

HALIFAX REGIONAL COUNCIL  
MINUTES

June 8, 2010

PRESENT:

Mayor Peter Kelly  
Deputy Mayor 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  
Debbie Hum  
Linda Mosher  
Stephen Adams  
Robert Harvey  
Tim Outhit  
Peter Lund

REGRETS:

Councillor Reg Rankin

STAFF:

Mr. Dan English, Chief Administrative Officer  
Ms. Mary Ellen Donovan, Municipal Solicitor  
Ms. Cathy Mellett, Acting Municipal Clerk  
Ms. Chris Newson, Legislative Assistant

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**1. INVOCATION**

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

**2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS**

Councillor Sloane announced the following community events:

- Sunday afternoon Band Concert Series at Public Garden's commences June 13<sup>th</sup> to September 12<sup>th</sup> , 2:00 - 4:00 p.m. weather permitting.
- Saturday, June 5<sup>th</sup> - Uniacke Square Beautification Day/BBQ was a huge success; thanks to all organizers and volunteers.
- Public Art Display in Halifax Hall with 32 exhibits by Bruce MacKinnon of the Chronicle-Herald.
- Thursday, June 10<sup>th</sup> at Dalhousie Student Union Building, McInnes Room, a meeting will be held in regard to the Central Library.
- HRM has won two awards for small or medium communities in the Urban Design category for the 2010 National Urban Design Awards; thanks to staff and all Urban Design Task Force members.

Councillor McCluskey thanked all who came out for the Downtown Dartmouth Clean-up including the Downtown Business Commission for organizing the event and the Fire Fighters who assisted with the BBQ. She congratulated the local Paddlers for the great job they did at the World Trials in Hungary and Germany.

Councillor Fisher thanked Metro Transit, Red Cross, the East Dartmouth Community Centre and John Burton of the East Dartmouth Boys and Girls Club, for all their assistance during the recent apartment building fire at 50 Roleika Drive, Dartmouth, that displaced 100 residents.

Deputy Mayor Johns advised that he had attended, on behalf of the Mayor, the 300<sup>th</sup> anniversary of the Anglican Diocese in Nova Scotia and Prince Edward Island on Sunday, June 6<sup>th</sup> with over 3000 people in attendance at Exhibition Park. He noted the following upcoming events:

- Wednesday, June 9<sup>th</sup> - Sackville Community Development Association AGM at 7:00 p.m. in the Acadia School.
- Saturday, June 12<sup>th</sup> - 6<sup>th</sup> annual Relay for Life in Sackville at Metropolitan Field.
- Saturday, June 12<sup>th</sup> - Millwood Elementary School Fun Fair Fundraiser from 10:00 a.m. to 1:00 p.m.

Councillor Blumenthal announced the upcoming Walk and Run for Crohns/Colitis on

Sunday, June 13<sup>th</sup> at 12:30 p.m. behind the Maritime Museum of the Atlantic. He also thanked 300 residents who attended the public meeting on Wednesday in regard to the Roundabouts.

Councillor Mosher announced the upcoming 2010 Halifax Greek Fest celebrating their 25<sup>th</sup> anniversary this year. The event will be from Thursday, June 10<sup>th</sup> to Sunday, June 13<sup>th</sup>. For further information go to [www.greekfest.org](http://www.greekfest.org). She requested that Mayor Kelly, on behalf of Regional Council, send a letter of thanks to the HomeBridge Youth Society for the 4<sup>th</sup> annual clean-up done by the Jubien House Youth Home on Purcell's Cove Road. The group cleaned around the Dingle and Purcell's Cove Road area. She also thanked the Honourable Minister Jim Prentice, Department of Environment, and the federal government for matching the \$425,000 funds for refurbishing the exterior masonry at the Memorial Tower and stabilizing/restoring the lions and plaques.

Councillor Lund thanked the following:

- former Councillor Gary Meade for organizing the annual Lion's Club Road Toll Fundraiser in Upper Tantallon that raised \$4850 for Seeing Eye Dogs.
- Laura McKay for organizing the Relay for Life at Sir John A. MacDonald High School and Carolyn Parker from KOOL FM for being the Master of Ceremonies. The event raised over \$63,000.

He announced an upcoming public information meeting hosted by MLA's Ms. Denise Peterson-Rafuse and Mr. Bill Estabrooks on the proposed interchange between Exits 5 and 6 to be held at the Black Point Fire Hall on Wednesday.

Councillor Nicoll announced the following upcoming community meetings:

- Monday, June 14<sup>th</sup> at 7:00 p.m., a public information meeting to be held at the Cole Harbour Place re: Case 16032 a substantive amendment to an existing Development Agreement at 613 Highway 7, Westphal.
- Thursday, June 10<sup>th</sup> at 7:00 p.m., residents of Ritcey Crescent, Cole Harbour, are holding a community meeting at the Hillside Wesleyan Church in regard to the proposed Nova Scotia Power Transmission Line.

Councillor Dalrymple announced the following upcoming events:

- Wednesday, June 9<sup>th</sup>, from 5:00 p.m. to 7:00 p.m. Waverley Elementary School hosting its annual BBQ and Silent Auction at Village Green grounds and Fire Hall.
- Saturday, June 12<sup>th</sup> - Beaver Bank and Kinsac Annual Clean-up Days starting at 9:00 a.m. at the Beaver Bank Kinsac Elementary School ending with a BBQ. He thanked the 2<sup>nd</sup> Beaver Bank Scouts for assisting.
- Saturday, June 12<sup>th</sup> - Annual Lobster Dinner at Brown Hall, Beaver Bank Road; take out from 1:00 p.m - 5:00 p.m. and sittings at 4:00 p.m. and 5:00 p.m.

Councillor Hum announced the following:

- June is Recreation Month; she and Councillor Uteck attended the annual luncheon at Pier 21 hosted by the Honourable Minister Maureen MacDonald, Nova Scotia Department of Health Promotion and Protection, who was also the Guest Speaker with a luncheon address by Stacy Turner of Greenplay.
- Saturday, June 12<sup>th</sup> from 11:00 a.m. to 2:00 p.m. Grosvenor - Wentworth Park Elementary School annual Spring Fair Fundraiser at 4 Downing Street.
- Wednesday, June 16<sup>th</sup> at 7:00 p.m., a public information will be held in St. Benedicts Catholic Church, hosted by W. M. Fares in regard to 55 acres of former radio transmitter lands.

Councillor Hendsbee announced the following upcoming events:

- Wednesday, June 9<sup>th</sup> - the Marine Drive Valley and Canal Community Council meeting at Lake Echo Community Centre in regard to a plan amendment for a mobile home park in the Lake Echo area.
- Friday, June 11<sup>th</sup> - St. Anne's Roman Catholic Church - Annual Fair in Lake Echo commences with a Merchandise Bingo.
- Saturday, June 12<sup>th</sup> - St. Anne's Roman Catholic Church Fair Events
- Sunday, June 13<sup>th</sup> - St. Anne's Roman Catholic Church Lobster Supper from 3:30 p.m onward.

Councillor Streach announced that the Canadian Cancer Society's Relay for Life will be held at 7:00 p.m. on Friday, June 11<sup>th</sup> at the Musquodoboit Harbour Community Centre and Rink in Musquodoboit Harbour.

Councillor Watts announced the following community meetings;

- Wednesday, June 9<sup>th</sup> - 6:30 p.m. at the St. Andrew's Recreation Centre a meeting will be held in regard to extending Off Leash Dog hours in the early morning at Larry O'Connell Park.
- Saturday, June 12<sup>th</sup> - Green Light Halifax meeting from 9:00 a.m. to 2:30 p.m. in regard to sustainable transportation and mobility issues in Halifax.
- Wednesday, June 16<sup>th</sup> at 7:00 p.m. a public information meeting will be held at the Bloomfield Centre in regard to consideration of allowing lounges on Quinpool Road.

Councillor Barkhouse announced the following events;

- Saturday, June 26<sup>th</sup> at 11:00 a.m. - Woodside Community Visioning Kick-Off walking tour starting at the Nova Scotia Community College Water Front Campus parking lot followed by a community BBQ.
- Saturday, June 12<sup>th</sup> - there will be a Fit Walk commencing at the Tallahassee Recreation Centre at 11:00 a.m.

- Saturday, June 12<sup>th</sup> - A skateboarding event at the Eastern Passage Skate Park at 1:30 p.m.

Councillor Fisher announced the following school events:

- Saturday, June 12<sup>th</sup> - at 12:00 noon there will be a Fun Fair at the Michael Wallace Elementary School
- Saturday, June 12<sup>th</sup> - Brookhouse Elementary School BBQ.

Councillor Uteck announced that June was ALS Awareness month and thanked Members of Council for wearing the blue cornflower in recognition of the event and in memory of her late husband and former Councillor Larry Uteck. On Saturday, June 19<sup>th</sup> at 10:00 a.m. there will be a Walk for ALS at Point Pleasant Park.

Councillor Smith announced the following community events:

- Sunday, June 13<sup>th</sup> - North Brook Community Centre AGM at 2:00 p.m. at 2 Chapman Street, Dartmouth.
- Thursday, June 17<sup>th</sup> - Farrell Benevolent Society AGM at 6:30 p.m. at Farrell Hall, 276 Windmill Road, Dartmouth.

### **3. APPROVAL OF MINUTES - May 18 & 25, 2010**

Corrections: May 18, page 5: "would" should be "will"; "Frog Pond" should be "Flag Pond" and "Stephen's Road" should be "Steven's Road".

**MOVED by Councillor Sloane, seconded by Councillor Nicoll that the minutes of May 18, 2010, as amended, and May 25, 2010, as presented, be approved.  
MOTION PUT AND PASSED.**

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

Additions:

- 13.1 Herring Cove Road Resurfacing - Medians and Configuration - Councillor Adams
- 13.2 Property Matter - Market Value Lease - HRM 4-Pad Arena - Subway Franchise
- 13.3 Property Matter - Market Value Lease - HRM 4-Pad Arena - Cleve's Source for Sports
- 13.4 Personnel Matter - FCM National Board of Directors Appointment
- 13.5 Cole Harbour - Eastern Passage Transmission Project - Councillor Nicoll

Deletion: Item 11.1.5 requested to be deferred pending additional information from the Sustainable Environment Management Office.

Deputy Mayor Johns requested that Information Item 1. 4 Pad Arena - Community Access Plan, be moved to the June 15, 2010 Council agenda.

**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. PUBLIC HEARINGS**

**9.1 Proposed Administrative Order SC-59 - Respecting Right of Way Closure - Portion of Upper Water Street**

- A report dated April 19, 2010 was before Council.
- An extract of the Regional Council minutes of May 11, 2010 was before Council.

Mr. Glen Boone, Senior Real Estate Officer, Acquisition & Disposals, Real Property, Transportation and Public Works, presented the report. He circulated a copy of revised Appendix "B" outlining the lot plan of sections to be taken from the current Upper Water Street right of way and added to the Treatment Plant Lands and the portion to be taken from the current Treatment Plant Lands and added to the Cornwallis Street right of way. The plan will be officially added to the order that has been registered. He emphasized that travel service along Upper Water Street has not, and will not, change.

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

Mayor Kelly gave the third call for speakers; hearing none, it was **MOVED by Councillor McCluskey, seconded by Councillor Sloane that the public hearing be closed. MOTION PUT AND PASSED.**

**MOVED by Councillor Sloane, seconded by Councillor Blumenthal that Halifax Regional Council approve Administrative Order SC-59, Respecting Right of Way Closure - Portion of Upper Water Street, Halifax as outlined in Attachment A and B of the staff report dated April 19, 2010. MOTION PUT AND PASSED.**



**9.2 Case 01361 - Municipal Planning Strategy Amendment - Dartmouth Bridge Transit Terminal (Joint Public Hearing with Harbour East Community Council)**

- An extract of the May 4, 2010 Council minutes was before Council.
- A report dated April 27, 2010 from the Harbour East Community Council was before Council.
- A staff report dated April 1, 2010 was before Council.
- A copy of the staff presentation was before Council.

Written submissions from the following persons were before Council: Shalom Mandaville, Keith Bradshaw, Todd Hacquoil, Thomas Gribbin, Elizabeth Ann MacDonald and Valerie Chapman.

Mr. Paul Dunphy, Director, Community Development, clarified that the only matter under consideration during the public hearing was the enabling land use policies on whether or not a transit terminal should be placed on the proposed site. Concerns in regard to a particular design of a future transit terminal or the costs associated with the future project are not part of the public hearing before Council this evening.

Mr. Joseph Driscoll, Senior Planner, presented the report. In response to questions of clarification from Members of Council, Mr. Driscoll, assisted by Mr. David Reage, Coordinator, Project Planning, Metro Transit, Transportation and Public Works, provided the following additional information:

- the proposed terminal site will be fully accessible for those with mobility issues and will include in-ground conduits to allow for increased technology to assist with accessibility for those with vision issues.
- the original request brought forward to Regional Council from Metro Transit was in regard to legislative amendments required by the province; the report did include approval in principle for a transit terminal on the Dartmouth Commons.
- Schedule "M", attached to the staff report, indicates the only location where a transit terminal would be permitted on the Dartmouth Common.
- there will be no disturbance beyond the 3.42 acres designated for the transit terminal.

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

**Michael Cosgrove, Slayter Street, Dartmouth**, commented that placing a main bus terminal on the Dartmouth Common Park land was an important decision as it would result in the loss of acres of park space. The entrance to downtown Dartmouth, from the MacDonald Bridge, is a surplus of cement which is why hiding the terminal is

desirable. The park adds future value to a growing, vibrant community such as downtown Dartmouth is becoming. In a 2009 book "*Whose your City*", author Richard Florida, received the following responses to the "*Place and Happiness Survey*" on what makes a city a desirable place to live: the physical beauty of the community, outdoor parks, playgrounds and trails. Parks are the shared backyards of city residents; they are valuable and irreplaceable. Consider the value that the 843 acre Central Park has to New Yorkers; New York City is not willing to compromise by putting buses or a terminal in that area. The Halifax Commons, Public Gardens and Point Pleasant Park are cherished by the citizens as shown by the people who rallied to donate money for their restoration after Hurricane Juan. The proposed terminal site does not connect to any surrounding businesses; the site is near a school and a sports complex with proposed upgrades to the school field and sport complex. The current wilderness park is part of the evolution of the park; it will change, grow, and get safer with community engagement and more runners, cyclists, strollers, dog walkers, young parents with children congregating together.

The HRM Municipal Planning Strategy (MPS) highlights a high quality public realm featuring public squares, parks, community gardens, public art, comfortable and safe environments for pedestrians and cyclists, as components for achieving the design of City centres. An alternative site, such as Alderney Landing, would connect to other businesses, restaurants, library, washrooms, harbour trails, the ferry, and could link to rail. The MPS notes that it is important to consider the potential for intermodal transfers when planning bus or ferry terminals close to rail lines. The best commute to downtown Halifax from Dartmouth is via the ferry; it takes cars off the road and brings more pedestrians to the downtown. A third harbour bridge would not be required: Sydney, Australia has only one harbour bridge as they have invested in their ferry system. He noted that residents were being asked to believe that the Dartmouth Common location was the only spot for a downtown terminal. He questioned how New York City moved its millions of people daily without going through Central Park. Seeing the potential of the Dartmouth Common Park is important. The transit system needs a new terminal but it needs to be integrated better so it does not replace the oldest and most central park.

**Colin Maye, Dahlia Street, Dartmouth** questioned whether the legal definition for "adjacent to" was met by the proposed location as it is not adjacent to Nantucket Avenue; it is adjacent to a Wilderness Park and a parking lot. The square area, as indicated on the map, "adjacent to" Nantucket Avenue was the extent of the land designed to be used for a bus terminal. The location was changed due to emissions from the bus terminal being too close to the school, however; the winds would blow the emissions to the high school more than it would if it were "adjacent to" Nantucket Avenue. He requested that Council reject the proposal and consider entering into an agreement with Scotia Bank as that location would be "adjacent to" Nantucket Avenue and would thereby meet the legal requirements. The cost of the project has almost doubled due to tonnes of pyritic slate that would have to be removed from the site and

disposed of with possible blasting required. Many people are concerned with possible fractured basements similar to what occurred when blasting took place for the Sportsplex. The original site would be a sloping grade with very little blasting required and fewer fumes would be going toward the High School. He commented that he has spoken out at many meetings and has given up fighting to keep the Commons as so much has been taken from it that what is left is a piece of scrub land. He noted that Council has already approved the proposal in principle and it does not matter what anyone says at this public hearing as it seems to be a done deal. The Slayter Street area would prefer to see the City buy the Brightwood Golf course and call it the new Dartmouth Common and give people something worth while as a public open space.

In response to a question from Councillor McCluskey, Mr. Maye explained that an HRM staff person had advised him at the Dartmouth High School meeting that there was a possibility of pyritic slate at this location that would increase the cost and raised the concern for run off.

Councillor Sloane inquired whether staff had the geotechnical data available in regard to issues such as pyritic slate.

Council recessed at 7:05 p.m.

Council reconvened at 7:16 p.m.

**Jane McKay, Forest Road, Dartmouth**, expressed concern with the impact the proposed transit terminal would have on Dartmouth High School. She noted that it would be preferable to have Dartmouth High School campused with the Dartmouth Sportsplex and permit a regulation size field. She suggested that the upgrades to the school field be done simultaneously with the transit terminal construction as using the field during construction would not be advantageous as the field would be only 50 metres from the terminal. She added that her biggest disappointment was all the money spent on Halifax Common and Citadel High and that if the transit terminal were being proposed on Halifax Common it would not even be brought forward for discussion as no one would stand for that. There is alternative land available in downtown Dartmouth where city vehicles park at the end of Ochterloney Street on Alderney Drive.

**Barbara LeGay, Newberry Street, Halifax and Chair of Visually-Impaired Safe Travel Advocates (VISTA)**, encouraged Council to consider installation of audible pedestrian signals at the new transit terminal. She noted that Council had previously decided to maintain free bus passes for the blind as Council had acknowledged that it was not fair to ask people who were blind/visually impaired to pay for a service that was not fully accessible to them. She noted that it was understood that making the terminal fully accessible to the blind/visually impaired would be a big task that could not be done overnight. Having a fully accessible transit terminal for the visually impaired/blind would

have been a great opportunity for HRM to be a model for other municipalities. A staff Supplementary Report indicated that the terminal would be fully accessible.

Mayor Kelly reminded Ms. LeGay that the purpose of this evening's public hearing was in regard to the location of the transit terminal and not specifics on the terminal design.

In response to a question of clarification from Deputy Mayor Johns, Ms. LeGay advised that she was not qualified to respond whether the location was the preferred location as she was not a resident of Dartmouth and only used the terminal occasionally. The main concern was that of the terminal design.

**Jillian McGillicuddy, Halifax Regional School Board Representative**, explained that the Halifax Regional School Board's primary concern is the safety of the students at Dartmouth High School. The Dartmouth High School is located within an urban centre and on a transit hub. The Halifax Regional School Board understands the constraints in regard to future planning and believe that through continued partnership and planning, the Dartmouth Commons can become an equitable place for all. The concern in regard to the original transit terminal design was the location. The Halifax Regional School Board is pleased with the changes made by Metro Transit and believe that the remaining concerns can be alleviated by landscaping and fencing.

In response to a question from Councillor Hum, Ms. McGillicuddy explained that she was with the Administration of the Halifax Regional School Board and was speaking with their authorization. The transit terminal is not the most compatible land use, however; issues such as idling of buses will decrease with the expansion of the terminal and its relocation farther away from two schools .

In response to a question from Councillor Lund, Ms. McGillicuddy advised that having a transit terminal in the vicinity of the school would be beneficial as there are High School students who use metro transit.

**Wayne MacKenzie, President Business Union ATU Local 508**, noted that safety at the present bridge terminal is a disaster, a nightmare for the visually impaired, and is not accessible for wheelchairs. There are upwards of 15 to 20 buses at the terminal at any given time; people get off the buses and move around in unsafe conditions. Only the professionalism of the bus drivers ensures the safety of those passengers. It is the busiest terminal in Metro and has no accessibility for the handicapped. Safety at night is terrible for the drivers and the public. There are no onsite washrooms for the drivers and no washrooms for them to use after 11:00 p.m. At night, the wooded area is crowded with young people hanging out, drinking, selling drugs and partying and is not safe: the drivers see them coming out of that area toward the buses. Talk of lighting the area and building a new park is preferable to the current situation.

In response to a question from Deputy Mayor Johns, Mr. MacKenzie explained that the proposed location may not be the best site for a transit terminal, however; it is the largest transit terminal and if it were moved, Metro Transit would lose ridership.

In response to a question from Councillor Hum, Mr. MacKenzie advised that if the transit terminal were moved to Alderney Drive, or another location, it would absolutely cause a great change in routing for those buses currently serving the existing terminal.

**Shane O’Leary, Erin Drive, Dartmouth**, explained that he has been a bus operator with Metro Transit for eleven (11) years. Four years ago, he stood outside in a blizzard snowstorm and had to fight to get a shelter for the drivers. They now have a hut, used on construction sites, but there are no washroom facilities and no potable water which are supposed to be supplied by the Employer. The only people against the proposed terminal location are those who live in the area and do not want it in their backyard. He noted that he lives in the area and went to Dartmouth High as did his children. He knows the wooded area is not a natural environment; it has an 8' wide crusher dust road running through it as a trail; the area is not safe; no one hikes there; it is not a wilderness area. The proposed site will be accessible to wheelchairs and the visually impaired as no one will have to cross in front of buses to go from one lane to another and there will be no slant. The current terminal is on a slant and is not wheelchair accessible; locations parallel to Nantucket Avenue would also create a slant and would not be accessible to wheelchairs. There are hundreds of students from Dartmouth High School who use Metro Transit buses everyday; they will have a safer passage from the terminal to the school as they will not have to cross a parking lot or in front of buses.

**Kennie Wilson, BeechTree Run, Vice-President, Amalgamated Transit Union Local 508**, advised that he was in support of the proposed bridge terminal as the current terminal is the worst in the city. Students being picked up at the existing terminal are forced to walk between moving buses and almost get their feet run over when they sit on the curb. It is HRM’s obligation to protect the safety of residents and transit employees. The existing terminal has to expand to meet demand and to grow. In 1999 there were eight (8) buses at that terminal and now there are approximately fifteen (15); an increase of 45%. Moving the terminal to Alderney Drive/Landing is not a good idea as it would be a huge cost to the taxpayer given that moving a bus 1 kilometre costs \$100,000. The bridge is the hub and HRM is trying to make the transit system run as a hub. The proposed location is the best location for operators, for accessibility and for the public.

In response to a question from Councillor Sloane, Mr. Wilson advised that ferries should absolutely be included in a transportation hub.

**Sam Austin, South Street**, advised that he would be moving to Dartmouth near the proposed transit terminal site. The area is affordable, accessible to transit and provides

the ability to walk to the ferry or take a bus. The current terminal is not sufficient. His wife does not like going to the current terminal due to traffic and other issues at night. A new terminal is needed in this location as it is the hub where all bus routes meet. Integrating the ferries with the bus system would be great but moving the terminal to the Alderney Landing/Drive area would be frustrating as commuters would arrive by bus, see their destination, then have to turn off to go another route first. The Wilderness Common is a leftover piece of land; not a Wilderness Park. It is a hang out; a potential place for crime; and is full of litter. A better park space for this area would be the Brightwood Golf lands. Moving the old terminal would create more parking for the Dartmouth Sportsplex. He suggested shifting the proposed terminal down a little toward the Sportsplex parking as he has seen empty spots in that area.

**Paul MacDonald, Operator Metro Transit and Shop Steward for Operations,** advised that Metro Transit employees do not have washroom facilities nor potable water at the existing terminal; an issue that has been dragging on for a year and a half. He requested that the project not be delayed for another study and that the drivers not be made to suffer any longer.

**Joseph Dacey, Alderney Manor, Dartmouth,** noted that residents were about to witness a new era in a safe, accessible, transportation bus terminal for all transit passengers. He respects the concerns expressed by those opposed to the proposed terminal, however; he has spent many hours gathering hands-on information and wonders how HRM could not proceed with building the terminal. He has spoken to teachers, friends of the park, and people who use the present outdated terminal on a daily basis. He has spent many hours in and around the wooded area taking as many of the paths as he could in his power wheelchair. The primary noise came from the roar of traffic on Victoria Road with very little coming from Thistle Street, Wyse Road or Nantucket Avenue. He was astounded at how little noise there was from the bus terminal in the area near the paved parking lot at the Dartmouth Sportsplex and the forest surrounding Dartmouth High School. He could hear people laughing and talking coming to and from the Sportsplex. At the main walkway, actually a road, leading past the school to Victoria Road, the car traffic was overriding any noise from the buses. Safety is the key word.

Mayor Kelly gave the third call for speakers; hearing none, it was **MOVED by Councillor Nicoll, seconded by Councillor Hum that the public hearing be closed. MOTION PUT AND PASSED.**

In response to questions from Members of Council, Mr. Driscoll, assisted by Mr. Darren Young, Project Manager, Infrastructure and Asset Management, provided the following information:

- the original proposed terminal location was moved due to its proximity to Dartmouth High School and because it would consume a large amount of

- the Dartmouth Sportsplex parking lot and entrance off Nantucket. The current alignment eliminates those concerns.
- one bore hole out of four showed a higher level of acid but not at a level to indicate pyritic slate; that information has been included in the Tender document and the costs have included the area of that vein being treated as if it had pyritic slate. It is not known how large an area that may be. Final tender packages have not yet been received.

Councillor Sloane expressed concern with the lack of geotechnical data available considering the necessity of going down 18' at the proposed site to make the level area for the bus terminal. She noted that disposing of pyritic slate, if found, shock treating the area and dealing with runoff/seepage could be extremely costly. She noted that the issue of no washrooms/water for the transit employees needs to be addressed immediately. Further work could be done in regard to the transit plan once information is provided in regard to the geotechnical data and potential cost increase.

**MOVED by Councillor Karsten, seconded by Councillor Streach that Halifax Regional Council approve the proposed amendments to the Dartmouth Municipal Planning Strategy and Land Use By-Law as set out in Attachments A and B of the staff report dated April 1, 2010.**

Councillor Karsten commented that what is being approved is a planning amendment and not the final design of the building nor the final contract or tender. He advised that he originally had some reservation with the proposed site but realized that common land can be used for the common good. A new transit terminal in proximity to the existing terminal is for the common good and is one more step in the sequence of steps initiated by Council to move transit forward. He assured the Transit employees that they will get a new transit terminal. He noted that all concerns raised during the public hearing, and previously, such as the idling situation on Thistle Street, were addressed in the staff reports. Council has been diligent in seeking and adding parkland. Dartmouth is not lacking in parkland. The Halifax Regional School Board has advised that their concerns are being addressed. He advised that he would be voting yes to move this forward.

Councillor Smith submitted a petition signed by 200 residents of Dartmouth who are opposed to the construction of a new bus terminal on the Dartmouth Common. The petitioners would prefer to have alternatives put forward and be included in the public consultation process. He commented that the entire process has been backward. The proposal is a dilemma as the Wilderness Area has been a problem with constant trouble occurring, however; there is no one who does not support greenspace or improving transit with the construction of a new transit terminal. The Regional Plan speaks to the greening of the municipality, in particular the urban area. It is a shame that more was not done with the Wilderness Area as it has great potential. Council was

thwarted in the past with efforts to clean up that area as no one wanted a leaf touched. He would rather not give up the greenspace but is being forced to make a decision between one good thing and another good thing. Constructing the new terminal in the proposed location would see: the replacement of most of the trees removed from the urban forest; less idling of buses; fewer vehicles on the streets; more mobility for the disabled; one less step toward a third harbour crossing. Councillor Smith suggested that a better job could have been done to find an alternate location for the proposed transit terminal, therefore, he could not support the motion on floor.

Councillor Lund advised that he was supportive of the new terminal. Although he had questioned whether the proposed site was the best location, he was now convinced that the proposed site was the best location after hearing the comments from the drivers. In response to concerns raised by Councillor Lund, Mr. Young and Mr. Driscoll advised that:

- the cost increase from \$5 million to \$9 million was due to a large water course at the top of the current parking lot that has to be removed.
- the possible pyritic slate issue was included in the increase but is not the largest portion of the increase.
- a majority of the vegetation between Dartmouth High School and the proposed terminal would be retained with a requirement to plant an additional 189 new trees on the terminal site. As the Dartmouth Common Master Plan roles out, consideration will be given to trees, trails and the relationship between the sports field, school, and the terminal.

In response to a concern raised by Councillor Watts, Ms. Mary Ellen Donovan, Municipal Solicitor advised that the legal opinion provided in regard to the definition of "adjacent to" is that the 3.42 acres is "adjacent to" Nantucket Avenue as indicated by the legislation and is not an issue.

In response to a question from Councillor Watts in regard to other proposed sites for the bus terminal, Mr. Driscoll and Mr. Reage provided the following information:

- a number of sites were considered such as the Bank of Nova Scotia site and Alderney Drive, however, the only other proposed location was the original site prior to the relocation to the existing proposed site.
- a Site Selection Study was done that is available on the HRM website.
- the current bridge terminal location is like a funnel with the bridge being the end of the funnel. The ferry system is a key part of the transit system but the buses that go across the bridge are servicing other parts of HRM than just the downtown core. If a commuter did not require a ferry, they would be backtracking six minutes to go back by bus.
- Re-routing all buses to Alderney Drive would cost an additional \$500,000.
- Council has approved a Strategic Review of the Ferry System.



**MOVED by Deputy Mayor Johns, seconded by Councillor Adams that the question be now put. MOTION DEFEATED.**

Council recessed at 8:24 p.m.

Council reconvened at 8:38 p.m.

Councillor Fisher advised that he was in support of the proposed project. Although the process has seemed flawed, there will be roughly the same number of buses with a more streamlined approach resulting in less idling/standing in queue/deadheading around the streets. The distance between Dartmouth High School and the proposed terminal would be 300' or double the width of a High School football field. The pros outweigh the cons for this proposal.

Councillor Dalrymple concurred with earlier comments that this is not a win win situation as it puts two of Council's positions at odds with each other: transit and greenspace. Upon hearing all the speakers and the good points raised, he has concluded that there is no other viable option. Transit is one of HRM's number one priorities and the proposal will make things more accessible and far safer.

Councillor McCluskey advised that she has agonized over the issue and that the decision was difficult. There are residents in her district who are opposed to the location. Unfortunately, there is no other site available as the Keating Lands have been sold and it was not an appropriate area due to the closeness to a residential area. Alderney Drive is not acceptable as buses would have to backtrack. When planning the new transit terminal, everyone has to be considered from those with mobility/visual issues to the Metro Transit employees who require facilities and lay over space to prevent idling of buses on Thistle Street. The wilderness area is not a gem but if the proposal goes forward, it is hoped that the area will be made a good place for people to frequent. The location near the bridge makes it a good transportation link serving the 18,000 people who use the site on a daily basis. Councillor McCluskey advised that she was in support of the proposal.

Councillor Uteck acknowledged her support for the proposal. She requested that if the project does go over budget that the excess come directly out of the Metro Transit budget and not CRESPOOL. She apologized to the Metro Transit Operators for their current conditions and requested that washrooms be provided for the employees.

Councillor Blumenthal noted that safety was the most important issue in regard to the Wilderness Area and it would be good to have some of that area cut down. It is important to ensure that the proposed world class transit terminal be accessible to everyone including wheelchair users and the visually impaired. Consideration of a speaker system to alert the visually impaired of what bus was in what bay is important.

Councillor Smith noted that the issue of washrooms for the Metro Transit employees has to be addressed regardless of the proposal before Council and that the only issue before Council was that of the site for the terminal. He commented that if the province or HRM had stated that the Dartmouth Common Land could not be used for a transit terminal there would have been a different location before Council for consideration.

In response to a question from Councillor Nicoll, Mr. Peter Bigelow, Manager, Real Property Planning, Infrastructure and Asset Management, explained that his group was responsible for the public consultation component as part of the Dartmouth Common Master Plan. The consultation led to the re-orientation of the proposed terminal site to its present location. An integrated approach was used involving the Dartmouth Sportsplex, the Halifax Regional School Board and Metro Transit. The original Nantucket Avenue option failed the integration test. The cost has been between \$3 million and \$4 million; a \$2 million premium to excavate and integrate the terminal into the hill; integrate the greenspace with the green roof and ensure easy access down to the terminal to maximize pedestrian flow.

Councillor Nicoll noted that the money going into the project needs to be recognized. She is confident that staff have done all they could to marry the uses of the land and create the transit hub. The proposed location is very central and there is no land available at Alderney Landing/Drive.

In response to a question from Councillor Sloane, Mr. Driscoll and Mr. Reage advised that they could not speak to the ventilation system of Dartmouth High School other than the system is on the north side and the proposed terminal location was farther away. Moving the terminal farther away from the school and tucking it under the slope was to provide a wall of vegetation and also eliminate a great deal of bus traffic and idling, a decrease of 36% in the number of buses running on Victoria Road and Thistle Street.

Councillor Sloane advised that she was not in support of the proposal, however; she concurred that a transit hub was required in the area. She suggested that the transit hub be located at Alderney Landing in order to incorporate the ferry service. The transit system is in need of an overhaul and change in order to encourage more people to use the buses.

Councillor Barkhouse noted that it was painful to lose any urban wilderness, however; it was important to make it clear to the public that the proposed site was not the only location considered. The transportation system needs to grow as a transit hub with a decent workplace for the transit employees and safety for all. She advised she was in support of the proposal although it was unfortunate to lose something to get something.

In response to a question by Councillor Wile, Mr. Reage and Mr. Bigelow provided the following information:

- the current transit terminal site would be returned to the Dartmouth Sportsplex for use as parking.
- buses will continue to use the area until the new terminal is built with no impact to the existing terminal.
- funding has to be found for improvements to the Dartmouth Common as part of the Dartmouth Common Master Plan process; the area will move from a Wilderness Area to parkland with lighting.

Councillor Hendsbee noted that residents interested in the environment want a reduction in green house gas emissions and a reduction in traffic but in order to do that a more efficient, enhanced transit service was required. If a third harbour crossing were to be prevented, the proposed transit terminal location has to be supported. The area in question has always been the site of a transit terminal from the time it was located at the Dartmouth Shopping Centre and then relocated to its current site. The Burnside garage is located at the base of one bridge and this busy transit terminal is located at the other bridge.

Deputy Mayor Johns requested a recorded vote.

**MOVED by Councillor Karsten, seconded by Councillor Streach that Halifax Regional Council approve the proposed amendments to the Dartmouth Municipal Planning Strategy and Land Use By-Law as set out in Attachments A and B of the staff report dated April 1, 2010. MOTION PUT AND PASSED.**

Those voting in favour of the proposal were Councillors: Adams, Barkhouse, Blumenthal, Dalrymple, Fisher, Harvey, Hendsbee, Hum, Karsten, Mayor Kelly, Lund, McCluskey, Mosher, Nicoll, Outhit, Streach, Uteck, Walker, Watts and Wile.

Those voting against the proposal were: Deputy Mayor Johns, Councillors Sloane and Smith.

Councillor Rankin was absent for the vote.

## **10. CORRESPONDENCE, PETITIONS & DELEGATIONS**

### **10.1 Correspondence**

#### **10.1.1 Request for Fly-Past - Battle of Britain Ceremony**

- A letter dated May 7, 2010 from Mr. Paul MacDonald, Parade Coordinator, Battle of Britain Parade and Ceremony, was before Council.

**MOVED by Councillor Karsten, seconded by Councillor McCluskey that Halifax**

**Regional Council grant permission to 111 Mic Mac Wing, Air Force Association of Canada, for a “flyby’ by a military SeaKing at approximately 2:10 p.m. on Sunday, September 19, 2010 as part of the annual Battle of Britain Parade and Ceremony to be held at Sullivans Pond, Dartmouth. MOTION PUT AND PASSED.**

**10.2 Petitions**

**10.2.1 Rockcliffe Drive, Enfield - Request for Paving**

Councillor Streach submitted a petition signed by thirty (30) residents requesting that Rockcliffe Drive, Enfield, a J-class road 900 metres in length, be paved.

**11. REPORTS**

**11.1 CHIEF ADMINISTRATIVE OFFICER**

**11.1.1 Budget & Contract Increase - Tender 08-168 - Consulting Services, Dartmouth Common Master Plan**

- A report dated May 10, 2010 was before Council.

**MOVED by Councillor Smith, seconded by Councillor that Halifax Regional Council:**

- 1. Approve an increase of \$52,013.81 to Capital Account No. CPG00497 - Dartmouth Common Master Plan through a transfer from Capital Account No. CDG00271 - Downtown Streetscapes;**
- 2. Approve an increase to the contract with CBCL Limited for the Dartmouth Common Master Plan in the amount of \$18,699.44 (net HST included) from Capital Account No. CPG00497 - Dartmouth Common Master Plan; as outlined in the Budget Implications section of the staff report dated May 10, 2010.**

In response to questions raised by Members of Council, Mr. Peter Bigelow, Manager, Real Property, advised that in 2004 Regional Council had approved an amount for funding the Dartmouth Common Master Plan through the capital district. The plan was not put into effect until 2009 when it was transferred to the Infrastructure and Asset Management department. Staffing changes and lack of staff to attend to this matter between 2004 and 2008 resulted in the loss of the proposed ACOA funding. Any funds left over from other street-scaping projects were put into this project. The complexity of the matter increased with the introduction of the proposed land uses relative to Dartmouth High School, Dartmouth Sportsplex and the proposed new transit terminal.

The horizontal site for the future transit terminal will enable the Dartmouth Sportsplex to assume the existing transit terminal area for expansion to their parking area.

**MOTION PUT AND PASSED.**

**11.1.2 Tender 10-222, Paving Renewal, New Sidewalk & Water Main Renewal, Hillcrest Avenue - Central Region**

- A staff report dated May 18, 2010 was before Council.

**MOVED by Councillor Harvey, seconded by Councillor Sloane that Halifax Regional Council:**

- 1. Approve a budget increase of \$216,395.53 (net HST included) to Capital Account No. CYU01081 - Paving Renewal Program, funded through cost sharing with Halifax Water.**
- 2. Award Tender No. 10-222, Paving Renewal, New Sidewalk & Water Main Renewal; Hillcrest Avenue - Central Region to Allterrain Contracting Inc. for a Total Tender Price of \$620,253.24 (net HST included) with funding from Capital Account No. CYU01081 - Paving Renewal Program, Capital Account No. CJU01083 - New Sidewalks, and Capital Account No. CRU01079 - Other Road Related Works Design & Construction, as outlined in the Budget Implications section of the report dated May 18, 2010.**

**MOTION PUT AND PASSED.**

**11.1.3 Request for Proposal 10-152 - Design Build - Herring Cove & Hubley Fire Stations**

- A report dated May 18, 2010 was before Council.

**MOVED by Councillor Lund, seconded by Councillor Adams that Halifax Regional Council award RFP No. 10-152 to the highest scoring proponent, J. W. Lindsay Enterprises Limited, at a total project cost of \$5,063,883.84 (including net HST) with funding from Capital Account No. CBX01100 - Herring Cove Fire Station and Capital Account No. CBX01210 - Hubley Fire Station, as outlined in the Budget Implications section of the staff report dated May 18, 2010, subject to the successful execution of a design/build contract.**

In response to questions from Members of Council, Mr. Terry Gallagher, Manager Facility Development, and Deputy Director Roy Hollet, Operational Support, Fire Service, advised that the design / build submissions will be evaluated on matters such

as LEEDS standard designs. The existing buildings will be turned over to surplus once the new stations are complete.

**MOTION PUT AND PASSED.**

**11.1.4 Acceptance of Tick Treatment Proposal: Braemar Pest Control**

- A report dated May 17, 2010 was before Council.

Written submissions from the following persons were before Council: Paul Roy and Richard Peckham.

**MOVED by Councillor Outhit, seconded by Councillor Lund that Halifax Regional Council direct staff to accept the Tick Treatment Proposal and initiate the pest control action specifically for Admirals Cove Park, and in accordance with the Sole Source Policy (Administrative Order 35, Section 8(11) attached), award a Purchase Order to Braemar Pest Control for a Total Price of \$15,000.00 (net HST included) with funding from Operating Account W183 as outlined in the Budget Implications section of the report dated May 17, 2010.**

Councillor Outhit noted that careful application of pesticides, without aerial spraying, will protect residents and pets who walk in the area. HRM will also increase public education as the tick problem has worsened over the last three years with an increase in Lyme disease being reported. The future plan is to install Deer Bait Stations that will include tick treatment.

Councillor Hendsbee advised that he was reluctant to support the motion as, province wide, there is a need to eliminate pesticides. He noted that the staff report mentions the beetle infestation but it appears that the proposed spraying is being considered in response to health issues. He inquired how the municipality would respond to other insects and whether a systematic approach would be taken and how extensive would the action be.

Mr. Richard MacLellan, Manager, Sustainable Environmental Management Office, explained that the tick matter was unique as it poses a health risk which has resulted in the community's desire for a response. He acknowledged that spraying may not be the ideal solution.

Councillor Watts expressed concern with commencing the use of pesticides. She inquired how close the residents who have been affected will be to the spray area. She also noted that the provincial and federal parks personnel indicated that they would not recommend chemical treatment solutions. She expressed concern that people may be lead to believe that they are protected by localized application of pesticide when in

reality there is no guarantee that it would get every tick. She inquired whether HRM's response to more invasive species and diseases that come forward would be a pesticide approach.

Mr. MacLellan advised that he has spoken with two residents from the area who have contracted Lyme disease and their properties immediately border the HRM lands. Signage and Public Service Announcements will be used to warn people that the area has been sprayed.

Councillor Sloane advised that she was not prepared to support the spraying as it would give a false sense of security as bugs do not stay in one area. A more invasive strategy is required.

Councillor Lund noted that the area spraying was a temporary method to be used until the permanent solution, bait boxes, were available. He advised that he was in support of the motion.

Councillor Hum advised that she was not in support of moving forward with the proposed treatment. She explained that Council had spent hundreds of hours discussing the Pesticide By-Law that does provide consideration for such options, however, there appears to be non toxic options available and the provincial and federal governments are also opposed to the use of pesticides. Lyme disease is a terrible thing but she would not support this treatment until other options were presented for consideration. There is no guarantee that the treatment will get rid of the ticks. She expressed concern with the impact on animals and people who would be frequenting the sprayed area.

Councillor Barkhouse advised that she was against the proposed motion and requested a method that would be non poisonous.

In response to Councillor Barkhouse, Mr. MacLellan advised that the recommendation report that was before Council last month explained all the measures as recommended through the Connecticut TICK Management Handbook. The Deer Bait Stations was the recommended option. Other methods used/suggested include working with the provincial department of Health Promotion, using signage, encouraging personal protection, use of landscaping practices as well as discussions with the Department of Natural Resources in regard to culling some animals who may be carrying the ticks. Staff have been researching the issue since October and are now before Council for their deliberation on the proposed action.

Without a vote being taken on the motion on the floor, it was **MOVED by Councillor Hendsbee, seconded by Councillor Karsten that Council extend the meeting time beyond 10:00 p.m. in order to complete the agenda. MOTION PUT AND PASSED.**

Councillor Hendsbee inquired whether there would be pre-testing/harvesting prior to spraying to gauge how many ticks there were and then another measure taken during and following the spraying to determine if the technology had any effect

Mr. MacLellan responded that there was no intent to do measurements before, during or after spraying. HRM staff will work with Health Canada to do measurements if the deer bait stations are approved for use. Individuals who have used the park have reported picking ticks off their dogs and some residents have contracted Lyme disease.

Councillor Karsten advised that he had searched for a way to support the proposal, however, considering that the risks involved are unknown, that the provincial and federal counterparts are against the spraying, and there is no guarantee that the spraying will kill more of one species than another, he is unable to support the recommendation at this time.

In response to a question from Councillor Adams, Mr. MacLellan advised that Dragnet is a product outside the HRM By-Law and not on the banned substance list.

Councillor Adams commented that he has not seen a study that shows pesticides, when used appropriately, are toxic.

Deputy Mayor Johns commented that considering the cost associated with the proposed method it was worth a try, however; he expressed concern that the ticks would most likely return to the area. He would prefer to see a joint Awareness Campaign done with the province that would educate the public to recognize the signs of bites from ticks carrying Lyme disease as treatment within 36 hours could almost guarantee the prevention of Lyme disease.

Mr. MacLellan advised that staff have been working with the provincial Department of Health Promotion and Protection in regard to sending letters to schools and brochures outlining precautions. Signage was placed in the area last year and more will be placed this year.

In response to a question from Councillor Lund, Mr. MacLellan explained that the spraying would be done by people with backpacks walking through the dense foliage areas not on the pathways as they are not the risk areas, also, Admiral Cove Park does not have developed pathways. Two sprays will take place, one in June and the second in the fall. The product to be used is also found in flea shampoo for dogs and lice shampoo for humans. Spraying will be around the Snowy Owl entrance and along the residential properties.

Councillor Smith advised that he did not think this was the right direction in which to be



moving given there is no controlled area involved.

Councillor Harvey noted that under HRM's Pesticide By-Law a permit can be received to spray pesticides under certain circumstances such as cinch bug infestation. Cinch bugs are not a danger to human health; the issue of ticks is a human health hazard. HRM has to help out the residents as it is HRM land adjacent to the residential area.

Councillor Outhit noted that he did not like to use pesticides either but the residents have been looking for help for three years. He explained that signage has been installed, meetings have been held for three years, four families on one street have Lyme disease that was contracted from their own backyards and many residents will no longer use their backyards.

In response to Councillor Karsten's question on whether HRM was admitting liability by spraying, Ms. Mary Ellen Donovan, Municipal Solicitor, advised that it would be impossible to identify what property the tick resided on that caused the suffering that some people have incurred as a result of Lyme disease. It cannot be said that HRM was responsible. HRM is taking the steps it can to address the issue and is taking a measured response to a significant health problem.

#### **MOTION PUT AND PASSED.**

#### **11.1.5 Proposed Amendment to Administrative Order 23, Respecting Pesticides, Herbicides and Insecticides Excluded from the Pesticide By-Law - Add FeHEDTA (for lawn use) to the Permitted Pesticides List**

This matter was deferred pending additional information from the Sustainable Environment Management Office.

#### **11.2 CHEBUCTO COMMUNITY COUNCIL**

##### **11.2.1 Case 01251 - Amendments to the Halifax Municipal Planning Strategy - Western Shore Bedford Basin**

- A report from the Chebucto Community Council dated May 11, 2010 was before Council.

**MOVED by Councillor Hum, seconded by Councillor Wile that Halifax Regional Council give First Reading to the proposed amendments to the Halifax Municipal Planning Strategy and the Halifax Mainland Land Use By-Law as provided in Attachments A and B of the report dated February 18, 2010, and schedule a public hearing for June 29, 2010.**

Councillor Hum requested that the June 29 date be tentative pending confirmation from staff.

**MOTION PUT AND PASSED.**

**11.3 HERITAGE ADVISORY COMMITTEE**

**11.3.1 Case H00345 - Application to Consider 10 Kirk Road, Halifax, as a Municipally Registered Heritage Property**

- A report from the Heritage Advisory Committee dated May 27, 2010 was before Council.
- A staff report dated May 11, 2010 was before Council.

**MOVED by Councillor Mosher, seconded by Councillor Walker that Halifax Regional Council approve in principle the registration of 10 Kirk Road, Halifax as a municipally registered heritage property.**

The Heritage Hearing is scheduled for August 3, 2010.

**MOTION PUT AND PASSED.**

**12. MOTIONS - NONE**

**13. ADDED ITEMS**

**13.1 Herring Cove Road Resurfacing - Medians and Configuration**

- A Request for Council's Consideration Form submitted by Councillor Adams was before Council.

**MOVED by Councillor Adams, seconded by Councillor Mosher that Halifax Regional Council support the removal of the reduction to two lanes and bicycle lanes option so that Herring Cove Road remains as a four lane road and proceed with the tenders with reassurance to the business commission that the four lanes will remain when repainting occurs.**

Councillor Adams advised that members of the business community along Herring Cove Road have expressed concern that the reduction to two lanes would be detrimental to their businesses. He requested that the four lanes remain as this would not preclude bikes from traveling along that route. He further noted that he was in support of the resurfacing and construction of medians along the route.

Councillor Mosher explained that she was part of the Spryfield area Business Commission and Chair of the Active Transportation Advisory Committee. She noted that she was not aware of this tender until it was presented to the area Business Commission. She advised the Business Commission that she was in support of bike lanes as she and Councillor Adams had initiated the Herring Cove Streetscape that supports bike lanes. The tender has gone out and Phase 3 of Purcells Cove Road will include paving a shoulder with the inclusion of a bike lane. There are areas of Herring Cove Road that are three to four lanes wide and at no time did she or Councillor Adams indicate that they were in support of removing traffic lanes for bike lanes. She noted that widening of the Herring Cove Road commenced in the 1970's.

Without a vote being taken on the motion on the floor, the following motion was placed.

**MOVED by Councillor Watts, seconded by Councillor Hendsbee that Halifax Regional Council defer this matter pending comment from the Active Transportation Advisory Committee in regard to maintaining the four (4) existing lanes on Herring Cove Road rather than staff's proposal to reduce the existing four (4) lanes on Herring Cove Road, from Arthur Street to Old Sambro Road, down to two lanes and add bike lanes as part of the Herring Cove Road Resurfacing project.**

Councillor Watts, and other members of Council, expressed concern with not accommodating the bike lanes as the Active Transportation Plan has already been approved in principle by Council. The proposed amendment should be forwarded to the Active Transportation Advisory Committee for comment as the decision would have regional implications if Council were to start removing sections from the active transportation route. She noted that the next meeting of the Active Transportation Advisory Committee was scheduled for Thursday, June 17<sup>th</sup>. She advised that without maps or additional information on the impact to the regional transportation plan, it was difficult to make a decision.

Councillor Mosher advised that she was not in support of deferring the matter for comment from an advisory committee as there was already a five to ten year transportation plan as well as some shovel ready projects to continue widening the roadway. Regional Council has already approved the Regional Transportation Plan and the Herring Cove Road area was to be a District Centre which will lead to increased traffic. The Mainland South Municipal Planning Strategy outlines that the City shall pursue completion of the Purcell's Cove Road to improve traffic flow.

In response to Councillor Mosher's request for clarification on the role of an advisory Committee, Ms. Mary Ellen Donovan, Municipal Solicitor, advised that an advisory committee could only make recommendations to Regional Council.

Councillor Hendsbee noted that he did not like narrow roads and would like to have input from the Active Transportation Advisory Committee. He also noted that he would like to see the street scape or foot plan as discussion of this nature would be a significant change to the capital project. Council is trying to build an active transportation corridor and elimination of bike lanes at this important link needs to be considered. He inquired if the four lanes were really needed at this location or would three suffice considering there would still be two way traffic flow. He supported the deferral pending comment from the Active Transportation Advisory Committee.

Councillor Hum noted that the Herring Cove Road would be a beautiful roadway for bikeways connection. She agreed that narrowing down to two lanes may result in a situation that would impede the transportation system. She explained the importance of obtaining comment from advisory committees. She inquired how the tenders were sent out without the matter first going before the Active Transportation Advisory Committee. Councillor Hum suggested that there seems to be a break down in communication when it comes to the streetscape program as not all Councillors are aware of what is going on.

Mr. Ken Reashor, Acting Director Transportation and Public Works, commented that staff do not feel that four lanes are needed at this time in this location. He also noted that the Herring Cove Road was identified as part of the Active Transportation Corridor. The project is being done through Infrastructure and Asset Management as a capital project; the curbs are not being replaced, the pavement is being redone. The width of the roadway is not being narrowed. There is a centre left turning lane and through lane in each direction. The repainting could be reversed. Staff will bring information to the Active Transportation Advisory Committee in regard to capacity of the two lane road with the centre turning lane.

Councillor Sloane advised that she was in support of the deferral because when changes are made to the direction given by Council focus is lost. Since Council struck the advisory committee for the purpose of hearing their comments, the matter should go before the advisory committee before any hasty decisions are made.

Councillor Adams noted that there appears to be some confusion in regard to the streetscaping which has already been approved in principle by Council. He noted that staff's proposal would only create 900 meters of bike lane, from the Old Sambro Road to Arthur Street, and it did not seem reasonable to have the lane stop abruptly. The local business owners are very concerned. He requested that Council support the small business owner and leave the section of the Herring Cove Road as four lanes as it has been since the late 1980's. He added that he was in support of bike lanes but not at the expense of going from four lanes down to two.

Councillor Watts explained that there was not enough information available in regard to

the regional impact on the overall plan. She noted that Council has been trying to develop bike lanes in little sections as the opportunities arise and this opportunity for putting in bike lanes should not be minimized.

**MOTION TO DEFER PUT AND PASSED.**

**13.2 Property Matter - Market Value Lease - HRM 4-Pad Arena - Subway Franchise Restaurants of Canada Ltd.**

This item was discussed at an earlier In Camera session and was now before Council for ratification.

**MOVED by Councillor Outhit, seconded by Councillor Lund that Halifax Regional Council:**

- 1. Authorize Nustadia Recreation Inc. to enter into a market value lease agreement with Subway Franchise Restaurants of Canada Ltd. as per the key terms and conditions set out in Table 1 of the Private and Confidential staff report dated May 7, 2010.**
- 2. Not release to the public the Private and Confidential staff report dated May 7, 2010.**

**MOTION PUT AND PASSED.**

**13.3 Property Matter - Market Value Lease - HRM 4-Pad Arena - Cleve's Source for Sports**

This item was discussed at an earlier In Camera session and was now before Council for ratification.

**MOVED by Councillor Outhit, seconded by Councillor Lund that Halifax Regional Council:**

- 1. Authorize Nustadia Recreation Inc. to enter into a market value lease agreement with Cleve's Sporting Goods Limited as per the key terms and conditions set out in Table 1 of the Private and Confidential staff report dated May 13, 2010.**
- 2. Not release to the public the Private and Confidential staff report dated May 13, 2010.**

**MOTION PUT AND PASSED.**

**13.4 Personnel Matter - Federation of Canadian Municipalities (FCM) - National Board of Directors**

This item was discussed at an earlier In Camera session and was now before Council for ratification

**MOVED by Councillor Karsten, seconded by Councillor Hum that Halifax Regional Council appoint Councillor Russell Walker as HRM's representative on the FCM National Board of Directors. MOTION PUT AND PASSED.**

Councillor Sloane retired from the meeting at 10:41 pm.

**13.5 Cole Harbour - Eastern Passage Transmission Project**

**MOVED by Councillor Nicoll, seconded by Councillor Barkhouse that Halifax Regional Council request a staff report on the Cole Harbour - Eastern Passage Transmission Project to include:**

- 1. Details on the options Nova Scotia Power Inc. is proposing, the implications of those options, and how Nova Scotia Power Inc. is mitigating the impacts on the community and residents.**
- 2. Explore other alternatives, such as undergrounding or any alternative routes, with Nova Scotia Power Inc.**
- 3. Request that the Energy and Underground Services Advisory Committee make a recommendation at a future meeting on a preferred option (which might or might not be a Nova Scotia Power Inc. option).**

**MOTION PUT AND PASSED.**

**14. NOTICES OF MOTION**

**14.1 Councillor Blumenthal**

“Take notice that, at the next regular Regional Council meeting, to be held on Tuesday, the 15<sup>th</sup> day of June 2010, I propose to move that the staff proposal for a roundabout at the intersection of Duffus Street, Novalea Drive and Devonshire Avenue be abandoned and, instead, that the present system of traffic lights and pedestrian signals be retained, upgraded and/or replaced as necessary.”

**15. ADJOURNMENT**

The meeting was adjourned at 10:43 p.m.

Cathy J. Mellett  
Acting Municipal Clerk

**INFORMATION ITEMS**  
**June 8, 2010**

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1. Memorandum from Director, Community Development dated May 28, 2010  
re: 4 Pad Arena - Community Access Plan
2. Memorandum from Director, Infrastructure & Asset Management dated May 13,  
2010 re: Residential Stormwater Management
3. Memorandum from Acting Director, Transportation & Public Works dated May  
18, 2010 re: Future Potential Harbour Crossing Location
4. Memorandum from Director, Legal Services & Risk Management dated May 20,  
2010 re: Status of By-Law Prosecutions - February 1 - 28, 2010
5. Memorandum from Director, Halifax Harbour Solutions Project dated May 10,  
2010  
re: Harbour Solutions Project Fourth Quarter Report - January 1 - March 31,  
2010
6. Memorandum from Director, Human Resources dated May 14, 2010  
re: HRM Partnership with Union of Nova Scotia Municipalities (UNSM) Benefits  
Program
7. Memorandum from the Acting Clerk Manager dated June 4, 2010  
re: Requests for Presentation to Council - None