



**HALIFAX REGIONAL COUNCIL  
MINUTES  
December 9, 2014**

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

REGRETS: Councillors: Darren Fisher  
Brad Johns

STAFF: Mr. Richard Butts, Chief Administrative Officer  
Mr. John Traves, Municipal Solicitor  
Ms. Cathy Mellett, Municipal Clerk  
Ms. Sherryl Murphy, Deputy Clerk  
Ms. Krista Vining, Legislative Assistant  
Mr. Liam MacSween, 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\\_2014-12-09\\_live.mp4.html](http://archive.isiglobal.ca/vod/halifax/archive_2014-12-09_live.mp4.html)

The agenda, supporting documents, and information items circulated to Council are available online: <http://www.halifax.ca/council/agendasc/141209rc-agenda.php>

*The meeting was called to order at 11:18 a.m., and recessed at 11:35 a.m. to move into an In Camera session. Council reconvened at 1:00 p.m., recessed at 2:24 p.m. and reconvened at 2:40 p.m. Council recessed again at 4:08 p.m. and reconvened at 6:00 p.m. Council recessed again at 7:28 p.m. and reconvened at 7:34 p.m. Council adjourned at 10:50 p.m.*

**1. INVOCATION**

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

**2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS**

Councillors noted a number of special community announcements and acknowledgements.

Mayor Savage recognized Mr. Paul Kent for his service as President and CEO of Greater Halifax Partnership and a round of applause was given by Council.

**3. APPROVAL OF MINUTES – November 18, 2014**

**MOVED by Councillor McCluskey, seconded by Councillor Mason that the minutes of November 18, 2014 be approved as presented. MOTION PUT AND PASSED.**

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

Additions:

- 13.1.4 Property Matter - St. Pat's Alexandra site (oral)
- 14.1 Ratification of Motion from Committee of the Whole
- 14.2 Added item from Budget Committee of Whole re: Advanced Capital– December 3, 2014

Council agreed to address Item 11.1.1, the correspondence and petitions, and the in camera items as the first Order of Business.

**MOVED by Deputy Mayor Nicoll, seconded by Councillor Karsten that the agenda be approved as amended.**

- 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 – 6:00 P.M.**

- 9.1 Proposed By-Law S-801, Proposed Amendments to By-law S-800, Respecting Temporary Signs (Supplementary Report)**
  - i) Supplementary Staff Report dated October 10, 2014
  - ii) Staff Report dated December 2, 2013

This matter was addressed later in the meeting, see pages 18.

- 9.2 Case 19326 – Municipal Planning Strategy (MPS) Amendments and Development Agreement for 1034, 1042, 1050 and 1056 Wellington Street, Halifax (Joint Public Hearing with Halifax and West Community Council)**

This matter was addressed later in the meeting, see pages 22.

**10. CORRESPONDENCE, PETITIONS & DELEGATIONS**

## 10.1 Correspondence

The Clerk noted that correspondence was received for items: Committee of the Whole item 3 and Regional Council items 9.1, 9.2 and 11.1.5. This correspondence was circulated to Council.

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

### 10.1.1 Fly-Past Request – Fall River Canal Days

The following was before Council:

- Correspondence from Michael Creighton, Co-Chair, Fall River Canal Days

**MOVED by Councillor Dalrymple, seconded by Councillor McCluskey that Halifax Regional Council grant permission for a Royal Canadian Air Force aircraft to perform a fly-past at an altitude as low as 500 feet over the north end of Lake Thomas in Fall River on Wednesday, July 1, 2015 at approximately 11:15 A.M. in conjunction with Fall River Canal Days celebrations as per the request of the Fall River Canada Days Committee. MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillors Fisher, Johns and Outhit

## 10.2 Petitions

### 10.2.1 Councillor Mason

Councillor Mason submitted a petition with over a thousand signatures on behalf of residents of Halifax Regional Municipality urging the Districts 7 and 8 Planning Advisory Committee, Community Council and Regional Council to reject the Municipal Planning Strategy amendment and Development Agreement requested by Dino Capital Ltd (Case 19326). Residents further urged Council to respect the public consultation process of November, 2013, and the resulting Planning Advisory Committee recommendations, and to support the community's expressed desire that no development on the subject site should exceed 55 feet above grade.

## 11. REPORTS

### 11.1 CHIEF ADMINISTRATIVE OFFICER

#### 11.1.1 Award Tender No. 14-096 – Scotiabank Centre, Washroom Upgrades

The following was before Council:

- A staff recommendation report dated November 24, 2014

**MOVED by Councillor Mason, seconded by Councillor Karsten that Halifax Regional Council award Tender No. 14-096, Scotiabank Center – Washroom Upgrades, to the lowest bidder meeting specifications, Avondale Construction Limited, for a total tender price of \$751,025.00 (HST Fully Refundable). Funding is available from Project No. CB000028 – Scotiabank Centre, as outlined in the Financial Implications section of the staff report dated November 24, 2014.**

A brief discussion was held with staff responding to a question related to the financial implications and project account as outlined in the November 24, 2014 staff report.

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillors Fisher, Johns and Outhit

**MOVED by Councillor Craig, seconded by Councillor McCluskey that Halifax Regional Council convene to in camera. MOTION PUT AND PASSED.**

Council recessed at 11:35 a.m. to convene into in camera.

Council reconvened at 1:00 p.m.

**11.1.2 Proposed Amendments to Administrative Order 12, Respecting the Appointment of the Traffic Authority – Appointment of the Traffic Authority and Deputy Traffic Authority Motion – Councillor Karsten – Approve Amendments to Administrative Order 12**

The following was before Council:

- A staff recommendation report dated November 24, 2014

**MOVED by Councillor McCluskey, seconded by Councillor Whitman that Halifax Regional Council adopt the amendments to Administrative Order 12, the *Appointment of the Traffic Authority* Administrative Order, as set out in Attachment 2 of the staff report dated November 24, 2014, and:**

- a) Appoint Taso Koutroulakis, P.Eng. as the provincial Traffic Authority;**
- b) Appoint Tanya Davis, P.Eng. as the provisional Deputy Traffic Authority; and**
- c) That both appointments be effective until June 30, 2015.**

Mr. Richard Butts, Chief Administrative Officer provided clarification on the appointment of a Traffic Authority and Deputy Traffic Authority being interim appointment until permanent appointments could be made. In response to a follow up question on the status of the staff report respecting the appointments to Traffic Authority, Mr. Butts advised that he would follow up and report back to Council.

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillor Hendsbee, Fisher, Mosher and Johns

**11.1.3 Case 19353 – Amendments to the Halifax Municipal Planning Strategy (MPS) and Halifax Peninsula Land Use By-law (LUB) – 2480 Maynard Street, Halifax**

The following was before Council:

- A staff recommendation report dated November 20, 2014

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

- 1. Initiate a process to consider site-specific amendments to the Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-law for 2480 Maynard Street, Halifax, to enable the development of an 8-storey mixed use residential and commercial building by development agreement; and**
- 2. Follow the Public Participation Program for the MPS amendment process as approved by Council in February 1997.**

Councillor Watts requested that the motion be split and asked members to defeat recommendation #1; noting that she would bring forward an alternative recommendation to initiate the process but allow staff to review the context of development for a larger area of the community. She highlighted that the community is concerned with the context of development; commenting that a larger comprehensive review would help build the ground for the Centre Plan which will involve the surrounding communities.

Council entered into discussion on the recommendations with staff responding to questions of clarification respecting alternative #1 outlined in the staff report dated November 20, 2014. During the discussion several members expressed concern with the timeline of the application and how expanding the review area would affect the timeline.

The motion was split and a vote taken.

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

- 1. Initiate a process to consider site-specific amendments to the Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-law for 2480 Maynard Street, Halifax, to enable the development of an 8-storey mixed use residential and commercial building by development agreement; and**

**MOTION PUT AND PASSED.** (9 in favour, 6 against)

In favour: Mayor Savage, Councillors Dalrymple, Hendsbee, Karsten, McCluskey, Mosher, Walker, Adams and Whitman

Against: Deputy Mayor Nicoll, Councillors Mason, Watts, Rankin, Craig and Outhit

Not present: Councillors Fisher and Johns

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

- 2. Follow the Public Participation Program for the MPS amendment process as approved by Council in February 1997.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillors Fisher and Johns

#### **11.1.4 Municipal Gas Tax Agreement**

The following was before Council:

- A staff recommendation report dated November 10, 2014

**MOVED by Deputy Mayor Nicoll, seconded by Councillor Karsten that Halifax Regional Council direct the Mayor and Municipal Clerk to sign the Municipal Gas Tax Agreement on behalf of Halifax Regional Municipality as attached to the November 10, 2014 staff report.**

A brief discussion was held.

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillor Fisher and Johns

#### **11.1.5 Cherry Brook Community Centre**

The following was before Council:

- A staff recommendation report dated November 17, 2014
- Correspondence from Brenton Sparks, President of Lake loon/Cherry brook Development Association (LLCBDA)

**MOVED by Deputy Mayor Nicoll, seconded by Councillor Hendsbee that Halifax Regional Council direct staff to:**

- 1. Initiate the process to remove the vacant building at 220 Lake Loon Road, Cherry Brook to achieve necessary safety at the site and retain the land for future community purposes;**

2. **Initiate a project to develop 220 Lake Loon Road into a park that encompasses a commemorative heritage plaque and potential future trail connection; and**
3. **Undertake community consultation related to the proposed parkland project at 220 Lake Loon Road and potential future use of the lands at 266 Cherry Brook Road.**

Without discussion it was **MOVED** by Deputy Mayor Nicoll, seconded by Councillor Hendsbee that **Halifax Regional Council defer Recommendations 1 and 2 of the staff report dated November 17, 2014, and direct staff to:**

1. **Review the findings of the facility condition assessment with the Lake Loon Cherry Brook Development Association and the provincial government;**
2. **Undertake community consultation related to the proposed parkland project at 220 Lake Loon Road and potential future use of the lands at 266 Cherry Brook Road; and**
3. **Report the findings of the consultations to Regional Council by March 2015.**

Deputy Mayor Nicoll spoke on the deferral and allowing for community consultation in relation to the building condition assessment. She also acknowledged residents of the Lake Loon community who were in attendance.

Council entered into discussion on the deferral with staff responding to questions and concerns raised respecting the current state of the property and length of time taken in determining ownership of the property. During the discussion, it was noted that the community had differences of opinions regarding demolishing the building and how the deferral provided the community the opportunity to review options. Councillor Whitman spoke to concern regarding the building condition and safety. In response to safety concerns raised, staff confirmed that the property has been secured and that daily checks of the building would be challenging.

**MOTION TO DEFER PUT AND PASSED.** (14 in favour, 1 against)

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

Against: Councillor Whitman

Not present: Councillors Fisher and Johns

## **11.2 AUDIT AND FINANCE STANDING COMMITTEE**

### **11.2.1 Provincial-Municipal Fiscal Review – Halifax Submission**

The following was before Council:

- A recommendation report from the Audit and Finance Standing Committee dated December 1, 2014
- A copy of the Steering Committee of the Provincial-Municipal Fiscal Review Consultative Report Summary dated Fall 2014

**MOVED** by Councillor Karsten, seconded by Councillor Walker that **Halifax Regional Council send a submission to the Union of Nova Scotia Municipalities (UNSM) regarding the Provincial-Municipal Fiscal Review Consultative Report, accepting the recommendations as is, and seeking an active role in ongoing review and implementation.**

Without discussion, it was **MOVED** by Councillor Watts, seconded by Councillor Walker that the motion be amended to include: *subject to the following two conditions:*

1. ***The submission highlight that the Municipality supports the following:***
  - A. ***the guiding principle of Equity & Fairness and that every municipality needs to contribute to the overall fiscal health of the province and to support other municipalities as we all move to greater financial sustainability. We are prepared to do our part in strengthening fiscal health across our province.***
  - B. ***more flexible and broader authority over property taxation to be enabled in the Halifax Regional Municipality Charter;***
  - C. ***the introduction of a Provincial Property Tax rate that would allow the Province to apply its own property tax thus increasing transparency and clarity for residents on taxation for municipal and provincial services; and***
  - D. ***new provincial regulations be created in partnership with municipalities and that the economic and financial impacts are properly assessed prior to implementation of the regulation; and***
  
2. ***The submission highlight the following changes for consideration of the Fiscal Review Working Group, as follows:***
  - A. ***that the Provincial Property Tax proposal include a cap on this tax levy so that it does not go higher as the Provincial Property Tax proposal will result in a shift in tax responsibility to Halifax residents amounting to an increase of \$4.6 million dollars collected. A cap on the levy will prevent the residents of the Municipality from paying additional money when property assessments increase unlike the current area rates which have resulted in residents paying an increase of almost \$14 million as noted in the staff report;***
  - B. ***that the Municipality is encouraged by the increased funding for the Provincial Capital Assistance Program fund (PCAP) and would like to see federal wastewater projects as a priority funding area;***
  - C. ***that further clarification of the relationship between greater municipal autonomy over all forms of property taxation be provided in respect of the emerging energy sectors to:***
    - (i) ***ensure the implementation of renewable and sustainable energy development in the Province is not inhibited; and***
    - (ii) ***provide a consistent approach to taxation to prevent a negative impact on emerging energy projects that cross municipal boundaries; and***
  - D. ***that the Municipality supports the inclusion of an amended Recommendation #34 to remove the federal government and that amended recommendation would state: "In the future, any new provincial regulations should not move forward unless municipal and provincial governments have agreement on how to fund them.***

Council entered into discussion on the amendment with Councillor Dalrymple asking that recommendation 2(b) include funding for federal *water* and wastewater projects as a priority funding area, to which the mover and seconder agreed.

During the ensuing discussion, Mayor Savage stepped down as Chair to speak in support of the proposed two conditions and Deputy Mayor assumed the Chair. Mayor Savage resumed as Chair and Deputy Mayor took her seat prior to the vote on the amendment being taken.

**MOTION TO AMEND PUT AND PASSED UNANIMOUSLY.**

Not present: Councillors Fisher and Johns

The motion before Council now reads:

**MOVED by Councillor Karsten, seconded by Councillor Walker that Halifax Regional Council send a submission to the Union of Nova Scotia Municipalities (UNSM) regarding the Provincial-Municipal Fiscal Review Consultative Report, accepting the recommendations as is, and seeking an active role in ongoing review and implementation; subject to the following two conditions:**

- 1. The submission highlight that the Municipality supports the following:**
  - A. the guiding principle of Equity & Fairness and that every municipality needs to contribute to the overall fiscal health of the province and to support other municipalities as we all move to greater financial sustainability. We are prepared to do our part in strengthening fiscal health across our province.**
  - B. more flexible and broader authority over property taxation to be enabled in the Halifax Regional Municipality Charter;**
  - C. the introduction of a Provincial Property Tax rate that would allow the Province to apply its own property tax thus increasing transparency and clarity for residents on taxation for municipal and provincial services; and**
  - D. new provincial regulations be created in partnership with municipalities and that the economic and financial impacts are properly assessed prior to implementation of the regulation; and**
  
- 2. The submission highlight the following changes for consideration of the Fiscal Review Working Group, as follows:**
  - A. that the Provincial Property Tax proposal include a cap on this tax levy so that it does not go higher as the Provincial Property Tax proposal will result in a shift in tax responsibility to Halifax residents amounting to an increase of \$4.6 million dollars collected. A cap on the levy will prevent the residents of the Municipality from paying additional money when property assessments increase unlike the current area rates which have resulted in residents paying an increase of almost \$14 million as noted in the staff report;**
  - B. that the Municipality is encouraged by the increased funding for the Provincial Capital Assistance Program fund (PCAP) and would like to see federal water and wastewater projects as a priority funding area;**
  - C. that further clarification of the relationship between greater municipal autonomy over all forms of property taxation be provided in respect of the emerging energy sectors to:**
    - (i) ensure the implementation of renewable and sustainable energy development in the Province is not inhibited; and**
    - (ii) provide a consistent approach to taxation to prevent a negatively impact on emerging energy projects that cross municipal boundaries; and**
  - D. that the Municipality supports the inclusion of an amended Recommendation #34 to remove the federal government and that amended recommendation would state: "In the future, any new provincial regulations should not move forward**



unless municipal and provincial governments have agreement on how to fund them.

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillors Fisher and Johns

Council recessed at 2:24 p.m.

Council reconvened at 2:40 p.m.

**11.3 EXECUTIVE STANDING COMMITTEE**

**11.3.1 Councillor Appointments - Nominations of Councillors to Various Boards and Committees**

The following was before Council:

- A recommendation report from the Executive Standing Committee dated November 24, 2014
- A document entitled Required Appointments

Councillor Mosher spoke to the rationale of the Executive Standing Committee bringing the Councillor appointments to Regional Council without recommendation in order for all members of Council to discuss the Councillor nominations/appointments. Councillor Mosher suggested that the order of appointments for Standing Committees be: Audit & Finance, Community Planning & Economic Development and Transportation, followed by the remaining Standing Committees. She further noted a correction to the document entitled: Required Appointments and that there should be an asterisk by her name under Community Planning & Economic Development as she has not served previously on the committee, and no asterisk by Councillor Fisher's name as he had previously served on the committee.

**MOVED by Councillor Mason, seconded by Councillor Rankin that Halifax Regional Council ratify the Community Council appointments to Standing Committees, and the Grants and Special Events Advisory Committees as follows:**

**Appeals Standing Committee – Councillors Whitman, Hendsbee and Adams**

**Audit and Finance Standing Committee – Councillors Dalrymple, Karsten and Rankin**

**Community Planning and Economic Development Standing Committee – Deputy Mayor Nicoll and Councillors Craig and Mason**

**Environment and Sustainability Standing Committee – Councillors Dalrymple, Fisher and Watts**

**Transportation Standing Committee – Councillors Outhit, McCluskey and Mosher**

**Grants Committee – Councillors Johns, Hendsbee and Walker**

**Special Events Advisory Committee – Deputy Mayor Nicoll and Councillors Johns and Adams**

**MOTION PUT AND PASSED.**

Council agreed to address the appointments in the following order:

- Audit & Finance Standing Committee
- Transportation Standing Committee
- Community Planning & Economic Development Standing Committee
- Environment & Sustainability Standing Committee
- Appeals Standing Committee
- Board of Police Commissioners
- Halifax-Dartmouth Bridge Commission
- Halifax Regional Library Board
- Heritage Advisory Committee

In response to a question raised on amendments to By-law A-100 Respecting the Appeals Committee and the reduction of Councillors, Ms. Cathy Mellett, Municipal Clerk advised that a Notice of Motion would be given later in the meeting.

The following nominations were put forward for the Audit and Finance Standing Committee; Councillors Walker, Craig, McCluskey, Outhit, Mosher and Deputy Mayor Nicoll.

Nominations ceased and a vote was taken by way of secret ballot. **Councillors Craig, McCluskey and Mosher were appointed to the Audit and Finance Standing Committee.**

**MOVED by Councillor Walker, seconded by Councillor Watts that Halifax Regional Council appoint Councillors Mason and Whitman to the Halifax Regional Library Board. MOTION PUT AND PASSED.**

Councillor Mason withdrew his expression of interest from the Heritage Advisory Committee at this time.

**MOVED by Councillor Whitman, seconded by Councillor Mason that Halifax Regional Council appoint Councillors Johns and Hendsbee to the Heritage Advisory Committee. MOTION PUT AND PASSED.**

Councillor Watts withdrew her expression of interest from the Advisory Committee for Accessibility in HRM at this time.

**MOVED by Councillor Watts, seconded by Councillor McCluskey that Halifax Regional Council appoint Councillors Mason and Craig to the Advisory Committee for Accessibility in Halifax. MOTION PUT AND PASSED.**

**MOVED by Councillor Rankin, seconded by Councillor Adams that Halifax Regional Council appoint Councillors Hendsbee and Fisher to the Halifax-Dartmouth Bridge Commission. MOTION PUT AND PASSED.**

**MOVED by Councillor Dalrymple, seconded by Councillor Hendsbee that Halifax Regional Council appoint Councillors Fisher and Dalrymple to the Shubenacadie Canal Commission. MOTION PUT AND PASSED.**

Councillor Adams withdrew his expression of interest from the Halifax Forum Commission at this time.

**MOVED by Councillor Hendsbee, seconded by Councillor Whitman that Halifax Regional Council ratify appointments to the various Boards and Committees as follows:**

**Cole Harbour Place – Deputy Mayor Nicoll  
Halifax Forum Commission – Councillor Watts  
Dartmouth Sportsplex – Councillor McCluskey  
Alderney Landing – Councillor McCluskey**

**MOTION PUT AND PASSED.**

Councillors Craig, Dalrymple and Watts withdrew their expressions of interest from the Transportation Standing Committee at this time.

Councillor Watts declared an interest in serving on the Community Planning and Economic Development Standing Committee at this time.

The following members were nominated for the Transportation Standing Committee; Councillors Karsten, Mason, Rankin, Hendsbee, Fisher and Deputy Mayor Nicoll.

Nominations ceased and a vote was taken by way of secret ballot. **Councillors Walker, Rankin and Mason were appointed to the Transportation Standing Committee.**

**MOVED by Councillor Hendsbee, seconded by Councillor Karsten that Halifax Regional Council ratify the appointment of Councillors Mosher and Walker to the HRM Chain of Lakes Trail Association. MOTION PUT AND PASSED.**

Councillor Hendsbee, noted for the record, that Councillor Walker had already been appointed to the Canada Games Centre, as identified in the handout regarding Required Appointments.

**MOVED by Councillor Rankin, seconded by Councillor Whitman that Halifax Regional Council ratify the appointment of Councillors Rankin and Adams and appointed Councillor Dalrymple as member-at-large to the Community Monitoring Committee. MOTION PUT AND PASSED.**

Councillor Dalrymple requested that his expression of interest to serve on the Crosswalk Safety Advisory Committee be withdrawn before being placed before the Transportation Standing Committee for consideration.

Councillors Dalrymple, Mosher and Karsten withdrew their expressions of interest from the Community Planning & Economic Development Standing Committee at this time.

The following members were nominating for the Community Planning & Economic Development standing committee; Councillors McCluskey, Watts, Fisher and Adams.

Nominations ceased and a vote was taken by way of secret ballot. **Councillors Watts, Adams and Fisher were appointed to the Community Planning & Economic Development Standing Committee.**

**Council appointed Councillors Outhit, Mason and Hendsbee to the Active Transportation Advisory Committee.**

**Council appointed Deputy Mayor Nicoll and Councillors Karsten and Johns to the Environment and Sustainability Standing Committee.**

**Council appointed Councillors McCluskey, Walker, Karsten, Johns and Outhit to the Appeals Standing Committee.**

Councillors Mason, Craig, Karsten and McCluskey withdrew their expressions of interest from the Board of Police Commissioners at this time.

Councillors Dalrymple, Walker, Outhit and Adams were nominated to serve on the Board of Police Commissioners. Nominations ceased and a vote was taken by way of secret ballot. **Councillors Adams and Walker were appointed to the Board of Police Commissioners.**

In response to suggestions around process, Mayor Savage indicated that members of Council could provide their suggestions around future process for appointments to the Clerk's Office. Mayor Savage further indicated that he would follow up with the Clerk's Office and Legal Services respecting the process for tied votes.

## **12. MOTIONS**

### **12.1 Councillor Dalrymple**

The following was before Council:

- Handout from Councillor Dalrymple - Correspondence from Parker Donham

A Notice of Motion was given December 2, 2014.

**MOVED by Councillor Dalrymple, seconded by Councillor Hendsbee that Halifax Regional Municipality supports Seaside Wireless Communications Inc.'s application to participate in the**

**Connecting Canadians program to increase internet speeds available to its customers in HRM and forward a letter of support to Industry Canada.**

Councillor Dalrymple referred to the correspondence from Mr. Donham circulated to Council. He explained that Seaside Wireless Communications Inc. has assumed the responsibility of providing high speed internet service to the rural communities of HRM and were in the process of applying to the Federal government under the Connecting Canadians program for a grant to assist in completing this service for the rest of HRM residents. Councillor Dalrymple noted that there was no cost to the Municipality and asked for Council's support.

Mr. John Traves, Municipal Solicitor sought confirmation that Mr. Donham had some relationship to Seaside Wireless Connections Inc., as he was not identified as an officer, director or recognized agent of the company. Mr. Traves further pointed out that the motion was not based on a submission that would favour one provider of internet services over another and was a motion to support the application of this particular provider, and Council would be free to make a similar motion with respect to any other applicant who is providing internet services if requested. In response to a question/concern raised around other potential applicants, Mr. Traves indicated that he had not had an opportunity to investigate the Connecting Canadian program and did not have the background as to whether there would be a limited number of applicants.

During the discussion Councillor Adams pointed out that Mr. Donham's correspondence identified him as the Director of Communications for Seaside Wireless Connections Inc. based out of Sydney, Nova Scotia.

Councillor Dalrymple noted that he was unaware of other companies making applications of this nature but reiterated that Seaside Wireless Connections Inc. was the company that took over the contract for providing high speed internet service to rural HRM and that they were now looking to expand this service to the rest of HRM.

Councillor Whitman pointed out that there are parts of HRM where it is long distance calling from one area to another; suggesting that this be considered in future discussions.

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillors Fisher and Johns

**12.2 Councillor Mason**

A Notice of Motion was given December 2, 2014.

**MOVED by Councillor Mason, seconded by Councillor Outhit that Halifax Regional Council request a staff report to examine potential funding options for HRM to contribute up to 1/3 funding, not to exceed \$80,000, to complete renovations to increase Dalhousie Aquatic Centre's occupancy from 424 to 898 total persons.**

In discussions with Ian Nason, Dalhousie's Vice President of Finance, Councillor Mason indicated that approximately one year ago the Fire Marshall determined that there were inadequate fire exits on the Dalhousie Aquatic Centre's pool deck and the facility was no longer able to use the bleachers built into the deck. He explained that in order to increase the fire occupancy to 898 it required the installation of a new exit, as the pool deck is below ground level and requires significant engineering. Councillor Mason added that the Dalhousie Aquatic Centre is the only Olympic size pool in HRM, and possibly the province, with seating for competition swimming and diving. He further explained that Dalhousie does not have it in their mandate to provide this service but has been supporting the community by hosting community events and are seeking assistance from the Municipality. Councillor Mason asked Council to support the motion.

A brief discussion was held.

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillors Fisher and Johns

The ratification of the In Camera matters was addressed at this time.

**13. IN CAMERA**

*Council may rise and go into a private In Camera session, in accordance with Section 19 of the Halifax Regional Municipality Charter, for the purpose of dealing with the following:*

**13.1 Property Matter**

A matter pertaining to providing instruction and direction to officers and employees of the Municipality pertaining to the acquisition / sale of land in regard to

**13.1.1 Property Acquisition – Fall River, Nova Scotia – *Private and Confidential Report***

This matter was addressed during the in camera session and ratified as follows:

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

- 1. Approve an expenditure from Capital Budget project No. CPX01149 Parkland Acquisition in the amount provided in Table 2 of the private and confidential staff report dated October 20, 2014; and**
- 2. Authorize the Mayor and Municipal Clerk to enter into an agreement of purchase and sale as per the terms and conditions set out in Table 1 of the private and confidential staff report dated October 20, 2014.**

**It is further recommended that the October 20, 2014 private and confidential staff report not be released to the public until the transaction has closed.**

**MOTION PUT AND PASSED.** (14 in favour, 1 against)

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

Against: Councillor Craig

Not present: Councillors Fisher and Johns

**13.1.2 Property Matter – Williamswood, Grand Lake – *Private and Confidential Report***

This matter was addressed during the in camera session and ratified as follows:

**MOVED by Councillor Adams, seconded by Deputy Mayor Nicoll that Halifax Regional Council not seek to acquire the subject property as outlined in the private and confidential staff report dated October 29, 2014 for the purposes of water access, park, recreation or open space uses, for the reasons outlined in the private and confidential report. MOTION PUT AND PASSED.** (14 in favour, 1 against)

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

Against: Councillor Hendsbee

Not present: Councillors Fisher and Johns

**13.1.3 1909 and 1955 Caldwell Road, Eastern Passage – Ocean View Manor Society  
Postponement and Amendment of Buy Back Agreement – *Private and Confidential  
Report***

This matter was addressed during the in camera session and ratified as follows:

Councillor Karsten identified himself as a Board member of the Society for the Ocean View Manor and recused himself from the discussion/vote.

**MOVED by Deputy Mayor Nicoll, seconded by Councillor McCluskey that Halifax Regional Council authorize the Mayor and Clerk to enter into an amendment and postponement of the Buy Back Agreement as outlined in the private and confidential staff report dated November 7, 2014. MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillors Fisher and Johns

**13.1.4 St. Patrick's Alexandra Site – Oral**

This matter was addressed during the in camera session and ratified as follows:

**MOVED by Councillor Watts, seconded by Councillor Mason that Halifax Regional Council direct staff to approach both parties with the offer of providing a mediator to assist the parties in exploring a joint resolution and staff to return to Council in the spring with a report. MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillors Fisher and Johns

**13.2 Intergovernmental Relations**

A matter pertaining to any subject, the discussion of which could, violate the confidentiality of information obtained from another body of government, or a public body.

**13.2.1 Future Use of the Halifax Memorial Library – *Private and Confidential Report***

The following was before Council:

- A Extract of Minutes from Regional Council on October 25, 2011
- A copy of the staff report dated October 6, 2011 from the October 25, 2011 Regional Council meeting

This matter was addressed during the in camera session and ratified as follows:

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

- 1. Declare the portion of the Memorial Library lands, improved with the building, as shown on Attachment A of the private and confidential report dated October 28, 2014, surplus to library and municipal requirements and categorized as "extraordinary" as per Administrative Order 50.**
- 2. Ratify the matters contained in the private and confidential report dated October 28, 2014 and direct that the report be made public in accordance with the direction provided.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillors Fisher and Johns

**14. ADDED ITEMS**

**14.1 Integrated Solid Waste Resource Management Strategy Review – Consultations with Halifax Waste Resource Society Board of Directors with respect to Recommendations #7, 8 and 9 - Continuation from January 14, 2014 and June 24, 2014 (Supplementary Report)**

The following was addressed at an earlier Committee of the Whole session and was now before Council for ratification.

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

- 1. Amend By-law S-600 to allow for the export of ICI residual waste (garbage) outside HRM, and amend Administrative Order number 16 to provide for an increase in fees for disposal of ICI residual waste from \$125 per tonne to the assessed system cost of \$170.00 per tonne and set a date for a public hearing.**
- 2. Direct staff to defer any action with respect to the siting of a new landfill site in order to assess the implications of system changes currently being implemented and direct staff to increase the vertical height of existing and future cells in accordance with the approach as set out in the report of Conestoga – Rovers & Associates dated October 8, 2014, subject to maintaining the visible isolation of the cells as outlined by the SNC Lavalin Environment balloon study findings with notice to the Chair of the Community Monitoring Committee in accordance with Section 6.05 of the Agreement for Community Monitoring of Solid Waste Facilities dated February 16, 1999 once an updated design and operations plan has been prepared.**
- 3. Direct staff to take the necessary steps to maintain the current operating model, including front end processor facility, waste stabilization facility and residual disposal facility other than as directed by Regional Council as a consequence of decisions arising out of the ISWMS Review – Final Report dated January 8, 2014 at the Otter Lake Landfill site. Further, to assess the effects of the system changes currently being implemented, returning to Regional Council, with input from the Community Monitoring Committee, no earlier than March, 2019 with a report and recommendation respecting the effectiveness of the front end processor facility and waste stabilization facilities based on system and other changes since conception including diversion outcomes resulting from the changes currently being implemented.**

Without discussion Council agreed to split the motion and a vote was taken.

**MOVED by Councillor Rankin, seconded by Councillor Mason that Halifax Regional Council so moves to:**

- 1. Amend By-law S-600 to allow for the export of ICI residual waste (garbage) outside HRM, and amend Administrative Order number 16 to provide for an increase in fees for disposal of ICI residual waste from \$125 per tonne to the assessed system cost of \$170.00 per tonne and set a date for a public hearing.**

**MOTION PUT AND PASSED.** (13 in favour, 2 against)

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

Against: Councillors Dalrymple and Hendsbee

Not Present: Councillors Fisher and Johns

2. **Direct staff to defer any action with respect to the siting of a new landfill site in order to assess the implications of system changes currently being implemented and direct staff to increase the vertical height of existing and future cells in accordance with the approach as set out in the report of Conestoga – Rovers & Associates dated October 8, 2014, subject to maintaining the visible isolation of the cells as outlined by the SNC Lavalin Environment balloon study findings with notice to the Chair of the Community Monitoring Committee in accordance with Section 6.05 of the Agreement for Community Monitoring of Solid Waste Facilities dated February 16, 1999 once an updated design and operations plan has been prepared.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillors Fisher and Johns

3. **Direct staff to take the necessary steps to maintain the current operating model, including front end processor facility, waste stabilization facility and residual disposal facility other than as directed by Regional Council as a consequence of decisions arising out of the ISWMS Review – Final Report dated January 8, 2014 at the Otter Lake Landfill site. Further, to assess the effects of the system changes currently being implemented, returning to Regional Council, with input from the Community Monitoring Committee, no earlier than March, 2019 with a report and recommendation respecting the effectiveness of the front end processor facility and waste stabilization facilities based on system and other changes since conception including diversion outcomes resulting from the changes currently being implemented.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillors Fisher and Johns

**14.2 Added item from Budget Committee of Whole re: Advanced Capital – December 3, 2014**

The following was addressed at an earlier Committee of the Whole session and was now before Council for ratification.

**MOVED by Councillor Karsten, seconded by Deputy Mayor Nicoll that Halifax Regional Council approve the list of 2015-2016 advanced capital funding as per Attachment A of the November 25, 2014 staff report to Committee of the Whole. MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillors Fisher and Johns

**15. NOTICES OF MOTION**

**15.1 Deputy Mayor Nicoll**

**TAKE NOTICE** that, at the next meeting of Halifax Regional Council to be held on January 13, 2015, I intend to move First Reading of proposed By-law A-103, which will amend By-law A-100, Respecting Appeals Committee, the purpose of which is to reduce the number of Councillors required to sit on the Appeals Committee from eight (8) to six (6).

**15.2 Councillor Adams**

**TAKE NOTICE** that, at the next regular meeting of Halifax Regional Council, to be held on January 13, 2015, I intend to:



1. Move amendments to Administrative Order 16, Respecting Fees for the Use of Solid Waste Management Facilities, to increase the fee in clause (a) from 12.50 per 100 kg (220 lbs) to \$17.00 per 100 kg (220 lbs).
2. Move First Reading of By-law S-609, amending By-law S-600, Solid Waste Resource Collection and Disposal By-Law, to allow Commercial residual waste (garbage) to be processed outside of HRM and set a date for a public hearing.

**15.3 Councillor Adams**

**TAKE NOTICE** that, at the next meeting of Halifax Regional Council to be held on January 13, 2015, I intend to:

1. introduce proposed By-law A-600, Respecting Advertisements on Provincial Highways, using Provincial Highway 333 as a pilot project, the purpose of which is to provide a level of management of advertising signage along certain provincial highways to preserve and enhance the beauty of the Municipality; and
2. introduce proposed amendments to Administrative Order 15 Respecting License, Permit and Processing Fees.

**15.4 Councillor Walker**

**TAKE NOTICE** that, at a future meeting of Halifax Regional Council, I intend to propose amendments to Administrative Order 2014-001-ADM, Respecting Tax Relief to Non-Profit Organizations, the purpose of which is to repeal and replace schedules 26, 27, 28, 29 and 30 based on new applications and renewals and make other housekeeping amendments.

**15.5 Councillor Dalrymple**

**TAKE NOTICE** that, at the next regular Regional Council meeting, to be held on Tuesday, January 13, 2015, I intend to move first reading of proposed By-law S- 608 as amended by Regional Council on December 2, 2014, respecting Amendments to By-law No. S-600 Solid Waste Resource Collection and Disposal By-law, the purpose of which is to:

1. Amend section 7.2(a) to add (ib) to read:

(ib) One single garbage container of the weight including contents, height and diameter indicated in Section 7.2 (a) (ii) (B) may be used as an opaque bag. The garbage in this container shall be bagged in small bags and shall not be loose.
2. Amend section 6.1 d) regarding eligible multi-unit residential buildings to read:

6.1 d) maximum of four (4) regulation plastic bags per unit including one (1) option privacy bag per unit to a maximum of twenty four (24) per mixed waste collection day as per section 6.1.a (3).
3. Introduce clause 7.2 a) i) G) clear bags may not contain a privacy bag if they contain any material.
4. Amend section 6, Collectable Material - Preparation And Restrictions, to read:

6.1 (a) (ii) to: A maximum of six regulation plastic bags per mixed waste collection day per unit including (1) optional privacy bag.

And to replace 6.1 (b) as proposed with the following:  
6.1 (b) For eligible premises which are single family dwellings or multi-unit residential dwellings, residential home renovation waste materials may be placed for municipal collection to a maximum of five mixed waste regulation containers or bundled materials per unit per mixed waste collection

day. The number of bundles shall be included in the six mixed waste regulation bag container limit as provided in Section 6.1 (a) (ii). Such bundled materials may be no more than 1.2 meters in length and 34 kilograms in weight.

## 15.6 Councillor Dalrymple

**TAKE NOTICE** that, at the next regular Regional Council meeting, to be held on Tuesday, January 13, 2015, I intend to request a staff report to examine potential funding options for HRM to contribute \$35,000 in funding which would match 1/3 funding from the Spider Lake Community Association to allow them to apply for the 1/3, 1/3 and 1/3 Funding Program through the provincial government to build a community playground and park.

Council recessed at 4:08 p.m.

Council reconvened at 6:00 p.m. with regrets from Councillors Fisher and Johns, to deal with the public hearings.

## 9.1 Proposed By-Law S-801, Proposed Amendments to By-law S-800, Respecting Temporary Signs (Supplementary Report)

- i) Supplementary Staff Report dated October 10, 2014
- ii) Staff Report dated December 2, 2013

The following documentation was before Regional Council:

- A supplementary recommend report dated November 13, 2014
- A supplementary report dated October 10, 2014
- A recommendation report dated December 2, 2013
- Extract of Minutes – Regional Council October 21, 2014
- Staff presentation dated December 9, 2014
- Correspondence received by the Municipal Clerk's Office from Sharon Brisson and Justin "Jupiter" MacPherson

Mayor Savage invited Mr. Christopher Davis, Supervisor of Right of Way Services, Transportation and Public Works, to present on proposed By-law S-801, Respecting Temporary Sign By-Laws. Mr. Davis provided a presentation to Regional Council pertaining to Proposed By-law S-801.

Mayor Savage thanked Mr. Davis for his presentation and requested questions of clarification from members of Regional Council.

Councillor Watts inquired as to how the municipality has jurisdiction to regulate signage on utility poles, given that utility poles are private property. Mr. Davis responded by noting that utility poles, in many cases, are located within the public street right-of-way.

Councillor Adams noted that the current By-law was designed to get rid of clutter and ensure that signage was in good repair. He inquired if By-law S-800 achieved that particular goal.

Mr. Davis commented that whether or not the current By-law was successful in the goal of removing clutter would be a matter of opinion. He commented that it is the intention of staff to improve the enforcement of By-law through the proposed amendments.

In response to a follow up question from Councillor Adams, Mr. Davis commented that planter box signs and mobile signs will still not be permitted in the public street right-of-way.

Mr. Trevor Creaser, Development Officer, Planning and Infrastructure noted that the proposed By-law will permit signage for shared advertisements for Community Events. He commented that the signage would also require a planter box if the signage is in place for more than two months.

Councillor McCluskey inquired about provisions in the proposed By-law relating to Sandwich Board signage, specifically the requirement for applicants to possess a minimum of two million dollars in liability insurance.

Mr. Davis commented that the applicant would need to provide a copy of their insurance information once during the application process to utilize sandwich board signage. He further commented that the application would be valid for a period of one year.

Councillor McCluskey further inquired if application rates have increased. Mr. Davis responded in the affirmative and noted forthcoming amendments to Administrative Order 15, Respecting Licence, Permit and Processing Fees which include rate increases for application fees.

Councillor Karsten inquired as to how staff is able to determine and regulate when a poster must be removed. He requested further information pertaining to the physical composition of posters and what type of signage constitutes a poster.

Mr. Davis commented that one of the provisions of the proposed By-law, found in section 18 (5) stipulates that a poster must include the date of posting on the signage which assists with enforcement. He advised that plastic signs on light poles are not included under the definition of a poster and are not permitted.

Councillor Nicoll inquired about a provision in the current By-law relating to multi-special event signage and inquired if the same types of provisions are included in the proposed By-law.

Mr. Creaser commented that the multi-special event signage provision was removed from the proposed By-law as staff had determined that the provision was redundant. He noted that there is provision within the proposed By-law which will allow larger properties up to ten extra signs for non-profit special events.

Councillor Craig inquired about the usage of banners within the By-law and noted that banners are typically used for some festivities in the Sackville area.

Mr. Davis advised that there are still areas and long standing locations within the municipality where banners can be strung across the street during special events. He commented that staff receives applications for the use of banners and noted that the applications for the usage of banners are typically restricted to non-profit groups.

Mayor Savage asked for any additional questions of clarification from members of Halifax Regional Council, there were none.

Mayor Savage read the rules of procedures respecting Public Hearings and asked for members of the public who wished to address Council regarding Proposed By-Law S-801 to come forward.

**Ms. Marlene Masad**, of Fairview commented that she is part-owner of an inflatable sign business in Halifax and expressed her view that business owners were not properly consulted on proposed By-Law S-801. She noted that many of the provisions of the proposed By-law were not made apparent at the industry meeting and noted that the thirty day time limit for inflatable signage will negatively impact her business.

**Mr. Adnan Masad**, of Fairview stated that he is also concerned with the regulation of inflatable signs as the owner of an inflatable sign business. He commented that he is particularly concerned with the proposed time durations involved in the regulation of inflatable signs. He advised that inflatable signs are affected heavily by the weather and must be taken down when wind conditions are too high, as such, imposing a thirty day time limit on the signage would negatively affect his business as customers tend to want to keep the signage for longer period of time.

**Mr. Sean MacGillivray**, of Halifax thanked Mayor Savage, Members of Regional Council and HRM Staff for their work on the proposed By-law. He stated that he works in music industry and posters regularly to advertise for music events in Halifax. He advised that he, as well as many of his colleagues are happy

with many of the provisions included within the proposed By-law. He expressed concern with the requirement for date stamping and the removal of posters five days after the conclusion of the event advising that these provisions add further steps to an already difficult job, which oftentimes involves tight deadlines. He further noted that in many instances the weather and poster vigilantes remove posters.

Councillor Hendsbee inquired as to the practices which exist within the poster industry respecting the removal of posters and disposal.

Mr. MacGillivray commented that there is a code of ethics amongst those who poster and that there are many different measures in place to mitigate the amount of posters that end up on the street, such as the removal of old posters before another is put in place.

**Mr. David O'Connor**, of Halifax stated that he is the President of a mobile sign business and advised that many mobile sign businesses will see revenues cut in half if the proposed By-law is approved as is. He commented that this type of situation had taken place in the past when By-law S-800 was introduced. He expressed his full support for a By-law to ensure high standards for temporary and mobile signs and noted that clutter and unsightly signs are not in the best interest for the municipality or the industry.

Mr. O'Connor commented that he would advocate for a separation distance for mobile signs of 100 feet as opposed to the 125 feet that is now being proposed. He further requested that multi-special event signage not be removed from the By-law and that further standardization throughout HRM respecting mobile signs be implemented to help alleviate competitive disadvantages. He concluded by stating that multi-residential units, greater than 50 units, should have a longer duration of time allotted within the By-law to assist in advertising for rental apartments.

Councillor Hendsbee inquired as to how long a mobile sign should be allowed to remain in place.

Mr. O'Connor noted that he believes that the By-law addresses the duration of time allowed for mobile signs. He noted that provisions relating to inflatable signs should be revisited.

**Mr. Josh White**, of Halifax commented that he works for a non-profit arts organization, is a musician and operates a poster business. He stated that he views the proposed amendments to the By-law as mostly positive but noted that some changes should be considered. He suggested that the requirement to remove posters five days after the event should be revisited along with the requirement for a thirty day date stamp. He expressed his view that the thirty day date stamp and five day removal requirement will be difficult to enforce and inquired if there will be language in the By-law which clarifies who is responsible for removing posters after the five day time limit is exceeded.

Councillor Mason inquired as to the amount of time posters are posted before the advertised event takes place.

Mr. White replied that the amount of advertising time differs depending on the size of the event but that generally, most of his clients like to have posters up two to three weeks in advance of the event. He advised that he typically posters two weeks prior to an event taking place, particularly for smaller independent venues.

Councillor Mason inquired if another duration of time for poster removal, other than five days after the advertised event that is more beneficial to those that poster.

Mr. White commented that he does not believe that the five day limit is unreasonable as it would be quite rare for a poster to remain up five days after an event. He stated that posters are usually covered over by other individuals or removed by another individual or by the elements.

Councillor Mason inquired if the self-cleaning of posters in the city can be achieved by requiring that those that poster can only put up a poster if an outdated one is removed and properly disposed of. Mr. White agreed with Councillor Mason's assessment and noted that in most cases it is the current practice among his colleagues.

Councillor Hendsbee requested further information relating to the material used for poster construction, he also noted that larger events may require that posters be advertised longer than what is permitted in the By-law. Mr. White responded that heavy card stock posters tend to last longer outdoors than standard posters.

In response to a follow up question from Councillor Hendsbee, Mr. White commented that some poster advertisements utilize codes for smart phones, but typically most people respond to the printed information contained on the posters.

Deputy Mayor Nicoll inquired as to Mr. White's opinion of what is the most effective form of advertising for event planning. Mr. White replied that social media is the best avenue for advertising for events but stated that in his opinion the use of posters are very important, especially for tourists visiting the city.

**Mr. Peter Lund**, of Dartmouth commented that his area of interest lies with not for profit groups advertising community events in rural areas as well as rural businesses which rely on signage for advertising. He stated that he is not suggesting any changes to the proposed By-law but would like to bring forward items that are relevant for Council's consideration. He commented that Council should inquire if there can be more than one advertiser on box signs for rural businesses advertising on private property. He further stated that Council should consider if not for profit groups will be charged for community event signs on private property if they have to apply for permits for sandwich boards. He also requested that Council obtain further clarification on the 125 foot distance requirement for box signs and whether or not it applies to Sandwich Board signage in rural areas.

Councillor Adams noted that a report regarding signage on Prospect Bay Road is anticipated to be before Council in January.

**Mr. Ian McRuer**, of Halifax commented that he has been postering in Halifax on a weekly basis for eight years. He stated that he has organized countless shows and promotional activities for HRM and noted the values that poster advertising has on a promotional level for residents of the city. He suggested that the proposed By-law is a positive step forward for those in the poster and entertainment industry but expressed his disappointment that further consultation with individuals within the industry did not take place. He cited difficulty with the proposed requirement to date stamp posters and the ability to enforce the removal posters after the event has concluded and provided commentary on an instance where HRM staff followed him, tearing down posters that he had recently posted. He concluded by recommending that individuals that poster combined their efforts with the HRM staff to ensure that posters are regulated in a clean, efficient and aesthetically pleasing manner.

In response to a follow up question from Councillor Mason, Mr. McRuer commented that 95 percent of his clients contact him one to two weeks before an event to advertise for it, with the exception of larger events in which he is contacted approximately one to three months ahead of time. He further noted that he typically removes old posters from poles before placing new ones but advised that in some instances postering over old posters prolongs the life of the new poster and can be more esthetically pleasing. He concluded by reiterating an earlier point about working in coordination with HRM Staff to ensure that clutter is kept to a minimum.

**Mr. David Barrett**, of Beaver Bank stated that he is a small business owner who once employed 75 individuals and noted that he now employs less than thirty people. He expressed his view that HRM is anti-small business and doing everything to destroy small businesses through over regulation. He suggested that the \$2 million insurance requirement for Sandwich Board signage is detrimental to small businesses and noted that many rural businesses will not be able to advertise effectively because restrictions in the proposed By-law. He concluded that rural areas of the municipality differ from that of the urban core and more consideration should be given to those that operate businesses in the urban core.

**Mr. Justin "Jupiter" MacPherson-Wiles**, of Windsor Street, Halifax stated that he has lived in Halifax for ten years, attended the NSCC Waterfront program, and currently works as an entertainer. He commented that in his role as an entertainer, he also posters to advertise for his shows. He noted that he views

postering as an art form which promotes sharing, creativity and making art visible, and expressed his view that the current By-law is harmful as it treats posters as trash. He suggested that postering is good for healthy communities and believes that the By-law should be amended as proposed.

The Mayor called three times for further speakers who wish to address Council, there were no further speakers present none.

**MOVED by Councillor McCluskey, seconded by Councillor Mason that the public hearing be closed.**

**MOTION PUT AND PASSED.**

Mayor Savage suggested that debate on this matter be deferred to the next meeting of Council due to time constraints involved with another public hearing scheduled to take place.

**MOVED by Councillor Mason, seconded by Councillor Rankin to defer debate on By-law S-801 to the January 13, 2015 meeting of Halifax Regional Council.**

**MOTION PUT AND PASSED** (14 in Favour, 1 Against).

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

Against: Councillor Hendsbee

Not present: Councillors Fisher and Johns

Mayor Savage thanked staff members and members of the public for speaking on this matter.

Council recessed for a five minute break at 7:28 p.m.

Council reconvened at 7:34 p.m.

**9.2 Case 19326 – Municipal Planning Strategy (MPS) Amendments and Development Agreement for 1034, 1042, 1050 and 1056 Wellington Street, Halifax (Joint Public Hearing with Halifax and West Community Council)**

The following documentation was before Regional Council:

- A staff recommendation report dated October 20, 2014
- Extract of Minutes – Halifax Regional Council – October 28, 2014
- Correspondence received by the Municipal Clerk's Office from the following: Crane Stookey; Audrey Tenniswood; Ben Schlew; David S. Brown; Dinah Brown; Leslie Burke, Marjorie Simmins; Silver Donald Cameron; Jane & David MacLauchlan; Wayne N. Rodgers; Allison Thompson; Brad Willett; Dana Thurlow; Muriel A. Jamieson; Linda Soulis; Mary MacDonald and Jennifer van Rooyen; Andrew Horn and Marty Leonard; Dr. Garbour Lukas; Peggy Cameron; Elizabeth Jones; Keith Loudon and Adele McSorley; Jolien Barresi; Janet Chute; Kirk Annand; Judy Haiven; Chris Annand; Sheilagh Hunt; Keith Thompson; Kathleen Rothwell; Chris Annand; W. David Jamieson and Muriel A. Jamieson; Anna Fraser and Alan Grant; John Barressi; The Le Blanc Family; Mary MacInnis; Hal Whitehead; Dr. Konstantin Lorenz, Liza Bristow; Nick Culshaw; Christopher Beaumont; Scott Carroll; Mary MacDonald; Marged Dewar; Marion Malkin; Roxanne Mio; Karen Beazley; Oriel MacLennan; Brant Laidler; Rebecca A. Jamieson; Lynn McAslan; Bimal De and Krishna De; Alan R. Young; Wendy Katz; Sonia Salisbury Murphy; Linus Campbell; Phillip T. Cox; Cecilia Cox; Andre Arbic; Kirk Annand; Gordana Lazin; Jeff Scrutton; Ken Dewar; Vlodek and Ylanta Tarnawski, Sophia Alapin and George Nahrebecky; Andy Fillmore; Susan Stender; Lynn and David Tilley; Catherine Johnson; Dr. Martha Arab; Michael Comeau; Bob and Wendy McDonald; and Jake Dambergs
- A staff presentation dated December 9, 2014

- An applicant presentation

Mayor Savage suggested that due to the amount of people identified on the speakers list for Case 19326, Council will hear presentations from both the applicant and the public but will may need to defer deliberation on the matter to a later date due to time constraints.

Mayor Savage invited Mr. Bob Bjerke, Chief Planner, Planning and Development and Mr. Carl Purvis, Planner, Planning and Development to present on Case 19326.

Mr. Bob Bjerke, Chief Planner and Mr. Carl Purvis Planner provided a presentation to Regional Council pertaining to Case 19326.

The Mayor thanked Mr. Bjerke and Mr. Purvis for their presentation and asked for questions of clarification from members of Regional Council. There were no questions of clarification from Members of Regional Council.

The Mayor read the rules of procedures with respect to public hearings and invited the Applicant to come forward and address Regional Council.

**Mr. Robert MacPherson**, of RMP Consulting stated that his representation for the Applicant, Dino Capital and is joined by Mr. Michael Napier, architect of the proposed development. He commented that the proposed development is appropriate for the area as the design provides reasonable density, parking, height transition, yard set-backs and lot coverage. He noted that the development permits allow for an as of right development for a development totalling 201 bedrooms and 16 ground level parking spaces under the current R2-A zone. He asserted that the Applicant would like to propose a project to attract more families and young professionals to the area. He commented that the project proposes 142 units, of which fifty percent would be family sized, including substantial underground and visitor parking, which would alleviate concerns in the community regarding on street parking

Mr. MacPherson commented that HRM staff has evaluated the site as an appropriate place for a high density transition between the high density building located to the north and the low density buildings located to the south and advised that the proposed development will adequately provide this transition. He stated that after hearing from the public, the applicant revised the original proposal of fourteen and twelve story buildings to the current to the ten and eight story buildings which are being presented. He noted that this is a direct response to the concerns raised by the community. He remarked that the current design takes into consideration all of the adjacent uses such as other high rise buildings and single family homes located in the area. He reiterated an earlier point that the proposed development fits in with the transition of the area.

**Mr. Michael Napier**, Architect, commented that his firm has been working with Dino Capital over the past few years analyzing many design alternatives for the subject property. He noted that the design of the proposed structures were developed through consultations with HRM planners, feedback from neighbours, and the study of neighbouring structures and site perimeters. He advised that the design of building allows for a great deal of daylighting and site lines for neighbouring properties as well as a diminished sense of building mass. Furthermore, he noted that many of the design features allow for privacy between adjacent projects.

Mr. Napier provided further commentary on the design features of the proposed buildings and noted that the development will comprise a courtyard with a green roofed covered common space which will visually integrate with the surrounding area. He noted that the residential units will allow for a comfortable home life as they are above average in size, illustrating additional cost factors which reflect the developer's dedication to providing a high quality housing alternative. Mr. Napier commented that the proposed buildings will help achieve densification goals for the peninsula. He expressed his opinion that the existing high rise buildings in the area have been, and will continue to be an integral part of the community. In closing, he noted that in the future, residents in the area will enjoy the proposed development as an integral part of the community if the application is approved by Regional Council.

Mayor Savage thanked Mr. MacPherson and Mr. Napier for their presentations and requested questions of clarification from Members of Regional Council.

Councillor Mason inquired if Mr. Napier could inform Council about the formal and informal public consultation processes which took place regarding the design and redesign of the proposed development.

Mr. Napier commented that during his presentation he referred to formal discussions held with HRM Staff and the feedback received from the community which was gathered at the public information meetings held on this matter.

Mayor Savage read the rules of procedures respecting public hearings and invited members of the public to come forward and address Regional Council.

**Mr. John Dalton**, of Wellington Street commented that this proposal represents a tipping point and noted concern and opposition to the project communicated from across the municipality. He stated that the opposition to this project is much larger than one proposal but rather affects every single little side street in Halifax. He suggested that if one developer asks to change a planning strategy, an opportunity is given to others developers to do the same thing. He commented that the request on behalf of Dino Capital should have been stopped at the very beginning and suggested that an average homeowner would not receive the same type of treatment that is being afforded to the developer.

Mr. Dalton stated that the proposal has been rejected by HRM's planning staff and residents many times and inquired as to how it can keep moving forward, in spite of the fact that it is far out of line with current planning policies and By-laws which are in force. He concluded by encouraging Council listen to HRM's professional planners and to reject the proposal that is before them as soon as possible.

**Mr. Wes Campbell**, of 1470 Summer Street, Halifax commented that he supports the idea to increase the density of Halifax. He noted that he currently resides in the Summer Gardens Condominiums which was built by taking down a handful of townhouses. He remarked that he and other residents of his building pay a terrific amount in taxes to HRM, and the development of his building did not involve the same type overhead costs associated with developing a suburban, single family home development. He noted that to live in the urban core, people must accept the idea that building density is required. He stated that the proposed development incorporates the use of open spaces and fits in quite well with the other two towers that currently exist nearby.

**Ms. Lynn McAslan**, of Halifax stated that she believes that Regional Council is putting the cart before the horse with respect to the planning process for the proposed development. She remarked that the amendment process, if approved, will drastically change the character of the neighbourhood, including the loss of essential green space. She concluded by stating that she expects the current By-laws which are in place to be respected.

**Mr. David Jamieson**, of Wellington Street commented that the proposed development will damage Gorsebrook park by creating an eight and ten story wall and made the point that he believes that the community would support a development with compatible density for the area. He cited the 1047 residents which signed a petition urging the District 7 & 8 PAC and Community Council to forward a recommendation to reject the proposed amendments to the Municipal Planning Strategy. He commented that 30 percent of the petition signatories were from areas outside of District 7, where the development is being proposed. He stated that the petitioners urge Council to respect the public consultation project and requested that Council support the petitioners' plea that no further developments in the area surpass 55 feet in height.

**Mr. Harold Leblanc**, advised that he lives on the corner of Inglis and Wellington Street, the nearest single family home to the proposed development. He commented that over the past thirty years, he has watched Wellington Street grow from a community of family homes to that of a neighbourhood of transient students. He suggested that given the recent decline in university enrollment and student vacancy rates in the area, it is unlikely that students will intend to use the proposed development. He commented that



he and most of his neighbours would prefer to see three and four story buildings on the developer's property as opposed to the eight and ten story structures which are currently being presented. He remarked that approval of this development ignores good planning processes and represents a slippery slope for other developers proposing similar developments trying to take advantage of poor planning policies.

**Ms. Jennifer Van Rooyen**, of Wellington Street commented that she is opposed to the proposed development but is not opposed to change. She noted that HRM has planning policies in place to manage change to the benefit of neighbourhoods and stated that she struggles to comprehend how the proposed development will benefit the area. She remarked that there will be serious repercussions if the development is approved in terms of closing the flood gates of inappropriate development applications. She cited several instances in which the same type of mistakes were made in the past and noted that a process was developed to protect the area from it happening again. She concluded by stating the developer is trying to convince members of council using the mistakes of the past, to justify making another mistakes.

**Ms. Linda Aiken** commented that she resides in Bedford but is a former resident of the South End of Halifax. She encouraged Council to vote against the proposal.

**Ms. Mary MacDonald**, of 1074 Wellington Street noted that the planning process has given her a voice to express her concerns and noted that the evidence is heavily weighted for the rejection of this proposal. She commented that the petition that was submitted to Regional Council represents every area of HRM and noted that the District 7 & 8 Planning Advisory Committee advised against the proposal. She cited that the both the nearby Century Towers and Peter Green Hall were built before the current planning regulations were put in place and were intended to serve purposes such as a married student's residence and to bring modernity to Halifax.

In the case of Century Towers, she noted that a unique design was used which followed the best practices of the day, however the Municipal Planning Strategy and R-2A zoning was put in place to ensure that no further high rises would be built in the neighbourhood so that its character could be maintained. She requested that Council send the developer back to the drawing board and leave high density high-rises for the centre core and commuter streets of Halifax where they are compatible.

**Mr. Tristan Cleveland**, of Duncan Street, Halifax noted that there have been a great deal fantastic proposals for development in Halifax over the past several years and remarked that development in the urban core is a necessity which needs to be well thought through. He advised that he is not before Council to criticize development but rather to ask that that HRM be consistent with development standards. He remarked that he is in favour growing the Regional Centre and commented that Halifax by Design has been successful by not by cheapening the public's expectations.

**Ms. Chris Annand**, of Wellington Street stated that some councillors have expressed the view that Wellington Street already has large buildings and it does not matter if a few more are added. She commented that that planning past mistakes should not set precedent for future mistakes and cited the opportunity before Council to show residents that the public engagement process works. She requested that Council demonstrate that they value public opinion and deny the construction of the proposed buildings, given that no meaningful public engagement was held on this matter. She noted that Council is close to implementing the Centre Plan and does not have to accept substandard proposals which will discourage good developers and development.

**Ms. Oriel MacLennan**, of Wellington Street stated that she has lived in Halifax for 35 years and urged Council to vote against the proposed amendments to the Municipal Planning Strategy and Land Use By-law. She encouraged Council to support the recommendation of their own professional planning staff, the area councillor and the residents of the neighbourhood by rejecting the developer's proposal. She further noted that the proposed development will be out of scale for the area and would set a negative precedent for future developments.

**Ms. Roxanne Mio**, of Wellington Street stated that she has lived in the area for 15 years and has attended all public meetings associated with the proposed development. She commented that she does not understand why the proposal continues to move forward and noted that the wishes of the community are being made very clear.

**Ms. Donna Rippey**, of Wellington Street commented that she is not in favour of the development. She reiterated an earlier speaker's comments regarding the opposition to the development being put forward by residents and the recommendation of HRM staff. She noted that the site is perfect for an appropriate development and asked that Council support the overwhelming opposition to proposed development.

**Mr. Doug Krikaldy**, of Wellington Street expressed his opposition for the proposed project. He asked that Council consider the long term implications involved with approving the development when making their final decision.

**Mr. Kirk Annand**, of Wellington Street commented that he is strongly against the proposed development and requested that Council listen to the concerns of the community when making a final decision.

**Mr. Ken MacInnis**, of Wellington Street commented that he believes that this is not a NIMBY (Not in My Back Yard) issue but rather an issue of process. He advised that Councillors are elected to make city laws and listen to the advice of city staff who are recommending that the project not proceed.

**Ms. Karen Beazely**, of Wellington Street commented that she is sorry to be in attendance at this meeting but thanked the Mayor and Councillors for the opportunity to speak. She stated that she agrees with the points that have been raised by planning staff and her neighbours and views this decision as an opportunity for Council to show leadership and demonstrate that public input works. She encouraged Council to support the community and reject the application.

**Ms. Anna Fraser**, of Wellington Street noted that the situation is one where the members of the public and HRM's professional staff agree with each other. She noted that most members of the public that have commented on this case are unanimous in their opposition of the project and commented that the proposed development is not essential for the creation of greater density on the peninsula. She referenced a recent report by Stantec Consulting which outlines that 35,000 housing units can be built on the Peninsula without changing the current zoning requirements.

**Ms. Pat Whitman**, of Wellington Street commented that in 2012 a small group of neighbours met with the developer regarding the proposal for the site. She advised that the group was informed that new designs for the property would be implemented based on the concerns brought forward by residents. She suggested that none of the concerns were properly addressed over the course of the redesign work and was told by the developer that project investors in Montreal required more units to be constructed in the proposed buildings to secure their investment.

**Mr. David Lemon**, of Wellington Street noted his opposition to the proposed project and commented that currently 75 people reside in Century Towers. He advised that the population for the proposed buildings is five times that and is not appropriate for the neighbourhood.

**Ms. Elizabeth Jones**, of South Park Street commented that she has witnessed a great deal of development over the time in which she has lived in the area. She noted that all of the developments that had taken place in the past were safe guarded by sensible regulation, and inquired about the need to change that. She concluded by stating that the proposed project is unwanted and utterly out of proportion of the neighbourhood.

**Mr. Jeff Scrutton**, of Wellington Street expressed his strong opposition to the proposed development. He commented that Gorsebrook field is very important to the future of Halifax as necessary green space, which will be negatively affected if the project is allowed to proceed. He concluded by stating that Gorsebrook field is a wonderful resource to the city and remarked that Council should reject the proposal put forth by the developer.

**Ms. Patty Livingston**, of Wellington Street commented that Halifax is a city that is moving forward but noted that the proposed development, if allowed, would be akin to taking a step backward. She advised that mistakes are much easier to prevent in the present time rather than in the future and asked Council to wisely consider the city that is being created.

**Mr. Brian Guns**, of Wellington Street asked that Council exercise common sense and a sense and fair play when making a decision on the proposed development. He reiterated a point made by a previous speaker asking the developer to come up with another proposal that is better suited for the neighbourhood.

**Ms. Judith Smith**, of Halifax requested that Halifax Regional Council give the developer another opportunity to develop a project which is more appropriate for the area and expressed her opinion that the current proposal does not fit the community.

**Mr. John McKee**, of Glen Haven stated that he owns a unit on Wellington Street and asked Council to not approve the project in its present form as he plans to move back to the area in the near future. He referenced the upcoming Centre Plan and emphasized the need for provisions within it to protect the existing character of established neighbourhoods.

**Mr. Gary Bristow**, of Wellington Street expressed his opposition to the proposed development and noted that the volume of the proposed building is 1.4 million cubic feet, 40 percent larger than Peter Green Hall, and will occupy at least 75 percent of the subject property. In comparison, he advised that Peter Green Hall covers only 23 percent of its property. He suggested that the proposed development, if approved, will allow for further congestion of the area and requested that Council should consider an appropriate development for the area.

**Mr. Bill Kwiecien**, of Halifax conveyed thanks to Council and members of the public for showing up to speak on this issue. He stated his support for the project noting that it will put millions of dollars in to the local economy and alleviate pressure on overburdened infrastructure. He advised that the project will help combat urban sprawl, add a great deal of tax revenue and increase the municipality's bottom line.

**MOVED by Councillor Mason, seconded by Councillor Karsten that Halifax Regional Council extend the duration of the meeting beyond 10:00 p.m.**

**MOTION PUT AND PASSED.**

**Miss Jean Cameron**, of Wellington Street noted her opposition to the proposed development and advised that the construction period will be detrimental to traffic and access to the street. She noted that she receives care and expressed concern that her care givers will not be able to access her residence if the development is allowed to proceed.

**Mr. Patrick LeRoy**, of Halifax expressed his support for the proposed development.

**Ms. Jennifer Smith**, of Coburg Road stated that she is opposed to the proposed development and that Council should consider another proposal from the developer which incorporates the better use of set-backs.

**Mr. Kurt Lutes**, of Greenwood Avenue expressed his concern about the detrimental effects that the proposed development will have on Gorsebrook Park if approved. He noted concern about the precedent that the project will set in terms of future development and asked councillors who support the project, to articulate their rationale for doing so.

**Mr. Chris Beaumont**, of Wellington Street stated that he strongly opposes the development and noted that the building is overly aggressive. He commented that the neighbourhood is not located in the downtown area and is not covered by any of the downtown planning rules. He suggested that the proposal represents a dangerous precedent for what could happen in other areas of the municipality and

concluded by referencing a letter submitted to the Municipal Clerk's Office which asks that Council maintain the confidence of its citizens.

**Ms. Rebecca Jamieson**, of Fenwick Street expressed her opposition for the proposed development and requested that Council listen to those that live in the community. She noted that her main concern lies with the precedent that will be set if the development is allowed and detrimental effect that the development will have in the community. She noted that the public consultation process is very important in this case and is crucial to transparency in the planning process.

**Mr. Bob Sine**, of Inglis Street expressed his opposition for the proposed development and echoed many of the comments made by other speakers who expressed their concerns about the proposed development. He commented that HRM planners provided a detailed presentation as to why the proposal should not be allowed and noted that part of the reason for low voter turn-out is likely due to the perception that you cannot fight City Hall. He noted that this case provides Council with an opportunity to prove his previous statement wrong.

**Denis Delguidice**, of Halifax noted that he lives in the area and expressed his opposition to the proposed development. He commented that HRM Planners have spoken against this matter, and that he does not possess a deal of expertise in city planning, he urged Council to do the right thing. He noted that Council must respect the process and commented that when intelligent people speak and examine an issue, the opinions of one person, should not override a multitude of people who say otherwise.

**Ms. Anne Taylor**, of Halifax requested that Halifax Regional Council abide by the By-laws which they have in place and say no to the proposal.

**Mr. Hugh Munro**, of Fall River, commented that he is in the construction business and has witnessed a great deal of development over the years. He provided commentary on good and bad development opportunities and noted that the proposed project on Wellington Street is very well organized. He encouraged Council to support the project.

**Ms. Susan McCurdy**, of Victoria Road, Halifax, provided commentary on four single family homes in the area that will be destroyed because of the proposed project. She estimated that six single family homes would remain on the street two of which, have apartments in the basement and attic. She expressed her view that too many people will be living in an area which cannot support them if the project is allowed. She concluded that the proposed development is a horrible design and urged council not to go ahead with the project.

**Mr. Tom Gerrard**, of Clayton Park expressed his support for the project. He noted that the developer has reduced the height and lot coverage from the original proposal. He commented that an objective of the Regional Plan is to add more density to the City and combat urban sprawl. He advised that this proposal will not be the first and last project to be met with opposition from neighbours and planning staff. He suggested that the project will help the economy and create jobs and requested that Council support the developer and the project.

**Mr. George Nikolaou**, from Halifax commented that urban sprawl is the municipality is out of control and stated that it is positive to see Council taking initiative to combat sprawl and stimulate the economy. He advised that he has visited Wellington Street many times and the proposed building, if approved will be one of the nicer structures on the street. He concluded by noting that in many instances of development, the neighbours are not in favour of a proposed project, but suggested that development must continue for the greater good of the City.

**Mr. Nathan Corbett**, of Coburg Road stated that he is not a contractor, does not own property and is not related to anyone who owns a development company. He expressed his support for the proposal and commented that as a medical student, he is very aware of the province's aging population situation and spoke of a very large demographic who will require significant medical care in the near future. He commented that the proposed development will provide housing accommodations in close proximity to medical centres. He concluded by stating that better transit services and more density will be required as

the urbanization of Halifax continues and noted that members of Council must be aware of this when making future development decisions.

**Mr. Wesley Burke**, of Dartmouth commented that he is interested in the peninsula area of Halifax as he grew up in the area. He noted that he is not a proponent of the project, although he is sympathetic to the notion of increasing density. He advised that special exemptions for development opportunities will likely delay planned development in the city and that tax revenue will suffer as a result. He concluded that the planning process must be adhered to as written to ensure that development continues to run efficiently.

**Ms. Liza Bristol**, of Wellington Street expressed her opposition to the proposed project and commented that the short term job opportunities as a result of its construction will not be worthwhile. She advised that high density developments are supposed to be built on key traffic corridors, of which the subject property is not located. She suggested that Council reject the applicant's proposal.

**Mr. Alan Ruffman**, of 202 Ferguson's Cove Road, Halifax commented that HRM staff provided an excellent presentation as to why the proposed development should not go forward. He suggested that all developers must do to get approval for any development is to persuade half of Regional Council to make a change to the Municipal Planning Strategy. He advised that plan changes cannot be appealed in many other jurisdictions and remarked that he strongly disagrees with spot re-planning. He urged Council to vote down the policy and the proposed development.

**Mr. David Goth**, of South-end Halifax, commented that he does not support the proposed development going forward. He provided commentary on vision and fairness, the detrimental effect that the development will have on Gorsebrook Field and the noise which will result from the removal of bedrock at the subject property.

Mayor Savage called three more times for further speakers who wish to speak on this matter. No further speakers came forward. Mayor Savage invited the Applicant to come forward to address Regional Council.

**Mr. Robert MacPherson**, of RMP Consulting, stated again that he is representing, Dino Capital the Applicant. He commented that the Applicant has been listening and continues to listen to concerns from the public. He advised that the Applicant is prepared to reduce the gross floor area of the proposed development from 194,000 square feet to 154,000 square feet, resulting in a reduction of lot coverage from 75% to 60%. He commented that the policies being considered by Council, specifically policy 7.7B.1 speaks to the maximum allowable total of 194,000 square feet of gross floor area of which the Applicant is prepared to reduce to 154,000 square feet through an amended motion of Council if deemed appropriate and the proposed amendments are approved.

Mr. MacPherson advised that the reduction in gross floor area will be accomplished by increasing the minimum allowable setbacks in the development agreement at Halifax & West Community Council supported by revised schedules submitted by the Applicant. He further commented that the Applicant will increase the side yard set-back at the north of the property from nine feet to eighteen feet, the south from four feet to eight feet, the west from five feet to ten feet, and the front from ten feet to fifteen feet, effectively doubling the setbacks on three sides of the property. He noted that the proposed changes will be reflected in the Development Agreement at Halifax & West Community Council if the amendment to the Municipal Planning Strategy is approved. In summary, he noted that Council should approve the project as it is an appropriate transitional property for the site, is aimed at a market closely matching the neighbouring status quo, will not add to on street parking, provides a reasonable height transition between existing uses and is a quality development. He concluded by asking that Council consider the significant compromises brought forth by the Applicant to address ongoing concerns from the public and to find improvements.

**MOVED by Councillor Outhit, seconded by Councillor Mason that the public hearing be closed.**

**MOTION PUT AND PASSED.**

**MOVED by Councillor Mason, seconded by Councillor Adams to defer further discussion on Case 19326 to the January 13, 2015 meeting of Halifax Regional Council.**

Councillor Outhit expressed his view that Council should deliberate the matter at the present time as both the developer and members of the public are awaiting the outcome of Council's decision. He commented that Council will not be in a position to speak to any residents or the developer on this matter for an entire month.

Councillor Craig requested further information pertaining to Council's ability to engage with the public on this matter.

Mr. John Traves, Municipal Solicitor, commented that the public hearing is referred to as a quasi-judicial proceeding where Council is tasked with making a decision. He referenced Section 23, Appendix A of Administrative Order 1 which states that following the close on the public presentation portion of a public hearing, Members of Council shall not accept individual representations, whether oral or in writing, respecting matters that are quasi-judicial in nature. He advised that members of Council cannot accept further representations or arguments, are to hold a debate based on the information that was provided during the public portion of the public hearing, and the information provided at the meeting being presently held.

Councillor Hendsbee commented that he wanted the public to know that Council cannot accept any further communications on this matter until it is discussed in January.

Mr. Traves agreed with the Councillor Hendsbee's assessment and noted that the same provisions apply to the Applicant as well. He further commented that there will be an opportunity for Members of Regional Council to ask questions of clarification from staff when the debate on this matter resumes in January.

**MOTION PUT AND PASSED** (13 in Favour, 2 Against).

In favour: Deputy Mayor Nicoll, Councillors Dalrymple, Hendsbee, Karsten, McCluskey, Mason, Watts, Mosher, Walker, Adams, Rankin, Whitman, Craig.

Against: Mayor Savage and Councillor Outhit.

Not present: Councillors Fisher and Johns

**16. ADJOURNMENT**

The meeting was adjourned at 10:50 p.m.

Cathy J. Mellett  
Municipal Clerk