailed work will begin on the intersection immediately subject to negotiations of a funding agreement with the municipality. He advised staff is not aware of any negotiations and placed the following motion.

MOVED by Councillor Johns, seconded by Councillor Snow that Mayor Kelly write the Province acknowledging and thanking them for starting the work and requesting clarification as to cost sharing. MOTION PUT AND PASSED UNANIMOUSLY.

As agreed under the approval of the Order of Business, Council addressed the public hearing at this time.

8.1 By-Law S-420, An Amendment to By-Law S-400, Respecting Charges for Street Improvements - New Paving Projects Outside the Core Area - 2005

Mr. David Hubleby, Manager, Design and Construction Services, presented the report to Council.

Ms. Mary Ellen Donovan, Municipal Solicitor, advised that as there had been confusion as to start time and all presenters have a right to listen to the other presenters she would recommend deferral of the public hearing.

Following the legal ruling Council agreed to defer the public hearing to a future date.

11. MOTIONS

11.1 Councillor Hendsbee - Amendment to Administrative Order Number One

MOVED by Councillor Hendsbee, seconded by Councillor Snow, that Administrative Order Number One be amended to allow for the inclusion of Councillors Commentary for special Community announcements and acknowledgements. MOTION PUT AND PASSED

11.2 Councillor Sloane - Selection of Deputy Mayor Process

MOVED by Councillor Sloane, seconded by Councillor Smith, that HRM strike a committee to re-investigate Section 59 (1) of the MGA regarding the selection of Deputy Mayor with members being made up of three Councillors, the Deputy Mayor and a member of the Governance staff. Moreover, the committee use the report which was released earlier this year. MOTION DEFEATED.

12. ADDED ITEMS

12.1 Councillor McInroy - Request for Report re: Multiple Lane Crosswalk Controls - "Half Signal" Traffic Light Installations

Councillor McInroy noted Council has adopted a policy whereby HRM will require, as part of the design of crosswalks on multiple lane roads, the incorporation of half signal traffic signals.

MOVED by Councillor McInroy, seconded by Councillor Kent, that staff provide a report on how HRM would retrofit existing crosswalks which now cross multi lane roads which are currently controlled by RA-5 overhead signals. MOTION PUT AND PASSED UNANIMOUSLY.

12.2 Councillors McInroy & Karsten - Request for Crime Prevention Through Environmental Design (CPTED) Audits of Cole Harbour Pathway System and Underground Pedestrian Tunnels

MOVED by Councillor McInroy, seconded by Councillor Karsten, that staff provide a report with regard to auditing the pathway system as well as the underground pedestrian tunnels as well as prioritizing as they see fit. Further, a personal safety audit be included as part of the process. MOTION PUT AND PASSED

UNANIMOUSLY.

12.3 Councillor Younger - Memorandum of Understanding with Halifax Regional School Board (HRSB) and Conseil scolaire acadien provincial (CSAP)

MOVED by Councillor Younger, seconded by Councillor Karsten, that staff begin the process for the establishment of a Memorandum of Understanding with the Halifax Regional School Board (HRSB) and Conseil scolaire acadien provincial (CSAP)

In support of his motion, Councillor Younger advised there are a number of areas that HRM and the school board works together on such as policing, fields, playgrounds as well as CPTED audits. He advised his motion was not in regard to supplementary funding but rather other areas where there is cooperation on an ongoing basis without a formal partnership arrangement.

MOTION PUT AND PASSED UNANIMOUSLY.

12.4 Contractual Matter - Sackville Sports Stadium

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

MOVED by Councillor Harvey, seconded by Councillor Johns, that Halifax Regional Council:

- 1. Approve an additional two year period on deferral of capital debt repayments for the Sackville Sports Stadium until 2009/10;**
- 2. The existing operating subsidy remain at the current level of \$200,000 per year, with the possibility of a decrease after 2009/10;**
- 3. Endorse the recommendation of expansion of the Fitness Centre and conversion of the curling rink space at the Stadium to an indoor soccer facility and field house after the 06/07 season, with renovation costs being paid for through revenues generated at the Sackville Sports Stadium;**
- 4. Not release the November 15, 2006 report to the public until all contracts have been signed.**

MOTION PUT AND PASSED UNANIMOUSLY.

12.5 Legal Matter - Settlement of Claim

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

MOVED by Councillor Karsten, seconded by Councillor Sloane, that Halifax Regional Council:

- 1. Settle this claim bought by the Plaintiff in the amount of \$65,000.00 to achieve a full settlement of the Plaintiff's action upon obtaining a full release from the Plaintiff from any further claims arising out of the accident of August 12, 1998;**
- 2. Not release the November 9, 2006 Private and Confidential report to the public.**

MOTION PUT AND PASSED UNANIMOUSLY.

13. NOTICES OF MOTION - NONE

14. ADJOURNMENT

The meeting was adjourned at 7:30 p.m.

Jan Gibson
Municipal Clerk

The following information items were circulated to Council.

1. Proclamation - National Housing Day - November 22, 2006
2. Memorandum from Director, Transportation & Public Works dated November 7, 2006 re: Snow & Ice Control Service Standards
3. Memorandum from the Municipal Clerk dated November 17, 2006 re: Requests for Presentation to Council -None