



**HALIFAX REGIONAL COUNCIL  
MINUTES  
October 7, 2014**

PRESENT: Mayor Mike Savage  
Deputy Mayor Darren Fisher  
Councillors: Barry Dalrymple  
David Hendsbee  
Bill Karsten  
Lorelei Nicoll  
Gloria McCluskey  
Waye Mason  
Jennifer Watts  
Linda Mosher  
Russell Walker  
Stephen Adams  
Reg Rankin  
Matt Whitman  
Brad Johns  
Steve Craig  
Tim Outhit

STAFF: Mr. Richard Butts, Chief Administrative Officer  
Mr. John Traves, Municipal Solicitor  
Ms. Cathy Mellett, Municipal Clerk  
Ms. Sheilagh Edmonds, Legislative Assistant  
Mr. Quentin Hill, Legislative Assistant

The following does not represent a verbatim record of the proceedings of this meeting.

*A video recording of this meeting is available:*  
[http://archive.isiglobal.ca/vod/halifax/archive\\_2014-10-07\\_live.mp4.html](http://archive.isiglobal.ca/vod/halifax/archive_2014-10-07_live.mp4.html)

The agenda, supporting documents, and information items circulated to Council are available online:  
<http://www.halifax.ca/council/agendasc/141007rc-agenda.php>

The meeting was called to order at 1:00 p.m., and recessed at 2:52 p.m. Council reconvened at 3:05 p.m. Council moved into an In Camera session at 3:15 p.m. and reconvened at 3:51 p.m. Council recessed at 4:24 p.m. and reconvened at 6:00 p.m. Council adjourned at 7:20 p.m.

**1. INVOCATION**

The Mayor called the meeting to order with the Invocation being led by Councillor Brad Johns.

**2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS**

Councillors noted a number of special community announcements and acknowledgements.

**3. APPROVAL OF MINUTES – September 9, 2014**

Councillor Mason referred to item 11.5.1 of the minutes (Winter Operations End of Season Report) and advised that there was a discussion on why a motion on sidewalk snow clearing could not be brought forward, and he would like his comments reflected in the minutes.

**MOVED by Councillor McCluskey, seconded by Councillor Mason that the minutes of September 9, 2014 be approved as amended. MOTION PASSED AS AMENDED.**

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

Additions:

- 14.1 Award 14-086 Winter Sidewalk Snow and Ice Control West ((Routes SWP4, SWP5, SWP6, SWW8 and SWW13)
- 14.2 Information Item 7 – Federal Lighthouse Disposal: HRM Options and Implications – Councillor Adams
- 14.3 Election of Deputy Mayor – Councillor Karsten

IN CAMERA

- 13.3 Contract Negotiations
  - 13.3.1 Sackville Leachate Treatment Facility – *Private and Confidential Report*

At the request of Councillor Johns, Council agreed to deal with item 7.1 after 13.3.1.

**MOVED by Councillor Nicoll, seconded by Councillor Adams that the agenda be approved as amended. MOTION PUT AND PASSED.**

**5. BUSINESS ARISING OUT OF THE MINUTES – NONE**

**6. MOTIONS OF RECONSIDERATION – NONE**

**7. MOTIONS OF RESCISSION**

- 7.1 Councillor Johns** - That Regional Council rescind its motion of September 10, 2013 accepting the Environment and Sustainability Standing Committee's July 2, 2013 report recommending the Treatment of Halifax Regional Municipality's composting facilities wastewater at the Highway 101 Leachate Treatment Facility and direct staff to continue to investigate other treatment options that do not consider the Upper Sackville location which has been closed to any offsite material, solid or liquid, for 18 years.

This matter was dealt with after 13.3.1. See page 10.

**8. CONSIDERATION OF DEFERRED BUSINESS – NONE**

**9. PUBLIC HEARINGS**

**9.1 Cases 18288 and 18684 – Cole Harbour/Westphal Municipal Planning Strategy (MPS) and Land Use By-Law (LUB) Amendments and Development Agreement for a Mixed Residential Development Adjacent to Lake Loon, Westphal (Joint Public Hearing with Harbour East and Marine Drive Community Council)**

This matter was dealt with later in the meeting. See page 12.

**10. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**10.1 Correspondence**

The Clerk noted that correspondence was received for items: 9.1, 11.1.1, 11.2.1, and Information Item 8. This correspondence was circulated to Council.

For a detailed list of correspondence received refer to the specific agenda item.

**10.2 Petitions - None**

**11. REPORTS**

**11.1 CHIEF ADMINISTRATIVE OFFICER**

**11.1.1 Shakespeare by the Sea Building, Point Pleasant Park**

The following was before Council:

- A staff recommendation report dated August 14, 2014
- A minute extract from Regional Council on March 18, 2014
- Correspondence dated October 6, 2014 submitted by Elizabeth Murphy, Managing and Co-artistic Director, Shakespeare By The Sea

**MOVED by Councillor Mason, seconded by Councillor Whitman that Halifax Regional Council, as a result of the fire at Park Place Theatre:**

- 1. Rescind their motion of Council made March 18, 2014, authorizing staff to enter into a less than market value lease agreement with Shakespeare by the Sea Theatre Society for the building located at 5480 Pleasant Drive, Halifax;**
- 2. Direct staff to initiate the process to remove the fire damaged building at Point Pleasant Park, that is housing the public washrooms and the Shakespeare by the Sea Theatre Society;**
- 3. Direct staff to offer space in the Point Pleasant Park Superintendents Cottage for interim office use by The Shakespeare by the Sea Theatre Society (SBTS); and**
- 4. Direct staff to include the consideration and planning for a new building consistent with the Point Pleasant Park Comprehensive Plan in the Development of the Cultural Spaces Plan.**

Councillor Mason advised that he had concerns with the staff recommendation, and pointed out that he would be interested to find out if the Municipality actually needs permission from the Federal Government to repair the building and ask if staff reviewed past lease arrangements. Councillor Mason added that it was his understanding the building does not need sprinklers to operate as a Type D occupancy, which is what the Shakespeare by the Sea Company has been using it for since the fire, i.e. use as office and rehearsal space only. Councillor Mason referenced the staff report and noted that it states it would cost \$125,000 to restore the building. He questioned the level of restoration this would bring.

In response, Mr. Terry Gallagher, Manager, Facility Development advised that \$125,000 would enable modest repairs to the building which would allow the theatre company to use it for office and storage space, and rehearsal space, but it would not bring the building up to 'like new' condition or allow for use as a theatre.

Councillor Mason indicated that he supported the idea of repairing the building to the point that Shakespeare by the Sea could continue using it for office, storage, and rehearsal space, while the Society continued to explore other possibilities with regard to theatre space. He encouraged Council to defeat the motion on the floor and advised that, if this was done, he would then bring forward an alternate motion.

Councillor Hendsbee supported the staff recommendation, adding that if the recommendation by staff is that the building should be demolished, then it should come down. He suggested there were other spaces within the Park that could be used for storage and accommodations.

Councillor Karsten advised that he would support an alternate motion by Councillor Mason, with a caveat that the matter go to the Audit and Finance Standing Committee because it is an unplanned expenditure, and staff would have to identify funding for the restoration costs.

**MOTION PUT AND DEFEATED.** (1 in favour, 16 against)

In favour: Councillor Hendsbee

Against: Mayor Savage; Deputy Mayor Fisher; and Councillors: Dalrymple, Karsten, Nicoll, McCluskey, Mason, Watts, Mosher, Walker, Adams, Rankin, Whitman, Johns, Craig, and Outhit

**MOVED by Councillor Mason, seconded by Councillor Watts that Halifax Regional Council direct staff to:**

1. **Rescind their motion of Council made March 18, 2014, authorizing staff to enter into a less than market value lease agreement with Shakespeare by the Sea Theatre Society (SBTS) for the building located at 5480 Pleasant Drive, Halifax;**
2. **Complete minimal cost repairs to Park Place Theatre to allow ongoing use as office, storage and rehearsal space as a temporary solution while long term plans are developed for consideration of Council, subject to review and recommendation by Audit & Finance.**
3. **Enter into a month to month license agreement to allow ongoing use of 5480 Pleasant Drive, Halifax by SBTS subject to confirmation of any necessary approvals from the Federal Government;**
4. **Direct staff to provide information and work with staff of SBTS while SBTS explores cost effective, objective based solutions for a viable, code-compliant theatre at 5480 Pleasant Drive, subject to further consideration of Council;**
5. **Direct staff to include the consideration and planning for a new building consistent with the Point Pleasant Park Comprehensive Plan in the development of the Cultural Spaces Plan.**

**MOTION PUT AND PASSED.** (16 in favour, 1 against)

In favour: Mayor Savage; Deputy Mayor Fisher; and Councillors: Dalrymple, Karsten, Nicoll, McCluskey, Mason, Watts, Mosher, Walker, Adams, Rankin, Whitman, Johns, Craig, and Outhit

Against: Councillor Hendsbee

**11.1.2 Case 19514 – Amendments to the Halifax Municipal Planning Strategy and Mainland Halifax Land Use By-Law – the Former Motherhouse Lands, Bedford Highway, Halifax**

The following was before Council:

- A staff recommendation report dated September 28, 2014.
- Correspondence dated October 6, 2014 from Peter M. Rogers, McInnes Cooper

**MOVED by Councillor Walker, seconded by Councillor Adams that Halifax Regional Council direct staff to initiate the process to consider amending the Halifax Municipal Planning Strategy and Mainland Halifax Land Use By-law:**

1. For a mixed use development pursuant to an application from Southwest Properties, for 47 acres of the former Motherhouse lands in Halifax, as identified on Map 1 of the September 28, 2014 staff report;
2. For the Shannex lands and the Mount Saint Vincent University lands, as identified on Map 1 of the September 28, 2014 staff report, to enable a comprehensive and integrated development approach for the whole of the motherhouse lands; and
3. Direct staff to follow the public participation program for municipal planning strategy amendments that was adopted by Regional Council on February 27, 1997.

**MOTION PUT AND PASSED UNANIMOUSLY.**

#### **11.1.3 Lease Agreement, the TDL Group Corporation, 88 Alderney Drive, Dartmouth**

The following was before Council:

- A staff recommendation report dated August 22, 2014

**MOVED by Councillor McCluskey, seconded by Deputy Mayor Fisher that Regional Council authorize the Mayor and Municipal Clerk to enter into a lease agreement for the commercial unit at 88 Alderney Drive, Dartmouth, between the Halifax Regional Municipality (Landlord) and TDL Group (Tenant), as per the terms and conditions outlined in Table 1 of the Private and Confidential Information report dated August 22, 2014.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

#### **11.2 HALIFAX AND WEST & NORTH WEST COMMUNITY COUNCILS**

##### **11.2.1 Case 18514 – Amendments to the Bedford South, Wentworth and Bedford West Secondary Planning Strategies for Sub Area 9 of Bedford West and Wentworth (Cresco Lands), Bedford and Halifax**

The following was before Council:

- A staff recommendation report dated July 14, 2014
- A recommendation report dated September 22, 2014 from the Chairs of the North West Community Council and Halifax and West Community Council

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

1. Give First Reading to the proposed amendments to the Bedford West Secondary Planning Strategy, Bedford South Secondary Planning Strategy and Wentworth Secondary Planning Strategy as contained in the Bedford Municipal Planning Strategy and the Halifax Municipal Planning Strategy as set out in Attachments A, B, C and D of the staff report dated July 14, 2014;
2. Schedule a joint public hearing with North West Community Council and Halifax and West Community Council.

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillor Johns

### 11.3 AUDIT AND FINANCE STANDING COMMITTEE

#### 11.3.1 Request for Budget Increase and Tender Award, Bicentennial Theatre Renovation

The following was before Council:

- A staff recommendation report dated July 29, 2014
- A recommendation report dated September 26, 2014 from the Chair of the Audit & Finance Standing Committee

**MOVED by Councillor Dalrymple, seconded by Councillor Nicoll that Halifax Regional Council:**

1. **Approve an increase to Project No. CB000035 – Bicentennial Theatre Renovation, in the amount of \$75,000, with funding from the Capital Surplus Reserve Q103; and**
2. **Award Tender T14-159 – Bicentennial Theatre Renovations to the lowest tender price, Schooner General Contracting Limited, in the amount of \$300,239.39 (Net HST Included) with funding from Project No. CB000035 – Bicentennial Theatre Renovations as outlined in the Financial Implications section of the staff report dated July 29, 2014.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

#### 11.3.2 Additional Funding Requests for Legal Services File Management System

The following was before Council:

- A staff recommendation report dated September 4, 2014
- A recommendation report dated September 26, 2014 from the Chair of the Audit & Finance Standing Committee

**MOVED by Councillor Karsten, seconded by Councillor Walker that Halifax Regional Council approve an increase to the 14/15 project budget for Project Account No. C1990004 – ICT Business Tools by \$100,000.00 with funding from Operating Surplus Reserve Q328, to enable the purchase and implementation of a file management technology solution for Legal Services.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

#### 11.3.3 Write-off of Provincial Cost Sharing – Bus Rapid Transit

The following was before Council:

- A staff recommendation report dated July 29, 2014
- A recommendation report dated September 29, 2014 from the Chair of the Audit & Finance Standing Committee

**MOVED by Councillor Karsten, seconded by Councillor Walker that Halifax Regional Council approve the capital recovery in the amount of \$706,000 per general revenue account 00400445, Nova Scotia Transportation and Infrastructure Renewal be formally written out of the books of account.**

**MOTION PUT AND PASSED.** (15 in favour, 2 against)

In favour: Mayor Savage; Deputy Mayor Fisher; and Councillors: Dalrymple, Hendsbee, Karsten, Nicoll, McCluskey, Fisher, Mason, Watts, Mosher, Walker, Adams, Rankin, Craig, and Outhit.

Against: Councillors Whitman and Johns

#### 11.3.4 Write Off of Uncollectable Accounts

The following was before Council:

- A staff recommendation report dated August 15, 2014
- A recommendation report dated September 26, 2014 from the Chair of the Audit & Finance Standing Committee

**MOVED by Councillor Karsten, seconded by Councillor Nicoll that Halifax Regional Council approve:**

1. **The business occupancy tax accounts in the amount of \$26,266.66 comprised of \$15,961.75 principal and \$10,304.91 interest as detailed in Schedule 2 of the staff report dated August 15, 2014 be formally written out of the books of account;**
2. **The general revenue accounts in the amount of \$27,508.76 comprised of \$26,503.31 principal and \$1,005.45 interest as detailed in Schedule 3 of the staff report dated August 15, 2014 be formally written out of the books of account;**
3. **The real property tax accounts in the amount of \$3,371.94 comprised of \$2,947.57 principal and \$424.37 interest as detailed in Schedule 4 of the staff report dated August 15, 2014 be formally written out of the books of account; and**
4. **The capital recovery in the amount of \$59,432.37 as detailed in Schedule 5 of the staff report dated August 15, 2014 be formally written out of the books of account.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillor Johns

**11.3.5 6067 Quinpool Road, Halifax – Administrative Order Number 50**

The following was before Council:

- A staff recommendation report dated July 30, 2014
- A recommendation report dated September 26, 2014 from the Chair of the Audit & Finance Standing Committee
- A minute extract from Regional Council on July 22, 2014

**MOVED by Councillor Watts, seconded by Councillor Mason that Halifax Regional Council:**

1. **Approve a budget increase of \$200,000.00 to Project Account No. CBX01162 – Environmental Remediation/Building Demolition, with funding from Q101, Sale of Capital Assets Reserve, for contract planning services for the purpose of undertaking the process to amend the Municipal Planning Strategy for Halifax and the Land Use By-Law for Halifax Peninsula at 6067 Quinpool Road, as previously approved by Halifax Regional Council on July 22, 2014, Item 11.1.8; and,**
2. **Approve a budget increase of \$4,500,000.00 to Project Account No. CBX01162 – Environmental Remediation/Building Demolition, with funding from Q101, Sale of Capital Assets Reserve, for demolition and environmental remediation at 6067 Quinpool Road, as previously approve by Halifax Regional Council on July 22, 2014, Item 11.1.8.**

Mr. Peter Stickings, Manager, Real Estate and Land Management responded to question.

In response to a question by Councillor Watts, Mr. Stickings advised that he expects the public consultation process regarding the rezoning of the property to begin early in the new year.

Councillor Whitman advised that did not believe the Municipality should be carrying out the demolition of the building, and that he had concerns with the Municipality's involvement in the project, therefore, he would not support the motion.

**MOTION PUT AND PASSED.** (15 in favour, 1 against)

In favour: Mayor Savage; Deputy Mayor Fisher; and Councillors: Dalrymple, Hendsbee, Karsten, Nicoll, McCluskey, Mason, Watts, Mosher, Walker, Adams, Rankin, Craig, and Outhit.

Against: Councillor Whitman

Not present: Councillor Johns

### **11.3.6 Public Water Access to Wright's Lake**

The following was before Council:

- A staff recommendation report dated July 30, 2014
- A recommendation report dated September 26, 2014 from the Chair of the Audit & Finance Standing Committee

**MOVED by Councillor Whitman, seconded by Councillor Mason that Halifax Regional Council:**

- 1. Approve an increase of \$60,000 to 2014/15 Capital Budget Account CPX01331 Regional Water Access/Beach Upgrades to be funded from the Westwood Hills Residents Association Area Rate for the purpose of creating a public canoe/kayak put-in on Municipal Property located at Wrights Lake;**
- 2. Authorize staff to enter into negotiations with Nova Scotia Power to secure a licence to allow for the portion of the canoe/kayak put-in required to be placed on NSPI lands (PID: 41228032) on Wrights Lake.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillors Mosher and Craig

### **11.4 HERITAGE ADVISORY COMMITTEE**

#### **11.4.1 Case H00398 – Application to Deregister Lot BH-2, a Subdivision of 99 Ochterloney Street (Henry Elliot House), Dartmouth, a Municipally Registered Heritage Property**

The following was before Council:

- A staff recommendation report dated September 12, 2014.
- A recommendation report dated September 25, 2014 from the Chair of the Heritage Advisory Committee

**MOVED by Councillor McCluskey, seconded by Councillor Nicoll that Halifax Regional Council set a date for a public hearing to consider the proposed deregistration of Lot BH-2, as identified in Attachment A of the staff report dated September 12, 2014, a subdivision of 99 Ochterloney Street, Dartmouth.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillor Mosher

### **11.5 MEMBERS OF COUNCIL**

#### **11.5.1 Councillor McCluskey – Halifax Transit Moving Together Plan-Update**

The following was before Council:

- A staff information report dated August 22, 2014
- An information report dated September 15, 2014 from the Chair of the Transportation Standing Committee

Councillor McCluskey explained that staff provided a presentation recently to the Transportation Standing Committee of an update to the five year strategic framework for service provision and that she felt it



should also be provided to Regional Council because of questions that have come up among members of the public with regard to changes.

Mr. Eddie Robar, Director, Halifax Transit addressed Council and indicated that following the submission of the information report and presentation to the Transportation Standing Committee there was confusion in the public as to what staff were advising with regard to the Five Year Strategic Plan. He advised that upon a review of the approved principles, staff concluded that due to the nature of the road network, all of the objectives could not be met, in particular, making trip times faster and making the service connections higher and more frequent. Mr. Robar explained that staff want to ensure they are strategic in how to meet the objectives of Council and the public, therefore, they feel that they need to do further review. He emphasized that this was not a change in direction but simply to extend the timeline to fulfill the objectives that were set by Council and the community at large.

In response to a question by Councillor McCluskey, Mr. Robar advised that he was confident staff will meet all the objectives. He added that in January staff will provide a report on how they intend to meet the objectives, noting that the plan has to be costed and it has to be fiscally responsible.

Councillor Karsten expressed appreciation to staff for the clarification. He referenced the submitted Information Report and advised that the revised timeline on Plan implantation should read TBD 2017 and not TBD 2016.

Councillor Hendsbee addressed the matter and advised that he hoped that the consultation will include rural communities, and that the Metro X consultant's report will be considered, and that the report which comes back to Council will address these issues.

Council recessed at 2:52 p.m.  
Council reconvened at 3:05 p.m.

#### **11.5.2 Councillor Adams – Requesting further consultation on the Solid Waste Strategy between The Halifax Waste Resource Society and HRM Staff**

The following was before Council:

- A Councillor's Request Form from Councillor Adams

**MOVED by Councillor Adams, seconded by Councillor Walker that Regional Council defer the date for the report to Regional Council regarding Solid Waste recommendations to no later than December 9, 2014 to allow the Solid Waste Resource Society sufficient time to review and comment.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillor Mosher

#### **12. MOTIONS**

##### **12.1 Councillor Mason**

The following was before Council:

- A handout package outlining the proposed amendment

**MOVED by Councillor Mason, seconded by Councillor Hendsbee that Halifax Regional Council amend the existing Halifax Regional Municipality Sidewalk Café Policy, effective 1998, to permit the approval of the extension of the sidewalk café season by the Engineer until no later than 11:59 p.m. on November 21, 2014.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**13. IN CAMERA**

**13.1 In Camera Minutes – September 9, 2014**

**MOVED by Deputy Mayor Fisher, seconded by Councillor Mason that the In Camera Minutes of September 9, 2014 be approved as circulated. MOTION PUT AND PASSED.**

**MOVED by Councillor Outhit, seconded by Councillor McCluskey that Halifax Regional Council convene In Camera. MOTION PUT AND PASSED.**

Council convened in camera at 3:13 p.m.

Council reconvened in public at 3:51 p.m.

During the Approval of the Order of Business, Council agreed to deal with item 7 at this time.

**7. MOTIONS OF RESCISSION**

**7.1 Councillor Johns** – That Regional Council rescind its motion of September 10, 2013 accepting the Environment and Sustainability Standing Committee's July 2, 2013 report recommending the Treatment of Halifax Regional Municipality's compositing facilities wastewater at the Highway 101 Leachate Treatment Facility and direct staff to continue to investigate other treatment options that do not consider the Upper Sackville location which has been closed to any offsite material, solid or liquid, for 18 years.

Councillor Johns advised that, as a result of the in camera discussion and decision, he was withdrawing his motion of rescission, to which Council agreed.

**14. ADDED ITEMS**

**14.1 Award 14-086 Winter Sidewalk Snow and Ice Control West (Routes SWP4, SWP5, SWP6, SWW8 and SWW13)**

The following was before Council:

- A staff recommendation report dated September 26, 2014

**MOVED by Councillor Mosher, seconded by Councillor Whitman that Halifax Regional Council award Tender #14-086, Winter Sidewalk Snow and Ice Control West Region to the lowest bidders meeting specification, and at the estimated prices noted below, for the period of November 1<sup>st</sup> to April 15<sup>th</sup> inclusive each year of a 3 year term, from 2014 through 2017, and a 4<sup>th</sup> year option (at HRM's sole discretion) for a 1 year extension (2018). Each contractor will be subject to an annual review of performance, customer service and operational requirements. Funding to come from operating account R781-6399 Sidewalk Snow and Ice Control, as outlined in the Financial Implications section of the September 26, 2014 staff report. The recommended bidders are:**

- A. Award Route SWP4 to Tracey's Landscaping Ltd. For a total estimated three year tender price of \$343,460.43 (net HST included)**
- B. Award Route SWP5 to Tracey's Landscaping Ltd. For a total estimated three year tender price of \$542,919.78 (net HST included)**
- C. Award Route SWP6 to Leahey's Landscaping and Contracting Ltd. For a total estimated three year price of \$833,172.45 (net HST included)**
- D. Award Route SWW8 to Remote Bus Stops to T & T Excavating for a total estimated three year tender price of \$230,752.71 (net HST included)**
- E. Award Route SWW13 to Excel Property Ltd. For a total estimated three year tender price of \$249,039.81 (net HST included)**

Ms. Kathleen Llewellyn-Thomas, Acting Director Transportation & Public Works, and Mr. Darrin Natolino, Superintendent Winter Operations Training & Compliance responded to questions.

Councillors Mason and Watts advised that they would not be voting for the motion as their residents have strongly voiced their view that they do not want municipal sidewalk snow clearing service.

**MOTION PUT AND PASSED.** (14 in favour, 3 against)

In favour: Deputy Mayor Fisher; and Councillors: Dalrymple, Hendsbee, Karsten, Nicoll, McCluskey, Mosher, Walker, Adams, Rankin, Whitman, Johns, Craig, and Outhit.

Against: Mayor Savage; and Councillors Mason and Watts

**14.2 Information Item 7 – Federal Lighthouse Disposal: HRM Options and Implications  
Councillor Adams**

The following was before Council:

- A staff information report dated May 2, 2014

Councillor Adams advised that he brought forward this matter to request Council's support in asking for further information from staff in regard to ways in which the municipality can assist community groups who are trying to retain lighthouses. He explained that he would like staff to look into what the impact would be of declaring a lighthouse as a municipal heritage property, and if heritage status would have an effect on Federal funding.

A brief discussion ensued, and the Mayor advised that since it appeared that Council wanted to engage in a full discussion on this added item, it may be best at this time to defer the matter to the next regular meeting of Council, and it would be placed as an item on the regular agenda.

**MOVED by Councillor Adams, seconded by Councillor Walker that this matter be deferred to the next regular Council meeting.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**14.3 Election of Deputy Mayor – Councillor Karsten**

**MOVED by Councillor Karsten, seconded by Councillor Walker that Regional Council agree to suspend the rules and hold the election of Deputy Mayor on Tuesday October 28, 2014 with the role of Deputy Mayor to be effective November 18, 2014.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**14.4 Councillor Mosher – Potential to Augment Land for Parkland Use – Private and Confidential Report**

This matter was dealt with in camera and was now before Council for ratification.

**MOVED by Councillor Mosher, seconded by Councillor Walker that Halifax Regional Council request a staff report assessing the feasibility of purchasing lands for the purpose of parkland use as outlined in the private and confidential Councillor request for consideration form.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**14.5 Sackville Leachate Treatment Facility – Private and Confidential Report**

This matter was dealt with in camera and was now before Council for ratification.

**MOVED by Councillor Johns, seconded by Councillor Craig that Halifax Regional Council:**

- 1. Direct staff to consider alternatives for the treatment of leachate from Halifax's two organic composting facilities and defer proceeding with the treatment of offsite leachate at the Highway 101 site pending consideration of options;**
- 2. Report back to Council no later than April 1, 2015; and**
- 3. The Private and Confidential staff report dated October 3, 2014 not be released to the public.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**15. NOTICES OF MOTION**

**15.1 Deputy Mayor Fisher**

Take Notice that, at the next regular Regional Council meeting, to be held on Tuesday, the 21<sup>st</sup> day of October, 2014, I intend to:

1. Move First Reading of By-law S-801, Temporary Signs By-law, which will repeal and replace By-law S-800, Respecting the Requirements for the Licensing of Temporary Signs and
2. Introduce proposed amendments to Administrative Order 15 Respecting License, Permit and Processing Fees

The purpose of which is to include amendments as directed by Committee of the Whole on April 15, 2014 related to temporary signage on private and public property; signage in commercial parking lots; definition of a poster and enforcement capabilities; aesthetics for box and mobile signs; and election signs.

The meeting recessed at 4:24 p.m.

The meeting reconvened at 6:00 p.m. to deal with the public hearing.

**9.1 Cases 18288 and 18684 – Cole Harbour/ Westphal Municipal Planning Strategy (MPS) and Land Use By-Law (LUB) Amendments and Development Agreement for a Mixed Residential Development Adjacent to Lake Loon, Westphal (Joint Public Hearing with Harbour East and Marine Drive Community Council)**

The following was before Council:

- A staff recommendation dated July 7, 2014
- A report from Harbour East-Marine Drive Community Council dated August 11, 2014
- A draft minute extract from Regional Council on September 9, 2014
- Correspondence submitted by: Tom Jubis, George McCarthy, Barbara Keddy, Ron Archibald, Joan Dykeman, Glenn Eddy, Heather Johnson, Donald Shewfelt, Jamey Selig, Jeffrey Norrie, Brenda MacPhee, Phillip Jordan, Brian Hughes and Donna Coles Shewfelt.
- A staff presentation dated October 7, 2014
- An application presentation from Ekistics Planning & Design dated October 7, 2014

Mr. Shane Vipond, Planner provided the staff presentation to Regional Council on Case 18288 and 18684.

Mayor Savage reviewed the rules of procedure for public hearings and requested the Applicants to come forward to address Council.

Mr. Rob Leblanc of Ekistics Planning & Design spoke on behalf of the Applicant and advised Council that they felt the residential design was the best use of the land. He also indicated that a residential development would fit nicely since the area was designated as a growth area in the Regional Plan. Mr. Leblanc explained that forty percent of the property would be kept as open space and designed to maintain the views of the lake with a very distinct design. He stated that most developers would want to build right on the lake, but they have determined to preserve a buffer area between the town houses and the lake to help assist in stormwater management. The majority of parking will also be underground so it will also assist in stormwater management.

Mr. Roger Boychuck, traffic engineer also spoke on behalf of the applicant. He advised that the development is compatible with the transportation network that is in the area. He noted that a traffic impact study was completed and provided to HRM. He advised that there would be approximately 60 to 70 vehicles an hour would be coming from the development and would not have any major impact on traffic in the area. The traffic impact study concluded that the development did not require additional infrastructure or changes to the traffic signals close to the development.

In response to Councillor Nicoll, Mr. Boychuck advised that the traffic impact study was conducted during the peak travel times for the average commuters.

Councillor Hendsbee questioned if the applicant looked at having an alternative access to the development through the Panavista intersection.

Mr. Boychuck advised that the realignment of Panavista intersection was not looked at as part of the study.

Mr. Blaise Morrision spoke on behalf of the second Applicant. He noted that, in regard to the second application, he was before Council in support of the policy amendments. He noted that they do not have a specific proposal for the property at this time as they have a few issues on the site that are constraining immediate development. In response to Councillor Hendsbee, he noted that they have looked at the reconfiguration of Panavista Drive but the developer will be working with other land owners and the Municipality once a proposal regarding a development agreement comes forward.

Mayor Savage thanked the Applicants for their presentations and invited residents who signed the speakers list to come forward to address Council when he called their name.

Ms. Donna Shewfelt, Lake Loon, stated that she had a number of concerns. She felt no one should be building this size development on six acres of land as it would cause major damage to wildlife and the lake. She stated that motorized water craft are allowed on the lake and the development would increase the traffic on the lake. She noted it was a shallow lake and the developer indicated that the stormwater would drain right into the lake. She felt that the development did not meet the compatibility of other buildings in the area. She noted it was commercially zoned and the residential development did not match the commercial corridor, nor did she feel that it would fit in the adjacent residential area. She stated that it is a high traffic area and with the development it would become worse. She requested Council to vote to deny the application before them.

Mr. Don Shewfelt, Lake Loon, explained that he paddled the lake years before building in the area. He stated that there are a number of species of wildlife that are found on the lake and are at risk on the lake. He stated that he did not get notice of all the meetings and had actually found out about the public information meetings from someone paddling on the Lake. He felt that since he lived across the lake from the development he should have been advised of the meetings. He stated that the lake is shallow and cannot sustain the stormwater runoff from the development into the lake. He felt from the meetings the community indicated that the environment was the biggest concern and that Council should not approve the application as it does not meet the criteria to support amendments to the Municipal Planning Strategy and Land Use Bylaws for the area.

Ms. Joan Dykeman, Lake Loon, stated that she grew up on Lake Loon and paddles around the lake. She stated she has witnessed a variety of rare species of wildlife on the small lake. She stated that it's a piece of serenity in the middle of the city. She expressed concern about the idea of high rises being built overlooking the lake. Ms. Dykeman also added that the traffic is so bad in the area that she walks and the addition of this development would make it worse.

Mr. Wayne Cochrane, spoke on behalf of the current landowner. He noted that the landowner was out of the country and sent his regrets. He noted that the existing land is designated commercial and the original plan was to build a warehouse in the community. The landowner indicated that he was supportive of small business and this development would help support businesses in the area.

Mr. Scott Allison, licensed realtor, indicated he did not live in the area but wanted to speak in support of the proposed type of housing. He explained that he was supportive of this project as it was sustainable housing and the costs would be affordable for first time homeowners.

Ms. Sherry Spicer, Dartmouth stated that she was in favor of the project, she admitted that she did not live on the lake but knew the applicant well. She indicated that he lives on the lake and would not do anything to harm the lake and is a man who strives for excellence in all his projects.

Mayor Savage called three times for anyone else to speak anyone wishing to address Council on this matter; there being none it was **MOVED by Councillor Karsten, seconded by Councillor Mason that the public hearing be closed. MOTION PUT AND PASSED.**

In response to Councillor Watts, Mr. Vipond stated that the Regional Plan does describe the area as a medium density development and a growth centre. He added that enhanced stormwater measures were looked at by staff, but felt that the applicant would address the stormwater management in greater detail during the application process.

Councillor Karsten requested clarification on the public notice and what catchment areas would have been included.

Mr. Vipond advised that there were two information meetings. He stated that the beginning they had notified residents who were within 600 feet of the development. He continued that after the first public information meeting they expanded that zone again and went around the entire lake for the second public information meeting. He also added that an advertisement was placed in the local paper.

**MOVED by Councillor Nicoll seconded by Councillor Hendsbee that Halifax Regional Council adopt the proposed amendments to the Cole Harbour/Westphal Municipal Planning Strategy and Land Use By-law as contained in Attachments A and B of the July 7, 2014 staff report.**

Councillor Nicoll noted that the policy that Council was going to approve would still have to go the Province for approval before it went back the Harbour East Community Council.. She noted for the record she had only one resident contact her in regard to this development. She attended the two information meetings and expressed her concerns and was told that many of her concerns could be dealt with under the stormwater management plan.

Mr. Vipond agreed with Councillor Nicoll and stated that the stormwater management would be part of the development agreement.

Councillor Hendsbee advised that he grew up in the area. He felt that the proposal was trying to make the best of a bad situation in regard to access. He stated that he would be advocating the expropriation of 615 and 639 Main Street for future access and have that expropriation cost be covered by the properties affected. He stated that he approved of the proposal as they have an aspiration for future access corridors.

Councillor Nicoll stated that the serviceable boundary is where Council wants to increase density and that includes the area of the proposal. She added that the secondary planning would allow for taller buildings in the area and added that she supports the application going forward.

In response to questions of Council, Mr. John Traves, Municipal Solicitor, explained that if the motion passes it changes the Municipal Planning Strategy (MPS) the matter would be referred back to Community Council and the project itself would be vetted at the Community Council.

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillors Dalrymple, McCluskey, Whitman, Johns, Craig, and Outhit.

**16. ADJOURNMENT**

The meeting adjourned at 7:20 p.m.

Cathy J. Mellett  
Municipal Clerk