

HALIFAX REGIONAL COUNCIL
MINUTES
June 30, 2009

REVISED

PRESENT:

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

STAFF:

Mr. Wayne Anstey, Acting Chief Administrative Officer
Ms. Mary Ellen Donovan, Municipal Solicitor
Ms. Julia Horncastle, Acting Municipal Clerk
Ms. Chris Newson, Legislative Assistant

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1. INVOCATION

Deputy Mayor Hendsbee called the meeting to order at 4:02 p.m. with the Invocation being led by Councillor McCluskey.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

This item was dealt with later in the meeting. See page 13.

3. APPROVAL OF MINUTES - June 23, 2009

MOVED BY Councillor McCluskey, seconded by Councillor Wile that the minutes of June 23, 2009, as presented, be approved. MOTION PUT AND PASSED.

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

- Additions:**
- 13.1 Expansion of Central Water Service to Giles Road, Bedford - Councillor Outhit
 - 13.2 Contractual Matter - RFP 09-002 - Sale of 47 Wentworth Street, Dartmouth
 - 13.3 Property Matter - Windsor Junction - Possible Property Purchase

Further additions/deletions were deferred to later in the meeting. See page 13.

5. BUSINESS ARISING OUT OF THE MINUTES - NONE

6. MOTIONS OF RECONSIDERATION - NONE

7. MOTIONS OF RESCISSION - NONE

8. CONSIDERATION OF DEFERRED BUSINESS - NONE

Council agreed to deal with Item 10.2 Petitions at this time.

10.2 Petitions

10.2.1 Councillor Streach

Councillor Streach submitted a petition with 18 signatures from residents of District 1 requesting HRM address the following safety road upgrades for the corner of Oldham Road and Highway #2 Enfield: a sidewalk that will link the Enfield Big Stop to an existing sidewalk located near the bridge; the speed limit be reduced to 50 km per hour (currently at 70 km

per hour) as it is a residential area and there is a large curve that affects visibility; installation of a crosswalk at the intersection of Oldham Road and Highway #2 to cross Highway #2.

Council agreed to deal with Item 11. Reports at this time.

16. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.1 Request for Proposals 09-040 - EcoMOBILITY Program - Guaranteed Ride Home and TDM Migration Fund

- A report dated June 4, 2009 was before Council.

Councillor Dalrymple entered the meeting at 4:06 p.m.

MOVED BY Councillor Blumenthal, seconded by Councillor Wile that Halifax Regional Council award RFP 09-040, EcoMOBILITY Program - Guaranteed Ride Home and TDM Migration Fund to the only proponent, UrbanTrans at a total cost of \$167,792.86 (Net HST included) with funding from Capital Account CTX01233 as outlined in the budget implications section of the report dated June 4, 2009. MOTION PUT AND PASSED.

11.1.2 Quinpool Road Streetscape - Schematic Design

This item was deferred to later in the meeting. See page 19.

11.1.3 Request for Encroachment - Eastern Passage Banners

Councillor Barkhouse entered the meeting at 4:08 p.m.

- A report dated June 3, 2009 was before Council.

MOVED BY Councillor Barkhouse, seconded by Councillor Johns that Halifax Regional Council:

- 1. Approve the request to allow side-mounted banner brackets to be installed on 18 utility poles within the HRM right of way, subject to the attached encroachment agreement, and,**
- 2. Direct staff to draft a policy outlining the process for applying for side-mounted banner locations and addressing ownership and maintenance issues for current and future side-mounted banner brackets.**

Councillor Sloane entered the meeting at 4:09 p.m.

Councillor Adams explained that a similar request had been made by residents of the Herring Cove Road area for the placement of flower baskets but was turned down. He had been advised that the placement of the brackets had to be behind the pole and not facing the road.

Councillor Rankin entered the meeting at 4:10 p.m.

Councillor Lund inquired whether the ability to permit the installation of side-mounted banner brackets on utility poles would be expanded to include Provincial right of ways as there were many roadways in his area that were under Provincial jurisdiction.

MOTION PUT AND PASSED.

MOVED BY Councillor Adams, seconded by Councillor Lund that Halifax Regional Council request a Supplementary Report clarifying the placement of brackets on poles; whether special permission would be required from Nova Scotia Power or Bell Aliant if brackets were to be placed on their poles; and, the possibility of expanding to the provincially owned right of ways throughout HRM. MOTION PUT AND PASSED.

11.1.4 Special Election Halifax Regional Municipality District 6 - East Dartmouth - The Lakes

- A report dated June 12, 2009 was before Council.

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

- 1. Accept the resignation of Councillor Younger from Halifax Regional Council;**
- 2. Appoint Linda Grant as the Returning Officer and Cathy Mellet be appointed the Assistant Returning Officer for the Special Election in District 6 to fill the vacancy on the Halifax Regional Council;**
- 3. Approve the use of the current Provincial Voters List data;**
- 4. Approve a withdrawal from the Election Reserve, Q313, in the amount of \$85,000;**
- 5. Set the date for the Special Election in District 6 - East Dartmouth the Lakes as Saturday, September 19, 2009 and the dates for the first Advance Poll to be**

on Saturday, September 12, 2009, the second Advance Poll to be on Tuesday, September 15, 2009;

6. **Approve the use of internet and telephone voting for the Special Election beginning at 8:00 a.m. on Saturday, September 12, 2009, the date of the first Advance Poll, continuous to the close of polls at 7:00 p.m. on Saturday, September 19, 2009 (as per Council's direction of May 5, 2009).**

Councillor Outhit expressed concern with the \$85,000 proposed budget for the Special Election noting that the cost of the By-Election when he was elected was only \$30 - \$35,000.

Ms. Geri Kaiser, Deputy Chief Administrative Officer, explained that the cost included concurrent paper and electronic ballots. Electronic voting would commence when the advance polls open and conclude when the polls close on Election Day.

In response to Councillor Walker, Ms. Kaiser explained that a public hearing had been held on the issue of E-voting and direction was provided to staff by Council following that process.

In response to Councillor Mosher, Ms. Kaiser advised that there was no provision in the Elections Act that would enable the municipality to bill the political party, either at the Provincial or Federal level, for the cost of a By-Election should a Municipal Councillor successfully run for Member of the Legislative Assembly or Member of Parliament.

MOVED BY Councillor Mosher, seconded by Councillor Sloane that Halifax Regional Council send a request to the Federal and Provincial governments requesting that the cost of running a By-Election to fill a vacancy by a Municipal Councillor who had successfully run for office as MP or MLA through an election process held outside the regular election time be reimbursed to the municipality by the party winning the seat and in the case of an Independent that the Legislature would reimburse the costs.

Councillor Blumenthal noted that Saturday was a Sabbath day for some religions and those persons would not be able to vote. He requested that Council consider other faiths whose Sabbath may be on Friday or Saturday so that they may also have the opportunity to vote.

Councillor Smith expressed concern with the \$50,000 cost for electronic voting and questioned whether the amount was relevant to the amount paid per district in the previous election.

Ms. Kaiser advised that the costs were based on eligible voters in HRM plus the cost of the paper ballot process as the legislation states that in person polling must be provided.

Deputy Mayor Hendsbee clarified that the timeline for electronic voting was from the opening of the advanced poll to the close of the election.

In response to Councillor Smith, Ms. Kaiser advised that there was a fixed cost for each time the electronic voting was used, approximately \$2 per eligible voter.

Councillor Smith inquired as to any other costs that would be included in the additional \$50,000 and what the number of voters was for District 6.

MOVED BY Councillor Rankin, seconded by Councillor Sloane that the matter be tabled until staff were in attendance. MOTION PUT AND PASSED.

Without a vote being taken on the main motion, Council agreed to deal with Item 11.1.5 at this time. See page 10 for continued discussion on Item 11.1.4.

11.1.5 2009 - 2010 Budgets and Business Plans for Area Rated Services

- A report dated June 18, 2009 was before Council.

MOVED BY Councillor Lund, seconded by Councillor Rankin that Halifax Regional Council approve the Resolution for Approval of the Operating and Capital Budget and Tax Rates for Fiscal 2009-2010 (Appendix A) including the attached Schedule of Area Tax Rates (Appendix B).

Councillor Johns expressed concern with the effect the sidewalk snowplowing area rate would have on District 19. He requested clarification on whether the area rates were per district or per kilometre.

Mr. Gordon Roussel, Financial Consultant, Budget and Financial Analysis, advised that area rates would be uniform throughout HRM for those areas receiving the service. The area rates would be applied to those areas that have sidewalks in the vicinity and not by district basis. He noted that he would have to refer to a map to provide a more precise response.

MOVED BY Councillor Johns, seconded by Councillor Hum that the motion be amended by deferring the matter of area rates for sidewalk snowclearing to July 7th in order to provide further opportunity for discussion/clarification on the matter and that appropriate maps be available to facilitate discussion.

Ms. Cathie O'Toole, Director, Finance, noted that more information could be provided for July 7th on the issue of sidewalk snowclearing but that a decision of Council would be required no later than July 7th in order to meet the deadline for tax bills being issued in August, with payment due September 30th.

Councillor Hum was in support of the deferral as there was also a \$235,000 deficit to be dealt with. She noted the growing cost to residents for the sidewalk snow removal service since it was first initiated five (5) years ago. She explained that there were a number of issues in regard to the sidewalk snow clearing area rate for District 16 that she would like

to have addressed. Councillor Hum encouraged members of Council to forward their questions/concerns to staff in advance of the July 7th meeting.

Councillor Rankin suggested that it would not be productive at this time to have a long debate on this subject and suggested that the discussion be held next year. He noted that most of the “urban” area in his District was actually “suburban” with no sidewalks yet they paid the area rate for the sidewalks along the main roads. He noted that sometimes there were benefits from area rates and sometimes not. The issues in regard to quality of work and the cost to residents does have to be addressed but Council needs to move forward.

Ms. O’Toole noted that sidewalk snow clearing area rates has been identified as a priority item to address after transit tax structure, as part of tax reform, and that there would be limited information available by next week although the maps would be accessible. She will confer with staff in regard to issues surrounding the delivery of sidewalk snow clearing services.

Councillor Blumenthal requested the cost for the sidewalk snow clearing area rate for District 11 be provided for the July 7th meeting.

In response to Councillor Johns, Ms. O’Toole noted that staff require a decision on the tax reform structure and that Council could provide directive to staff to return with options prior to the start of the next fiscal year in regard to the sidewalk snow removal area rate issue.

MOTION TO AMEND PUT AND PASSED.

A vote was then taken on the amended motion as follows:

MOVED BY Councillor Lund, seconded by Councillor Rankin that Halifax Regional Council approve the Resolution for Approval of the Operating and Capital Budget and Tax Rates for Fiscal 2009-2010 (Appendix A) including the attached Schedule of Area Tax Rates (Appendix B) with the exception of the area rate for sidewalk snow removal. MOTION PUT AND PASSED.

Mayor Kelly entered the meeting at 4:38 p.m.

11.1.6 First Reading Proposed By-Law S-428, An Amendment to By-Law S-400, Respecting Charges for Local Improvements - New Paving Projects Outside the Core Area 2008

- A report dated April 30, 2009 was before Council.

MOVED BY Councillor Rankin, seconded by Councillor Dalrymple that Halifax Regional Council approve first reading of By-Law S-428, An Amendment to By-Law S-400, Respecting Local Improvement Charges, New Paving Projects Outside the Core Area - 2009, as attached to the April 30, 2009 staff report. MOTION PUT AND PASSED.

On a point of personal privilege, Councillor Rankin disassociated himself from the PSA in regard to the Harbour Clean-up noting that he would continue to work for the release of the Forensic Study and the Terms of Reference.

In response to Councillor Karsten, Ms. Mary Ellen Donovan, Municipal Solicitor, advised that Councillor Rankin's comment was in order as a Point of Personal Privilege.

Council agreed to return to Item 11.1.4 Special Election Halifax Regional Municipality District 6 - East Dartmouth - The Lakes at this time.

Mayor Kelly assumed the chair at 4:41 p.m.

11.1.4 Special Election Halifax Regional Municipality District 6 - East Dartmouth - The Lakes

Discussion continued from page 6.

Ms. Linda Grant, Elections Officer, was in attendance to respond to questions of Council and provided the following clarification:

- The cost of the By-Election includes the traditional paper ballot: approximately \$35,000 - \$45,000.
- Additional costs include:
 - E-voting cost of \$2 per voter; District 6 has an estimated 14,000 eligible voters.
 - A letter being sent to each person on the voters list for District 6 rather than per household as a PIN # would be required for each person in order for them to vote electronically.
 - Additional marketing and advertising will be done in order to target voters during the summer vacation period.
- Only the amount needed would be withdrawn from the account with the maximum withdrawal being \$85,000.
- Electronic Voting will be available from 8:00 a.m. on the first day of the Advance Polls and run continuously until the close of the Election.
- A real time list would be utilized so that as soon as a person has voted their name would be immediately removed from the list enabling only one vote per voter.
- The cost per voter for the general Municipal Election held in the fall of 2008, including the electronic option, was \$5 per voter.

Councillor Hum expressed concern with the cost associated with providing e-voting opportunities in relation to the traditionally low voter turnout for municipal elections. She also noted the importance of providing every opportunity for residents to vote.

A vote was then taken on the motion as follows:

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

1. **Accept the resignation of Councillor Younger from Halifax Regional Council;**
2. **Appoint Linda Grant as the Returning Officer and Cathy Mellet be appointed the Assistant Returning Officer for the Special Election in District 6 to fill the vacancy on the Halifax Regional Council;**
3. **Approve the use of the current Provincial Voters List data;**
4. **Approve a withdrawal from the Election Reserve, Q313, in the amount of \$85,000;**
5. **Set the date for the Special Election in District 6 - East Dartmouth the Lakes as Saturday, September 19, 2009 and the dates for the first Advance Poll to be on Saturday, September 12, 2009, the second Advance Poll to be on Tuesday, September 15, 2009;**
6. **Approve the use of internet and telephone voting for the Special Election beginning at 8:00 a.m. on Saturday, September 12, 2009, the date of the first Advance Poll, continuous to the close of polls at 7:00 p.m. on Saturday, September 19, 2009 (as per Council's direction of May 5, 2009).**

MOTION PUT AND PASSED.

MOVED BY Councillor Mosher, seconded by Councillor Sloane that Halifax Regional Council send a request to the Federal and Provincial governments requesting that the cost of running a By-Election to fill a vacancy by a Municipal Councillor who had successfully run for office as Member of Parliament or Member of the Legislative Assembly, through an election process held outside the regular election time, be reimbursed to the municipality by the party winning the seat and in the case of an Independent that the Legislature would reimburse the costs.

In response to Councillor Walker on whether HRM would have the authority to move forward with such a request, Ms. Mary Ellen Donovan, Municipal Solicitor, noted that municipal elections do fall under the Provincial jurisdiction but the Province would have no jurisdiction over the Federal government.

Mayor Kelly ruled that the issue could only be dealt with at the Provincial level, not Federal.

Councillor Mosher amended her motion by removing reference to the Federal Government and Members of Parliament which now reads as follows:

MOVED BY Councillor Mosher, seconded by Councillor Sloane that Halifax Regional Council send a request to the Provincial government requesting that the cost of

running a By-Election to fill a vacancy by a Municipal Councillor who had successfully run for office as a Member of the Legislative Assembly, through an election process held outside the regular election time, be reimbursed to the municipality by the party winning the seat and in the case of an Independent that the Legislature would reimburse the costs.

Councillor Walker commented that until more information were provided he would not be in support of the motion.

Councillor Rankin noted that provincial political “parties” were not recognized in the Constitution. He questioned where the reward would be for someone to win an election and then the party receive a bill but the unsuccessful candidate’s party would not. He also questioned how you would justify the “democracy”; the balance in approaching one level of government and not the other.

Councillor Smith suggested that the motion be ruled out of order as it was raised spontaneously without benefit of adequate time for consideration by staff or Members of Council.

Following consultation with the Municipal Solicitor, Mayor Kelly ruled that the item had not been added to the agenda therefore a two-third agreement from Members of Council was required in order to continue debate on the issue.

Mayor Kelly ruled that the request to add the item of recouping the cost of Special Elections to the agenda for discussion was defeated.

Councillor Mosher requested that the issue be added to the next agenda.

11.2 HARBOUR EAST COMMUNITY COUNCIL

11.2.1 Municipal Planning Strategy Amendment for Cole Harbour - Community Commercial Designation on Cole Harbour Road

- A report dated June 15, 2009 from the Harbour East Community Council was before Council.

MOVED BY Councillor Nicoll, seconded by Councillor McCluskey that this item be deferred pending a staff report. MOTION PUT AND PASSED.

11.3 SPECIAL EVENTS ADVISORY COMMITTEE

11.3.1 Special Events Grant Funding Requests

- A report dated June 10, 2009 was before Council.

MOVED BY Councillor Johns, seconded by Councillor Walker that Halifax Regional Council:

1. **Increase the award to the Canadian Forces Halifax Rock Fest event from the Marketing Levy Special Events Reserve (Q315) by \$4,000.00 for a total award of \$10,000.00.**
2. **Increase the 2009/10 funding from the Festival and Events Grant Program (C760) in the amount of \$250.00 for a total of \$1,000.00 for the Dingle Beach Party, Dingle Beach.**

MOTION PUT AND PASSED.

Council recessed at 5:02 p.m.

Council reconvened at 6:03 p.m. with the same Members of Council in attendance with the exception of Councillors Streach, Nicoll and McCluskey.

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

- Additions:**
- 13.1 Councillor Adams - Long Lake Provincial Park
 - 13.2 Councillor Outhit - Approve Admin Order 35
 - 13.3 Contractual Matter - RFP 09-002 - Sale of 47 Wentworth Street, Dartmouth
 - 13.4 Property Matter - Windsor Junction - Possible Property Purchase
 - 13.5 Councillor Outhit - Expansion of Central Water Service to Giles Road, Bedford

- Deletions:** 13.2 Councillor Outhit - Approve Admin Order 35

MOVED BY Councillor Blumenthal, seconded by Councillor Wile that the order of business, as amended, be approved. MOTION PUT AND PASSED.

Council agreed to deal with Item 2. Special Community Announcements & Acknowledgements at this time.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Deputy Mayor Hendsbee, on behalf of Council, wished everyone a Happy Canada Day.

Councillor Sloane noted the following Canada Day events and activities: flag raising and pancake breakfast from 8:00 a.m. to 9:00 a.m. at the Grand Parade; band at Citadel Hill along with the official Canada Day Ceremony; the Great Canadian Family Picnic at the Halifax Commons; concert in the Public Gardens with Alex Vaughan; VIVA Flamingo performing at Sackville Landing from 7:00 - 8:00 p.m.

Councillor Barkhouse noted a number of Canada Day events and activities being held in the Dartmouth area including: pancake breakfast at Alderney Landing; Band Concert at Sullivan's Pond; Joel Plaskett and Emergency performing at Alderney Landing; the Dartmouth Crossing Fireworks at 10:00 p.m. Canada Day celebrations would also be held at Fishermen's Cove, Eastern Passage; the North Woodside Community Centre would be hosting the ESSO Canada Day Talent Contest and BBQ.

Councillor Harvey invited everyone to attend the following events; concert in Sackville at the Kinsmen Clubhouse area on First Lake with fireworks at dusk; the Sackville Canada Day Parade commencing at 9:00 a.m. with over sixty (60) entries, three marching bands and local celebrities; Flag Raising at 11:00 a.m. at the Fultz House Museum with a bean lunch; Lions Club Beef BBQ from 4:00 - 6:00 p.m.

Councillor Adams announced that City Church, Spryfield held its annual Family Fun Day from 1-4:00 p.m last week. He encouraged all to visit the Bayside Camp in Sambro Head which is a world class facility with over thirty (30) cottages and a Dining/Meeting Hall. He announced the following Canada Day Celebrations: parade in Ketch Harbour at 11:00 a.m. followed by a BBQ at the playground on First Pond Drive; Spryfield Residents Association BBQ and Fun Day at Kidston Lake starting at 1:00 p.m. He thanked Councillor Mosher and all residents who assisted in planting the flower beds along North West Arm Drive as well as special thanks to Brian Phelan, Superintendent, HRM Parks and Open Spaces, and staff for preparing the garden beds.

Councillor Lund announced that Darryl MacPherson, a Grade 6 student from Kingswood High School, who had been presented a Citizenship Award last week, had also raised \$7,800 for World Vision on his own initiative. He noted the following Canada Day festivities: from 10:00 a.m. - 2:00 p.m. at three different locations in Westwood Hills, White Hills and the baseball field at the Head of St. Margaret's Bay. Fireworks would be held at dusk at Westwood Hills and the Shining Waters Marina along the road to Peggy's Cove; the Hubbards Ceilidh and Fireworks has been rescheduled to August 2nd along with live entertainment to be held from 6:00 - 10:00 p.m. at the Dauphinee Inn with parking at the Shore Club.

Councillor Mosher thanked the Royal Bank (RBC), Herring Cove Road for their \$40,000 donation to the Salvation Army Family Resource Centre. The Lions Club of Spryfield held their Annual General Meeting recently and she thanked them for their service especially in regard to the rink. She extended congratulations to the recent graduates of John W. MacLeod Elementary, Cunard Junior High, Springvale Elementary, Chebucto Heights Elementary and J. L. Isley High schools. She announced that Saturday, July 4th has been named Harold Pelham Day and over 100 former Pelham Senior Baseball players would be in attendance (location to be determined) to help celebrate the 35th anniversary of Harold Pelham sponsoring baseball in the community commencing at 1:00 p.m.

Councillor Outhit noted the following Canada Day festivities planned for the Bedford area: a pancake breakfast from 8:30 a.m. - 10:00 a.m. followed by a Teddy Bear Picnic from

11:00 - 1:30 with Hot Dog BBQ and Canada Day celebrations starting at 7:00 p.m. with fireworks at 10:30 p.m.

Councillor Dalrymple extended congratulations to the graduates/staff/parents of Lockview High School for the wonderful graduation ceremony held last weekend and to all graduates across HRM for an outstanding year. He noted the following Canada Day festivities: Kids parade in Lakeview at 11:00 a.m. at the Search and Rescue Building with festivities in the park. He congratulated the Beaver Bank Kinsac Recreation Centre for planning a wonderful day of events including: a free pancake breakfast from 8:30 - 10:30 a.m.; flag raising and cake cutting at 11:00 a.m.; Country Fair from 12:00 - 4:00 p.m. at the Beaver Bank Kinsac Elementary School; fireworks at 10:00 p.m. at the Beaver Bank ballfield.

Deputy Mayor Hendsbee announced the following Canada Day events and activities: Community parades at East and North Preston commencing at 10:00 a.m. followed by community BBQ's at the respective Community Centres; BBQ and Cake Cutting at Lake Echo from 11:00 - 12:00 noon at the Community Centre; Grand Opening of Museum House on Hill Road in West Chezzetcook from 12:00 - 2:00 p.m.; Canada Day festivities would be held at the Legion in Gatz Brook from 1:00 - 5:00 p.m. He also extended congratulations to the Canadian Blood Services who will be recognizing blood donors at a reception in Dartmouth that evening. He thanked all blood donors for giving the gift of life.

Councillor Sloane noted that Tunes at Noon would be commencing early this year with International Bands from the Royal Nova Scotia International Tattoo participating from July 2nd to 8th and the regular line-up commencing on July 15th.

Deputy Mayor Hendsbee acknowledged former Alderman of Dartmouth and former Colleague of the House at the Provincial Legislature, Mr. Jerry Pye, who was in the audience.

Councillor Lund expressed a thank you to members of the Seabright Legion who hosted an afternoon of live entertainment/food/beverages for a bus load of veterans from Camphill on Monday, June 29th.

Councillor Watts advised residents that the airplane sculpture at the park along Chebucto Road had been taken down and stored away while the base was being repaired and will be returned to the park with a commemorative event this fall. She noted the importance of the monument to Halifax as it commemorates the municipal airport that was located at that site as well as recognizing those persons who served in the RAF during WWI and WWII. She extended congratulations to all graduates and parents of the schools in her district including Westmount, Oxford, St. Agnes and Citadel High.

Council agreed to deal with Items 9. Public Hearings at this time.

9. PUBLIC HEARINGS

9.1 Case 01201 - Amendments to the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy and Land Use By-Law - Signs for Home Based Business Uses

- A copy of the PowerPoint presentation dated June 30, 2009 was before Council.
- An extract of the June 2, 2009 Regional Council minutes was before Council.
- A report dated May 29, 2009 from the North West Community Council was before Council.
- A report dated May 29, 2009 from the Marine Drive, Valley & Canal and Western Region Community Councils was before Council with attached staff report dated April 1, 2009.

Mr. Darryl Joudrey, Planner, presented the report.

Mayor Kelly opened the public hearing calling for any speakers for or against the proposed amendments; hearing none, it was **MOVED BY Councillor Blumenthal, seconded by Councillor Sloane that the public hearing be closed. MOTION PUT AND PASSED.**

MOVED BY Councillor Johns, seconded by Councillor Lund that Halifax Regional Council approve the proposed amendments to the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy and Land Use By-Law as set out in Attachment "A" and "B" of the staff report dated April 1, 2009 with an amendment to Attachment "B" to require that the height of the sign be restricted to 8' or less and not be attached to a home. MOTION PUT AND PASSED.

9.2 Case 01230 - Joint Public Hearing with Harbour East Community Council - Dartmouth Municipal Planning Strategy Amendment - 249 / 251 Windmill Road

- A copy of the PowerPoint presentation dated June 30, 2009 was before Council.
- An extract of the May 26, 2009 Regional Council minutes was before Council.
- A report dated May 19, 2009 from the Harbour East Community Council was before Council with attached Supplementary Report dated May 5, 2009.
- A staff report dated April 23, 2009 was before Council.

A written submission dated June 10, 2009 from Ms. Donna Tipert was before Council.

Mr. David Lane, Planner, presented the report. Mr. Lane noted that following Ministerial approval, the matter would be brought back to the Harbour East Community Council for ratification without further public input.

In response to Councillor Smith, Mr. Lane advised that concerns raised during the Public Information Meetings in regard to traffic on Windmill Road and height of the building blocking the harbour view were addressed as follows:

- Traffic issues would be addressed in the Development Agreement which has provisions for clearer signage at the driveway with the use of a median to indicate the entrance/exit areas;

- He noted that there was no protected viewplane for this area of North End Dartmouth.
- The top three (3) storeys of the twelve (12) storey building would be visible from certain vantage points but was located significantly downslope.
- The footprint of the building has been significantly reduced, by 40%, and the narrower building has provided a gain in amenity space for residents and tenants.

In response to Deputy Mayor Hendsbee, Mr. Lane confirmed that:

- There was provision for a public walking corridor along the water/rail line with the applicant providing a 20 metre easement for the future walking corridor to help achieve the goal of an Urban Greenway Corridor around the entire harbour.
- Since the development was not a subdivision there would be no parkland fees/dedication and no capital cost contributions.

Mayor Kelly opened the public hearing calling for any speakers for or against the proposal and reviewed the procedures for public hearings.

Mr. Brian Leblanc, Dartmouth, advised that he grew up in District 9 one street away from the proposed development. He expressed concern with another multi-unit dwelling noting that 68% of available housing for the area was multi-unit dwellings which results in a high level of transient residents. He noted that the area has been known to have a low level of civic engagement and high rates of crime that continues to plague the district. The Highfield Park area voter polls in 2006 had a turnout in the single digits. He expressed concern that another high rise building would add to those concerns. He explained that as a young person just starting out he is living in an apartment but would like to grow his family while remaining in the district he calls home; however, there are very few housing opportunities other than apartments and it was difficult for people to move from one stage of life to another with such limited housing options. He expressed concern that families and youth would be lost to the area due to the lack of diversity in housing. Mr. Leblanc commented that a comprehensive community development/community visioning plan, similar to the one done for Bedford, was needed for the Dartmouth area rather than the continued slippery slope of development. He cautioned Council to be careful in making more amendments to the Dartmouth Municipal Planning Strategy prior to a comprehensive community plan. In regard to adjacent uses under the current plan, he noted the possibility of limited public access to the Dartmouth waterfront which could become mostly private land. District 9 already has its fair share of apartment buildings and another multi-unit building would not help to stabilize the district. Stability and diversity in housing options are needed. He commented that the development should not be approved as it would aggravate the existing situation.

Jerry Pye, Dartmouth, in referencing Page 4 of the report, requested further information on the HRM Halifax Harbour Planning Committee as he was unable to find any minutes of their meetings nor was he able to find any additional information on the Committee. He suggested that more discussion was needed around whether or not the I-3 zoning was surplus as the harbour was the deepest ice free harbour and the marshalling yards would not be there forever. He suggested that the public hearing be suspended pending a report

from the Halifax Harbour Planning Committee being presented to Council explaining why the zoning was surplus to our needs and what other zoning, other than residential, would be recommended for the area along the harbour front. He noted that the staff report indicated that the Committee simply stated they did not have a concern with the proposed development. He questioned whether the high number of multi-unit dwellings in the district represented a healthy community noting that only 32% of dwellings were single family duplexes, townhouses or link homes and only 30% of those were privately owned. Without children going to schools, the community would lose its identity due to school closures. Recently, a school property was sold as surplus by the municipality to a developer who is now considering an 84 unit apartment building for the site. The units are not factored into current dwelling unit percentages. Mr. Pye noted that it was the responsibility of Elected Officials to build safe and healthy communities. He encouraged Council and staff to think about the future and type of planning for District 9.

In response to Deputy Mayor Hendsbee, Mr. Pye commented that the property in question may be better suited to a harbour type activity that would fit in with future plans for Halifax Harbour rather than condominiums or apartments.

Mayor Kelly called three times for any additional speakers, hearing none, it was **MOVED BY Councillor Johns, seconded by Councillor Sloane that the public hearing be closed. MOTION PUT AND PASSED.**

MOVED BY Councillor Smith, seconded by Councillor Karsten that Halifax Regional Council approve the proposed amendment to the Dartmouth Municipal Planning Strategy as provided in Attachment "A" of the May 5, 2009 Staff Supplementary Report and refer decision to community Council.

Councillor Smith advised that only three people had attended the first Public Information Meeting (PIM) and only seven had attended the second meeting held a year later with a revised building plan even though double the number of notices had been distributed. The revised plan was for a higher, narrower building with more amenities that also took into consideration safety issues and the view. The concerns expressed by members of the public were in regard to the views and traffic which have been addressed with improvements made to the egress of the parking area and driveway. He noted that he was in support of the development. The alternate use for the site would be industrial. The zoning was not changing, only the designation from industrial to residential which was permitted under the existing R4-C2 Zone. He noted that there were a lot of apartment buildings in District 9 from the north end to the bridge head; however, some of the existing buildings were thirty years old and there had been applications for high end apartments. Some residents have advised that they were being forced out of the district when downsizing from a home to an apartment and this development would be a move in the right direction to address the issue of affordable, single family dwellings. He explained that the site was conducive to a multi-unit building.

In response to Councillor Watts in regard to a broader view/visioning plan for the area and the role of the Harbour Planning Committee, Mr. Austin French, Manager, Planning Services, Community Development, explained that the north end of Dartmouth was part of the Regional Centre under the Regional Plan which falls under the work being done by HRM by Design. With the recent approval of the Halifax area, the remainder of the Regional Centre would be brought forward to Council in the fall as the Urban Design Task Force identifies future areas for study. The Harbour Planning Committee was an Ad Hoc Committee that was established some time ago to oversee development of the Harbour Plan, a Functional Plan of the Regional Plan, and has no statutory authority and were not a Planning Advisory Committee; therefore, they were not required to make a report to Council. Staff had presented the plans to the Ad Hoc Committee as a courtesy. The Committee has advised that they approve of the proposed development.

In response to Councillor Barkhouse, Mr. Lane advised that whether or not the Dartmouth north area would be considered a high priority for planning, due to the number of multi-unit dwellings and lack of affordable housing options, would be a decision of Council.

Councillor Smith concurred with the previous speakers that a community visioning exercise for north end Dartmouth including a definition of north end Dartmouth and clarity on the boundary was needed. He noted that he has tried to have the area added to the list for the visioning process but there were five or six areas in the Regional Plan who also want the visioning exercises.

MOTION PUT AND PASSED.

Council agreed to deal with Item 11.1.2 Quinpool Road Streetscape - Schematic Design at this time.

11.1.2 Quinpool Road Streetscape - Schematic Design

- A report dated June 9, 2009 was before Council.
- A copy of the May 14, 2009 Phase 1 - Public Consultation, Schematic Design and Cost Estimate report and Appendices prepared by Terrain Group were before Council.

Mr. Peter Bigelow, Manager, Real Property Planning, assisted by Mr. Barry Yanchyshyn, Senior Landscape Architect, Real Property Planning, presented the detailed schematic design for Option 4, the option previously agreed upon by Council.

MOVED BY Councillor Watts, seconded by Councillor Sloane that Halifax Regional Council confirm Quinpool Road Streetscape - Schematic Design Option #4 as the preferred Option for implementation.

Councillor Watts advised that extensive public consultation had taken place and that the meetings had been very well attended by residents and members of the Business

Community. She noted that the proposal has also received a strong vote of endorsement from the Quinpool Road Business District. She thanked staff and the Consultants for their work.

In response to Councillor Sloane, Mr. David McCusker, Manager, Regional Transportation, Infrastructure and Asset Management, advised that the Peninsula Corridor Study had not yet begun and that the Consultant would be made aware of the streetscaping project.

Deputy Mayor Hendsbee commented that onstreet parking on Quinpool Road should be eliminated in favour of more bikeways and to better the flow of traffic. He noted that onstreet parking was part of the traffic issue and would be more of a hazard with the wider sidewalks that would result in an even narrower roadway.

In response to Deputy Mayor Hendsbee, Mr. Yanchyshyn, advised that onstreet parking would continue to service the existing businesses. The sidewalks would be widened to accommodate trees and cafés. Parked cars would provide a safe buffer during non peak traffic flow.

Mr. Ken Reashor, Traffic Authority, Manager, Right of Way Services, explained that currently there was a type of reversing lane as parking was restricted during peak times whereby a lane was gained during those peaks. Parking restrictions are as follows: No parking is permitted on the south side of Quinpool Road from 7:00 a.m. to 9:00 a.m. and the reverse is done during the evening peak hours of 4:00 p.m. to 6:00 p.m. Mr. Reashor noted that area businesses were very concerned with the prospect of removal of on street parking.

Councillor Watts noted that in regard to the parking issue, the streetscape design was the result of compromise from the many interests who utilize Quinpool Road including cycling, pedestrians and traffic concerns while keeping in mind that Quinpool Road was a major arterial roadway utilized by many people from many communities.

MOTION PUT AND PASSED.

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.1 Correspondence - None

10.2 Petitions

10.2.1 Councillor Streach

This item was dealt with earlier in the meeting. See page 4.

11. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.1 Request for Proposals 09-040 - EcoMOBILITY Program - Guaranteed Ride Home and TDM Migration Fund

This item was dealt with earlier in the meeting. See page 5.

11.1.2 Quinpool Road Streetscape - Schematic Design

This item was dealt with earlier in the meeting. See page 19.

11.1.3 Request for Encroachment - Eastern Passage Banners

This item was dealt with earlier in the meeting. See page 5.

11.1.4 Special Election Halifax Regional Municipality District 6 - East Dartmouth - The Lakes

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

11.1.5 2009 - 2010 Budgets and Business Plans for Area Rated Services

This item was dealt with earlier in the meeting. See page 8.

11.1.6 First Reading Proposed By-Law S-428, An Amendment to By-Law S-400, Respecting Charges for Local Improvements - New Paving Projects Outside the Core Area 2008

This item was dealt with earlier in the meeting. See page 9.

11.2 HARBOUR EAST COMMUNITY COUNCIL

11.2.1 Municipal Planning Strategy Amendment for Cole Harbour - Community Commercial Designation on Cole Harbour Road

This item was dealt with earlier in the meeting. See page 12.

11.3 SPECIAL EVENTS ADVISORY COMMITTEE

11.3.1 Special Events Grant Funding Requests

This item was dealt with earlier in the meeting. See page 12.

12. MOTIONS - NONE

13. ADDED ITEMS

13.1 Long Lake Provincial Park

MOVED BY Councillor Adams, seconded by Councillor Mosher that Halifax Regional Council request that Mayor Kelly write to the Province requesting clarification on who is responsible for maintenance of the Long Lake Provincial Park area along the Old Sambro Road and when HRM will assume responsibility of the parking area located off the Old Sambro Road. MOTION PUT AND PASSED.

13.2 Approve Admin Order 35

This item was deleted during the approval of the agenda. See page 13.

13.3 Contractual Matter - RFP 09-002 - Sale of 47 Wentworth Street, Dartmouth

This item was dealt with at an earlier In Camera meeting and was now before Council for ratification.

MOVED BY Councillor Karsten, seconded by Councillor Smith that Halifax Regional Council:

- 1. Authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale whereby the property located at 47 Wentworth Street, PID#00109454, Dartmouth, be conveyed to PHRS Holdings Inc., as per the terms and conditions outlined in the June 4, 2009, Private and Confidential staff report and that part of the terms include that the property not be residentially used.**
- 2. Not release the June 4, 2009, Private and Confidential staff report until the transaction has closed.**

MOTION PUT AND PASSED.

13.4 Property Matter - Windsor Junction - Possible Property Purchase

This item was dealt with at an earlier In Camera meeting and was now before Council for ratification.

MOVED BY Councillor Dalrymple, seconded by Councillor Lund that Halifax Regional Council direct staff to discontinue any efforts aimed at acquiring parcel PID 00511360 in Windsor Junction, including a possible first right of refusal for

the former Fall River Recreation Centre and that the report dated June 24, 2009, not be released to the public. MOTION PUT AND PASSED.

13.5 Expansion of Central Water to Giles Road, Bedford

MOVED BY Councillor Outhit, seconded by Councillor Lund that Halifax Regional Council request a staff report on the possibility of initiating a process to allow for extending central water services to the residents of Giles Road, Bedford. MOTION PUT AND PASSED.

14. NOTICES OF MOTION - NONE

15. ADJOURNMENT

The meeting was adjourned at 7:19 p.m.

Julia Horncastle
Acting Municipal Clerk

INFORMATION ITEMS

1. Proclamation - World Religion Day - January 18, 2009
2. Memorandum from Director, Community Development dated December 18, 2008
re: Inter-supply Lands, Kearney Lake Road
3. Memorandum from the Acting Municipal Clerk dated January 9, 2009
re: Requests for Presentation to Council - None