

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL Minutes November 18, 2008

PRESENT: Mayor Peter Kelly
Deputy Mayor Stephen Adams
Councillors: Steve Streach
David Hendsbee
Barry Dalrymple
Lorelei Nicoll
Gloria McCluskey
Andrew Younger
Bill Karsten
Jackie Barkhouse
Jim Smith
Mary Wile
Jerry Blumenthal
Dawn Sloane
Sue Uteck
Jennifer Watts
Russell Walker
Debbie Hum
Linda Mosher
Brad Johns
Robert Harvey
Tim Outhit
Reg Rankin

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

TABLE OF CONTENTS

1.	INVOCATION	4
2.	SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS	4
3.	APPROVAL OF MINUTES	5
4.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS	5
5.	BUSINESS ARISING OUT OF THE MINUTES	5
6.	MOTIONS OF RECONSIDERATION	5
7.	MOTIONS OF RESCISSION	5
8.	CONSIDERATION OF DEFERRED BUSINESS	5
9.	CORRESPONDENCE, PETITIONS & DELEGATIONS:	
9.1	Correspondence	6
9.2	Petitions:	6
9.3	Presentation:	6
9.3.1	Friends of the Halifax Common	6
10.	REPORTS:	
10.1	CHIEF ADMINISTRATIVE OFFICER:	6
10.1.1	Tender 08-348 - 150 Thornhill Drive Employee Parking Lot Paving	6
10.1.2	Halifax Urban Green Way - Active Transportation Trail	7
10.1.3	Case 01186 - Amendments to the Beaver Bank, Hammonds Plains, Upper Sackville Municipal Planning Strategy and Land Use By-Law	7
10.1.4	Central Library Funding	8
10.1.5	Proposed Amendments to Administrative Order One, Respecting the Procedures of the Council - Public Hearing Process	9
10.1.6	Pension Plan Amendments	10
10.2	HERITAGE ADVISORY COMMITTEE:	
10.2.1	Case H00227 - Alterations to 1390 Thornvale Avenue, Halifax - A Municipally Registered Heritage Property	11
10.3	MEMBERS OF COUNCIL:	

10.3.1	Councillor Mosher - Request for Report re: Bike Lane Master Plan	11
11.	MOTIONS:	11
11.1	Councillor Younger	11
12.	ADDED ITEMS:	
12.1	Councillor McCluskey - Request for Report re: Flyers / Free Community Newspapers - Litter	12
12.2	2011 Canada Winter Games	12
12.3	Provincial and Municipal Land Transactions - QEH	12
12.4	Information Item - Memorandum from Chief Administrative Officer dated November 18, 2008 re: Polygraph & Recruitment Review - Update	13
13.	NOTICES OF MOTION:	
13.1	Councillor Mosher	13
13.2	Councillor Younger	14
14.	ADJOURNMENT	14

1. INVOCATION

Mayor Kelly called the meeting to order at 6:00 p.m. with the Invocation being lead by Councillor Steve Streach.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillor Sloane advised that last Saturday evening the Parade of Lights went ahead and despite the rain, it was a wonderful time for everyone that came out to see it. She thanked Mayor Kelly, and Councillors Hendsbee, Uteck and Watts for participating in the float. Councillor Sloane noted that the City Hall tree lighting ceremony would be taking place this Saturday (November 22, 2008) at 5:00 p.m.

Councillor Watts advised that, in recognition of Housing Week, she wanted to highlight the events of the Community Action on Homelessness and, in particular, the new pilot project of Metro Nonprofit Housing and Direction 180 which will provide support to individuals having difficulty in finding stable housing. Councillor Watts also pointed out that Thursday (December 20, 2008) *The Other Home Show* will be taking place at Scotia Square between 11:00 a.m. and 3:00 p.m. and it will highlight community organizations and local businesses who are engaged in affordable and supportive housing initiatives.

Deputy Mayor Adams advised that on November 30, 2008 at 1:00 p.m. the Spryfield Santa Claus Parade will take place and he invited all to attend. He also noted that on November 29, 2009, 6:00 p.m. J. L. Illsley High School will be having an auction as a fundraising event for their scholarship fund.

Councillor McCluskey noted that staff from the Terrain Group, Tim Horton's, and Clean Nova Scotia as well as approximately 60 other individuals participated in the clean-up of Lake Banook a week ago this past Saturday, and she expressed her appreciation to all those who helped in this initiative. Councillor McCluskey advised that the Penhorn Woodlawn Community Liaison Group will host two public forums to seek community input and the creation of a Dartmouth vision and action plan for the Penhorn and Woodlawn areas. The forums will be held on Monday, November 24th, 6:30 p.m. to 9:00 p.m., Grace Baptist Church, and on Saturday, November 29th 10:00 a.m. - 12:30 p.m. Southdale North Woodside Elementary School.

Councillor Outhit advised that, unfortunately, due to the inclement weather the Bedford Light-up Parade had to be postponed. He thanked Clayton Developments for the donation of the tree, and the staff from Len Goucher's (MLA) office and from HRM for erecting and decorating the tree. He also thanked the Light-up Bedford Parade Committee, Chaired by Barb Hooper.

Councillor Outhit encouraged everyone to come out and view the tree in DeWolf Park.

Councillor Wile advised that on Saturday at the Bella Rose Theatre, a fundraising event will be held featuring the Corvettes, with proceeds going to The Turkey Club which provides meals and Christmas dinners.

Councillor Blumenthal advised that the first meeting of the Business Improvement District, covering the area from North Street to the Hydrostone, will be held tomorrow night (Wednesday, November 19, 2008) at 6:30 p.m., Bloomfield School. Councillor Blumenthal also advised for the information of the residents of District 11 that a process was underway to change the name of the district to include Richmond.

Councillor Mosher expressed her appreciation to the Crohns and Colitis Foundation of Nova Scotia for the excellent event they held this past weekend. Councillor Mosher also asked that the Mayor forward a letter of appreciation to Honourable Murray Scott, Minister of Transportation, Public Works and Infrastructure. She explained that recently Minister Scott agreed with the safety concerns expressed in the community and, as a result, a slip lane is being installed on the North West Arm Drive at the J. Albert Walker Connector. Councillor Mosher indicated that she would appreciate it if Mayor Kelly would forward the letter on behalf of Council and the residents of the area.

Councillor Uteck acknowledged Mr. Peter Lund who was in the public gallery. She indicated that his swearing-in as Councillor for District 23 has been delayed because of a recount. Councillor Uteck pointed out that Mr. Lund has been attending Council meetings since the election and doing so without pay, and she wanted to inform the residents of St. Margaret's Bay/Hammonds Plains that they are being represented, albeit from the public gallery.

3. APPROVAL OF MINUTES

MOVED by Councillor McCluskey, seconded by Councillor Younger that the minutes of October 21, October 28, and November 4, 2008 be approved. MOTION PUT AND PASSED.

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

Additions:

- 12.1 Councillor McCluskey - Request for Report re: Flyers / Free Community Newspapers - Litter**

Councillor McCluskey advised that she was **withdrawing this item** as a report was coming forward for the next Council meeting.

- 12.2 2011 Canada Winter Games**

- 12.3 Provincial and Municipal Land Transactions - QEH**

12.4 Information Item - Memorandum from Chief Administrative Officer
dated November 18, 2008 re: Polygraph & Recruitment Review - Update

MOVED by Councillor Walker, seconded by Councillor Uteck 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 - None

9.2 Petitions:

Councillor Uteck advised that she had a petition submitted to her, however, she forgot to bring it this evening, but would be submitting it to the Clerk. She advised that the petition is from approximately 65 residents of McKeen Manor and Joseph Howe Manor requesting a full time superintendent in their buildings. The residents would like Mayor Kelly to extend an invitation to the Minister responsible for Housing to view both of these manors and meet with the residents to discuss the day to day problems they deal with, including safety, minimum standards issues and maintenance.

Councillor Streach presented a petition with 39 signatures requesting the prevention of the development of the railway bed from Highway 357 toward the Chezzetcook area as an extension of the Musquodoboit Trailways Association's existing trail system through their communities.

Councillor Karsten presented a petition with 104 signatures urging Council to name a new collector type road in the Halifax Regional Municipality to Heroes Avenue, Street or Highway of Heroes in remembrance to Canada's fallen soldiers.

9.3 Presentation:

9.3.1 Friends of the Halifax Common

Ms. Peggy Cameron, representing Friends of the Halifax Common provided a presentation in regard to their concern over the erosion of the Halifax Common land and the benefits of retaining this area for public open green space. In her presentation, and in support of the benefits of maintaining the Halifax Common for the public Ms. Cameron made reference to her submitted article entitled Green Spaces Reduce Health Gap. She encouraged Council not to give away all of the land associated with the former Queen Elizabeth High School.

10. REPORTS:

10.1 CHIEF ADMINISTRATIVE OFFICER:

10.1.1 Tender 08-348 - 150 Thornhill Drive Employee Parking Lot Paving

A staff report dated November 12, 2008 was submitted.

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

- 1. Approve a reduction in Capital Account CVD00430 Access-A-Bus Replacement in the amount of \$93,499.82.**
- 2. Approve an increase to Capital Account CBX01057 Transit Facilities Upgrades by \$93,499.82.**
- 3. Award Tender No. 08-348 to Dexter Construction Limited for materials and services at the unit prices quoted for a Total Tender Price of \$93,499.82 (net HST included) with funding from Capital Account CBX01057 Transit Facilities Upgrades, as outlined in the Budget Implications section of the November 12, 2008 staff report.**

Mr. Mike Labrecque, Director, Transportation and Public Works responded to questions.

MOTION PUT AND PASSED.

10.1.2 Halifax Urban Green Way - Active Transportation Trail

A staff report dated October 23, 2008 was submitted.

Councillor Uteck advised that first line in the Origin of the staff report should be corrected as follows: 'At the April 15, 2008 Council Meeting, Halifax Regional Council *received a petition* and it was presented to the Municipal Clerk'.

MOVED by Councillor Uteck , seconded by Councillor Blumenthal that Halifax Regional Council support the construction of the Beaufort Street, Phase 1, Active Transportation Trail as designed by HRM staff and described in the October 23, 2008 staff report. The trail will implement the HRM Active Transportation Master Plan Facility and Planning Guidelines and staff recommendations regarding width and surface finish.

Mr. Peter Bigelow, Manager, Real Property Planning, responded to questions.

In response to a question by Councillor Uteck, Mr. Bigelow advised that staff have plans to put the trail up on the aprons, adjacent to the streets where it can be easily accessed for active transportation and recreation. He added that staff had previously looked at the idea of putting the trail in the railway cut and found it would be problematic in terms of getting people in and

out the cut; costs; narrowness of the cut; and it would not meet CPTED principles. Mr. Bigelow advised that, for these reasons, staff would not be seeking to put anything in the Railway Cut.

MOTION PUT AND PASSED.

10.1.3 Case 01186 - Amendments to the Beaver Bank, Hammonds Plains, Upper Sackville Municipal Planning Strategy and Land Use By-Law

A staff report dated October 24, 2008 was submitted.

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

- 1. Initiate the process to consider amending the Beaver Bank, Hammonds Plains, Upper Sackville Municipal Planning Strategy and Land Use By-law to consider commercial development near the intersection of Hammonds Plains Road and Kingswood Drive in Hammonds Plains; and**
- 2. Request staff to follow the public participation program as approved by Council in February 1997.**

MOTION PUT AND PASSED.

10.1.4 Central Library Funding

A PowerPoint Presentation entitled, Halifax Central Library Recommended Funding Principles November 18, 2008 was submitted.

A staff report dated October 28, 2008 was submitted.

Ms. Judith Hare, CEO Halifax Regional Libraries and Ms. Cathie O'Toole, Director of Infrastructure and Asset Management provided a presentation to Council on recommended funding principles for the Halifax Central Library.

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

- 1. Approve the principles listed in the Discussion section of the October 28, 2008 staff report to be used as the basis of assumptions to develop financing scenarios for Council consideration of the Central Library.**
- 2. Authorize expenditures of an estimated value up to \$100,000 from capital account CBW00978 to engage external expertise a) to value potential revenue opportunities through sale of the existing Library site**

and nearby municipal parking lot sites, b) analyse how to maximize the value through re-development of lands received through the joint provincial land-use transaction and c) explore various development models for the Central Library.

Ms. Hare, Ms. O'Toole, and Mr. Phil Townsend, Manager, Capital Projects responded to questions.

In response to a question by Councillor Sloane concerning the present central library, Ms. O'Toole advised that in the staff report that will come back to Council, staff can look at alternative uses to the present library. She pointed out that removal of that property from the central library concept would make the funding challenges much more difficult.

Councillor Younger noted that previously a suggestion was put forward that when the site of the present library is sold, that a condition be placed on the sale requiring that a new library would have to be built. In response, Ms. O'Toole advised that the Request for Proposals includes an assessment of the benefit to the Municipality of going this route versus the Municipality doing the development itself.

Councillor Younger indicated that he would like the terms of the sale of the site to reflect that the library would not be sold. He advised that he supported re-purposing it or leasing it, but did not want to see it sold.

MOVED by Councillor Younger, seconded by Councillor Sloane that the motion be amended to reflect that in terms of the sale proceeds of the old library site, a sale would not be considered.

In response to a request for clarification on the amendment, the Mayor advised that the amendment is to move forward as outlined in the staff recommendation but not sell the building.

In response to a concern by Councillor Smith, the Mayor advised that the report which will come back to Council will address the memorial aspect of the library.

THE AMENDMENT WAS PUT AND DEFEATED.

MOVED by Councillor Karsten, seconded by Councillor Stretch that the motion be amended to reflect that there will be no dedicated library tax in the overall financial structure.

THE AMENDMENT WAS PUT AND DEFEATED.

In calling for the question on the motion, the Mayor advised that Councillor Stretch requested a recorded vote.

THE MOTION WAS PUT AND PASSED with 19 voting in favour and 4 voting against.

Those voting in favour: Mayor Kelly, Deputy Mayor Adams, and Councillors: Barkhouse, Blumenthal, Dalrymple, Harvey, Hendsbee, Hum, Johns, Mosher, Nicoll, Outhit, Rankin, Sloane, Smith, Uteck, Walker, Watts, and Wile.

Those voting against: Councillors Karsten, McCluskey, Streach, and Younger.

10.1.5 Proposed Amendments to Administrative Order One, Respecting the Procedures of the Council - Public Hearing Process

A staff report dated November 4, 2008 was submitted.

MOVED by Councillor Mosher , seconded by Councillor Wile that Regional Council adopt the amendments to Administrative Order No. 1 as set out in Appendix “A” of the November 4, 2008 staff report.

Concerns were expressed by some members of Council that it would be impossible to prevent Council from receiving e-mails pertaining to public hearings after 3:00 p.m. In response, the Acting Municipal Clerk advised that every piece of correspondence the Clerk’s Office receives is date-stamped and anything pertaining to a public hearing held on that date, is not circulated if it is received after 3:00 p.m. on that date. As well, if a public hearing is held over two or more days, correspondence is not circulated after the public hearing has closed.

Mr. Martin Ward, Municipal Solicitor, advised that responsibility also falls to the Councillors to ensure that they delete anything they receive after 3:00 p.m.

Councillor Mosher also suggested that a note of explanation, prepared by Legal Services, could be included with the public hearing advertisement that goes in the newspaper to ensure the public is aware that submissions, in whatever form, are not received after 3:00 p.m. of the day of the public hearing.

MOTION PUT AND PASSED.

10.1.6 Pension Plan Amendments

A staff report dated November 6, 2008 was submitted.

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

- 1. Rescind the motion of November 20, 2007 approving Pension Plan amendments 2006-01 and 2006-02**
- 2. Approve the HRM Pension Plan Committee amendments (2007-01, 2007-02) as attached to the November 6, 2008 staff report to:**

- A. Remove the current cap on the maximum amount of pension a member can accrue per year of service from the amount \$1,722.22 and replace it with the amount of \$1,825.00 in the Halifax Regional Municipality Pension Plan, the Prior Halifax County Municipality Full-Time Retirement Pension Plan, the Prior Metropolitan Authority Employees' Pension Plan and the City of Dartmouth Employees' Retirement Pension Plan.
 - B. Approve a 0.5% increase to pension income for pensioners in the Halifax Regional Municipality Pension Plan and the Prior Superannuation Plans.
3. Approve funding from HRM to cost share 50% of the retroactive contributions required to be paid to the HRM pension plans for employees whose pensionable earnings exceeded \$86,111 in the years 2004, 2005, 2006, and 2007 and who opt to benefit from the increased cap.

Mr. Wayne Anstey, Deputy Chief Administrative Officer, responded to questions.

In response to a question from Councillor Walker, Mr. Anstey advised that the pensioners will receive a newsletter with their cheques which will provide an explanation of this matter.

MOTION PUT AND PASSED.

10.2 HERITAGE ADVISORY COMMITTEE:

10.2.1 Case H00227 - Alterations to 1390 Thornvale Avenue, Halifax - A Municipally Registered Heritage Property

A report dated October 23, 2008 was submitted from the Chair of the Heritage Advisory Committee, with an attached staff report dated September 10, 2008.

MOVED by Councillor Uteck , seconded by Councillor Sloane that Halifax Regional Council approve the garage addition to 1390 Thornvale Avenue, Halifax as outlined in September 10, 2008 staff report. MOTION PUT AND PASSED.

10.3 MEMBERS OF COUNCIL:

10.3.1 Councillor Mosher - Request for Report re: Bike Lane Master Plan

MOVED by Councillor Mosher, seconded by Councillor Johns that staff provide a report outlining an implementation strategy, indicating associated costs and specific timeframes, for adding Bike Lanes to Main Arterial Roads as set out in the Bike Lane

Master Plan.

Councillor Mosher advised that Council previously approved a Bikeways Master Plan however no financial strategy was approved to implement the Plan. She added that she felt Council needed an overall strategy that clearly details the necessary actions for implementation. Councillor Mosher explained that she would like to see funds set aside every year, over a reasonable timeframe, such as a 3, 5, 10 year plan for short, intermediate, and long term priorities.

Councillor Hendsbee requested that the report also address the following:

- C consideration of incorporating bike lanes when carrying out road upgrades and road widening
- C the bike lane projects the Province has done recently
- C including the report prepared by Bicycle Nova Scotia RE Bikeways Nova Scotia Tourism in the Bike Lane Master Plan.

Councillor Mosher noted that Council has removed funding from *Shoulder Repairs* throughout HRM, and this has an impact on access for not only bicycles but pedestrians. She asked that the report also look into the aspect of *Shoulder Paving and Repairs*.

MOTION PUT AND PASSED.

11. MOTIONS:

11.1 Councillor Younger

MOVED by Councillor Younger, seconded by Councillor Karsten that a staff report be provided on changing the street light standard to require all new or replacement street lights to be Cut Off Lights and to require any new lights installed on municipal roads as part of new subdivisions be owned by HRM; and further, that the Mayor forward a letter to Nova Scotia Power expressing HRM's preference for low energy options in terms of replacements of the lights they own.

Councillor Younger noted that he wanted the report to come back to Council as a recommendation report. He added that he was confident that his idea can be done as some of the Nova Scotia Power lights are being changed with Cut Off options. He also pointed out that LED lights that are manufactured in Nova Scotia are being used elsewhere in North America. He noted that the focus of the report he was asking for from staff is to provide a mechanism to achieve these things.

Councillor Johns indicated that he had never heard the term, 'Cut Off Lights' and asked that the report provide a definition of the term.

Further, Councillor Streach asked that the report address whether Cut Off Lights would work in rural communities. Councillor Streach also suggested that in the letter the Mayor forwards to Nova Scotia Power, it should emphasize the importance of ensuring the lights Nova Scotia

Power presently have are kept in good working order.

MOTION PUT AND PASSED.

12. ADDED ITEMS:

12.1 Councillor McCluskey - Request for Report re: Flyers / Free Community Newspapers - Litter

During the Approval of the Order of Business, Councillor McCluskey withdrew this item from the agenda, noting that a report was coming forward next week.

12.2 2011 Canada Winter Games

This item had been dealt with at the Committee of the Whole meeting held earlier on this date and was before Council for ratification.

**MOVED by Councillor Wile, seconded by Councillor Hum that Regional Council authorize the Mayor and Municipal Clerk to execute the Multi-Party Agreement for the 2011 Canada Winter Games attached to the staff report dated October 22, 2008.
MOTION PUT AND PASSED.**

12.3 Provincial and Municipal Land Transactions - QEH

This item had been dealt with at the Committee of the Whole meeting held earlier on this date and was before Council for ratification.

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

- 1. Reinststate the deferred school building portion of the QEH property as part of the approved "Provincial and Municipal Land Transactions" as per the Budget Implications Section of the report dated November 6, 2008;**
- 2. As a condition of sale, approve the key Urban Design Principles and Site Planning Guidelines for the former QEH and VG Parking Lot lands, as outlined in the report dated November 6, 2008, to serve as the framework of a Memorandum of Understanding between Halifax Regional Municipality and Capital District Health Authority, and further authorize the Mayor and Clerk to enter into such agreement on behalf of HRM;**
- 3. Authorize the Mayor and Municipal Clerk to enter into Agreement of Purchase and Sale contract (s) and supporting Joint MOU for the**

acquisition and disposal of the public properties outlined in the report dated November 6, 2008; and

- 4. Approve a capital project for the acquisition of Provincial land and an unbudgeted reserve withdrawal from the Sale of Capital Asset Reserve Q101 and the Strategic Fund Reserve Q126 as per the Budget Implications section of the report dated November 6, 2008.**

MOTION PUT AND PASSED.

12.4 Information Item - Memorandum from Chief Administrative Officer dated November 18, 2008 re: Polygraph & Recruitment Review - Update

An information report pertaining to this matter was submitted. No further action was taken.

13. NOTICES OF MOTION:

13.1 Councillor Mosher

Councillor Mosher gave notice that at the next regular Regional Council meeting, to be held on Tuesday, November 25, 2008 she proposes to move for adoption an Amendment to Administrative Order No. 1, the purpose of which is to amend Appendix "A" regarding Public Hearing Process.

13.2 Councillor Younger

Councillor Younger gave notice that at the next regular Regional Council meeting to be held on Tuesday, November 25, 2008 he intends to introduce a motion to amend Administrative Order 1 as follows: Section 15(1) be replaced to require that all votes at a Regional Council, Committee of the Whole, or In Camera meeting shall be recorded votes with the exception of:

1. approval of minutes and order of business
2. requests by correspondence
3. adjournment

except as requested otherwise by a member of Council. And that Section 15, parts 2, 3, and 4 be repealed.

14. ADJOURNMENT

The meeting adjourned at 8:30 p.m.

The following information items were submitted:

1. Proclamation - Restorative Justice Week - November 16 - 23, 2008
2. Proclamation - Puerto Varas Big Band Day - November 18, 2008
3. Proclamation - National Housing Day - November 22, 2008
4. Memorandum from Director, Transportation & Public Works dated October 28, 2008
re: Public Gardens - Earlier Opening / Later Closing and Winter Access
5. Memorandum from Director, Infrastructure & Asset Management
dated November 14, 2008 re: Five Year Transit Plan Update
6. Memorandum from the Acting Municipal Clerk dated November 14, 2008
re: Requests for Presentation to Council - None