

HALIFAX REGIONAL COUNCIL
MINUTES

April 13, 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
Sue Uteck
Jennifer Watts
Russell Walker
Linda Mosher
Stephen Adams
Robert Harvey
Tim Outhit
Peter Lund
Reg Rankin

REGRETS:

Councillor Debbie Hum

STAFF:

Mr. Dan English, Chief Administrative Officer
Mr. Wayne Anstey, Acting Chief Administrative Officer
Ms. Mary Ellen Donovan, Municipal Solicitor
Ms. Cathy Mellett, Acting Municipal Clerk
Ms. Sheilagh Edmonds, Legislative Assistant

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1. INVOCATION

Mayor Kelly called the meeting to order at 6:00 p.m. with the invocation led by Councillor Adams

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillor Rankin advised of the following two community events taking place in his district Wednesday, April 14, 2010:

- Public viewing of the Western Common Wilderness Area Master Plan, Brookside Elementary School, 6:30 p.m.
- Annual meeting of the Beechville/Lakeside/Timberlea Trail Association at 7:00 p.m., Sacred Heart Hall, Timberlea.

Councillor Blumenthal thanked everyone who attended the April 12, 2010 meeting regarding the Seaview Dog Park and the efforts being made to try to keep the park open and clean. Councillor Blumenthal also announced a meeting on April 14, 2010, St. Mary's Boat Club, in regard to information on European Fire Ants; and a public information meeting, April 29, 2010, St. Joseph's School in regard to a proposal by ECL for development on this property.

Councillor Karsten congratulated the executive and members of the Portland Estates-Portland Hills Residents Association on being awarded this year's Lieutenant Governor Community Spirit award.

Councillor Sloane announced the opening of Neptune Theatre's production of *Peter Pan* on April 16, 2010; and advised that the RBC Amazing Challenge for Aids will be held April 16, 2010, 9:00 a.m., starting in the Grand Parade. The Councillor also advised that she will be representing Council at a parade to commemorate the reforming of the two units to the 36th Service Battalion on April 17, 2010 at the Armouries.

Councillor Mosher advised that she represented Council at the Royal Nova Scotia Yacht Squadron's 5th Biannual Ocean Race from Halifax to St. Pierre on April 9, 2010. She expressed her appreciation to the cofounders of the Race—Hal Davies and Philippe Pastorale. Councillor Mosher also acknowledged the Royal Nova Scotia Yacht Squadron; the St. Pierre Yacht Club; Rear Admiral Madison; Lieutenant Governor Mayann Francis; Karine Claireaux, Mayor of St. Pierre; and representatives of the French Consulate. Councillor Mosher announced an open house by the Chain of Lakes Trail Association, April 15, 2010, St. James Anglican Church, which includes a brief presentation by SCN Lavalin regarding the functional plan.

Councillor Harvey extended congratulations to the Sackville Lions Club on their 40th anniversary this month.

Councillor Wile announced that Halifax West High School, Bella Rose Theatre was presenting the production of *Merlin* from April 16 to April 25, 2010.

Councillor Lund acknowledged the efforts of Reginald Dontest, a native of Haiti, who helped produce a benefit concert for Haiti which raised approximately \$10,000. These proceeds will go to an organization entitled, Cup of Cold Water, which assists the rebuilding of orphanages and schools in Haiti. Councillor Lund announced the 3rd Annual Tantallon Visioning Workshop to be held April 16 and 17, 2010, 7:00 p.m., St. Luke's Church.

Councillor Adams advised of the following events to be held on April 15:

- Annual General Meeting of Harrietsfield/Williamswood Community Centre, 7:00 p.m., Harrietsfield Recreation Centre
- Spryfield and District Business Commission Members Meeting, 6:30 p.m., Salvation Army, Spryfield.

Councillor Nicoll advised of the following events to be held on April 17:

- Black Cultural Centre's Annual Anniversary Dinner, Ramada Plaza, 6:00 p.m.
- Cole Harbour Rural Heritage Society's Annual Dinner and Auction, Brightwood Golf and Country Club, 7:00 p.m.

Councillor McCluskey advised that the 2010 Atlantic Book Awards would be held April 14, 2010, 7:00 p.m., Alderney Landing.

Councillor Watts announced that a new community theatre, called Plutonium Playhouse, opened on Hunter Street and is currently presenting the play, *Cloudburst*. Councillor Watts also announced the Titanic Commemorative Ceremony would be held on April 14, 11:30 p.m. at the Fairview Cemetery and would mark the timing of the actual sinking of the Titanic on its 98th Anniversary.

Councillor Hendsbee announced the following four events in his district as follows:

- Community Clean-up Project, April 17, 10:00 a.m. to 1:00 p.m., Porters Lake Community Centre, with a barbeque at noon.
- Annual Summer Registration for the Orenda Club, April 17, 2010; 1:00 p.m. to 3:00 p.m., Lake Echo.
- Tea and Sale at the New Beginnings Church, Cherrybrook, April 17, 2010, 2:00 p.m. to 5:00 p.m.
- The opening of Acadia House Museum on April 18, 2010, Hill Road, West Chezzetcook, with a Chowder Luncheon at noon and displays and entertainment in the afternoon.

Councillor Streach announced the Eastern Shore Hockey Host Tournament April 17 and 18, 2010, Community Rink, Musquodoboit Harbour.

At the request of Councillor McCluskey, Mayor Kelly asked Council to rise for a minute of silence in remembrance of Lech Kaczynski, the Polish President, his wife, and the other Polish officials and flight staff who died in a tragic airline accident on April 10, 2010.

Councillor Fisher expressed appreciation to Tony Mancini, the 1st Port Wallis Scout Troup and scout leaders for their work last Thursday evening in a roadside garbage

pick-up along the Waverly Road, Avenue du Portage, and other streets in the neighbourhood.

3. APPROVAL OF MINUTES

MOVED by Councillor McCluskey, seconded by Councillor Sloane that the minutes of March 30, 2010 be approved. MOTION PUT AND PASSED.

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

Additions:

- 13.1 Service Review - Visitor Information Centres
- 13.2 Service Review - Burial Services

MOVED by Councillor Sloane, 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 - NONE

8. CONSIDERATION OF DEFERRED BUSINESS - NONE

9. PUBLIC HEARING:

9.1 Case 15788: Amendment to Regional Subdivision By-law

- First Reading of this item had been given at a meeting of Regional Council held on March 23, 2010
- A report dated March 4, 2010 from the Chair of the Harbour East Community Council, with an attached staff report dated January 28, 2010 was before Community Council.

Ms. Jillian MacLellan, Planner 1 provided the presentation on the request by Harbour East Community Council to amend the Regional Subdivision Bylaw to allow a reduction in the frontage requirement for serviced lots within the jurisdiction of Harbour East Community Council that have more than one dwelling on a property. In her remarks, Ms. MacLellan advised that the amendment will affect few properties within the plan areas for Cole Harbour/Westphal and Eastern Passage/Cow Bay and only apply to cases where the property has existed prior to June 22, 1992. She added that each property has to have a separate right-of-way of 6.1 meters and separate sanitary sewer and water systems. She noted the proposed amendment has been reviewed by the Development Engineer, Building inspector and the Development Officer.

In response to a question by Councillor Smith if there was any 'grandfathering' in regard to a situation where a home was built prior to 1992, but does not exist now, Ms. MacLellan confirmed there was no grandfathering provision.

The Mayor reviewed the Rules of Procedure for public hearings and opened the hearing for anyone wishing to speak. The Mayor called three times, and no one came forward to address Council.

MOVED by Councillor Sloane, seconded by Councillor Nicoll that the public hearing close. MOTION PUT AND PASSED.

MOVED by Councillor McCluskey, seconded by Councillor Barkhouse that Regional Council approve the proposed amendment to the Regional Subdivision By-law as shown in Attachment A of the report dated January 28, 2010. MOTION PUT AND PASSED.

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.1 Correspondence - None

10.2 Petitions - None

11. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.1 Blacklegged Tick Infestation, Admirals Cove Park

- A staff report dated March 31, 2010 was submitted.

MOVED by Councillor Outhit, seconded by Councillor Adams that Halifax Regional Council request the Mayor:

- 1. Write a letter to the Nova Scotia Minister of Health Promotion and Protection requesting that approval be given to the testing and approval process as proposed in the March 31, 2010 staff report as required to access the Y Tex Tickicide for the 4 Poster Deer Bait Station as a viable component of the Tick Management Plan for Admirals Cove and require Departmental staff to expedite the completion of the process; and**
- 2. Write a letter to the Federal Minister of Health, requesting that The Pest Management Regulatory Agency offer responsive assistance in helping Halifax Regional Municipality, the Province of Nova Scotia, Public Health Agency of Canada and Y Tex Corporation advance the efficacy testing and approval for the Y Tex Tickicide for the 4 Poster Deer Bait Station.**

Councillor Outhit expressed his appreciation to staff for their work on this matter and advised that he brought this issue forward because he is aware of several people in his district that have contracted Lyme Disease; therefore, it is important to raise awareness of this matter.

Councillor Rankin indicated his support on this issue and added that he hoped it would not be limited to the Admiral Cove area and he questioned if HRM was ready to respond if it was determined that the problem surfaced in other areas of the Municipality.

In response, Mr. Richard MacLellan, Manager, Sustainable Environment Management Office, advised that staff are not aware of tick problems in other areas of HRM but that they are gathering more information and indicated that staff would continue to monitor the situation. Mr. MacLellan added that if anyone was concerned that they had ticks in their area, they can bring a specimen to the Museum of Natural History in Halifax for investigation. He advised that he will update the website with this information.

MOTION PUT AND PASSED.

11.1.2 Alien Invasive Plant Species Policy

- A staff report dated March 26, 2010 was submitted.

MOVED by Councillor Smith, seconded by Councillor McCluskey that Halifax Regional Council approve the following action plan surrounding Alien Invasive Species:

- 1. Work with other levels of Government, NGO's and Community to identify Alien Invasive Species in Halifax Regional Municipality, to create a basic map of impacts in HRM and post on the HRM website;**
- 2. Identify Provincial and Federal actions addressing Alien invasive Species and include in HRM communications (website, Naturally Green, etc);**
- 3. Spend no new money on this Staff Action Plan and utilize existing SEMO and HRM staffing resources;**
- 4. Identify specific actions for inclusion in the Climate Change Risk Management Strategy developed under ClimateSMART.**

Councillor Smith acknowledged the efforts of a group of residents who worked to clean up Yellow Floating Heart in Little Albro Lake. The hard work of the residents resulted in a reduction of the Yellow Floating Heart. He also noted that the Municipality needs to raise awareness that, even though whatever goes into the lake is under Municipal control, the lake itself is under Provincial control.

MOTION PUT AND PASSED.

11.1.3 Proposed Amendment to Administrative Order 16, Respecting Fees for the Use of Solid Waste Management Facilities

- Notice of Motion of this item was given at a Regional Council meeting held on April 6, 2010.
- A staff report dated March 26, 2010 was submitted.

MOVED by Councillor Lund, seconded by Councillor Nicoll that Regional Council approve in principle an Amendment to Administrative Order 16, Respecting Fees for the Use of Solid Waste Management Facilities as attached to the March 26, 2010 staff report.

Mr. Gord Helm, Manager, Solid Waste resources responded to questions.

MOTION PUT AND PASSED.

11.1.4 EMO Reserve Withdrawal - H1N1 Response

- A staff report dated March 19, 2010 was submitted.

MOVED by Deputy Mayor Johns, seconded by Councillor Smith that Halifax Regional Council authorize the proposed H1N1 response initiatives to a maximum of \$40,000 with funding from EMO Cost Recovery Reserve - Q314 for 2009/2010 fiscal year, as per the budget implications section of the March 19, 2010 staff report.

Mr. Barry Manuel, Co-ordinator, Emergency Management Office responded to questions.

In response to a question by Councillor McCluskey, Mr. Manuel advised that the locations chosen for installation of environmental controls were from the suggestions of the various occupational health and safety committees.

Councillor McCluskey noted that there were several recreation centres listed however, the Sportsplex was not included and added that she would like staff to look into this aspect. She questioned why the 2nd Floor of Alderney Landing would be included but not the Sportsplex.

MOTION PUT AND PASSED.

11.1.5 Solid Waste Resources Contingency Plan - Agreements with The Region of Queens Municipality and The Municipality of the District of Chester

- A staff report dated March 23, 2010 was submitted.

MOVED by Councillor Lund, seconded by Councillor Hendsbee that Halifax Regional Council proceed with the signing of the Agreements between the Halifax Regional Municipality and the Region of Queens Municipality and the Municipality of the District of Chester.

Mr. Gord Helm, Manager, Solid Waste Resources responded to questions.

Councillor Walker requested staff provide information regarding a total figure on the overages that New Era and Miller shipped to Queens County and Chester for last year.

Councillor Uteck advised that she felt it was time HRM began looking at cost saving strategies and potential partnerships with other municipalities with regard to shipping waste outside of HRM. She indicated that she would be bringing this idea to the Solid Waste Advisory Committee for consideration.

Councillor Dalrymple stated that he had a conversation with the Warden of West Hants in which the fee of \$65 a tonne was mentioned, and said that he was presenting this information for future consideration.

MOTION PUT AND PASSED.

11.1.6 Heritage Gas Expansion Nova Scotia Utility and Review Board (NSUARB) Application

- A staff report dated April 6, 2010 was submitted.

MOVED by Councillor Walker, seconded by Councillor Wile that Halifax Regional Council direct staff to intervene in the Heritage Gas UARB Expansion hearing.

MOTION PUT AND PASSED.

11.1.7 Proposed By-Law F-301, An Amendment to By-Law F-300, Respecting Fees for the Provision of Tax Information

- A staff report dated April 7, 2010 was submitted.

MOVED by Councillor Smith, seconded by Councillor Wile that Regional Council approve in principle By-Law F-301, An Amendment to By-Law F-300, Respecting Fees for the Provision of Tax Information.

Mr. Gerry Blackwood, Manager of Revenue Operations responded to questions.

MOTION PUT AND PASSED.

11.1.8 Proposed Amendment to Administrative Order 15, Respecting Licence, Permit, and Processing Fees - Parking Meter Rate Increase

- A staff report dated April 6, 2010 was submitted.

Councillor Sloane advised that she received several inquiries from Business Improvement District Commissions who have expressed concern and feel that they have not had enough notice to review the matter. Councillor Sloane added that she would like Council to defer this matter for one week.

MOVED by Councillor Sloane, seconded by Councillor Watts that this matter be deferred for one week. MOTION PUT AND PASSED.

11.2 NORTH WEST COMMUNITY COUNCIL

11.2.1 Case 01323 - Municipal Planning Strategy and Land Use By-Law Amendments - Sackville / Sackville Drive

- A report dated March 26, 2010 from the Chair of the North West Community Council, with an attached report dated March 4, 2010 from the North West Planning Advisory Committee, and a staff report dated February 16, 2010 were submitted.

MOVED by Councillor Harvey, seconded by Councillor Johns that Halifax Regional Council give First Reading to the proposed amendments to the Sackville Municipal Planning Strategy and Land Use By-law and the Sackville Drive Secondary Planning Strategy and Land Use By-law as set out in Attachments A, B, C, and D, of the staff report dated February 16, 2010 and schedule a public hearing. MOTION PUT AND PASSED.

11.3 HERITAGE ADVISORY COMMITTEE

11.3.1 Case H00348 - Substantial Alterations to 1652 and 1656 Barrington Street, Halifax

- A report dated February 11, 2010 from the Chair of the Heritage Advisory Committee was submitted with an attached staff report dated February 1, 2010.

Mr. Bill Plaskett, Heritage Planner, provided a brief presentation on the application by Starfish Properties Ltd. for a substantial alteration to the registered municipal heritage properties located at 1652 and 1656 Barrington Street, Halifax. In his comments, Mr. Plaskett noted that the application has been reviewed and approved by the Design Review Committee

At 7:29 p.m. Mr. English retired from the meeting and Mr. Wayne Anstey assumed the CAO's seat at Council.

MOVED by Councillor Sloane, seconded by Councillor Blumenthal that Halifax Regional Council approve the substantial alteration to 1652 and 1656 Barrington Street, registered Municipal Heritage properties, as outlined in the February 1, 2010 staff report. MOTION PUT AND PASSED.

12. MOTIONS: None

13. ADDED ITEMS

The following item was dealt with at a Committee of the Whole meeting held earlier on this date and was now before Council for ratification:

13.1 SERVICE REVIEW - Visitor Information Centres

MOVED by Councillor Karsten, seconded by Councillor Adams that Halifax Regional Council:

- 1. Commence transition planning to close (or not open) the urban VIC's and the Sackville VIC in 2010;**
- 2. Establish an MOU or Service Level Agreement with Destination Halifax, including specific consideration of partnering with the Regional Tourism Industry Association to operate Rural VIC's;**
- 3. Undertake and complete a detailed review of Culture and Heritage aspects of the Rural VIC's linked to museums by December 2010, in consideration of future HRM support.**

MOTION PUT AND PASSED.

The following item was dealt with at a Committee of the Whole meeting held earlier on this date and was now before Council for ratification:

13.2 SERVICE REVIEW - Burial Services

MOVED by Councillor Nicoll, seconded by Councillor Hendsbee that Halifax Regional Council expand burial services - plot provision and interment through amendments to the Cemetery By-Law and/or Administrative Order and include additional columbarium services as per the detailed recommendations in the staff report dated February 25, 2010. MOTION PUT AND PASSED.

14. NOTICES OF MOTION:

14.1 Councillor Walker

Take notice that, at the next regular Regional Council meeting, to be held on Tuesday, the 20th Day of April, 2010 I propose to move approval of a revised Administrative Order 10, the purpose of which is to include a residential tax exemption for homes destroyed by fire.

14.2 Councillor Smith

Take notice that, at the next regular Regional Council meeting, to be held on April 20, 2010, I propose to move First Reading of By-Law F-301, An Amendment to By-Law F-300, the purpose of which is to increase the administration fee for the provision of tax information effective July 1, 2010.

14.3 Councillor Uteck

Take notice that, at the next regular Regional Council meeting, to be held on April 20, 2010, I propose to move that Halifax Regional Council direct staff to consider the optimal governance structure for agencies within Halifax Regional Municipality who are performing an economic development function, in respect of the new Economic Strategy that is being undertaken. The goal being an organizational and governance model best suited to the strategies described in the Economic Strategy. And that information be brought back to Council for consideration pending the Council endorsement of a 2011-2016 Economic Strategy.

15. ADJOURNMENT

The meeting adjourned at 7:35 p.m.

Cathy Mellett
Acting Municipal Clerk

The following information items were submitted:

1. Proclamation - Administrative Professionals Week - April 18 - 24, 2010
2. Memorandum from Director, Community Development dated March 29, 2010 re: Community Engagement Strategy - Systems Improvement Update
3. Memorandum from External & Corporate Affairs dated April 6, 2010 re: French Language Versions of HRM Publications
4. Memorandum from the Acting Clerk Manager dated April 9, 2010 re: Requests for Presentation to Council - Shalom Mandaville re: Accredited Lake Management Professional