



**HALIFAX REGIONAL COUNCIL
MINUTES
June 16, 2015**

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

STAFF: Mr. Richard Butts, Chief Administrative Officer
Mr. John Traves, Municipal Solicitor
Ms. Cathy Mellett, Municipal Clerk
Ms. Sheilagh Edmonds, Legislative Assistant
Ms. Phoebe Smith, 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_2015-06-16_live.mp4.html

The agenda, supporting documents, and information items circulated to Council are available online:
<http://www.halifax.ca/council/agendasc/150616rc-agenda.php>

The meeting was called to order at 1:00 p.m., and recessed at 3:14 p.m. Council reconvened in at 3:30 p.m. Council recessed at 5:27 p.m. and reconvened at 6:00 p.m. Council moved into an In Camera session at 7:35 p.m. and reconvened at 8:14 p.m. Council adjourned at 8:19 p.m.

1. INVOCATION

The Mayor called the meeting to order at 1:00 p.m. and Council stood for a moment of reflection. The Mayor asked Council to keep in their thoughts Basil Bayer, former Halifax County Councillor, who recently passed away.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillors noted a number of special community announcements and acknowledgements.

3. APPROVAL OF MINUTES – May 12, 2015

MOVED by Councillor McCluskey, seconded by Councillor Whitman

THAT the minutes of May 12, 2015 be approved.

MOTION PUT AND PASSED.

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

Additions:

- 14.1 Councillor Adams – Options for Contaminated Well Water
- 14.2 Councillor McCluskey – Information Report 4 – Cessation of Train Whistle – King Street Railway Crossing, Dartmouth

At the request of Councillor Johns, Council agreed to move up agenda items 11.2.3 and 11.3.2 to be dealt with under agenda item 11.1

At the request of Councillor Walker, Council agreed to defer agenda item 11.1.10 until the Municipal Solicitor has an opportunity to provide a legal opinion.

MOVED by Councillor Rankin, seconded by Councillor Mason

THAT the agenda be approved as amended.

Two-third majority vote required.

MOTION PUT AND PASSED.

5. BUSINESS ARISING OUT OF THE MINUTES – NONE

6. MOTIONS OF RECONSIDERATION – NONE

7. MOTIONS OF RESCISSION

The following was before Council:

- An extract of the Regional Council minutes of April 28, 2015 regarding this matter.

- 7.1** Councillor Whitman – That Regional Council rescind the motion passed at the April 28, 2015 meeting to approve that Regional Council:

Direct staff to initiate the process to consider amending the Planning Districts 1 and 3 Municipal Planning Strategy and Halifax Land Use By-law:

1. To enable an asphalt plant for lands north of Highway 103 and west of Little Indian Lake, Head of St. Margaret's Bay, as identified on Map 1 of the March 31, 2015 staff report; and
2. Direct staff to follow the public participation program for municipal planning strategy amendments that was adopted by Regional Council on February 27, 1997.

Councillor Whitman withdrew his motion of rescission as the matter has already been initiated and will be addressed by Community Council when a staff report is brought forward.

8. CONSIDERATION OF DEFERRED BUSINESS – NONE

9. PUBLIC HEARINGS

9.1 Case 18510 – Municipal Planning Strategy (MPS)/Land Use By-law (LUB) Amendments and Development Agreement, 3400 Dutch Village Road and 23343 Westerwald Street Halifax (Joint Public Hearing with Halifax and West Community Council).

This matter was dealt with later in the meeting. See page 15.

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.1 Correspondence

The Clerk noted that correspondence was received for items: 9.1, 11.1.1, 11.1.10 and 11.1.12.

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

10.2 Petitions

10.2.1 Councillor McCluskey

Councillor McCluskey submitted a petition with 1627 signatures asking that Halifax Council restore the name 'Dartmouth'.

10.2.2 Councillor Craig

Councillor Craig submitted a petition with 100 signatures asking Council to reverse the decision by the Sackville Sports Stadium to close its Women's Gym as of June 30, 2015.

11. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

During the approval of the order of business, Council agreed to deal with items 11.2.3 and 11.3.2 at this time.

11.2.3 Case 18686: Amendments to Extend the Central Water Service Boundary from Lucasville Road to McCabe Lake North, Middle Sackville

The following was before Council:

- A recommendation report dated June 5, 2015 was submitted from the Chair of North West Community Council; with an attached staff recommendation report dated April 21, 2015.

MOVED by Councillor Johns, seconded by Councillor Hendsbee

THAT Halifax Regional Council direct staff to prepare amendments to the Regional Municipal Planning Strategy (MPS) and Regional Subdivision By-law as required for public hearing by extending a single line water service boundary along the service road extending to a point sufficient to service all of the McCabe Lake North Lands with the addition of a parcel of HRM-owned lands designated for a park and ride facility located near the subject area as generally shown on Maps 1 and 2 of the staff report dated April 21, 2015.

Councillor Johns advised that he was requesting Council vote against the motion, as he would like to discuss the matter with staff and return to Council with a revised motion following that discussion.

Based on his expressed intent, the Municipal Solicitor suggested that the best approach would be for the Councillor to table the motion pending that determination.

MOVED by Councillor Johns, seconded by Councillor Mason

THAT the motion be tabled.

MOTION TO TABLE WAS PUT AND PASSED UNANIMOUSLY.

11.3.2 Connector Road – Lucasville Road to Larry Uteck Drive

The following was before Council:

- A recommendation report dated May 29, 2015 submitted from the Chair of the Transportation Standing Committee, with an attached staff recommendation report dated April 1, 2015.
- Map of the area submitted by Councillor Johns

MOVED by Councillor Johns, seconded by Councillor Whitman

THAT Halifax Regional Council:

- 1. Retain the existing Table 4-1 from the 2014 Regional Plan as the basis for the Road Network Functional Plan without adding the Connector Road – Lucasville Road to Larry Uteck Drive; and**
- 2. Direct staff to liaise with Halifax Water to evaluate the feasibility and desirability of constructing a new public roadway parallel to Hammonds Plains Road if and when the existing water transmission main is being considered for replacement or major rehabilitation.**

Councillor Johns noted that he was asking Council to defeat the motion, and that he had an alternate motion to bring forward. With the aid of a map of the area in question, Councillor Johns explained that his proposal for a connector road would enable traffic to come directly from Highway 101 onto Larry Uteck, Boulevard, and it would run parallel with the Hammonds Plains Road. In addition to providing a direct route from Highway 101 to Larry Uteck Boulevard, it would alleviate some of the traffic congestion currently experienced on the Hammonds Plains Road. Councillor Johns advised that the motion he would like to bring forward is to request that this connector road be added to the project list as 'future potential'. He pointed out that having its status as 'future potential' does not commit Council to the project other than having staff recognize that it is on the list.

Councillor Whitman advised that he was supportive of a connector road as this would alleviate the traffic congestion issues at this end of the Hammonds Plains Road.

Councillor Rankin expressed concern noting that the staff report addresses the risk on the part of the Halifax Water Commission, and he added that the Water Commission states that they do not have a need

to replace the water line that would be impacted by the connector road. Councillor Rankin pointed out that the cost to replace the water line is in the millions of dollars. Councillor Rankin indicated that he could support the idea of staff working with the Water Commission so that the project does not get lost, but that he could not support the motion Councillor Johns was proposing to bring forward.

Councillor Watts advised that she could not support Councillor Johns proposed motion. She explained that Council has had a major discussion around the Road Network Functional Plan, and this would be a significant change and cost to the Plan.

In response to questions, Mr. Bob Bjerke, Director, Planning and Development explained that public consultation is the next phase in the Road Network Functional Plan, which staff will be carrying out this fall. He advised that staff could include Councillor Johns proposed connector road in the consultation. He cautioned that if Council wished to amend Table 4.1 of the Regional Plan, it would involve a Municipal Planning Strategy amendment, and staff would want to carry out a network-wide review.

The Municipal Solicitor advised that an alternative motion would be out of order.

Councillor Johns advised that he would be agreeable to deferring this matter at this time, and that the connector road be included in the public consultation on the Road Network Functional Plan.

On the advice of the Municipal Solicitor, Councillor Johns advised that he would move to table the motion.

MOVED by Councillor Johns, seconded by Councillor Whitman

THAT the motion be tabled until the public consultation on the Road Network Functional Plan has been completed.

MOTION PUT AND PASSED UNANIMOUSLY.

11.1.1 Proposed Administrative Order 2015-001 – GOV, the Corporate Information Management Administrative Order and Repeal of Administrative Orders 13 and 31

The following was before Council:

- A staff recommendation/ report dated May 11, 2015.

MOVED by Councillor Mason, seconded by Deputy Mayor Nicoll

THAT Halifax Regional Council:

- 1. Approve Administrative Order #2015-001-GOV, the Corporate Information Management Administrative Order, as outlined in Appendix A of the staff report dated May 11, 2015;**
- 2. Repeal Administrative Order #13 as provided in Appendix B of the staff report date May 11, 2015; and**
- 3. Repeal Administrative Order #31 as provided in Appendix C of the staff report dated May 11, 2015**

Ms. Cathy Mellett, Municipal Clerk, Ms. Angela Smith, Manager of Corporate Information Management, and Mr. John Traves, Municipal Solicitor responded to questions.

Councillor Mason advised that he has received concerns in regard to this matter and that he believed a supplementary report outlining the two main areas of concern would provide understanding on how the process will work. He added that the two points he would like clarification on are: acquisition of archival records from private sources; and roles and responsibilities of various staff around the municipal decision making regarding municipal archives.

Councillor Whitman advised that he was supportive of a supplementary report and added that he would like the report to also address the 'pros' and 'cons' of the proposed changes.

At this time the Mayor left the Council Chamber and the Deputy Mayor assumed the Chair.

Councillor Watts indicated she supported a supplementary report and that she felt the cost implications should be addressed in the report.

MOVED by Councillor Mason, seconded by Councillor Watts

THAT Regional Council defer consideration of the AO 2015-001-GOV pending a supplementary report outlining the process for considering the acquisition of archival records from private sources, and the role and responsibilities in implementing the policy regarding the management and decision making regarding the Municipal Archives (which are described on page 8 of the report).

MOTION TO DEFER WAS PUT AND PASSED. (13 in favour, 3 against)

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

Against: Councillors: Dalrymple, Karsten, and Walker

Not present: Mayor Savage

11.1.2 Second Reading, Proposed By-law T-1100, Respecting Taxation Agreements

The following was before Council:

- A staff recommendation report dated May 5, 2015.
- Correspondence dated June 16, 2015 from Robert Richardson, Killam Properties Inc.
- A draft minute extract from the May 26, 2015 meeting of Regional Council

MOVED by Councillor Rankin, seconded by Councillor Walker

THAT Halifax Regional Council:

- 1. Adopt proposed By-law T-1100, the Taxation Agreement By-law, as set out in Attachment B of the declassified private and confidential staff report dated May 5, 2015; and**
- 2. Subject to the adoption of By-law T-1100, authorize and direct the Mayor and Municipal Clerk to execute the taxation agreement as outlined in Schedule 1 of the Attachment B of the declassified private and confidential staff report dated May 5, 2015, on behalf of the Municipality, in the form passed by Regional Council at Second Reading.**

Mr. Bruce Fisher, Acting Director of Finance and Mr. John Traves, Municipal Solicitor responded to questions.

MOTION PUT AND PASSED (11 in favour, 5 against)

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

Against: Councillors: Watts, Adams, Whitman, Johns, and Outhit.

Not present: Mayor Savage

11.1.3 First Reading, Proposed By-Law S-440, an Amendment to By-Law S-400 Respecting Charges for Street Improvements

The following was before Council:

- A staff recommendation report dated May 4, 2015.

MOVED by Councillor Johns seconded Councillor Karsten

THAT Halifax Regional Council give First Reading to proposed By-law S-440, amending By-law S-400, the Street Improvement By-law, as set out in Attachment 1 of the staff report dated May 4, 2015.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage

11.1.4 Proposed Amendment to Administrative Order 46, HRM Asset Naming Policies

The following was before Council:

- A staff recommendation report dated February 27, 2015.

MOVED by Councillor Adams, seconded by Councillor Karsten

THAT Regional Council adopt an amendment to Administrative Order No 46, the HRM Asset Naming Administrative Order, to include provisions for people or person(s) still living that have twenty-five (25) years or more of volunteer experience, for commemorative naming purposes as contained in Attachment A of the staff report dated February 27, 2015; and

That Council pass an amendment to Clause 1(d) of the amending Administrative Order (Attachment A of the staff report dated February 27, 2015) to add the words, "or More" after the word "years" and before the word "of" so it reads: "or have served twenty-five (25) years or more of volunteer service.

Ms. Gayle MacLean, Civic Addressing Coordinator responded to questions clarifying that the amendments as proposed had been requested by Regional Council and provided for individuals with long-standing voluntary service and still living to be recognized.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage

Council recessed at 3:14 p.m.

Council reconvened at 3:30 p.m.

11.1.5 First Reading Proposed By-law P-1300 Respecting Private Ways

The following was before Council:

- A staff recommendation report dated May 27, 2015.

MOVED by Councillor Mosher, seconded by Councillor Walker

THAT Halifax Regional Council give First Reading of By-law P-1300, Respecting Private Ways as set out in Attachment A of the staff report dated May 27, 2015.

Ms. Donna Boutilier, Solicitor, responded to questions.

In moving the motion, Councillor Mosher noted that she supports the 20 year amortization period.

In response to a question by Councillor Hendsbee, Ms. Boutilier advised that this by-law does not allow the individual to apply for tax deferral or tax exemption.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage and Councillor Johns

11.1.6 Amendment to Private Road Maintenance Costs Recovery Policy

The following was before Council:

- A staff recommendation report dated May 28, 2015.

MOVED by Councillor Whitman, seconded by Councillor Rankin

THAT Halifax Regional Council:

1. **Adopt the amendments to the Private Road Maintenance Costs Recovery Policy as set out in Attachment 2 of the staff report dated May 28, 2015; and**
2. **If the amendments are adopted that Council waive the requirement for a public meeting respecting both the Three Brooks Homeowner's Association and Nowlan Head & Quoddy Point Lot Owners Association as set out in the discussion section of the staff report dated May 28, 2015.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage and Councillor Johns

11.1.7 Proposed Amendments to Administrative Order 45, Respecting Private Road Maintenance – Road Maintenance Fee for Three Brooks Homeowner's Association

The following was before Council:

- A staff recommendation report dated May 27, 2015.

MOVED by Councillor Whitman, seconded by Councillor Adams

THAT Halifax Regional Council:

1. **For the reasons outlined in the staff report dated May 27, 2015, suspend the requirement for a public meeting as is required under the Private Road Maintenance Costs Recovery Policy;**
2. **Amend and extend the catchment area for the Three Brooks Homeowner's Association Road Maintenance Uniform Charge to include the 6 properties located on White Pine Ridge as depicted in the map shown in Attachment 1 of the staff report dated May 27, 2015, effective with the 2015-16 fiscal year for the purpose of funding the road maintenance activities of the Association; and**
3. **Approve amending Schedule 2 of Administrative Order 45, Respecting Private Road Maintenance, as outlined in Attachment 2 of the staff report dated May 27, 2015, by replacing the words "as identified on the map dated June 1, 2009 attached hereto" with the words, "as identified on the map dated May 6, 2015 attached hereto"**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage and Councillor Johns.

11.1.8 Proposed Amendments to Administrative Order 45, Respecting Private Road Maintenance – Road Maintenance Fee for South West Grand Lake Property Owners Association

The following was before Council:

- A staff recommendation report dated May 6, 2015.

MOVED by Councillor Dalrymple, seconded by Councillor Whitman

THAT Halifax Regional Council approve amending Schedule 4 of Administrative Order 45 as indicated in Appendix A of the staff report dated May 6, 2015 and approve the revised Schedule 4 included in Appendix C of the staff report dated May 6, 2015.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage and Councillor Johns

11.1.9 Dalhousie University Purchase Lot BCB Queen Street

The following was before Council:

- A staff recommendation report dated May 19, 2015.

MOVED by Councillor Mason, seconded by Councillor Whitman

THAT Regional Council authorize the Mayor and Municipal Clerk to enter into an Agreement with Dalhousie University for the sale of Lot BCB Queen Street as per the terms and conditions outlined in Table 1 of the Confidential Information Report dated May 19, 2015.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage and Councillor Johns

11.1.10 Right-of Way Stormwater Charge Options

The following was before Council:

- A staff recommendation report dated May 27, 2015.
- Correspondence dated June 16, 2015 from Pat Shaw

This matter was deferred during the approval of the order of business.

11.1.11 Application to amend the Regional Municipal Planning Strategy to enable greater flexibility of use within select areas of the Burnside Business Park Expansion Area

The following was before Council:

- A staff recommendation report dated May 19, 2015.

MOVED by Councillor Fisher, seconded by Councillor McCluskey

THAT Halifax Regional Council give First Reading and set a public hearing date to consider amendments to Map 10 of the Regional Municipal Planning Strategy to amend the boundary of the Burnside Business Park Expansion Area to enable greater flexibility of use as per Attachment B of the staff report dated May 19, 2015.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage and Councillor Johns

11.1.12 Cost sharing Agreement – Variable Message Signs

The following was before Council:

- A staff recommendation report dated April 13, 2015.
- Correspondence dated June 16, 2015 from Pat Shaw

MOVED by Councillor Hendsbee, seconded by Councillor Karsten

THAT Halifax Regional Council

- 1. Authorize the Chief Administrative Officer and Deputy Chief Administrative Officer to negotiate and enter into a Cost Sharing Agreement (substantially in accordance with the draft agreement attached to the April 13, 2015 staff report) with Halifax Harbour Bridges for the design, ownership and operation of Variable Message Signs; and**
- 2. Request that the Minister of Service Nova Scotia and Municipal Relations approve the Cost Sharing Agreement in accordance with section 111(5) of the HRM Charter.**

Mr. David McCusker, Manager, Regional Transportation Planning responded to questions concerning priority of messaging and who has control and authority over the messaging system.

MOTION PUT AND PASSED. (11 in favour, 5 against)

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

Against: Councillors: Watts, Walker, Adams, Rankin, and Whitman

Not present: Mayor Savage

11.2 NORTH WEST COMMUNITY COUNCIL

11.2.1 Case 19060 – Amendments to the Sackville Drive Secondary Planning Strategy (SPS) and Land Use By-law (LUB) and development agreement – 8 Walker Avenue and 732 Old Sackville Road, Lower Sackville

The following was before Council:

- A staff recommendation report dated June 5, 2015 from Councillor Steve Craig, Chair, North West Community Council; with an attached staff recommendation report dated April 23, 2015.

MOVED by Councillor Craig, seconded by Councillor Outhit

THAT Halifax Regional Council give First Reading to consider the proposed amendments to the Sackville Drive Secondary Planning Strategy and Land Use By-law as set out in Attachments A and B of the staff report dated April 23, 2015 and schedule a joint Public Hearing with North West Community Council;

Mr. Darrell Joudrey, Planner 1 and Ms. Kelly Denty, Manager of Development Approvals responded to questions.

Mayor Savage returned to the Council Chamber and assumed the Chair.

Councillor Watts questioned whether specifics like density caps, and the number of bedrooms per unit were clearly identified in the development agreement. She advised that Halifax and West Community Council deals with a lot of development agreements and there doesn't seem to be consistency in the language used in Development Agreements. Councillor Watts explained that, in going forward, it would

be very helpful if staff could be consistent in the language they use so that when the public reviews the agreement, they have a clear idea of what to expect.

In response, Ms. Kelly Denty advised that the development agreement contains the required language as noted by Councillor Watts. She advised that staff are always looking to standardize their documents and will take this suggestion into consideration.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Outhit

11.2.2 Uniform Charge for Frame Subdivision Homeowners' Association

The following was before Council:

- A recommendation report dated June 9, 2015 submitted by the Chair of North West Community Council; with an attached staff recommendation report dated May 12, 2015.

MOVED by Councillor Dalrymple, seconded by Councillor Whitman

THAT Halifax Regional Council authorize the approval of an annual uniform charge of \$45.00 to be applied against each of the residential properties within the mapped area depicted in Appendix A of the staff report dated May 12, 2015 commencing with the 2015-16 fiscal year for the purpose of funding neighbourhood improvement programs, recreation development, and social activities in the Frame Subdivision Homeowner's Association.

Councillor Karsten advised that, while it was not specific to this Association he was not in support of applying area rates generally for community facilities.

Councillor Dalrymple explained the reason for the area rate is that Frame Subdivision has obtained some water frontage and the residents wish to build a raft and a small dock to provide access to the lake.

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

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

Against: Councillor Karsten

11.2.3 Case 18686: Amendments to Extend the Central Water Service Boundary from Lucasville Road to McCabe Lake North, Middle Sackville

This matter was dealt with earlier in the meeting. See page 3.

11.3 TRANSPORTATION STANDING COMMITTEE

11.3.1 Residential Parking Permits and Parking Ticket Exemptions

The following was before Council:

- A recommendation report dated May 29, 2015 submitted from the Chair of the Transportation Standing Committee, with an attached staff recommendation report dated March 3, 2015.

MOVED by Councillor Rankin, seconded by Councillor Mason

THAT Halifax Regional Council:

- 1. Request staff to initiate amendments to By-law P-1000 On-Street Parking Exemptions and Permits as identified in Table 1 in the Discussion section of the report dated March 3, 2015 to provide improved resident parking options to accommodate caregivers, service providers, guests, borrowed vehicles and to accommodate residents who cannot access their private driveways during municipal capital works projects;**
- 2. Request staff to initiate changes to By-laws P-500 and P-1000 to exempt municipal vehicles from on-street parking and parking meter regulations.**

Councillor Watts asked if she could request at this time that staff include a commercial parking permit for an abutting business.

In response, Mr. Bob Bjerke, Director, Planning and Development advised that the direction in the motion gives staff a broad scope to look at incorporating such suggestions, and he noted that there will be an opportunity when the staff report comes to Council.

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillor Mosher

11.3.2 Connector Road – Lucasville Road to Larry Uteck Drive

This matter was dealt with earlier in the meeting. See page 4.

11.3.3 Amendment to Active Transportation Advisory Committee's Terms of Reference – Committee Composition

The following was before Council:

- A recommendation report dated May 29, 2015 submitted from the Chair of the Transportation Standing Committee, with an attached recommendation report dated April 22, 2015 submitted from the Chair of the Active Transportation Advisory Committee.

MOVED by Councillor Mason seconded by Councillor Watts

THAT Halifax Regional Council amend the Active Transportation Advisory Committee (ATAC)'s Terms of Reference to include a representative of Walk 'n Roll HFX in the Committee membership.

Councillor Karsten pointed out that the report does not contain any background information on the group and suggested that Council should have some detail on the group before deciding whether it would be an appropriate fit for the Committee.

A brief discussion ensued and Council agreed to address the item later in the meeting. See page 20.

11.4 GRANTS COMMITTEE

11.4.1 Interim Professional Arts Organizations Grant Program – 2015/16 Recommended Awards

The following was before Council:

- A recommendation report dated June 5, 2015 submitted from the Chair of the Grants Committee, with an attached staff recommendation report dated May 13, 2015.

MOVED by Councillor Dalrymple, seconded by Councillor Walker

THAT Halifax Regional Council approve:

1. **Twenty (20) awards for operating assistance at a combined value of \$265,500 as detailed in Attachment 2 of the staff report dated May 13, 2015 from operating account C760-8004 – Interim Professional Arts Organization Grant Program; and**
2. **Fifteen (15) awards for project assistance at a combined value of \$94,500 as detailed in Attachment 2 of the staff report dated May 13, 2015 from operating account C760-8004 – Interim Professional Arts Organization Grant Program.**

Ms. Denise Schofield, Manager, Program Support Services responded to questions.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors McCluskey and Johns

11.4.2 Rural Transit Funding Program – 2015/16 Recommended Awards

The following was before Council:

- A report dated June 8, 2015 submitted by the Chair of the Grants Committee with an attached staff report dated April 29, 2015 attached.

MOVED by Councillor Dalrymple, seconded by Councillor Mason

THAT Halifax Regional Council approve the funding applications submitted by BayRides and Musgo Rider, as outlined in the April 29, 2015 staff report, under Administrative Order Number 2014-012-ADM Respecting Grants for Rural Transit, based on a budget of maximum total of \$100,000.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Johns

11.5 SPECIAL EVENTS ADVISORY COMMITTEE

11.5.1 Marketing Levy Special Events Reserve Grant Report 2015

The following was before Council:

- A recommendation report dated June 5, 2015 submitted by the Chair of the Special Events Advisory Committee with an attached staff recommendation report dated May 11, 2015.

MOVED by Councillor Craig seconded by Councillor Mason

THAT Halifax Regional Council:

1. **Approve the following 15 Event Grants as identified in Table 1 of the staff report dated May 11, 2015 for a total of \$425,250.00 with funding from the 2015/16 Marketing Levy Special Events Grants Reserve (Q315);**
 - a.) **\$88,500.00 for the 2016 CIS Men’s Hockey Championship**
 - b.) **\$10,000.00 for the 2015 FIVB World League**
 - c.) **\$44,250.00 for the National Skating Championship**
 - d.) **\$17,500.00 for the Aileen Meagher International Track Classic**
 - e.) **\$8,750.00 for the Atlantic Fringe Festival**
 - f.) **\$0 for the Bluenose Squash Classic**
 - g.) **\$30,000.00 for Cheer Expo**
 - h.) **\$45,000.00 for Epic Dartmouth**
 - i.) **\$45,000.00 for Hal-Con Sci Fi**

- j.) \$18,000.00 for the Halifax Comedy Fest
 - k.) \$22,500.00 for the Holiday Parade of Lights
 - l.) \$25,000.00 for the Multicultural Festival
 - m.) \$43,000.00 for Nocturne: Art at Night
 - n.) \$21,500.00 for Prismatic
 - o.) \$6,250.00 for Word on the Street; and
2. Pending the approval of 2016/17 Budget, approve an event grant of \$41,000.00 for the Canadian Sprint Canoe Kayak Championship as identified in Table 2 of the staff report dated May 11, 2015 with funding from the Marketing Levy Special Events Reserve (Q315).

Councillor Watts declared a conflict of interest with regard to recommendation 1(d) the Aileen Meagher International Track Classic, and asked the item be voted on separately, to which Council agreed.

Ms. Denise Schofield, Manager, Program Support Services responded to questions.

In response to questions with regard to the process for making the recommendations, Ms. Schofield noted that, with a new application process in the coming year, staff made recommendations based on what Council awarded the groups last year. She advised that the new Administrative Order and process will provide Council and the public more clarity and detail than the previous application process.

MOVED by Councillor Dalrymple, seconded by Councillor Hendsbee

THAT the motion be amended to increase the amount awarded to Halifax Comedy Fest to \$25,000.

THE AMENDMENT WAS PUT AND DEFEATED. (6 in favour, 10 against)

In favour: Councillors: Dalrymple, Hendsbee, Karsten, Fisher, Whitman, and Outhit

Against: Mayor Savage; Deputy Mayor Nicoll; and Councillors McCluskey, Mason, Watts, Mosher, Walker, Adams, Rankin, and Craig.

Not Present: Councillor Johns

The Mayor advised that Council would now vote on the motion with the exception of recommendation 1 (d). The motion now reads:

MOVED by Councillor Craig seconded by Councillor Mason

THAT Halifax Regional Council:

1. Approve the following 15 Event Grants as identified in table 1 of the staff report dated May 11, 2015 for a total of \$425,250.00 with funding from the 2015/16 Marketing Levy Special Events Grants Reserve (Q315);
- a.) \$88,500.00 for the 2016 CIS Men's Hockey Championship
 - b.) \$10,000.00 for the 2015 FIVB World League
 - c.) \$44,250.00 for the National Skating Championship
 - e.) \$8,750.00 for the Atlantic Fringe Festival
 - f.) \$0 for the Bluenose Squash Classic
 - g.) \$30,000.00 for Cheer Expo
 - h.) \$45,000.00 for Epic Dartmouth
 - i.) \$45,000.00 for Hal-Con Sci Fi
 - j.) \$18,000.00 for the Halifax Comedy Fest
 - k.) \$22,500.00 for the Holiday Parade of Lights
 - l.) \$25,000.00 for the Multicultural Festival
 - m.) \$43,000.00 for Nocturne: Art at Night

- n.) \$21,500.00 for Prismatic
 - o.) \$6,250.00 for Word on the Street; and
2. Pending the approval of 2016/17 Budget, approve an event grant of \$41,000.00 for the Canadian Sprint Canoe Kayak Championship as identified in Table 2 of the staff report dated May 11, 2015 with funding from the Marketing Levy Special Events Reserve (Q315).

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillor Johns

Having declared a conflict of interest earlier, Councillor Watts left the Council Chamber.

MOVED by Councillor Craig, seconded by Councillor Mason

THAT Halifax Regional Council approve \$17,500.00 for the Aileen Meagher International Track Classic.

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillors Watts and Johns.

Councillor Watts returned to her seat at Council.

At this time, Council agreed to deal with item 14.2

14.2 Councillor McCluskey – Information Report 4 – Cessation of Train Whistle – King Street Railway Crossing, Dartmouth

The following was before Council:

- An information report dated May 22, 2015 from the Chief Administrative Officer.

Mr. Steve Higgins, Executive Assistant, Chief Administrative Office addressed Council to provide an update with regard to discussions with Transport Canada and C.N. Rail concerning the cessation of the train whistle at King Street Railway Crossing in Dartmouth. He noted that since the report was prepared there has been some movement on the issue. He advised that there is one outstanding issue to be resolved and he was reasonably confident that they will come up with something satisfactory to all parties. Mr. Higgins advised that staff intend to bring forward a report to Council at the earliest opportunity.

Council recessed at 5:27 p.m.

Council reconvened in at 6:00 p.m.

9. PUBLIC HEARINGS

9.1 Case 18510 – Municipal Planning Strategy (MPS)/Land Use By-law (LUB) Amendments and Development Agreement, 3400 Dutch Village Road and 23343Westerwald Street Halifax (Joint Public Hearing with Halifax and West Community Council).

The following was before Council:

- A draft extract of the Regional Council Minutes of May 26, 2015
- A recommendation report submitted by the Chair of Halifax and West Community Council dated May 15, 2015; attached was a staff recommendation report dated April 10, 2015
- A copy of the staff presentation dated June 16, 2015
- Correspondence dated June 15, 2015 from Brendan Labelle and Susan Paczek

Mr. Paul Sampson, Planner provided an overview of Case 18510 as detailed in the staff report dated April 10, 2015. He noted that there will be an amendment brought forward to the proposed Development Agreement section 3.6.9 to replace the phrase “notwithstanding the above” with “notwithstanding 3.6.8.,” through a supplemental staff report to Halifax and West Community Council.

Responding to questions of clarification from Council, Mr. Sampson noted: that although no further renovations to the exterior have been proposed, the Development Agreement would allow for minor additions; that the agreement would establish the existing building as conforming, subject to clause 3.4.1; that there is no density cap on the proposed building aside from what is physically allowed by the size of the building with 33% of units containing two or more bedrooms; and that there must be a combination of underground and surface parking including bicycle parking but no set minimum number of spots.

Mr. John Traves, Municipal Solicitor noted that changes to the Development Agreement, including the number of parking spaces, should be addressed at Halifax and West Community Council.

The Mayor opened the public hearing and invited the applicant to come forward to address Council.

Mr. Cesar Salah, W.M. Fares Group addressed Council representing the applicant. He noted that the construction on the proposed development, if approved, is intended to begin this summer.

Mayor Savage read the rules of procedure respecting public hearings and invited members of the public to come forward and address Regional Council. The Mayor called three times for anyone wishing to speak; there being none, it was MOVED by Councillor Karsten, seconded by Councillor McCluskey

THAT the public hearing close.

MOTION PUT AND PASSED.

MOVED by Councillor Walker, seconded by Councillor Rankin

THAT Halifax Regional Council adopt the proposed amendments to the Halifax Municipal Planning Strategy (MPS) and Halifax Peninsula Land Use By-law (LUB) in regard to Case 18510 – 3400 Dutch Village Road and 3343 Westerwald Street, Halifax as set out in Attachments A and B of the staff report dated April 10, 2015.

MAIN MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Johns and Dalrymple.

11.5.2 Nova Scotia Open & RBC Canada Cup - Amendment

The following was before Council:

- A recommendation report dated June 5, 2015 submitted by the Chair of the Special Events Advisory Committee with an attached staff recommendation report dated May 22, 2015.

MOVED by Councillor Craig, seconded by Councillor Whitman

THAT Halifax Regional Council:

- 1. Waive the Rules of Procedure in order to deal with the motion of rescission; and**
- 2. Rescind the condition for “cost sharing equal to the remaining two-thirds of the host fee being provided from the Province of Nova Scotia and the Government of Canada” from the October 23, 2013 motion and replace it with “HRM’s contribution be equal to half of the total public investment provided by the Province of Nova Scotia and Government of Canada”, the result of which would be to reduce the municipal contribution for 2015 by \$50,000 to a total of \$250,000, as outlined in the discussion section of the Committee report dated June 5, 2015.**

Two-third majority vote required.

Councillor Craig explained that the motion of rescission was required because the original motion made reference to the Government of Canada as a funder, but they are no longer providing funding. He noted that per the wording of the original motion, the level of funding provided by HRM would be significantly reduced, which was not necessarily Council's intention.

Mayor Savage stepped down from the Chair in order to speak to this matter. Deputy Mayor Nicoll assumed the Chair.

Mayor Savage noted that it was Council's direction to provide \$300,000 per year in 2014 and 2015, with an option for 2016, subject to conditions. The Mayor suggested that with the 2015 event being held in two weeks, Council should honour its commitment.

Ms. Denise Schofield, Manager Program Support Services indicated that staff recommend, due to the tight timelines and previous commitment from Council, that any adjustment to the level of funding from HRM should be considered in 2016, which is the optional year.

Mayor Savage assumed the Chair.

Mr. John Traves, Municipal Solicitor indicated that if the motion on the floor is defeated, he would recommend putting forward an amendment to the October 23, 2013 Regional Council motion.

MOTION PUT AND DEFEATED UNANIMOUSLY.

Not present: Councillors Johns and Dalrymple.

MOVED by Councillor Craig, seconded by Councillor McCluskey

THAT Halifax Regional Council amend the October 22, 2013 Regional Council motion to provide for cost sharing in an amount not to exceed \$300,000 in 2015 and for staff to return with a report with respect to funding for the option year (2016).

Two-third majority vote required.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Johns and Dalrymple.

11.5.3 Canada vs. Glasgow Rugby 2015

The following was before Council:

- A recommendation report dated June 5, 2015 submitted by the Chair of the Special Events Advisory Committee with an attached staff recommendation report dated May 14, 2015.

MOVED by Councillor Craig, seconded by Councillor Whitman

THAT Halifax Regional Council

1. **Approve an event grant in the amount of \$50,000 from the 2015/16 Marketing Levy Special Events Reserve Q315 as outlined in the financial implications section of the staff report dated May 14, 2015 to fund the bid for the Canada vs Glasgow Rugby 2015 event conditional on HRM securing the event and securing no less than equal funding of the Municipal host fee from the Province of Nova Scotia; and**

2. Authorize the Mayor to provide a letter of commitment outlining the financial support and conditions to the local host committee for inclusion in the bid for Canada vs Glasgow Rugby 2015 (Attachment 2 of the staff report dated May 14, 2015).

Ms. Denise Schofield, Manager Program Support Services noted that the Province recently confirmed they will be providing a grant of \$70,000, which is \$20,000 higher than had been anticipated.

A brief discussion ensued with Council raising concerns regarding the potential economic impact, the lack of information in the proposal, the \$90,000 event management fee, and perceived inconsistency in how bids of this type are evaluated.

In response to a suggestion that the motion be amended to restrict funds provided by the municipality from being used for event management fees, Mr. John Traves, Municipal Solicitor indicated that the most straightforward and enforceable way to restrict the use of the grant would be to word the motion such that only particular expenses are reimbursed.

In response to a request for clarification, Ms. Schofield noted that the contract would indicate that funding may only be used to reimburse actual expenses excluding salaries. She advised that the initial request was for \$200,000 from the municipal and provincial governments.

MOVED by Councillor Mosher, seconded by Councillor Fisher

THAT Halifax Regional Council amend the amount of the event contribution to \$30,000 from the 2015/2016 Marketing Levy Special Events Reserve Q315 to fund the bid for the Canada vs. Glasgow Rugby 2015 event.

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

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

Against: Councillors Adams and Craig.

Not present: Councillors Dalrymple and Johns.

The question was called on the amended motion, which now reads:

THAT Halifax Regional Council:

- 1. Approve an event grant in the amount of \$30,000 from the 2015/16 Marketing Levy Special Events Reserve Q315 to fund the bid for the Canada vs Glasgow Rugby 2015 event and**
- 2. Authorize the Mayor to provide a letter of commitment outlining the financial support and conditions to the local host committee for inclusion in the bid for Canada vs Glasgow Rugby 2015 (Attachment 2 of the staff report dated May 14, 2015).**

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

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

Against: Councillor Adams.

Not present: Councillors Dalrymple and Johns.

12. MOTIONS

12.1 Councillor Mason

Notice of Motion was given at the June 2, 2015 meeting of Regional Council.

MOVED by Councillor Mason, seconded by Councillor Hendsbee

THAT Halifax Regional Council approve a one-time amendment to the District Capital Fund Policy of June 2007 to permit the disbursement of up to no more than \$5,000.00 to the Gorsebrook Junior High Parent Teachers Association for the purchase and installation of Plexiglas backboards in the school gym.

A brief discussion ensued with various Councillors highlighting the District Capital Fund policy difficulty in providing municipal funds for items in schools. Responding to a question from Council, Mr. John Traves, Municipal Solicitor advised that the motion does not entail a commitment from the Halifax Regional School Board to use and maintain the infrastructure, and there is no other agreement in place with the School Board that would be relevant to this disbursement.

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

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

Against: Councillors Mosher and Walker.

Not present: Councillors Dalrymple and Johns.

12.2 Councillor Hendsbee

Notice of Motion was given at the June 2, 2015 meeting of Regional Council.

MOVED by Councillor Hendsbee, seconded by Councillor McCluskey

THAT Halifax Regional Council request a staff report for the acquisition of the Moser River playground and ball field.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Johns and Dalrymple.

12.3 Councillor Adams

Notice of Motion was given at the June 2, 2015 meeting of Regional Council.

MOVED by Councillor Adams, seconded by Councillor Hendsbee

THAT Halifax Regional Council request a staff report on the financial implications and possible options to be used to replace and maintain non-functioning street lights on private roads

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Johns and Dalrymple.

13. IN CAMERA

These items were addressed later in the meeting. See below for details.

14. ADDED ITEMS

14.1 Councillor Adams – Options for Contaminated Well Water

The following was before Council:

- A Councillor Request for Consideration Form.

MOVED by Councillor Adams seconded by Councillor Walker

THAT Halifax Regional Council request a staff report outlining options available to residents on private wells in dealing with contaminants in their well water including but not limited to uranium and arsenic.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Johns and Dalrymple.

11.3.3 Amendment to Active Transportation Advisory Committee's Terms of Reference – Committee Composition

This matter was discussed earlier in the meeting. See page 12. At that time Council agreed to deal with it later in the meeting.

MOVED by Councillor Mason, seconded by Councillor Walker

THAT Halifax Regional Council defer the motion on the floor pending a staff report regarding the composition of the Active Transportation Advisory Committee including the addition of members from the walking/pedestrian community.

MOTION TO DEFER PUT AND PASSED UNANIMOUSLY

Not present: Councillors Dalrymple, Mosher, Rankin, and Johns.

13. IN CAMERA

13.1 In Camera Minutes – May 12, 2015

MOVED by Councillor Mason, seconded by Deputy Mayor Nicoll

THAT the In Camera minutes of May 12, 2015 be approved as circulated.

MOTION PUT AND PASSED.

13.2 Legal Matter

A matter pertaining to litigation or potential litigation in regard to an identifiable person and information whose disclosure could reasonably be expected to prejudice the interests of the Municipality.

MOVED by Councillor Hendsbee, seconded by Councillor Karsten

THAT Halifax Regional Council convene to In Camera to address item 13.2.1.

MOTION PUT AND PASSED.

Council recessed at 7:35 p.m. and convened an In Camera session at 7:39 p.m.

Council reconvened at 8:14 p.m. and ratified the following motion:

13.2.1 Litigation Settlement – Comeau Nova Scotia Human Rights Complaint – Private and Confidential Report

Councillor Fisher declared a conflict of interest regarding this matter.

This matter was considered during an In Camera session and was before Council for ratification.

MOVED by Councillor Watts, seconded by Deputy Mayor Nicoll

THAT Halifax Regional Council:

- 1. Settle the claim brought by the Claimant as outlined in the private and confidential staff report dated May 28, 2015.**
- 2. It is further recommended that the private and confidential staff report dated May 28, 2015 not be released to the public.**

MOTION PUT AND PASSED UNANIMOUSLY

Not present: Councillors Dalrymple, Fisher, Rankin, Johns, and Outhit.

15. NOTICES OF MOTION

15.1 Councillor Walker on behalf of Councillor Rankin

“TAKE NOTICE that, at the next meeting of Halifax Regional Council to be held on June 23, 2015, I intend to propose amendments to Administrative Order 12, the Traffic Authority Administrative Order, to appoint a new Traffic Authority and new Deputy Traffic Authorities.”

15.2 Councillor Whitman

“TAKE NOTICE that, at the next meeting of Halifax Regional Council to be held on June 23, 2015, I propose to introduce a motion requesting a staff report on the feasibility of developing a connector trail from the St. Margaret’s Bay Elementary School to the St. Margaret’s Bay Rails to Trails trail system.”

15.3 Councillor Whitman

“TAKE NOTICE that, at the next meeting of Halifax Regional Council to be held on June 23, 2015, I propose to move amendments to Administrative Order 45, Respecting Private Road Maintenance, the purpose of which is to add Schedule 13, respecting a Uniform Charge for the St. Margaret’s Bay Heights Subdivision Resident’s Association.”

15.4 Councillor Craig

“TAKE NOTICE that, at the next regular meeting of Halifax Regional Council on June 23, 2015 I intend to introduce a motion that Halifax Regional Council direct staff to produce a report which will:

1. Clarify the current Solid Waste Management practice of collecting ‘bulky items’; and,
2. Provide options, including possible changes to the “Solid Waste Resource Collection and Disposal By-Law” By-Law No. S-600 for changing the ‘bulky items’
 - a. definition;
 - b. limits for collection;
 - c. frequency of collection.”

15.5 Councillor Craig

“TAKE NOTICE that, at the next regular Regional Council meeting to be held on Tuesday, the 23rd of June 2015, I will introduce a motion requesting a staff report to;

1. Look at the social, operational, and financial implications of closing or altering programs and services that serve a distinct demographic in HRM owned facilities, as well as;
2. Outline the criteria that are used in the decision making process and the policy options for any implementation and subsequent redirection/accommodation of residents when these distinct services are implemented, reduced or stopped.”

16. ADJOURNMENT

The meeting adjourned at 8:19 p.m.

Cathy J. Mellett
Municipal Clerk