

HALIFAX REGIONAL COUNCIL
MINUTES

May 3, 2011

PRESENT:

Mayor Peter Kelly
Deputy Mayor Jim Smith
Councillors: Barry Dalrymple
David Hendsbee
Lorelei Nicoll
Gloria McCluskey
Darren Fisher
Bill Karsten
Jackie Barkhouse
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

REGRETS:

Councillors: Steve Streach

STAFF:

Mr. Richard Butts, Chief Administrative Officer
Ms. Mary Ellen Donovan, Municipal Solicitor
Ms. Sherryl Murphy, Acting Municipal Clerk
Ms. Chris Newson, Legislative Assistant

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1. INVOCATION

The Mayor called the meeting to order at 3:00 p.m. with the Invocation being led by Councillor Hum.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Deputy Mayor Smith requested a moment of silence in memory of former Dartmouth Alderman and HRM Councillor Clint Schofield, a Governor General's Medal recipient for Community Service, who passed away on April 28, 2011. Mr. Schofield will be remembered for serving his community with integrity, honesty and compassion.

Regional Council observed a moment of silence in memory of Mr. Schofield.

Councillor Blumenthal congratulated the Hydrostone neighbourhood for being nominated as one of the ten best neighbourhoods in Canada by the Canadian Institute of Planners. He thanked Mr. Larry Swinamer for his work with the Hydrostone Market.

Councillor McCluskey invited all to attend the National Canoe and Kayak trials to be held on Lake Banook this weekend; an event relocated to Dartmouth as the original location, Montreal's Olympic Basin, was not able to host the competition.

Councillor Mosher announced the following upcoming community meetings:

- Wednesday, May 4th at 6:30 p.m. at the Chocolate Lake Recreation Centre in regard to the Grand Opening of the Chain of Lakes Trail.
- Wednesday, May 4th at 7:00 p.m.: Public information meeting at the Halifax West High School cafeteria in regard to Case 16029 - locations for public bus terminals.

Councillor Watts announced the following upcoming community events:

- Thursday, May 5th at 7:00 p.m. in the Rowe Building, Dalhousie University: Dutch Embassy Official to meet with the Halifax Cycling Coalition in regard to bike lanes and promoting cycling.
- Wednesday, May 11th at Citadel Theatre, Citadel High School: Grand Opening Fundraiser for the Spatz Theatre.
- Saturday, May 7th : 3rd Annual Schizophrenia Society "Road to Recovery" Walk-a-thon.
- Ecology Action Centre's 40th Anniversary: check their website for information on the forty *days* of action for forty *years* of action from April 22 to May 31st, 2011.

Councillor Fisher announced that on Wednesday, May 4th, a plaque from the Canada Green Building Council will be unveiled and presented at the East Dartmouth Community Centre, 50 Caledonia Road, for obtaining LEED Silver standard status. He thanked all who had an integral part in the community centre and in achieving the LEED Silver standard status.

Councillor Lund, as Chair of the Environment & Sustainability Standing Committee, acknowledged HRM's ongoing commitment in regard to the reduction of greenhouse gas emissions and energy efficiency noting the following four HRM owned facilities are also awaiting LEED Silver standard status: the Ragged Lake Transit facility, Prospect Bay Road Community Centre, the Four-Pad arena, Canada Games Centre, and; the new Central Library.

Councillor Dalrymple announced the following upcoming community events;

- Thursday, May 5th at 10:00 a.m.: Halifax International Airport Authority's Annual General Meeting (AGM)
- Saturday, May 7th at 10:00 a.m.: RCMP Community Policing Office will be hosting an Open House at the Fall River Recreation Centre.
- Monday, May 9th at 7:00 p.m.: Public Information meeting at the Wellington Community Hall in regard to a development application for a new Wellington bakery/coffee shop.

Councillor Hendsbee announced the following upcoming community events;

- Police Week: he encouraged all to visit the various displays/exhibitions at the Dartmouth Sportsplex on Friday, Saturday and Sunday this week.
- Saturday, May 7th: North Preston Clean-Up Day.
- Saturday, May 7th: 4:00 to 6:30 p.m. - Lobster Supper at St. Augustus Church, Lake Echo.

Councillor Johns announced the successful Walk for Kids Help Phone event held at Shubie Park on Sunday, April 30th. He thanked all participants including over 200 students from the Sackville area who participated as *Team Emily* honouring local student Emily MacNamara who recently passed away.

Councillor Nicoll announced the Westphal / Cole Harbour Firefighters Association annual banquet to be held at the Cole Harbour Fire Hall on May 7th at 6:00 p.m.

Councillor Uteck requested that Mayor Kelly, on behalf of Council, write a letter of congratulations to Dalhousie University for the successful "Dump and Run" annual event held on Sunday, April 30th which helped to divert clothing/furniture from the landfill.

Deputy Mayor Smith invited everyone to an auction at the Fleet Club on Friday night at 7:00 p.m. in support of the Twin City Boxing Club, a local boxing club in District 9 that provides boxing and life skills for neighbourhood youth.

Councillor Sloane entered the meeting at 3:11 p.m.

Councillor Lund announced the 4th Annual Bay Fest to be held on Saturday, May 7th at the Shining Waters Marina, sponsored by the St. Margaret's Bay Chamber of

Commerce, with the proceeds going to the St. Margaret's Bay Community Living Association.

Councillor McCluskey announced a Public Information Meeting to be held at 7:00 p.m. on Wednesday, May 4th at the Alderney Elementary School in regard to a proposed development at the corner of Glenwood Avenue and Prince Albert Road.

3. APPROVAL OF MINUTES – None

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

Additions:

- 12.1 Councillor Uteck - Request for Report: Tax and Policy Implication of Levying Local Transit Tax as a Dwelling Unit Charge for 2012/13
- 12.2 Councillor Fisher – Request for Correspondence: Provincial Minister of Justice

MOVED by Councillor Blumenthal, seconded by Councillor Sloane 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

9.1.1 Request for Fly-Past – Fall River Canal Days / Canada Day Celebrations

MOVED by Councillor Dalrymple, seconded by Councillor Sloane that Halifax Regional Council grant permission for Canadian Forces Aircraft to perform a fly-past at an altitude as low as 500' over the Waverley – Fall River area on Friday, July 1, 2011 in conjunction with Canada Day celebrations as per the request of the Fall River Visioning Committee. MOTION PUT AND PASSED.

9.2 Petitions - NONE

9.3 Presentation – NONE

10. REPORTS

10.1 CHIEF ADMINISTRATIVE OFFICER

10.1.1 Tender 11-214 – Pavement, Curb, Sidewalk and Water Main Renewal – Cook Avenue – West Region

A staff report dated April 12, 2011 was before Council.

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

- 1. Approve a budget increase of \$207,045.65 (net HST included) to Project No. CYX01345 – Street Recapitalization, fully funded through cost sharing with Halifax Water; and**
- 2. Award Tender No. 11-214, Pavement, Curb, Sidewalk and Water Main Renewal – Cook Avenue – West Region, to the lowest bidder meeting specifications, ARCP – Atlantic Road Construction & Paving Limited, for a Total Tender Price of \$567,839.88 (net HST included) with funding from Project No. CYX01345 – Street Recapitalization, and CKU01084 – Sidewalk Renewal, as outlined in the Budget Implications section of the April 12, 2011 staff report.**

MOTION PUT AND PASSED.

10.1.2 Tender 11-209 – Thin Overlays – Phase 1 – Various Locations

A staff report dated April 13, 2011 was before Council.

MOVED by Councillor Blumenthal, seconded by Councillor McCluskey that Halifax Regional Council:

- 1. Approve a budget increase of \$68,398.06 (net HST included) to Project No. CYX01345 – Street Recapitalization, fully funded through cost sharing with Halifax Water; and**
- 2. Award Tender No. 11-209, Thin Overlays – Phase 1 – Various Locations, to the lowest bidder meeting specifications, Dexter Construction Company Limited, for a Total Tender Price of \$902,908.19 (net HST included) with funding from Project No. CYX01345 – Street Recapitalization, as outlined in the Budget Implications section of the April 13, 2011 staff report.**

Mr. Phil Townsend, Director, Infrastructure and Asset Management, offered to meet with Councillor Johns following the meeting to discuss his concerns in regard to the thin overlay work done in District 19 last year.

MOTION PUT AND PASSED.

10.1.3 Case 16811 – Timberlea / Lakeside / Beechville Municipal Planning Strategy and Land Use By-Law Amendments – Metro Transit Facilities

A staff report dated March 11, 2011 was before Council.

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

- 1. Authorize staff to initiate a process to consider amending the Timberlea / Lakeside / Beechville Municipal Planning Strategy and Land Use By-Law to create a new zone to regulate the development of transit facilities, and**
- 2. Request that staff follow the public participation program approved by Council on February 25, 1997.**

In response to concerns raised by Councillors McCluskey and Hendsbee, Mr. Dave Reage, Acting Manager, Planning and Project Development Metro Transit, advised that the cost estimate for the proposed Park 'n Ride is \$630,000 including land purchase, site improvement/development for fifty (50) parking spaces, which includes a factor for future growth, and a turning loop. He noted that cars traveling from outside HRM may intercept the service, however; they would most likely utilize the existing lot at Exit 5.

MOTION PUT AND PASSED.

10.2 COMMUNITY PLANNING & ECONOMIC DEVELOPMENT STANDING COMMITTEE

10.2.1 Economic Development Opportunity – Irving Shipyard

A report dated April 19, 2011 from the Community Planning & Economic Development Standing Committee was before Council.

MOVED BY Councillor Nicoll, seconded by Councillor Blumenthal that Halifax Regional Council endorse the following motion in support of the Irving Shipyard's bid for the Federal Contract for the construction of Canada's Navy combat vessels:

WHEREAS Halifax is the home of Canada's East Coast Navy and HRM supports a strong Canadian Navy;

AND WHEREAS the Government of Canada's new National Shipbuilding Procurement Strategy will see approximately \$30 billion invested over the next 30 years to replace the aging Navy and Coast Guard fleet;

AND WHEREAS the work will be divided between two Canadian shipyards, one for combat vessels and one for non-combat vessels;

AND WHEREAS the Irving Shipyard in Halifax has been short-listed as one of five from which the two shipyards will be selected;

AND WHEREAS the Irving Shipyard has been a centre of shipbuilding excellence in Halifax for over 50 years with extensive experience in combat vessels; Canada's largest marine engineering group; ice-free, state of the art deep water facilities; and a 365 day per year operation;

AND WHEREAS the Irving Shipyard is a major contributor to the regional economy with approximately 1200 employees and a total payroll of over \$70 million;

AND WHEREAS winning the contract for combat vessels would allow the shipbuilding industry in Halifax and the region to grow significantly by increasing the workforce, providing stable jobs for the next 30 years, and increasing training in skilled trades and professions that would continue to support Irving Shipyard as a centre of excellence;

THEREFORE BE IT RESOLVED THAT

Halifax Regional Council endorse Irving Shipyard's bid under the National Shipbuilding Procurement Strategy, and support its efforts to win the contract for combat vessel construction.

Councillor Blumenthal noted the importance of following through with the recommendation and ensuring that the MLA's and MP's are aware of how important winning the federal contract would be to Halifax.

In response to a question from Councillor Walker, Mayor Kelly advised that the recommendation would be forwarded to the Prime Minister's Office and the Honourable Minister Peter McKay, Department of National Defence.

MOTION PUT AND PASSED.

10.3 ENVIRONMENT & SUSTAINABILITY STANDING COMMITTEE

10.3.1 Provincial Erosion Sediment Control Guidelines

A report dated April 19, 2011 from the Environment & Sustainability Standing Committee was before Council.

MOVED by Councillor Lund, seconded by Councillor Hendsbee that Halifax Regional Council request staff to work with the Province on amending the Provincial Erosion Sediment Control Guidelines to account for climate change and to review appropriate Provincial and Municipal policies and regulations relating to properly controlling drainage on new site developments, during and following development, in order to minimize impacts to receiving waters.

In response to a question of clarification by Councillor Hendsbee, Mr. Paul Dunphy, Director, Community Development, explained that the impact of erosion/sedimentation on receiving water bodies is the province's jurisdiction. The municipal Drainage/Topsoil Removal By-Laws are related to post construction grades to ensure storm water flows properly to the system. Halifax Water/HRM staff could commence presentations to the Standing Committee as of next month in regard to the new By-law.

In response to a concern raised by Councillor McCluskey, Mr. Dunphy advised that the issue of how long a site is left open/cleared of all waste (tree stumps) during construction, will be addressed in the new By-law.

Councillor Rankin noted the importance of maintaining clarity in regard to the delineation of provincial/municipal responsibilities to ensure the municipality does not unwittingly take on more of those duties. He emphasised that the issue is not just an HRM issue; it is province wide.

Mr. Dunphy noted that the Association of Professional Engineers of Nova Scotia would also be critical to the guideline review process as the provincial regulatory regime relies upon professional engineers to design a storm water management system during construction, also; APENS ensures standards are set for maximum flows.

Councillor Lund explained that the intent of the motion is to ensure a holistic approach to fixing the problem of erosion/sedimentation with all departments/jurisdictions working together with each addressing the component that is within their own mandate.

MOTION PUT AND PASSED.

10.4 TRANSPORTATION STANDING COMMITTEE

10.4.1 Active Transportation Corridors

A report dated April 13, 2011 from the Transportation Standing Committee was before Council.

E-mail submissions dated May 3, 2011 from Gwen Hocheimer and Kaarin Tae were before Council.

Councillor Watts noted that she was not presenting the Transportation Standing Committee's recommendation as shown due to budget deliberations having already been completed. She then put forward the following motion for Council's consideration:

MOVED by Councillor Watts, seconded by Councillor Sloane that Halifax Regional Council request a staff report relative to the inclusion by the Project Steering Committee of the construction of major high priority Active Transportation corridors as identified in the HRM AT plan in the capital budget commitments over the next five years, and; with public consultation.

Councillor Watts explained that the Active Transportation (AT) Plan of 2006 calls for a twenty (20) year implementation schedule with an estimated cost of \$100 million. To move ahead with the AT Plan, commitments and investment in the transportation budget are required. Staff have advised that five priorities could/would/have been brought forward for consideration over the next five years. The five proposed projects met the criteria of being shovel ready; little or no land assembly needed; potential for very high use; connects major origins to destinations; and; filling the gaps and finishing existing projects to help build a regional AT network.

In response to a question of clarification by Councillor Wile, Mayor Kelly clarified that the recently approved 2011 budget included \$400,000 toward Active Transportation with \$100,000 already budgeted in for a total of \$500,000.

Councillor Wile emphasized that the priorities for the Bayers Lake spine should be sidewalks, crosswalks, traffic lights and transit. She requested that the Bayers Lake Business Park Association be consulted in regard to their priorities as the driveways approaching the businesses are private property. Washmill Lake and the future bicycle lane should also be discussed in consultation with the Bayers Lake Business Park Association.

Councillor Rankin, a member of Transportation Standing Committee, expressed concern that the motion deals with only one sector of the transportation budget area and that Council has already agreed to a five year transit plan yet is challenged to find funding to implement that five year plan. He questioned where HRM would find the funding to maintain the existing assets.

Without a vote being taken on the motion on the floor, it was **MOVED by Councillor Rankin, seconded by Councillor Karsten that the motion be amended to include a request that staff gather information in the context of the wider mandate of the transportation capital budget envelope as to what could realistically be done next year.**

Discussion ensued on the proposed amendment.

Councillor Hum noted that she was in support of the amendment to incorporate a broader review of the AT and capital budgets.

In response to a concern raised by Councillor Dalrymple, Mr. Richard Butts, Chief Administrative Officer, advised that within the next six to eight weeks, staff will bring forward the financial impact to HRM of any potential provincial downloads.

Councillor Dalrymple noted his support for the amendment as clarity was required in regard to what, if any, additional projects could/would be proposed/considered over the next five years.

Councillor Karsten explained that the amendment would clarify any expectations that a potential \$2 million to \$10 million would be invested per year for a number of years.

Councillor Sloane noted that the proposed motion does not solve the problems currently facing HRM in regard to maintaining its existing infrastructure and ongoing maintenance and the potential for citizen's hopes being dashed when a project has to be shelved.

Councillor Harvey expressed his support for the amendment to ensure fiscal responsibility in regard to the three pillars of HRM's transportation strategy which are: public transit, traditional road system, and; active transportation.

Mr. Phil Townsend, Director, Infrastructure and Asset Management, clarified for Council that during the upcoming budget cycle staff will provide a series of reports to the Audit and Finance Standing Committee for input on how to balance the various and significant needs in regard to Active Transportation.

Councillor Outhit noted his support for the amendment in order to have a holistic approach as bus terminals, park 'n rides and ferries are needed. He noted that commuter rail may also be a viable option.

MOTION TO AMEND PUT AND PASSED.

The amended motion now reads as follows:

MOVED by Councillor Watts, seconded by Councillor Sloane that Halifax Regional Council request, in the context of the wider mandate of the transportation capital budget envelope, a staff report relative to the inclusion by the Project Steering Committee of the construction of major high priority Active Transportation corridors as identified in the HRM AT plan in the capital budget commitments over the next five years, and; with public consultation.

Councillor Mosher requested that the report also consider the following:

- the Chain of Lakes Trail Advisory Committee's SNC Lavalin Interim report for the Chester Spur Line functional alignment (January 2010) of existing and planned active transportation corridors as the Chain of Lakes trail, 8 km, goes through several districts with a potential to connect to areas such as the Bayers Lake trail and the Old Sambro Road.
- Greenway Corridor Study; a grant has been received to consider connections to the Chain of Lakes Trail.
- that the public be consulted: some people would prefer portions of a trail to remain natural and a portion to be paved such as the paved gravel section/natural section of the Bayers Lake trail.

In response to a question of clarification by Councillor Lund, Councillor Rankin explained that the public consultation aspect would be in regard to active transportation/trails.

Councillor Nicoll requested that the report clarify the Active Transportation plan as various departments have a piece of the responsibility; clearly outlining the AT vision in the report would be helpful.

In response to a question of clarification by Councillor Karsten, Mr. Phil Townsend, Director, Infrastructure and Asset Management and Chair of the Project Steering Committee, explained that the Project Steering Committee referenced in the motion is a staff committee comprised of Directors, or appointees of the Director, of major capital consuming departments such as Transportation and Public Works, Fire/Police, Business Planning and Information Management, who define the budget to bring to Council.

MOTION PUT AND PASSED.

11. MOTIONS

11.1 Councillor Sloane

An e-mail submission dated May 2, 2011 from Elias Metlej was before Council.

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

- 1. Authorize staff to include, as part of the first annual review of the Downtown Halifax Secondary Municipal Planning Strategy and the Downtown Halifax Land Use By-law, the consideration of potential amendments to the Maximum Pre-Bonus and Maximum Post-Bonus height maps to increase the height on properties identified by civic addresses 5161 to 5167 South Street, Halifax, from the current height of 13.716 metres to 22 metres, as was originally recommended by the Urban Design Task Force, and for the maximum height on these properties to be calculated as per the definition of building height, as contained under Part 2 of the Land Use By-law.**
- 2. Request that staff follow the public participation program approved by Council on February 25, 1997.**

Mr. Austin French, Manager, Planning Services, responded to questions of clarification from members of Council explaining that during the HRM by Design approval process, the 22 metres in height was requested to be lowered to 13.716 meters for this area until such time as the Barrington South Heritage Conservation area would be considered.

Councillor Sloane added that the area in question, located a block away from the approved Heritage Conservation district, would be a vacant lot for some time if Council awaited the Barrington South Heritage Conservation decision.

MOTION PUT AND PASSED.

11.2 Councillor McCluskey

MOVED by Councillor McCluskey, seconded by Councillor Karsten that Halifax Regional Council direct staff to initiate a review of the Business Park Reserve Policy in discussion with the Audit and Finance Standing Committee, in order to review and clarify uses for the reserve. MOTION PUT AND PASSED.

12. ADDED ITEMS

12.1 Councillor Uteck

MOVED by Councillor Uteck, seconded by Councillor Sloane that Halifax Regional Council request a staff report regarding Tax and Policy Implication of Levying the Local Transit Rate as a Dwelling Unit Charge in advance of the 2012 / 2013 budget and that staff define what they perceive to be a dwelling unit. MOTION PUT AND PASSED.

12.2 Councillor Fisher

MOVED by Councillor Fisher, seconded by Councillor Sloane that Halifax Regional Council request that a correspondence be sent on behalf of Halifax Regional Council to the Honourable Minister of Justice, Ross Landry, seeking assistance in strengthening the Justice system for Nova Scotia. MOTION PUT AND PASSED.

13. NOTICES OF MOTION

13.1 Councillor Johns

“Take notice that at the next regularly scheduled meeting of the Halifax Regional Council, I intend to bring forward a motion to ensure that all future budget books include the detailed change report – business unit, division, cost centre by cost element.”

14. ADJOURNMENT

The meeting was adjourned at 4:33 p.m.

Cathy J. Mellett
Municipal Clerk

INFORMATION ITEMS
May 3, 2011

1. Proclamation – Leave a Legacy Month – May 2011 (339 Kb)
2. Proclamation – Sexual Assault Awareness Month – May 2011 (344 Kb)
3. Proclamation – Census Week – May 9 – 13, 2011 (334 Kb)
4. Memorandum from Director, Transportation & Public Works dated April 4, 2011 re: Woodside Ferry Terminal Elevator / Escalator (201 Kb)
5. Memorandum from the Municipal Clerk dated April 22, 2011 re: Requests for Presentation to Council - None (128 Kb)