

HALIFAX REGIONAL COUNCIL
MINUTES

REVISED

March 27, 2012

PRESENT:

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

STAFF:

Mr. Richard Butts, Chief Administrative Officer
Ms. Mary Ellen Donovan, Municipal Solicitor
Ms. Cathy Mellett, Municipal Clerk
Ms. Shawnee Gregory, Legislative Assistant
Ms. Jennifer Weagle, Legislative Assistant

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1. INVOCATION

The Mayor called the meeting to order at 1:01 p.m. with the Invocation being led by Councillor Wile.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillors noted a number of community announcements and acknowledgements.

At Councillor Uteck's request, a moment of silence was held in honour of Mr. Donald Webster, owner of the Fireside Restaurant and long-time member and former Chairman of the Board of the Canadian Restaurant and Food Services Association.

3. APPROVAL OF MINUTES – March 6 & 13, 2012

MOVED by Councillor McCluskey, seconded by Councillor Nicoll that the minutes of March 6 & 13, 2012 be approved as presented. MOTION PUT AND PASSED.

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

Additions:

- 12.1 Audit and Finance Standing Committee Report – Write-Off of Uncollectible Accounts
- 12.2 Western Region Community Council Report – Land Acquisition / Exchange for Recently Rezoned Drysdale Bog Lands
- 12.3 Councillor Mosher – Request For Staff Report Re: Harbour Planning Designation for the Northwest Arm for Watercourse Protection
- 12.4 Staff Report - Purcell's Cove Servicing Study Community Steering Committee
- 12.5 Staff Report - Request for Proposal 11-081 – Wide Area Network Solutions
- 12.6 Councillor Sloane – Sidewalk Cafes and Patios

Private and Confidential Information Item:

1. Private and Confidential In Camera Information Report - re: Stadium Phase 2 – Funding and Land Assembly

Information Item:

4. Memorandum from Municipal Clerk and Returning Officer dated March 27, 2012 re: NDP Leadership Process and ScytI (Secure Electronic Voting)

MOVED by Councillor Wile, seconded by Councillor Blumenthal that the agenda be accepted as amended. MOTION PUT AND PASSED.

5. **BUSINESS ARISING OUT OF THE MINUTES – NONE**
6. **MOTIONS OF RECONSIDERATION – NONE**
7. **MOTIONS OF RESCISSION**
 - 7.1 **Councillor Harvey – To Rescind the Motion of Regional Council dated February 21, 2012, re: Case 17446 – Amendments to Various Planning Documents – 1591 Granville Street, Halifax**

At Councillor Hendsbee's request, Ms. Cathy Mellett, Municipal Clerk, clarified that while motions of reconsideration could only be made by the prevailing side, motions of rescission could be made by any member of Council no matter how they voted on the original motion, in keeping with Robert's Rules of Order.

MOVED by Councillor Harvey, seconded by Councillor Watts to rescind the motion of Regional Council dated February 21, 2012 re: Case17446 – Amendments to Various Planning Documents – 1591 Granville Street, Halifax.

A discussion on the motion ensued.

Councillor Harvey advised that the decision to begin a process to consider the Skye Halifax development was a disservice to HRMbyDesign and disrespectful to the three year public process that resulted in its implementation. He stated that the amendments required for this development were so substantial that, if they were to be considered, it should only be done so in the context of a full review of the Downtown Plan which would happen in due course. He noted that the current plan, by policy, encouraged a spreading out of development rather than a concentration of development on a single lot. He indicated that the proposal in no special way fulfilled the requirement of Policy 89; noting the development had no special social or cultural value, was out of scale, does not enhance the downtown streetscapes, and would dominate downtown and even Citadel Hill. Councillor Harvey expressed concern that the site specific amendments would give perpetual as of right development rights to the property owner and, that proceeding to give serious consideration to such a proposal would encourage other developers to submit any and all proposals no matter how much they contradicted the downtown vision. He advised that the proposal was not supported by HRM Planning staff who applied existing policies and regulations, nor was it supported by respected local developers and community members. In closing, Councillor Harvey requested that Council rescind their motion of February 21, 2012 and renew its support in its award winning vision of Downtown Halifax.

Councillors Sloane and Uteck confirmed that they had already received emails from developers asking for more height if the Skye development is approved; noting it would, therefore, set the bar for future development.

Ms. Mary Ellen Donovan, Municipal Solicitor, clarified that the newly adopted motion of rescission rule was that a two thirds majority vote of Council was required; in this case, a vote of 16.

Several members of Council advised that moving forward to a public consultation phase did not, in fact, mean that a decision on approval of the development had already been made.

Councillor Fisher advised that Policy 89 was open for interpretation and it also makes statements regarding economic benefits which this development would fit into.

A recorded vote was requested

MOTION DEFEATED. (12 in favour, 12 against)

Those voting in favour were Councillors Barkhouse, Blumenthal, Harvey, Hum, Johns, Lund, Nicoll, Outhit, Rankin, Sloane, Uteck, and Watts.

Those voting against were Mayor Kelly, Deputy Mayor Karsten, and Councillors Adams, Dalrymple, Fisher, Hendsbee, McCluskey, Mosher, Smith, Streach, Walker, and Wile.

8. CONSIDERATION OF DEFERRED BUSINESS – None

9. CORRESPONDENCE, PETITIONS & DELEGATIONS

9.1 Correspondence - None

9.2 Petitions

9.2.1 Councillor Dalrymple

Councillor Dalrymple submitted a petition containing 54 signatures on behalf of residents who are against the closure of HRM's Bookmobile Service.

10. REPORTS

10.1 CHIEF ADMINISTRATIVE OFFICER

10.1.1 Stadium Report

A report dated March 12, 2012 was before Council.

Correspondence dated March 3, 2012 from Mike Hayes, President of Lacrosse Nova Scotia, was before Council.

Correspondence dated March 8, 2012 from Richard MacLean, President of Football Nova Scotia, was before Council.

Correspondence dated March 25, 2012 from Steve Desio, Dean of Students, Fairhill School, was submitted.

Correspondence was also submitted by the following: Patrick Leroy, Russell Walsh, Ryan Jewkes, Gerry Anderson, Elliot MacNeil, Ricky Herritt, Jean Chard, Peggy Cameron, Andrea Arbic, John Wesley Chisholm, Phil Pacey, Benjamin Clare, Taiya Barss, Paul MacKinnon, Denault Blouin, Candace Stevenson, and Jenifer Tsang.

A presentation was submitted.

Ms. Betty Lou Killen provided the presentation on the Stadium report.

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

- 1. Not proceed to Stadium Analysis Phase 3 – Construction, at this time;**
- 2. Direct the Mayor, on behalf of Halifax Regional Municipality, to thank the Canadian Soccer Association for their ongoing interest in Halifax Regional Municipality as a candidate and potential host city, and to notify the CSA of Council's decision to decline further discussions related to the 2014 and 2015 FIFA Women's World Cup events;**
- 3. Approve the Phase 2 Stadium Analysis report as the basis of the requirement for a stadium and include the project on the Capital Plan as a future consideration; and**
- 4. Identify Shannon Park as the preferred site for the future Multi-use Stadium project, and direct staff to work with Canada Lands Company for the future siting of a recreation/sport facility campus (up to 40 acres).**

A discussion on the motion ensued.

Councillor Fisher expressed disappointment that after receiving the full business plan, the Province had not offered its financial support for the stadium project. He thanked the Federal government for their support and advised that while the catalyst and event had been lost, the project was not.

Councillor Rankin stated that while he was in support of the motion, he would ask that item 4 be voted on separately as it did not logically follow that now that Council was unable to build the stadium that they would reserve an option to do so at a non defined future date. He also expressed concern that Shannon Park had not been decided on as the definitive site and future partners may have their own views of a future site.

Ms. Killen advised that staff would like to provide Council with the opportunity to set Shannon Park as a preferred site as per Council's request for a site in December 2011.

She noted that staff would like to reserve Shannon Park as an ongoing potential site for a future stadium and sports facility campus and continue discussions with the Federal government. Ms. Killen also advised that Shannon park had been identified by the public and the Committee as the preferred stadium site.

Concerns were expressed by several members of Council in regard to identifying and reserving Shannon park lands as the preferred site in light of potential unknowns such as; possible purchase price; any remediation costs; further development of a site specific business case for Shannon Park (including where future capital funding may come from); access and egress to the site (including rail line crossing); and, ongoing discussion with potential private and public partners (including universities).

Councillor Watts expressed concern regarding the state of current facilities in HRM and affordability and access to those local facilities, support for active living initiatives, and support for arts and culture facilities rather than support of another major sport facility.

A question was raised as to whether the future stadium plan would continue to be a 10,000 seat facility. Staff responded that a sports campus model could allow for expansion to up to a 20,000 seat stadium and additional sporting facilities.

Several members of Council noted appreciation to the public, the Committee, staff and Council for the work put into date in regard to the stadium. It was noted that it is work that will provide a good basis for future decision making.

It was requested that all four (4) items be voted on separately.

Concern was expressed regarding leaving the Shannon Park lands vacant while the matter was explored. Ms. Killen advised that, in consultation with DND, it was not staff's intention to leave the lands vacant.

Councillor Hendsbee requested that the In Camera report regarding this matter be released.

Ms. Killen clarified that a potential proponent had requested that the information submitted be kept confidential and that staff had decided to keep it this way until such time that a partner was found.

Mr. Mike Labrecque, Deputy Chief Administrative Officer, advised that Canada Lands would actually become the developer of the site and would create the Master Plan; noting the site would be conveyed to Canada Lands from the Department of Defence in the near future.

Several members of Council advised that they did not wish to decide on where the stadium would be built at this time.

The meeting recessed at 2:48 p.m.

The meeting reconvened at 3:04 p.m. with the same members present with the exception of Councillor Streach.

Mr. Labrecque advised that one of the reasons staff was recommending providing for the stadium in the Capital Plan was, at some point, the Federal Government may put together a plan regarding sport infrastructure that may make the site a suitable candidate.

Councillor Rankin suggested the following amendment to item 4:

MOVED by Councillor Rankin, seconded by Councillor Lund that Halifax Regional Council, as an option, direct staff to work with Canada Lands Company for the future siting of a recreation/sport facility campus (up to 40 acres).

Discussion on the amendment ensued.

A vote was taken on the amendment. **MOTION PUT AND PASSED.**

MOVED by Councillor Hendsbee, seconded by Councillor Blumenthal that Halifax Regional Council request that the Private and Confidential In Camera Information Report - re: Stadium Phase 2 – Funding and Land Assembly have any private and confidential information removed and that the rest of the document then be made available to the public. MOTION PUT AND PASSED.

A recorded vote was requested on the main motion which was also split.

MOVED by Councillor Fisher, seconded by Councillor Sloane that Halifax Regional Council not proceed to Stadium Analysis Phase 3 – Construction, at this time. MOTION PUT AND PASSED. (22 in favour, 1 against)

Those voting in favour were Mayor Kelly, Deputy Mayor Karsten, and Councillors Adams, Barkhouse, Blumenthal, Dalrymple, Fisher, Harvey, Hum, Johns, Lund, McCluskey, Mosher, Nicoll, Outhit, Rankin, Sloane, Smith, Uteck, Walker, Watts, and Wile.

Councillor Hendsbee voted against the motion.

Councillor Streach was absent from the vote.

MOVED by Councillor Fisher, seconded by Councillor Sloane that Halifax Regional Council direct the Mayor, on behalf of Halifax Regional Municipality, to thank the Canadian Soccer Association for their ongoing interest in Halifax Regional Municipality as a candidate and potential host city, and to notify the CSA of Council's decision to decline further discussions related to the 2014 and 2015 FIFA Women's World Cup events. MOTION PUT AND PASSED. (23 in favour, 0 against)

Those voting in favour were Mayor Kelly, Deputy Mayor Karsten, and Councillors Adams, Barkhouse, Blumenthal, Dalrymple, Fisher, Harvey, Hendsbee, Hum, Johns, Lund, McCluskey, Mosher, Nicoll, Outhit, Rankin, Sloane, Smith, Uteck, Walker, Watts, and Wile.

Councillor Streach was absent from the vote.

MOVED by Councillor Fisher, seconded by Councillor Sloane that Halifax Regional Council approve the Phase 2 Stadium Analysis report as the basis of the requirement for a stadium and include the project on the Capital Plan as a future consideration. MOTION PUT AND PASSED. (14 in favour, 9 against)

Those voting in favour were Mayor Kelly, Deputy Mayor Karsten, and Councillors Blumenthal, Dalrymple, Fisher, Harvey, Hendsbee, McCluskey, Nicoll, Outhit, Rankin, Smith, Walker, and Wile.

Those voting against were Councillors Adams, Barkhouse, Hum, Johns, Lund, Mosher, Sloane, Uteck, and Watts.

Councillor Streach was absent from the vote.

MOVED by Councillor Fisher, seconded by Councillor Sloane that Halifax Regional Council, as an option, direct staff to work with Canada Lands Company for the future siting of a recreation/sport facility campus (up to 40 acres). MOTION PUT AND PASSED. (17 in favour, 6 against)

Those voting in favour were Mayor Kelly, Deputy Mayor Karsten, and Councillors Barkhouse, Blumenthal, Dalrymple, Fisher, Harvey, Hendsbee, Lund, McCluskey, Nicoll, Outhit, Rankin, Sloane, Smith, Walker, and Wile.

Those voting against were Councillors Adams, Hum, Johns, Mosher, Uteck, and Watts.

Councillor Streach was absent from the vote.

10.1.2 Tender 12-216 – Resurfacing and Water Main Replacement – Grimes Avenue, East Region

A report dated February 28, 2012 was before Council.

MOVED by Deputy Mayor Karsten, seconded by Councillor McCluskey that Halifax Regional Council:

- 1. Approve a budget increase of \$302,925 (net HST included) to Project Account No.CYX01345 – Street Recapitalization, funded through cost sharing with Halifax Water.**

2. **Award Tender No. 12-216, Resurfacing and Water Main Replacement – Grimes Avenue – East Region, to the lowest bidder meeting specifications, J. R. Eisener Contracting Limited for a Total Tender Price of \$515,317.80 (net HST included) with funding from Project Account No. CYX01345 – Street Recapitalization, as outlined in the Budget Implications section of the February 28, 2012 staff report.**

MOTION PUT AND PASSED.

10.1.3 Killam Properties Sanitary Sewer Encroachment Agreement

A report dated February 27, 2012 was before Council.

Councillor McCluskey expressed concern that, during the last heavy storm, properties in her District had been flooded as a result of water coming up through the storm sewers.

Mr. Ken Reashor, Director of Transportation and Public Works, advised that the recommendation before Council would actually create a separate line that would go into a sanitary system rather than a storm system.

MOVED by Councillor McCluskey, seconded by Councillor Nicoll that this matter be deferred until the April 17, 2012 meeting pending an answer from Halifax Water regarding flooding issues in District 5. MOTION DEFEATED.

MOVED by Councillor Walker, seconded by Councillor Blumenthal that Halifax Regional Council approve the encroachment agreement attached to the February 27, 2012 staff report to allow the proposed privately owned sewer pipe to be installed under Parker Street. MOTION PUT AND PASSED.

10.1.4 Reserve Withdrawals

A report dated March 13, 2012 was before Council.

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

1. **Approve a withdrawal in the amount of \$1,282,000 from Capital Surplus Reserve, Q103; to account for the partial funding of the 2011/12 project budget; and**
2. **Approve a withdrawal in the amount of \$96,738 from Sustainable Community Reserve, Q127, to move funding received by ECO Trust to the funding of the project, as it had been deposited to the reserve in error.**

MOTION PUT AND PASSED.

10.1.5 2012 Spring Debenture

A report dated February 29, 2012 was before Council.

MOVED by Councillor McCluskey, seconded by Councillor Nicoll that Halifax Regional Council authorize the Mayor and Municipal Clerk to sign the Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate confirmation not to exceed 6.5% to enable the Halifax Regional Municipality to issue a 10-year debenture in the amount of \$14,800,000. MOTION PUT AND PASSED.

10.1.6 First Reading Amendments to Administrative Order 37, Respecting Commerce and Vending on Municipal Lands (Site Locations)

A report dated February 27, 2012 was before Council.

MOVED by Councillor Sloane, seconded by Councillor Blumenthal that Halifax Regional Council approve the amendments to Administrative Order Number 37, as described in Schedule A of the staff report dated February 27, 2012. MOTION PUT AND PASSED.

10.1.7 First Reading By-Law A-500, By-Law to Amend By-Laws, By-Law A-102 and Administrative Order #30, And Related Administrative Amendments to Various By-Laws

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

- 1. Adopt the amendments contained in Attachment "A" Appeals Committee Terms of Reference;**
- 2. Adopt the amendments contained in Attachment "M" Administrative Order 30.**
- 3. Give First Reading to the amendments contained in Attachment "N" A-500 By-law to Amend By-laws; and to A-102 By-law Repealing and Replacing A-100 Appeals Committee By-law as set out in Attachment "B".**

MOTION PUT AND PASSED.

10.1.8 Tabling of 2012 -2013 Operating and Capital Budget (i) Board of Police Commissioners Report

A report dated March 13, 2012 from the Board of Police Commissioners was before Council.

A presentation was submitted.

The 2012/13 Annual Service Plan for Metro Transit was submitted.

The Proposed 2012/13 Project Budget & Five Year Plan was submitted.

The Proposed Operating Budget for 2012/13 was submitted.

Mayor Kelly reminded members of Council that there would be no debate regarding the budget until the following week as the presentation was being provided for an overview of staff's intended approach.

Mr. Richard Butts, Chief Administrative Officer, and Mr. Bruce Fisher, Manager of Financial Policy and Planning, provided the presentation on the 2012-13 Proposed Operating and Project Budgets.

Councillor Streach entered the meeting at 4:26 p.m.

In closing, Mr. Butts asked that members of Council please forward any questions to Mr. Ed Thornhill, Division Manager of Corporate Planning; noting that answers would be made available to all Councillors.

MOVED by Deputy Mayor Karsten, seconded by Councillor McCluskey that Halifax Regional Council table the 2012/2013:

1. **Operating, Project Budgets and Five Year Plan**
2. **Transit Annual Service Plan**
3. **Board of Police Commissioners Police Budget Report**

As presented, without debate, and return on April 2, 2012 to commence budget deliberations.

MOTION PUT AND PASSED.

Mr. Butts announced that it due to her retirement, it was Ms. Donovan's last meeting as Municipal Solicitor. Council rose to acknowledge Ms. Donovan's work.

MOVED by Deputy Mayor Karsten, seconded by Councillor Blumenthal that Halifax Regional Council continue the meeting to complete the agenda. MOTION PUT AND PASSED.

The meeting recessed at 4:35 p.m., reconvening at 4:45 p.m.

10.2 ENVIRONMENT AND SUSTAINABILITY STANDING COMMITTEE

10.2.1 Conceptual Brownfield Incentives – Gas Stations

A report dated March 13, 2012 from the Environment and Sustainability Standing Committee was before Council.

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

- 1. Request the Mayor to send a letter to the Minister of Service Nova Scotia and Municipal Relations urging that the 2009 requested Legislative Amendment respecting Density Bonusing be expedited.**
- 2. Direct staff to examine the solutions required to expedite redevelopment projects in the Regional Centre, specifically related to the increase in housing requirements related to the Ship Building Contract.**

Mr. Richard MacLellan, Manager, Energy & Environment, responded to questions about the incentives, noting that staff are still examining what the tax incentives would look like and will come back to review the details with Council.

Mr. MacLellan responded to questions from Council regarding the remediation of contaminated sites. The Mayor clarified that remediation of privately owned sites is the responsibility of the property owner, as well as any future liability.

Mr. Austin French responded to questions from members of Council regarding density bonusing.

Councillor Dalrymple, as Chair of the Environment & Sustainability Standing Committee clarified that Council are being asked today to provide direction to staff for the development of this program.

Members of Council discussed the potential for repurposing of such brownfield sites and challenges associated with rehabilitation of contaminated sites. It was noted by members of Council that the focus should start with the downtown core, and that public consultation will be an important part of the process.

MOTION PUT AND PASSED.

10.2.2 Cost-Sharing Agreement – QUEST Canada

A report dated March 2, 2012 from the Environment and Sustainability Standing Committee was before Council.

MOVED by Councillor Fisher, seconded by Councillor Sloane, that Halifax Regional Council authorize the Mayor and Clerk to sign a cost-sharing agreement with QUEST Canada to undertake an Opportunities Assessment: Natural Gas Use

in HRM Fleet (Phase One), according to the Budget Implications section of the November 29, 2011 staff report. **MOTION PUT AND PASSED.**

10.3 TRANSPORTATION STANDING COMMITTEE

10.3.1 Cost-Sharing Agreement for LocalMotion Project – QUEST Canada

A report dated March 1, 2012 from the Transportation Standing Committee was before Council.

MOVED by Councillor Rankin, seconded by Councillor Blumenthal, that Halifax Regional Council authorize the Mayor and Clerk to sign a cost-sharing agreement with QUEST Canada to undertake the implementation of the LocalMotion project as set out in the January 13, 2012 staff report.

Councillor Rankin requested clarification as to the amount of the QUEST Canada grant, noting that the staff report indicates \$13,000 but the Cost-Sharing Agreement indicates \$12,000. Mr. David McCusker, Manager, Strategic Transportation Planning, clarified that QUEST Canada realigned funding, and the staff report should have reflected the current amount of the grant being \$12,000. This will mean a drop in the total budget for the LocalMotion program by \$1,000.

MOTION PUT AND PASSED.

11. MOTIONS - NONE

12. ADDED ITEMS

12.1 Audit and Finance Standing Committee Report – Write-off of Uncollectible Accounts

A report dated March 22, 2012 was submitted.

MOVED by Councillor Walker, seconded by Councillor McCluskey, that Halifax Regional Council approve that:

- 1. The Business Occupancy Tax accounts in the amount of \$192,525.37 comprised of \$150,981.57 principal and \$41,543.80 interest as detailed in Schedule 2 of the February 22, 2012 staff report, be formally written out of the books of account.**
- 2. The General Revenue accounts in the amount of \$38,672.58 comprised of \$34,991.83 principal and \$3,680.75 interest as detailed in Schedule 3 of the February 22, 2012 staff report, be formally written out of the books of account.**

- 3. The Real Property Tax accounts in the amount of \$16,707.08 comprised of \$11,518.56 principal and \$5,188.52 interest as detailed in Schedule 4 of the February 22, 2012 staff report, be formally written out of the books of account.**

Mr. Jerry Blackwood, Manager of Revenue, Finance, responded to questions regarding the business occupancy tax.

Councillor McCluskey noted concern with the tracking of ownership of mobile homes. Mr. Blackwood indicated he would look into this issue further.

MOTION PUT AND PASSED.

**12.2 Western Region Community Council Report – Land Acquisition/
Exchange for Recently Rezoned Drysdale Bog Lands**

A report dated February 28, 2012 from the Western Region Community Council was submitted.

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

- 1. Support a request of the Western Region Community Council of August 22, 2011 for consideration of a land exchange/acquisition with a local property owner in regard to the recently rezoned Drysdale Bog lands, and;**
- 2. Request an update from staff to the August 22, 2011 request of the Western Region Community Council.**

Councillor Adams clarified that he was simply following up on a Community Council request; and was not authorizing the purchase of any property, which would come back to Council for approval at a later date.

MOTION PUT AND PASSED.

**12.3 Councillor Mosher – Request for Staff Report re: Harbour Planning
Designation for the Northwest Arm for Watercourse Protection**

MOVED by Councillor Mosher, seconded by Councillor Wile, that Halifax Regional Council request that staff provide a report regarding the establishment of a Riparian Buffer (watercourse protection) policy and regulations for the Northwest Arm area of the Harbour Plan Designations of the Regional Plan.

Councillor Lund noted that the Province passed a bill giving enabling legislation to HRM regarding clear cutting, and he would like staff to take this into consideration.

Councillor Mosher clarified that this matter is exclusive of the Urban Forest Master Plan and a private property tree by-law that will be coming forward to Council. This is just to do with the protection of the Northwest Arm and removing it from the Harbour Plan Designation.

MOTION PUT AND PASSED.

12.4 Staff Report - Purcell's Cove Servicing Study Community Steering Committee

A report dated March 26, 2012 was submitted.

MOVED by Councillor Mosher, seconded by Councillor Walker, that Halifax Regional Council:

- 1. Confirms that the Chebucto Community Council is the nominating and appointing body for members of the Purcell's Cove Community Steering Committee and for the adoption of the Terms of Reference for the Committee in accordance with the direction provided in the staff report dated January 24, 2011 and,**
- 2. Amends Section 4.2 of the HRM Public Appointments Policy as outlined in Attachment 1 of the March 26, 2012 staff report.**

Councillor Mosher clarified that this is a housekeeping amendment for the Steering Committee to be able to move forward with public consultation.

Councillor Watts noted that there has been concern from residents of one area of Purcell's Cove Road about being included in the servicing study.

At the request of Councillor Mosher, Mr. Roger Wells, Supervisor, Regional & Community Planning, clarified that there are two areas along Purcell's Cove Road. A petition from Area 1 was submitted to Council in favour of the study, and a petition from Area 2 was submitted to Council not in favour of the study. Council chose to proceed to study the whole area, with more emphasis on one area. This is the purpose of the feasibility study.

MOTION PUT AND PASSED.

12.5 Staff Report - Request for Proposal 11-081 – Wide Area Network Solutions

A report dated March 27, 2012 was circulated to members of Council.

Mr. Greg Keefe, Acting Director of Finance, advised that it has come to the attention of staff since the report was prepared that this matter will require Provincial Ministerial

Approval, and requested that the recommendation be amended to end with “pending Ministerial Approval”.

MOVED by Councillor Karsten, seconded by Councillor Sloane, that Halifax Regional Council award RFP #11-081 Wide Area Network Solutions, subject to negotiation of satisfactory contract terms, to the highest scoring proponent, Eastlink for a maximum term of five (5) years, renewable annually for an estimated annual cost, to HRM of \$335,196.06 including net HST with funding from operating account A742-6711, as outlined in the Budget Implications section of the March 27, 2012 staff report, pending Ministerial Approval. MOTION PUT AND PASSED.

12.6 Sidewalk Café Opening Date

MOVED by Councillor Sloane, seconded by Councillor Hendsbee, that Halifax Regional Council permit sidewalk cafés to be open as early as April 1, 2012 as approved by Transportation and Public Works on an ongoing basis. The closing date of October 31, as stipulated by the Sidewalk Café Policy, will remain in effect. MOTION PUT AND PASSED.

13. NOTICES OF MOTION

13.1 Councillor Sloane

“Take notice that at the next regular meeting of the Halifax Regional Council to be held on April 17, 2012 I intend to introduce a motion to amend the process for public hearings to allow for a question period to be inserted into the process after the public hearing has been closed. This allows for clarification and allows the mover of the recommendation their full five (5) minutes and/or three (3) minutes during deliberations.”

14. IN CAMERA MINUTES - March 13, 2012

MOVED by Councillor Sloane, seconded by Councillor Nicoll, that the In Camera minutes of March 13, 2012 be approved as circulated. MOTION PUT AND PASSED.

15. ADJOURNMENT

The meeting was adjourned at 5:54 p.m.

Cathy J. Mellett
Municipal Clerk

INFORMATION ITEMS

1. Memorandum from Chair, Transportation Standing Committee dated March 6, 2012 re: Crosswalk Flags – Final Results
2. Memorandum from Acting Director, Planning and Infrastructure dated January 17, 2012 re: Consideration of Changes to By-Law P-1000
3. Memorandum from the Municipal Clerk dated March 19, 2012 re: Requests for Presentation to Council – Urban Development Institute (UDI)
4. Memorandum from Municipal Clerk and Returning Officer dated March 27, 2012 re: NDP Leadership Process and Scytl (Secure Electronic Voting) and Newswire article dated March 27, 2012 “NDP Leadership vote result not compromised by ‘malicious, orchestrated effort’ to clog online balloting system at weekend convention, says Scytl Canada”

PRIVATE AND CONFIDENTIAL INFORMATION ITEMS

1. Private and Confidential In Camera Information Report dated March 10, 2012 re: Stadium Phase 2 – Funding and Land Assembly