

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES

April 8, 2008

PRESENT: Mayor Peter Kelly, Chair
Deputy Mayor Stephen D. Adams
Councillors: Steve Streach
David Hendsbee
Harry McInroy
Gloria McCluskey
Andrew Younger
Bill Karsten
Jackie Barkhouse
Jim Smith
Mary Wile
Patrick Murphy
Dawn M. Sloane
Sue Uteck
Sheila Fougere
Russell Walker
Debbie Hum
Linda Mosher
Robert P. Harvey
Reg Rankin
Gary G. Meade

REGRETS: Councillors: Brad Johns
Krista Snow

STAFF: Mr. Dan English, Chief Administrative Officer
Ms. Mary Ellen Donovan, Municipal Solicitor
Ms. Julia Horncastle, Acting Municipal Clerk
Ms. Sheilagh Edmonds, Legislative Assistant

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1. INVOCATION

The meeting was called to order at 6:30 p.m. with the Invocation being led by Councillor Streach.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillor Meade advised that April 11, 2008 was the last day for ordering a backyard compost bin, noting that the cost was \$25 per bin and the offer was limited to one bin per civic address and to HRM residents only. He added that the next order would be in 2010.

Councillor Wile advised that the Parent Teacher Association of Parkwest School in Clayton Park West would be holding a Wine & Cheese and Silent Auction on Friday, April 11, 2008 beginning at 7:30 p.m. with funds raised going toward teaching resources and literacy initiatives. Councillor Wile also congratulated the curling team from the Lakeshore Curling Club who won the bronze medal in the International Optimists, under 18 Curling Championship held April 7, 2008 in Winnipeg.

Councillor Karsten advised that April 13 - 16th. the 4th. Canadian Waste Resource Symposium which is being hosted by the Atlantic Canadian Chapter of the Solid Waste Association, will be held at the Westin Hotel. Councillor Karsten reviewed some of the session topics and speakers and noted that the theme this year is *Navigating to 60% Diversion*.

Councillor Hendsbee advised that the Lake Echo Lions Club are selling tickets to the World Mens' Hockey Tournament. He also noted that on April 13, 2008, from 12 p.m. to 4:00 p.m. at Cole Harbour Place, *Hope for Wildlife* will be holding its 3rd annual coffee-house in support of the Hope for Wildlife animal rescue sanctuary in Seaforth.

Councillor Barkhouse advised that the Eastern Passage Buffalo Club is holding a dance on April 12, 2008 from 9:00 p.m. to 1:00 a.m. to help raise funds for the Eastern Passage Summer Carnival fireworks. She noted that the cost is \$5.00 per person and there is free taxi service in the local area after 12:00 a.m.

Councillor Smith announced a special meeting of the District 9 Citizens Association on April 10, 2008 at Earl Hall at 7:00 p.m. to discuss the move forward position of the Association.

3. APPROVAL OF MINUTES - None

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

Additions:

- 13.1 Personnel Matter - Citizen & Councillor Appointments to Boards, Committees & Commissions
- 13.2 Property Matter - Horseshoe Lake Drive, Bayers Lake
- 13.3 Property Matter - Property Acquisition - PID 289967, Bedford Highway, Halifax
- 13.4 Request for Staff Report on Process to Initiate Amendment to the Beechville/Lakeside/Timberlea MPS - Councillor Rankin

Councillor Sloane advised that she had to leave the meeting early and asked if agenda items 11.1.5 and 11.1.6 could be moved up and dealt with immediately following the public hearing.

Councillor Rankin asked that item 13.4 be dealt with immediately after item 11.1.6.

Deletion:

- 11.2.1 Canal Greenway Phase II - Coordinated Open Space Development Plan and Sullivans Pond Banook Master Plan - Councillor Hendsbee

The agenda, with the additions, deletion, and with the requested agenda item changes was accepted as amended.

9 PUBLIC HEARINGS:

9.1 By-law C-800, Respecting Regional Capital Cost Charges for Solid Waste Facilities

A staff report dated January 8, 2008, originally submitted at the February 26, 2008 Committee of the Whole meeting was before Council for consideration.

A slide presentation was submitted.

Mr. Peter Duncan, Manager, Capital Cost Contribution Project addressed Council and reviewed the staff report regarding By-law C-800 - respecting Capital Cost Charges for Solid Waste Facilities.

The Mayor opened the public hearing for anyone wishing to speak. The Mayor called three times for anyone to speak; there being none, it was **MOVED by Councillor Younger, seconded by Councillor Karsten that the public hearing close. MOTION PUT AND PASSED.**

MOVED by Councillor Rankin, seconded by Councillor Sloane that Halifax Regional Council approve By-law C-800 A By-law Respecting Capital Cost Charges for Solid Waste Facilities, as shown in Attachment A of the January 8, 2008 staff report and approve the amendments to the attached Reserve Business Case for Q137, Regional Capital Cost Charges Reserve.

Councillor Uteck noted that she had spoken with staff on this matter this week as she has concern that in regard to infill development, that it is double-dipping and that it is in conflict with the Regional Plan.

At 6:54 p.m. Councillor McCluskey entered the meeting.

In response to a question by Councillor Streach if agriculture building would be levied with the solid waste fee, Mr. Duncan advised that staff did not consider this aspect, and that there was the assumption that the building would use the landfill. Mr. Duncan indicated that this was something staff would have to come back to Council on.

MOVED by Councillor Streach, seconded by Councillor Rankin that the motion be amended to exempt primary resources from the Bylaw.

MOVED by Councillor Hum, seconded by Councillor Younger that this matter be deferred and staff come back with a report on the implications of exempting primary resources, such as forestry, fishing, and agriculture from the Bylaw. In addition, the report is to provide a definition of 'primary resource'.

At 7:07 p.m. Councillor Sloane retired from the meeting.

A discussion ensued with staff responding to questions. Mr. Paul Dunphy, Director of Community Development advised that staff could come back within two weeks with wording in regard to exempting primary resources from the Bylaw.

Councillor Hendsbee ask that in the report staff provide the definition of 'primary resource' and which industries would be exempted, for example: farming, forestry, agriculture, mining warehouse, greenhouses, horse ranches, piggeries.

THE MOTION TO DEFER WAS PUT AND PASSED

11.1.5 Early Opening of Capital District Sidewalk Cafes

During the approval of the agenda, it was agreed to deal with this item at this time.

A staff report dated March 17, 2008 was submitted.

MOVED by Councillor Murphy, seconded by Councillor Fougere that Regional Council permit sidewalk cafes as approved by Transportation and Public Works, to be open as early as April 21, 2008 for this year only. The closing date of October 31, as stipulated by the Sidewalk Café Policy, will remain in effect.

In response to a question by Councillor Murphy, Ms. Jackie Hamilton, Supervisor, Culture and Heritage advised that when the HRM by Design project reports to Council, it will address the idea of year-round openings for sidewalk cafés.

Councillor Hendsbee suggested that the areas which will be putting out sidewalk cafes should be given consideration in regard to street/sidewalk repairs.

MOVED by Councillor Younger, seconded by Councillor Uteck that the motion be amended to remove the words “2008 for this year.”

The Chief Administrative Officer advised that he would follow up with staff and request a report on the status of discussion concerning the year-round opening of sidewalk cafes.

THE AMENDMENT WAS PUT AND PASSED.

Councillor Uteck referred to upcoming World Hockey Championship that will be held in Halifax the first week of May and noted that Argyle Street, which will become a feature street during this event, was in urgent need of repairs or micro-sealing.

THE MOTION AS AMENDED WAS PUT AND PASSED.

The motion now reads:

MOVED by Councillor Murphy, seconded by Councillor Fougere that Regional Council permit sidewalk cafes as approved by Transportation and Public Works, to be open as early as April 21. The closing date of October 31, as stipulated by the Sidewalk Café Policy, will remain in effect.

11.1.6 Urban Renewal Land Agreement - Barrington Street, Halifax - PID 00127829 Former North Mews Housing Cooperative

During the approval of the agenda, it was agreed to deal with this item at this time.

A staff report dated March 26, 2008 was submitted.

MOVED by Councillor Walker, seconded by Councillor Fougere that Regional Council authorized the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale whereby the property located at Block AM-23 Barrington Street, Halifax, be conveyed to Canada Mortgage and Housing Corporation for the sum of \$215,000, plus certain costs associated with this conveyance, subject to site survey and legal description, and the terms and conditions set out in the Discussion section of the March 26, 2008 staff report. MOTION PUT AND PASSED.

13.4 Request for Staff Report on Process to Initiate Amendment to the Beechville/Lakeside/Timberlea MPS - Councillor Rankin

This item was added to the agenda by Councillor Rankin and during the approval of the agenda, it was agreed to deal with this item at this time.

MOVED by Councillor Rankin, seconded by Councillor Meade that staff provide a

report on initiating the process to amend the Beechville/Lakeside/Timberlea Municipal Planning Strategy to provide for Light Industrial Uses on properties located 1024 - 1036 St. Margaret's By Road, Beechville. MOTION PUT AND PASSED.

5. BUSINESS ARISING OUT OF THE MINUTES
6. MOTIONS OF RECONSIDERATION - NONE
7. MOTIONS OF RESCISSION - NONE
8. CONSIDERATION OF DEFERRED BUSINESS - NONE
9. PUBLIC HEARINGS - See Page 4
10. CORRESPONDENCE, PETITIONS & DELEGATIONS
- 10.1 Correspondence
- 10.1.1 John Knudsen, Parade Co-ordinator, 111 Wing Air Force Association of Canada re: Request for Battle of Britain Flyby

A letter dated March 25, 2008 from Mr. John Knudsen, Parade Co-ordinator 111 Wing Air Force Association of Canada was submitted.

MOVED by Councillor McCluskey, seconded by Councillor Murphy that Regional Council grant the request for "Flyby" from 111 Wing Air Force Association of Canada in regard to the annual Battle of Britain Parade and Ceremony to be held at Sullivans Pond Dartmouth, Sunday, September 21, 2008. MOTION PUT AND PASSED.

10.2 Petitions - None

11. **REPORTS:**

11.1 **CHIEF ADMINISTRATIVE OFFICER:**

- 11.1.1 Sole Source Purchase - Voith Schneider Propulsion Systems Parts - Woodside I Ferry

A staff report dated March 25, 2008 was submitted.

MOVED by Councillor Barkhouse, seconded by Councillor Karsten that Regional Council award the sole purchase of the Voith Schneider propulsion systems parts to Voith Turbo Inc. (Canada) for the estimated price of \$145,2300 (net HST included) with funding from Capital Account No. CVD00436 Ferry Refit as outlined in the Budget Implications section of the March 25, 2008 staff report. MOTION PUT AND PASSED.

- 11.1.2 Tender 08-222, Traffic Signal Installation - Kearney Lake Road at Castle Hill and Broadholme - West Region

A staff report dated March 21, 2008 was submitted.

MOVED by Councillor Hum, seconded by Councillor Walker that Regional Council award Tender No. 08-222 Traffic Signal Installation - Kearney Lake Road at Castle Hill

and Broadholme - West Region to Black and McDonald Limited for a total tender Price of \$155,458.96 (net HST included) with funding from Capital Account No. CTU01085 - Traffic Signal Installation, as outlined in the Budget Implications section of the March 21, 2008 staff report. **MOTION PUT AND PASSED.**

11.1.3 Request for Proposal 07-447 - Employee and Family Assistance Program

A staff report dated March 27, 2008 was submitted.

MOVED by Councillor Karsten, seconded by Councillor Wile that Regional Council award RFP No. 07-447, Employee and Family Assistance Program, to the highest scoring proponent, Wilson Banwell Human Solutions for a three-year contract subject to annual review of performance, with the option to extend for an additional two years. Wilson Banwell Human Solutions shall provide this service at an annual cost of \$102,268.11 including net HST. MOTION PUT AND PASSED.

11.1.4 Provincial Cost-Sharing - Various Roadway Projects

A staff report dated April 1, 2008 was submitted.

MOVED by Deputy Mayor Adams, seconded by Councillor Fougere that Halifax Regional Council agree to the cost-sharing arrangement with the Province of Nova Scotia outlined in the April 1, 2008 staff report for the following roadway projects:

- 1. Highway 101/Margeson Drive Interchange**
- 2. Highway 102/Larry Uteck Boulevard Interchange**
- 3. Traffic Signals at Northwest Arm Drive and Old Sambro Road**
- 4. Highway 111 Pedestrian overpass at Burnside Drive.**

Mr. Peter Duncan, Manager, Infrastructure and Asset Management and Mr. David McCusker, Manager, Strategic Transportation Planning responded to questions.

In response to a concern by Councillor Smith that the Province would take responsibility for the design work, Mr. McCusker advise that with any cost-shared project, staff get design approval. He added that staff could provide and update to Community Council prior to an award of tender.

MOTION PUT AND PASSED.

11.1.5 Early Opening of Capital District Sidewalk Cafes

This item was dealt with earlier in the meeting. See page 6.

11.1.6 Urban Renewal Land Agreement - Barrington Street, Halifax - PID 00127829 Former North Mews Housing Cooperative

This item was dealt with earlier in the meeting. See page 7.

11.2 MARINE DRIVE, VALLEY & CANAL COMMUNITY COUNCIL:

11.2.1 Canal Greenway Phase II - Coordinated Open Space Development Plan and Sullivans Pond Banook Master Plan

This report was deleted during the approval of the agenda. Councillor Hendsbee requested that it be deferred until such time as Harbour East Community Council submits its report.

11.3 HERITAGE ADVISORY COMMITTEE:

11.3.1 Case H00215 - Substantial Alteration to 5438 Clam Harbour Road, Lake Charlotte

A report dated March 27, 2008 was submitted by the Vice Chair of Heritage Advisory Committee, with an attached staff report dated January 24, 2008.

MOVED by Councillor Streach, seconded by Councillor Karsten that Regional Council approve the application for substantial alteration by the Lake Charlotte Area Heritage Society for a new building to be constructed on the site known as Memory Lane Heritage Village located at 5438 Clam Harbour Road, Lake Charlotte, a municipally registered heritage site, as outlined in the January 24, 2008 staff report. MOTION PUT AND PASSED.

11.4 REGIONAL PLANNING ADVISORY COMMITTEE:

11.4.1 HRM Climate SMART Climate Change Risk Management Strategy

A report dated March 28, 2008 was submitted from the Chair of the Regional Planning Advisory Committee, with an attached staff report dated March 4, 2008.

MOVED by Councillor McCluskey, seconded by Councillor Fougere that Regional Council endorse the Climate Change Risk Management Strategy as a climate change impact reference and resource document towards the development of the Potential Hazards to Development Functional Plan. MOTION PUT AND PASSED.

11.5 BIKEWAYS ADVISORY COMMITTEE:

11.5.1 Endorsement of Capital Works Bikeways Projects

A report dated April 3, 2008 from the Chair of the Bikeways Advisory Committee was submitted.

MOVED by Councillor Fougere, seconded by Councillor Mosher that Regional Council endorse the inclusion of the list of Capital Works Bikeways Project attached to the April 3, 2008 report for consideration during the 2008/2009 Capital and Operating Budget deliberations.

In moving the motion Councillor Fougere advised that it was an endorsement in principle. She

added that she has been speaking with staff and it is their intent to bring this forward during budget deliberations.

MOTION PUT AND PASSED.

12. **MOTIONS:** None

13. **ADDED ITEMS:**

13.1 **Personnel Matter - Citizen & Councillor Appointments to Boards, Committees & Commissions**

This matter was discussed at an In Camera session held earlier, and was now before Council for ratification.

MOVED by Councillor Harvey, seconded by Councillor Wile that Halifax Regional Council approve the Citizen & Councillor appointments to Boards/Committees/Commissions as outlined in Attachment 1 of the March 27, 2008 private and confidential staff report. MOTION PUT AND PASSED.

13.2 **Property Matter - Horseshoe Lake Drive, Bayers Lake**

This matter was discussed at an In Camera session held earlier, and was now before Council for ratification.

MOVED by Councillor Wile, seconded by Councillor Meade that Halifax Regional Council:

1. **Approve the withdrawal from Account CTU00897 (Road Corridor Acquisition) in the amount of \$374,101 plus applicable HST to facilitate the acquisition of the required additional right-of-way along Horseshoe Lake Drive as per the Key terms and Conditions and the Budget Implications outlined in the March 20, 2008 private and confidential staff report.**
2. **Approve the withdrawal from Account CTU00897 (Road Corridor Acquisition) in the amount of \$172,500 plus applicable HST for HRM's cost share portion of street construction at Horseshoe Lake Drive.**
3. **It is further recommended that the March 20, 2008 private and confidential staff report not be released to the public until the transaction has closed.**

MOTION PUT AND PASSED.

13.3 **Property Matter - Property Acquisition - PID 289967, Bedford Highway, Halifax**

This matter was discussed at an In Camera session held earlier, and was now before Council for ratification.

MOVED by Councillor Hum, seconded by Councillor Walker that Halifax Regional Council:

1. **Approve the acquisition of this property (including water lot), situated on the shore of the Bedford Basin;**
2. **Approve a withdrawal of \$72,298 (net HST included) from Parkland Reserve - Q107.**
3. **Increase Capital Project No. CP300845 New Park Development (Bundle) by \$72,298 to be funded from the Parkland Reserve - Q107.**
4. **The private and confidential staff report dated March 26, 2008 not be released to the public until the transaction has been completed.**

13.4 Request for Staff Report on Process to Initiate Amendment to the Beechville/Lakeside/Timberlea MPS - Councillor Rankin

This item was dealt with earlier in the meeting. See page 7.

14. **NOTICES OF MOTION:** None

15. **ADJOURNMENT:**

The meeting adjourned at 8:00 p.m.

Julia Horncastle
Acting Municipal Clerk

The following information items were submitted:

1. Proclamation - 50th Anniversary of Nova Scotia Government and General Employees Union - April 13 - 19, 2008
2. Memorandum from Director, Community Development dated March 26, 2008
re: Case 01030 - Canada Land Company - Surplus Lands Acquired from the DND
12 Wing Shearwater Base
3. Memorandum from the Acting Municipal Clerk dated April 4, 2008
re: Requests for Presentation to Council - None