

HALIFAX REGIONAL COUNCIL  
MINUTES  
February 3, 2009

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  
Robert Harvey  
Tim Outhit  
Reg Rankin  
Peter Lund

REGRETS:

Councillors: Andrew Younger  
Brad Johns

STAFF:

Mr. Dan English, Chief Administrative Officer  
Ms. Mary Ellen Donovan, Municipal Solicitor  
Ms. Julia Horncastle, Acting Municipal Clerk  
Ms. Melody Campbell, Legislative Assistant

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**1. INVOCATION**

The Mayor called the meeting to order at 4:55 p.m. with the Invocation being led by Councillor Smith.

**2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS**

There were no special community announcements or acknowledgements at this time.

**3. APPROVAL OF MINUTES**

**MOVED BY Councillor McCluskey, seconded by Councillor Smith, that the minutes of January 20, 2009 be approved. MOTION PUT AND PASSED.**

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

Additions:

- 13.1 Proclamation - Canada Games Week, February 9 - 14, 2009
- 13.2 Councillor Blumenthal - Accessibility Issue - Bayers Road Area
- 13.3 Councillor Mosher - Safety Concerns - Sidewalk Snow Clearing - Responsibility and Deadline

Deletion:

- 11.1.3 Weir Artificial Turf Facility - Request to Change User Contribution - This will be addressed at February 10, 2009 Regional Council

Deferrals:

- 9.1 Case 01157 - Municipal Planning Strategy and Land Use By-Law Amendments, Planning Districts 1 & 3 (St. Margarets Bay) - Public Hearing deferred to February 24, 2009.
- 7.1 Councillor McCluskey  
To rescind the motion adopted by Regional Council on October 7, 2008 relating to the Undergrounding of Overhead Utilities in Capital District, specifically as it related to the ranking of the Ochterloney Street project. Deferred to February 10, 2009 Regional Council.
- 8.1 Feasibility of the Former Dartmouth City Hall as Central Museum  
Deferred to February 10, 2009 Regional Council.
- 11.1.2 Case 01205 - Municipal Planning Strategy & Land Use By-Law Amendment for 50 Bedford Highway, Halifax  
Deferred to February 10, 2009 Regional Council.

- 13.3 Councillor Mosher - Safety Concerns - Sidewalk Snow Clearing - Responsibility and Deadline  
Deferred to February 10, 2009 Regional Council.

**MOVED BY Councillor Smith, seconded by Councillor Blumenthal 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 - October 7, 2008**

**7.1 Councillor McCluskey - Undergrounding of Overhead Utilities in Capital District**

This item was deferred to February 10, 2009 Regional Council.

**8. CONSIDERATION OF DEFERRED BUSINESS**

**8.1 Feasibility of the Former Dartmouth City Hall as Central Museum**

This item was deferred to February 10, 2009 Regional Council.

**9. PUBLIC HEARINGS**

**9.1 Case 01157: MPS and LUB Amendments, Planning Districts 1 & 3 (St. Margarets Bay)**

The Public Hearing for Case 01157: Municipal Planning Strategy and Land Use By-law Amendments, Planning Districts 1 & 3 was deferred. The public hearing date has been rescheduled to February 24, 2009 at 6:00 p.m.

**10. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**10.1 Correspondence - None**

**10.2 Petitions - None**

**10.3 Presentation**

**10.3.1 Federation of Canadian Municipalities Presentation to Staff Participants - Municipal Cooperation Program**

This item was addressed at an earlier session of Committee of the Whole.

**11. REPORTS**

**11.1 CHIEF ADMINISTRATIVE OFFICER**

**11.1.1 Charitable Fundraising on Municipal Streets**

- A staff report dated January 8, 2009 was before Council.

**MOVED BY Councillor Karsten, seconded by Councillor Smith, that Regional Council not proceed with a by-law permitting fund-raising activities on HRM-owned streets.**

Deputy Mayor Hendsbee advised that he disagrees with the recommendation as it would affect many organizations with their fund raising initiatives.

Councillor Sloane stated that HRM needs a mechanism to have fundraising done safely. Mr. Ken Reashor, Manager, Traffic Authority, advised that Legal, Police Services and the Traffic Authority have reviewed safety and liability issues. He stated that solicitation cannot take place on the street, but is permitted on sidewalks and boulevards. He added that parking lots can be used as long as the traffic thoroughfare is not being used.

In response to a query by Councillor Dalrymple, Mr. Reashor advised that there were no incidents that he is aware of. He added that the history cannot be researched. Mr. Reashor added that this is a safety and liability issue.

Deputy Mayor Hendsbee advised that site specific locations be put in place, adding that HRM needs a process in place.

Councillor Hum advised that this is a safety issue, as some persons come right up to your vehicle on the street. She added there are pros and cons to this by-law.

Councillor Sloane stated that if this by-law is approved, a communication piece must go out to fundraising groups to inform them of the by-law.

In response to a query by Councillor Wile, Ms. Mary Ellen Donovan, Director, Legal Services, advised that HRM is not liable, under normal circumstances, if the fundraising issue is not addressed. Mr. Reashor advised the Councillor, in response to her request, that a permit is not required to solicit from a sidewalk.

In response to a question by Deputy Mayor Hendsbee, Mr. Reashor advised Council that the shoulder would be considered sidewalk in rural areas.

**MOTION PUT AND PASSED.**

**11.1.2 Case 01205 - Municipal Planning Strategy & Land Use By-Law Amendment for 50 Bedford Highway, Halifax**

This item was deferred to February 10, 2009 Regional Council.

**11.1.3 Weir Artificial Turf Facility - Request to Change User Contribution**

This item has been deferred to February 10, 2009 Regional Council.

**11.1.4 Proposed Amendments to Administrative Order 11 - Animal Licencing Strategy for 2009  
Motion - Councillor McCluskey - Approve Admin. Order 11**

- A staff report dated December 15, 2008 was before Council.

**MOVED BY Councillor McCluskey, seconded by Councillor Sloane, that Regional Council approve the amendment to the Administrative Order #11, attached as Attachment A, to the staff report dated December 15, 2008.**

Councillor Karsten noted that Council had requested a supplementary report. Staff Sergeant Robin McNeil advised Council that the requested report requires a financial analysis which will require more time to prepare.

Deputy Mayor Hendsbee stated that the option for one-time registration should be looked at.

In response to a question by Councillor Smith, Staff Sergeant McNeil stated that the licencing of dogs is a collaborative effort between Halifax Regional Police, HRM Finance and the HRM Call Centre. He advised Council, in response to a query by the Councillor, that registration fee revenues go to animal services.

Councillor Blumenthal advised that he supports the motion adding that taxpayers of the region should not have to support those dogs that are not registered.

Councillor Harvey noted that anyone who registers their dog deserves the \$10.00 break.

In response to a question by Councillor Karsten, Staff Sergeant McNeil stated that there are anywhere from 40,000 to 67,000 dogs in HRM, with 13,700 being registered last year.

**MOTION PUT AND PASSED.**

**11.2 SOLID WASTE RESOURCE ADVISORY COMMITTEE**

11.2.1 ICI Cardboard

- A power point presentation was before Council.
- A Solid Water Resource Advisory Committee report dated January 28, 2009 was before Council.

Mr. Jim Bauld, Manager, Solid Waste, provided a presentation to Council.

**MOVED BY Councillor Karsten, seconded by Councillor Wile, that Regional Council approve staff to:**

1. **Prepare an amendment to By-law S-600 requiring the separation of cardboard at ICI properties, to become effective June 15, 2009, to be supported by an HRM education/communications campaign;**
2. **Subject to local private paper recycling companies not accepting mixed ICI paper after March 31, 2009, that staff secure a contact with MIRROR NS for the Otter Lake facility to, on a thirty-day automatic renewal contingency basis, take receipt, sort and bale ICI paper; and**
3. **Should it be required for the Otter Lake facility to receive, sort and bale mixed ICI fibre after May 15, 2009, that staff issue an Expression of Interest for the same service.**
4. **Within the 2009/10 Solid Waste operating budget include an amount less than \$70,000 increase in expenditures with a corresponding amount recovery resulting in a net zero change to the overall budget.**

Councillor Uteck raised concern over the dates indicated in the motion. She advised that some trucks are not fitted to accommodate this process.

Councillor Rankin advised that there needs to be continuing discussion with industry stakeholders. He noted that public review and consultation would be beneficial as this moves forward.

Councillor Rankin requested the following amendment to the motion:

**MOVED BY Councillor Rankin, seconded by Councillor Karsten, that the motion be amended to state that staff prepare an amendment to By-law S-600 requiring the separation of cardboard at ICI properties, to become effective July 1, 2009; and staff continue discussions between HRM and industry stakeholders. MOTION PUT AND PASSED.**

The motion now reads:



That Regional Council request staff to:

1. Prepare an amendment to By-law S-600 requiring the separation of cardboard at ICI properties, to become effective July 1, 2009, to be supported by an HRM education/communications campaign;
2. Subject to local private paper recycling companies not accepting mixed ICI paper after March 31, 2009, that staff secure a contract with MIRROR NS for the Otter Lake facility to, on a thirty-day automatic renewal contingency basis, take receipt, sort and bale ICI paper; and
3. Should it be required for the Otter Lake facility to receive, sort and bale mixed ICI fibre after May 15, 2009, that staff issue an Expression of Interest for the same service.
4. Within the 2009/10 Solid Waste operating budget include an amount less than \$70,000 increase in expenditures with a corresponding amount recovery resulting in a net zero change to the overall budget.
5. Continue discussions between HRM and industry stakeholders.

Councillor Smith noted that this affects every business in HRM adding that those mixing refuse will have to pay more because haulers have increased fees.

In response to a query by Councillor Lund, staff advised that industry has been notified and is sending out communication to their stakeholders. Mr. Bauld added that road side dumping has not been an issue that was discussed. He noted that industry supports moving forward.

Councillor Uteck questioned if cardboard is wet, will it be accepted. Staff advised that normally residential wet cardboard would be picked up, as it is normally a small amount in a household.

Councillor Karsten noted that many institutions now have cardboard only dumpsters on their site. The Councillor stated that haulers indicated they have been working on the initiatives. He also noted that there has been good progress by ICI customers. He requested that all HRM Directors be informed of the regulations to ensure that HRM is leading by example.

**MOTION PUT AND PASSED.**

12. MOTIONS - NONE
13. ADDED ITEMS

**13.1 Proclamation - Canada Games Week, February 9 - 14, 2009**

A Proclamation - Canada Games Week, February 9-14, 2009 was distributed to Council.

**13.2 Councillor Blumenthal - Accessibility Issue - Bayers Road Area**

Councillor Blumenthal advised this request relates to the sidewalks in the Bayers Road/Westwood area and around the bridge that runs over the train tracks. He stated that this request is in response to accessibility issues in icy conditions, for those who are unable to access sidewalks in the Bayers Road Area, particularly those in wheelchairs.

**MOVED BY Councillor Blumenthal, seconded by Councillor Walker, that Regional Council request the widening of the sidewalk on Bayers Road be referred to staff for consideration as part of the 2009/10 budget process. MOTION PUT AND PASSED.**

**13.3 Councillor Mosher - Safety Concerns - Sidewalk Snow Clearing - Responsibility and Deadline**

This item was deferred to February 10, 2009 Regional Council.

**14. NOTICES OF MOTION**

**14.1 Councillor Adams**

Take notice that, at the next regular meeting of Halifax Regional Council to be held on February 10, 2009, I propose to move a Motion to Have Regional Council approve inclusion in Metro Transit's operating budget for the upcoming 2009/10 and subsequent fiscal years, funding for a conventional transit route to service the Sambro Loop, in a manner fully integrated with the existing Metro Transit services, and funded through the general tax rate; the first service to commence as soon as the required buses are available.

**15. ADJOURNMENT**

**MOVED BY Councillor Uteck, seconded by Councillor Sloane, that Regional Council reschedule the In Camera session of February 3, 2009 to begin immediately upon adjournment of Regional Council. MOTION PUT AND PASSED.**

The meeting was adjourned at 5:10 p.m.

Julia Horncastle  
Acting Municipal Clerk

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**INFORMATION ITEMS**

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1. Proclamation - African Heritage Month - February 2009
2. Memorandum from Director, Transportation & Public Works dated January 26, 2009  
re: ICI Cardboard
3. Memorandum from Traffic Authority dated January 21, 2009  
re: Petition to Rescind the Winter Parking Ban
4. Memorandum from Director, Legal Services & Risk Management  
dated January 27, 2009 re: Status of By-Law Prosecutions - August 1 - 31, 2008
5. Memorandum from Chief of Police dated January 27, 2009  
re: Proposed Amendments to Administrative Order 11 - Animal Licensing Strategy  
for 2009
6. Memorandum from the Acting Municipal Clerk dated January 30, 2009  
re: Requests for Presentation to Council - None