

HALIFAX REGIONAL COUNCIL
MINUTES

January 12, 2010

PRESENT:

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

REGRETS:

Councillor Sue Uteck

STAFF:

Mr. Dan English, Chief Administrative Officer
Ms. Mary Ellen Donovan, Municipal Solicitor
Ms. Sherryll Murphy, Acting Municipal Clerk
Ms. Shawnee Gregory, Legislative Assistant

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1. INVOCATION

The Mayor called the meeting to order at 6:00 p.m. with the Invocation being led by Councillor Nicoll.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillor Blumenthal congratulated Mr. John Blanchard and his Committee for preparing the rinks in the North End; noting that ice had been laid on January 9 and 10, 2010. Councillor Blumenthal stated that the Committee was still looking for volunteers to keep the rinks iced up and that residents could contact Mr. Blanchard at 902-455-2994 or Councillor Blumenthal to get involved.

Councillor Sloane advised that the flood that had occurred in District 12 earlier in the day had been contained and fixed by HRM Water. She stated that a fire had also occurred in District 12 earlier in the day which had affected four restaurants, the Taj Mahal, Thai Chin, Café Chianti and Tomasino's, as well as 25 residents. Councillor Sloane thanked all of the firefighters for their help; noting that over 40 had been on the scene throughout the day. She also wished to thank Fire Chief Bill Mosher, the Red Cross, the Westin, Halifax Regional Police, Superstore and Nova Scotia Power for all their help. Councillor Sloane indicated that a meeting would be taking place on Wednesday, January 13, 2010 at 10:30 a.m. in order to plan more logistics. The Councillor also advised that a meeting would be taking place on Wednesday, January 20, 2010 at 6:30 p.m. in Halifax Hall, City Hall regarding the North Commons Plan and encouraged residents to attend to look at the detailed plan and provide feedback. In closing, Councillor Sloane stated that the fifth flood of the George Dixon rink had just taken place, however, more volunteers were always welcome and could contact her at 902-488-4812 to get involved.

Councillor Mosher provided an update on the former Chester Spur Rail Line Committee; noting that they had been meeting every two weeks. She indicated that the Committee was now officially known as the Chain of Lakes Trail Association and that she would apprise Council as soon as they became an official society.

Councillor Dalrymple indicated that a public meeting regarding wind turbines would be held at Ashley Jefferson School on Wednesday, January 13, 2010 at 7:00 p.m. He stated that a provincial public meeting regarding the redevelopment of Laurie Park would also be taking place on Thursday, January 14, 2010 at Grand Lake Hall at 6:00 p.m.

Councillor Hendsbee indicated that the second public information meeting for Canadians who oppose mobile home parks would be held on Thursday, January 14, 2010 at 7:00 p.m. at the Lake Echo Community Centre. He also advised that a concert

in honour of Dr. Martin Luther King Day would be held on Saturday, January 16, 2010 at 7:30 p.m. in the Rebecca Cohn auditorium. In closing, Councillor Hendsbee stated that a public information meeting would be held on Monday, January 18, 2010 at 7:00 p.m. at Ross Road Elementary School regarding the new subdivision.

Councillor Barkhouse indicated that an important Athletic Association meeting would be taking place on Wednesday, January 13, 2010 at 7:00 p.m. at Tallahassee School.

Councillor Lund wished to acknowledge the volunteer firefighters who were stationed in Hammonds Plains as they had spent all day on Sunday, December 20, 2009 collecting food bank donations around the community. Councillor Lund also wished to thank residents for their generous donations.

3. APPROVAL OF MINUTES - December 8 & 15, 2009

Amendments:

December 15, 2009 page 11 - the second paragraph of the recommendation should read, "as approved in Attachments **A, D and E**".

December 8, 2009 page 16 - Councillor Hum removed herself from discussion due to a conflict of interest regarding item 13.2 not 13.1

Councillor Hum wished to advise, for the record, that regarding item 10.3.1 of the December 15, 2009 minutes, a discussion had ensued whether the lands in question were behind Kent or Rona. She clarified that the lands were, in fact, behind Kent, as indicated in the minutes.

MOVED BY Councillor McCluskey, seconded by Councillor Wile, that the minutes of December 8 & 15, 2009 be approved as amended. MOTION PUT AND PASSED.

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

Additions:

- 13.1 Council Focus Areas - Transportation
- 13.2 Legal Matter - Settlement of Claim
- 13.3 Contractual Matter - NSUPE Contact Negotiations Update

MOVED BY Councillor Sloane, seconded by Councillor Wile, that the agenda be approved as amended. 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. PUBLIC HEARINGS

Councillor Streach rose on a point of privilege regarding two recent Chronicle Herald articles which included his absenteeism in 2009. He stated that, during the period in question, he had missed four meetings, two for business and two personal, not 16 as indicated in the article. Councillor Streach advised that his District was half the size of PEI and that he worked 60 hours a week. He stated that he took great exception that his attendance brought into question his dedication to his work on Council and committed to the public to continue working hard and to have a better attendance record. In closing, Councillor Streach advised that he was disappointed with the current negative editorial tone at the Chronicle Herald and would be asking the management to take the high road and print an honourable publication.

Councillor McCluskey also rose on a point of personal privilege. She stated that over her entire political career she had been cooperative with the media, however, last week Mr. Michael Lightstone had written an article on Council attendance and had listed her as having missed eight meetings. Councillor McCluskey clarified that she had missed a Council session, including Committee of the Whole, four times and noted that Mr. Lightstone had not contacted her regarding the article as he had the other Councillors. She stated that she had missed one meeting as she was representing Council by sailing with the Navy, one meeting as she was in Russia supporting Canadian rowers, including her grandson, and the last two meetings she had been golfing in Florida. Councillor McCluskey stated that this job was not all about meetings, it was also about all of the emails and phone calls a Councillor receives as well as the numerous boards and committees on which they sit.

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

- An extract of the December 15, 2009 draft Regional Council minutes was before Council.
- A report dated December 10, 2009 was before Council.
- A report dated October 21, 2009 from the Halifax Watershed Advisory Board was before Council.

Mr. Miles Agar, Planner, provided the presentation on Case 01186 - Amendments to the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy and Land Use By-Law. Highlights were as follows:

- Limited commercial services exist in Hammonds Plains despite the significant residential development which has occurred
- The applicants land was designated residential
- A public workshop regarding the proposed amendments was held on March 12, 2009
- All lots were within the water service district although the total land area of a few properties was not completely within the boundary
- There were two land use designations within the defined study area, Residential and Mixed Use B
- The goal was to encourage a complementary form of development within the study area, including a commercial area
- There was a need for comprehensive regulations as well as a commercial mixed use node.

A discussion ensued with Mr. Agar responding to questions of clarification. The following points were noted:

- The properties within the subject area were not serviced with municipal sewer
- The development was to respond to the creation of an intersection which staff was exploring options to have updated
- A public active transportation corridor, via an easement, shall be addressed at the point in time when construction takes place and has been incorporated into provisions. HRM was also exploring options to facilitate a connection.

Mayor Kelly reviewed the Rules of Procedure for Public Hearings. He called for those wishing to speak for or against Case 01186 - Amendments to the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy and Land Use By-Law.

Mr. Mike Kneebone, Bedford, indicated that he was the Vice Chair of the Cornerstone Wesleyan Church; noting that the facility had been completed in 2005 on a five acre site within the study area. He stated that part of the appeal of the building was that it was on one level and was, therefore, very accessible. Mr. Kneebone indicated that the church had become an important part of the Hammonds Plains community and provided space for a polling station, blood donor clinic and H1N1 vaccine clinic. He stated that space would be required to expand as the community grew and the new proposed zoning would hamper that growth. Mr. Kneebone noted that sections 17A.3 and 17A.4 of the staff report dated December 10, 2009 indicated what the new maximum footprint of a structure could be; noting that the new maximum height of 35 feet may be a challenge as the congregation was growing and wished to add on to create a footprint of 12000 metres squared. In closing, Mr. Kneebone stated that the church was requesting that the property remain zoned Mixed Use 1 or Institutional or that they be granted an exception to the amendment.

Mr. Peter Scott, St. Margaret's Bay, indicated that he was speaking on behalf of the Developer; noting that their proposal was to develop the land at the Kingswood and Hammonds Plains intersection. He stated that there was limited development availability when the land was purchased several years ago, however, it was a valuable landmark location as a gateway to a major residential development. Mr. Scott advised that the area required some improvement; noting that there was a need to select the right tenants for the proposed unit to serve the community as a convenience rather than a destination development. In closing, he also noted the need for higher quality landscaping and buildings.

Mr. Nick Pryce, Armco Capital, indicated that he was a Planning Consultant with the Terrain Group and was in attendance on behalf of Armco Capital. He stated that the Armco owned property in the study area had recently gone through approved rezoning in June of 2009 prior to the proposed amendments coming forward. Mr. Pryce noted that although the amendments brought forward most components, the one missing on Armco's part was the permission for a drive through. He stated that if Council approved the amendments, Armco hoped that the inclusion of a drive through could be incorporated into their site plan approval.

Mr. Ernie Brennan, Ketch Harbour Road, stated that a developer could build whatever they wanted when a property was rezoned. He noted that citizens were paying to rezone and amend properties built by developers via their taxes for such things as sidewalks and snow removal. Mr. Brennan indicated that he did not know who benefited from piecemeal planning in HRM and that while he did understand that the municipality was short planners, they were doing amendments to plans that were 20 years old. He stated that new planning tools were required and that Hammonds Plains deserved their own plan. In closing, Mr. Brennan advised that it was time to do what was right and conduct real planning.

Mr. Ray Bachland, Kingswood, wished to congratulate Mr. Agar who had conducted a public workshop which many residents attended. Mr. Bachland stated that the residents of Hammonds Plains did have input and that he was happy with the plan staff had put forward. He did express concern at the possibility of a drive through restaurant as he believed the community had enough drive in traffic already due to the drive in restaurant on the other side of the proposed development. He stated that he would be concerned if another drive through was included on the north east corner.

Mayor Kelly called three times for any additional speakers. Hearing none, the following motion was placed:

MOVED by Councillor Blumenthal, seconded by Councillor Sloane, that the public hearing be closed. MOTION PUT AND PASSED.

Councillor Lund advised that there had been plans in the works to add another lane coming out of Kingswood to Kearney Lake Road which may be constructed this year.

He stated that the proposed amendment would create a new classification called C5. He requested staff clarification regarding the requested exemption and drive through concept.

Mr. Agar advised that the requirements were there to provide continuity of buildings, however, it may be reasonable to allow an increase in the footprint of institutional buildings. He stated that the public had indicated they were comfortable with the 35 foot height restriction to complement the existing form of the area.

MOVED BY Councillor Lund, seconded by Councillor Walker, 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 provided in Attachments "A" and "B" of the staff report dated October 14, 2009, with the exception that institutional uses are permitted to have a building incorporating up to 20, 000 square feet and that consideration be giving to permitting restaurants with drive throughs.

Ms. Thea Langille, Supervisor of Planning Applications, Central Region, advised that staff had discussed the interest in the drive up window; noting that, if approved, there may be some site specific approval required to go along with community wishes. She indicated that staff could allow the window, however, may need to make further provisions. She stated that if there were some matters Council wanted staff to go back and reevaluate, a supplementary report may be the best route to take.

Ms. Langille also noted that Armco, not the current applicant being discussed, had requested a drive through. She stated that the package before Council was recommending a new zone that did not permit a drive through and that it was brought to staff's attention after the advertisement of the Public Hearing that Armco wished to retain their previously permitted drive through.

The meeting recessed at 7:20 p.m.

The meeting reconvened at 7:32 p.m. with the same members present.

MOVED BY Deputy Mayor Johns, seconded by Councillor Adams, that the motion be amended to exempt the Cornerstone Wesleyan Church and Armco Capital properties from the proposed amendments to the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy and Land Use By-Law.

It was noted that exempting these two properties would not create the need for an additional Public Hearing, however, the study area would be cut from nine to seven sites.

Councillor Lund advised that he did not approve of the amendment as the intent was to maintain consistency at this intersection with respect to architectural form and that he would prefer a supplementary report to respond to these matters.

MOVED BY Councillor Lund, seconded by Councillor Rankin, that Halifax Regional Council defer this item for three weeks pending a supplementary staff report regarding the exemption of the Cornerstone Wesleyan Church and Armco properties from the proposed amendments to the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy and Land Use By-Law. MOTION PUT AND PASSED.

9.2 Case 01332 - Amendments to the Regional Subdivision By-Law and the Municipal Planning Strategies and Land Use By-Laws for Timberlea / Lakeside / Beechville and Halifax

- An extract of the December 15, 2009 draft Regional Council minutes was before Council.
- A report dated December 8, 2009 from Chebucto Community Council was before Council.
- A report dated November 24, 2009 from Western Region Community Council was before Council.
- A report dated November 5, 2009 was before Council.

Ms. Randa Wheaton, Senior Planner, provided the presentation on Case 01332 - Amendments to the Regional Subdivision By-Law and the Municipal Planning Strategies and Land Use By-Laws for Timberlea / Lakeside / Beechville and Halifax. Highlights were as follows:

- The 137 acre area in question was located behind Kent Building Supplies in Bayers Lake
- The Urban Service Boundary area would have to be adjusted to include the 137 acres
- The plan area boundary between the Halifax Municipal Planning Strategy (MPS) and Timberlea, Lakeside Beechville MPS would have to be adjusted
- The lands added to the Halifax MPS would have to be rezoned and redesignated to align with similar parcels

A discussion ensued with Ms. Wheaton and Ms. Kelly Denty, Supervisor of Planning Applications, Western Region, responding to questions of clarification. The following points were noted:

- The sewage from Bayers Lake flows into the Halifax Treatment Plant and, therefore, the new 137 acres would as well
- Sewage was examined as part of the plan exercise

- Meetings were held with business park owners and workshops were also held
- The lands were included in the Industrial Park Subdivision Designation and the Regional Plan states that they are to be serviced.

Mayor Kelly reviewed the Rules of Procedure for Public Hearings. He called for those wishing to speak for or against Case 01332 - Amendments to the Regional Subdivision By-Law and the Municipal Planning Strategies and Land Use By-Laws for Timberlea / Lakeside / Beechville and Halifax.

Mayor Kelly called three times for speakers. Hearing none, the following motion was placed:

MOVED by Deputy Mayor Johns, seconded by Councillor McCluskey, that the public hearing be closed. MOTION PUT AND PASSED.

Councillor Sloane requested calculations on how industrial waste was being treated.

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

1. **Approve the proposed amendments to the Regional Subdivision By-Law, the Halifax Municipal Planning Strategy and the Halifax Mainland Planning strategy and the Halifax Mainland Land Use By-Law as provided in Attachments A, B, and C of the staff report dated November 5, 2009.**
2. **Approve the proposed amendments to the Regional Subdivision By-Law and the Timberlea/Lakeside /Beechville Municipal Planning Strategy and Land Use By-law as provided in Attachments A, D and E of the staff report dated November 5, 2009.**

MOTION PUT AND PASSED.

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.1 Correspondence - None

10.2 Petitions

10.2.1 Councillor Sloane

Councillor Sloane submitted a petition containing 366 signatures on behalf of Mr. John Wesley Chisholm requesting that HRM find a better way to solve the problem of

clearing snow from city streets rather than using a winter parking ban to fine citizens even when there was no snow.

**MOVED BY Councillor Sloane, seconded by Councillor Blumenthal, that a staff report regarding this request come back to Regional Council within 30 days.
MOTION PUT AND PASSED.**

10.2.1 Councillor Blumenthal

Councillor Blumenthal submitted a petition containing 12 signatures on behalf of Mr. Doug MacDonald and the residents of Roome Street, Halifax, requesting that HRM use their equipment and contracts to plow the sidewalks on Roome Street.

10.3 Delegations - None

11. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.1 Sole Source Purchase - Three MiniHybrid Retrofits for Metro Transit Bus Fleet, Testing and Trial: Fuel Efficiency Project

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

MOVED BY Councillor McCluskey, seconded by Councillor Wile, that Halifax Regional Council, in accordance with the Sole Source Policy {Administrative Order 35, Section 8(11)}, authorize the purchase of three Engineered Machined Products Inc., mini Hybrid Thermal Systems to Cummins Eastern Canada for a Total Price of \$53,989.94 (net HST included) with funding from CTI00695 as outlined in the Budget Implications section of the December 10, 2009 report.

Councillor McCluskey stated that busses at the Dartmouth Terminal were idling at 4:00 a.m. and requested that staff look into this issue as HRM had an Anti Idling Program in place.

MOTION PUT AND PASSED.

11.1.2 Case 01192 - Amendments to the Planning Districts 14 & 17 Municipal Planning Strategy and Land Use By-Law to Restrict Future Noise-sensitive Development around Halifax Stanfield International Airport

- A report dated December 16, 2009 was before Council.

MOVED BY Councillor Dalrymple, seconded by Councilor Hendsbee, that Halifax Regional Council:

- 1. Authorize staff to initiate a process to consider amending the Planning Districts 14 and 17 Municipal Planning Strategy and Land Use By-Law to restrict noise-sensitive land uses around Halifax Stanfield International Airport; and**
- 2. Direct staff to follow the public participation program as approved by Council in February, 1997.**

Councillor Dalrymple indicated that this would not be prohibiting future development and rather would be implementing possible restrictions in some areas; noting that the motion was simply to begin a public process.

Councillor Dalrymple agreed to change the word restrict to regulate in the motion.

The motion now reads:

MOVED BY Councillor Dalrymple, seconded by Councilor Hendsbee, that Halifax Regional Council:

- 1. Authorize staff to initiate a process to consider amending the Planning Districts 14 and 17 Municipal Planning Strategy and Land Use By-Law to *regulate* noise-sensitive land uses around Halifax Stanfield International Airport; and**
- 2. Direct staff to follow the public participation program as approved by Council in February, 1997.**

MOTION PUT AND PASSED.

11.1.3 Case 15815 - HRM By Design - Grandfathering of Active Development Agreement Applications in Downtown Halifax

- A report dated January 6, 2010 was before Council.

Ms. Denty provided the presentation on Case 15815 - HRM By Design - Grandfathering of Active Development Agreement Applications in Downtown Halifax. Highlights were as follows:

- Council previously chose to grandfather the four applications in question

- Two of the applications, for the Roy and Discovery Centre buildings, were located within the newly adopted Barrington Street Heritage Conservation District and, therefore, must be grandfathered under two documents
- The Hollis and Morris Street projects have been approved
- The amendment process for the Barrington Street applications cannot be ready by March 31, 2010 which was why staff was requesting an extension
- There would be no effect on the overall program of HRMbyDesign
- A public participation program would be developed.

Councillor Sloane expressed concern that this had not been vetted through the Heritage Advisory Committee and District 12 Planning Advisory Committee first.

Ms. Denty advised that staff were looking for Council to endorse the initiation of their amendment process; noting that no policies would be changing.

MOVED BY Councillor Sloane, seconded by Councillor Blumenthal, that Halifax Regional Council initiate the process to:

- 1. Amend the Barrington Street Heritage Conservation District Plan and By-Law H-500 to allow consideration of development agreement applications within this plan area which were received before March 31, 2009, pursuant to the regulations in effect on March 31, 2009;**
- 2. Amend Policy 90B of the Downtown Halifax Secondary Municipal Planning Strategy to extend the public hearing deadline for these development agreement applications appropriately beyond March 31, 2010; and**
- 3. Adopt the public participation process outlined in Attachment D of the report dated January 6, 2010.**

MOTION PUT AND PASSED.

Ms. Denty advised that amendments to the Barrington Street Heritage Conservation District Plan would have to go back to the Heritage Advisory Committee for review, however, the amendments were not required to go through the District 12 Planning Advisory Committee as they had not been part of the original consultation.

Mr. Paul Dunphy, Director of Community Development, clarified that it had always been practice that individual developments go through the District 12 Planning Advisory Committee, however, this particular process had been a unique one set up via the Urban Design Task Force and the District 12 Planning Advisory Committee did not have original involvement. He stated that District 12 Planning Advisory Committee would continue to be included in individual development agreements.

MOVED BY Councillor Watts, seconded by Councillor Sloane, that the District 12 Planning Advisory Committee also be included in the review. MOTION DEFEATED.

11.1.4 Proposed Amendments to Administrative Orders Two, Twenty-six and Thirty-Four - Respecting North West Community Council, Western Region Community Council and Marine Drive, Valley and Canal Community Council

- Notice of Motion from Councillor Harvey was before Council.
- A report dated December 9, 2009 from North West, Marine Drive, Valley and Canal and Western Region Community Councils was before Council.

MOVED BY Councillor Harvey, seconded by Councillor Outhit, that Halifax Regional Council:

1. **Approve an amendment to Administrative Order Number Two, Respecting the Creation of the North West Community Council as follows:**
 1. **Section 2 of Administrative Order No. 2 is repealed and the following is substituted:**
 2. **There is hereby established a Community Council to be known as the North West Regional Community Council for the area of the Halifax Regional Municipality that on the 2nd day of November 2004 was included in polling district 19, Middle & Upper Sackville - Lucasville, polling district 20, Lower Sackville and polling district 21, Bedford, TOGETHER WITH that portion of polling district 2 and that portion of polling district 23 that falls within the Beaver Bank, Hammonds Plains, Upper Sackville Municipal Planning Strategy, as shown on Map 1 attached to Item 11.1.4 of the December 15, 2009 Regional Council Meeting.**
2. **Approve an amendment to Administrative Order Number 26, Respecting the Creation of the Western Region Community Council as follows:**
 1. **Section 2 of Administrative Order No. 26 is repealed and the following is substituted:**
 2. **There is hereby established a Community Council to be known as the Western Region Community Council for the area of the Halifax Regional Municipality that on the 2nd day of November 2004 was included in polling district 22, Timberlea - Prospect, polling district 23, Hammonds Plains - St. Margarets and that part of polling district 18, Spryfield - Herring Cove which was situated within the boundaries of the former Halifax County Municipality prior to April 1, 1996, WITH THE EXCEPTION OF that portion of polling district 23 that falls within the Beaver**

Bank, Hammonds Plains, Upper Sackville Municipal Planning Strategy, as shown on Map 1 attached to Item 11.1.4 of the December 15, 2009 Regional Council Meeting.

3. **Approve an amendment to Administrative Order Number Thirty-Four, Respecting the Creation of the Marine Drive, Valley & Canal Community Council as follows:**
 1. **Section 2 of Administrative Order No. 34 is repealed and the following is substituted:**
 2. **There is hereby established a community council to be known as the Marine Drive Valley and Canal Community Council for the area of the Halifax Regional Municipality that on the 2nd day of November 2004 was included in polling districts 1, Eastern Shore - Musquodoboit Valley, polling district 2, Waverley - Fall River - Beaver Bank and polling district 3, Preston - Lawrencetown - Chezzetcook. WITH THE EXCEPTION OF that portion of polling district 2 that fall within the Beaver Bank, Hammonds Plains, Upper Sackville Municipal Planning Strategy, as shown on Map 1 attached to Item 11.1.4 of the December 15, 2009 Regional Council Meeting.**

It was noted that this amendment created dual membership and would officially come into effect upon approval of the Administrative Order.

MOTION PUT AND PASSED.

11.2 CHEBUCTO COMMUNITY COUNCIL

11.2.1 Case 01130 - Municipal Planning Strategy and Land Use By-Law Amendments and Development Agreement - Mayor Avenue, Halifax & Re-adoption of Mainland South Generalized Future Land Use Map

- A report dated December 17, 2009 from Chebucto Community Council was before Council.

MOVED BY Councillor Adams, seconded by Councillor Walker, that Halifax Regional Council give First Reading to the proposed amendments to the Halifax Municipal Planning Strategy, Halifax Mainland Land Use By-Law and Mainland South Secondary Planning Strategy Generalized Future Land Use Map (Map 9F) as provided in Attachments A, B, and D, of the report dated November 13, 2009, and revised Map 9 of the Halifax Municipal Planning Strategy, Maps 2, 3a, and 3b of the Mainland South Secondary Planning Strategy, and Map ZM-2 of the Halifax Mainland Land Use By-law to reflect the Mainland South Secondary Planning Area boundary as shown on Attachment D of the report dated November 13, 2009,

and schedule a joint public hearing with Chebucto Community Council for February 2, 2010. MOTION PUT AND PASSED.

11.3 MEMBERS OF COUNCIL

11.3.1 Councillor Mosher

(i) Request for Report re: Leaf Collection Bags

MOVED BY Councillor Mosher, seconded by Councilor Walker, that Halifax Regional Council request a staff report on the feasibility of permitting the use of blue bags for curb side leaf collection.

Councillor Mosher advised that residents' bags of leaves were being rejected due to the colour of the bag alone.

MOTION PUT AND PASSED

(ii) Request for Report re: Proposed Amendment to Administrative Order One, Respecting the Procedures of Council

MOVED BY Councillor Mosher, seconded by Councillor Adams, that Halifax Regional Council request a staff report on the feasibility of amending Admin Order # 1, Section 64, Procedure in Committee of the Whole, the purpose of which, is to bring this section into harmony with the Rules of Procedure in Regional Council as it relates to the number of times of speaking on any question and the duration.

Councillor Mosher stated that a time limit on debate would force efficiencies and was not meant to stifle debate. She indicated that if the rules of debate for Regional Council were adopted by Committee of the Whole there would still be 16 minutes of speaking time per Councillor. She noted that time sensitivity of items was often an issue and the current model often made it difficult for Council to deal with all of the items on an agenda.

Several Councillors expressed concern that this would limit debate and that Committee of the Whole was in place to allow Council to sufficiently debate larger issues prior to them going forward to Regional Council.

Councillor Mosher indicated that exceptions could be made for items such as the budget debate; noting that would be something the requested report could discuss.

Councillors Streach agreed that the proposed amendment would allow for efficiency and streamlining, however, he wondered if the request should be included in the Committee of Council Reform process via the Membership Selection Committee.

MOVED BY Councillor Streach, seconded by Councillor Nicoll, that this item be referred to the Membership Selection Committee to be included in the Committee of Council Reform process.

Several Councillors advised that they could not support the referral, however, they agreed that improvements to the current meeting structure could be made without having to limit debate.

Councillors Streach and Nicoll advised that they would not be supporting their motion.

A vote on the referral was taken.

MOTION DEFEATED.

A recorded vote was taken on the main motion.

MOTION DEFEATED. (7 in favour, 16 against)

Those voting in favour were Mayor Kelly and Councillors Adams, Blumenthal, Harvey, Mosher, Outhit and Streach.

Those voting against were Deputy Mayor Johns and Councillors Barkhouse, Dalrymple, Fisher, Hendsbee, Hum, Karsten, Lund, McCluskey, Nicoll, Rankin, Sloane, Smith, Walker, Watts and Wile.

Councillor Uteck was absent for the vote.

11.3.2 Councillor Barkhouse - Request for Report re: Climate Change Adaptation

Councillor Barkhouse advised that the recent storm surge had damaged many areas in her District.

MOVED BY Councillor Barkhouse, seconded by Councillor Lund, that Halifax Regional Council request a report from staff on the various actions being taken, by HRM and other levels of government, to incorporate Climate Change Adaptation actions and mitigation of the risk and vulnerability to our infrastructure and community from the impacts of extreme weather events to our municipal planning, design, management and operational activities.

Councillor Barkhouse requested that the report address the following items:

- What HRM departments were doing to protect the Municipality and public from impacts of extreme weather events
- The status of Climate Smart
- How HRM was working with other levels of government on this issue
- What HRM staff were working on adaptation
- What resources HRM provides to the public
- What the Regional Plan tells the public about development close to water,
- If HRM was responsible for identifying risks
- If HRM had done anything in past, to prevent development in higher risk areas.

Councillor Hendsbee advised that storm surge damage had also occurred in Districts 1 and 3. He noted that HRM was currently conducting lidar sampling in Halifax Harbour.

Councillor Mosher indicated that Chebucto Community Council had recently seen a presentation regarding the deterioration of the North West Arm Seawall; noting that staff were currently conducting a study to model the effects of sea level rise. She suggested that each Community Council receive the presentation from Mr. Peter Bigelow, Manager of Real Property, and his staff and that perhaps it could also go to Council.

Councillor Lund advised that the Province was currently preparing a Coastal Mapping Strategy.

Councillor Adams asked if there were any other options besides going to their MP for those residents whose insurance would not cover the loss of their wharves due to the storm surge.

MOTION PUT AND PASSED.

12. MOTIONS

12.1 Councillor Fisher

MOVED BY Councillor Fisher, seconded by Councillor McCluskey, that Halifax Regional Council request a report from HRM Corporate Communications that sets targets for improving French language communications within the current budget envelope, thus recognizing both official languages when promoting civic events and public service announcements via media releases.

Councillor Hendsbee noted that there may be an opportunity for a web presence as well and wondered if the sign language interpreter could be brought back to the Eastlink Council broadcast.

MOTION PUT AND PASSED.

13. ADDED ITEMS

13.1 Council Focus Areas - Transportation

(i) Parking and Parking Limitations on Bike Lanes

The following item was dealt with at the Committee of the Whole meeting held earlier in the day and was now before Council for ratification:

MOVED BY Councillor Mosher, seconded by Councillor Johns, that Halifax Regional Council endorse a letter to the Minister of Transportation asking for legislative authority to regulate parking and other parking limitations on bike lanes in HRM.

MOTION PUT AND PASSED.

(ii) Commuter Train

The following item was dealt with at the Committee of the Whole meeting held earlier in the day and was now before Council for ratification:

MOVED BY Councillor Outhit, seconded by Councillor Sloane, that Halifax Regional Council request a staff report on the feasibility of a commuter train service for HRM, extending beyond HRM boundaries as required. MOTION PUT AND PASSED.

13.2 Legal Matter - Settlement of Claim

The following item was dealt with at the In Camera meeting held earlier in the day and was now before Council for ratification:

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

- 1. Settle this claim brought by the Plaintiff in the amount of \$90,000.00 to achieve a full settlement of the Plaintiff's action, upon obtaining a full release from the Plaintiff from any future claims arising out of the incident of August 26, 2005;**
- 3. Not release to the public the report dated December 21, 2009.**

MOTION PUT AND PASSED.

13.3 Contractual Matter - NSUPE Contact Negotiations Update

The following item was dealt with at the In Camera meeting held earlier in the day and was now before Council for ratification:

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

- 1. Confirm acceptance of the Agreement as reflected in HRM's final offer dated November 30, 2009 and ratified by majority of Union membership January 7, 2010;**
- 2. Ratify the Agreement as reflected in the final offer.**

MOTION PUT AND PASSED.

14. NOTICES OF MOTION

14.1 Councillor McCluskey

Take notice that at the next meeting of Halifax Regional Council to be held on January 19, 2010 I will introduce a motion requesting a review of HRM sponsored events with a plan to eliminate sponsorship by alcohol advertising for HRM events.

14.2 Councillor McCluskey

Take notice that at the next meeting of Halifax Regional Council to be held on January 19, 2010 I will introduce a motion requesting Council support in holding two Give Away Weekends. At these weekends residents will put unwanted goods at the curb for residents who can use them. This will prevent these articles from going to the landfill.

15. ADJOURNMENT

The meeting was adjourned at 9:29 p.m.

Cathy Mellet
Acting Municipal Clerk

The following items were added as information:

1. Memorandum from Director, Infrastructure & Asset Management dated December 14, 2009 re: 2009 Program Overview Report - HRM Pesticide By-Law
2. Memorandum from Director, Finance dated December 9, 2009 re: Settlement Update - Harbour City Homes
3. Memorandum from Chief of Police dated December 4, 2009 re: Trap, Neuter and Return (TNR) Program
4. Memorandum from Director, Legal Services & Risk Management dated December 16, 2009 re: Status of By-Law Prosecutions - October 1 - 31, 2009
5. Memorandum from the Acting Clerk Manager dated January 8, 2010 re: Requests for Presentation to Council - None