



**HALIFAX REGIONAL COUNCIL  
MINUTES  
May 24, 2016**

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

STAFF: Mr. John Traves, Acting Chief Administrative Officer  
Ms. Karen Brown, Acting Municipal Solicitor  
Ms. Sherryl Murphy, Deputy Municipal Clerk  
Ms. Sheilagh Edmonds, Legislative Assistant  
Ms. Krista Vining, 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://www.halifax.ca/site/exit.php?url=http://archive.isiglobal.ca/vod/halifax/archive\\_2016-05-24\\_live.mp4.html](http://www.halifax.ca/site/exit.php?url=http://archive.isiglobal.ca/vod/halifax/archive_2016-05-24_live.mp4.html)*

*The agenda, supporting documents, and information items circulated to Council are available online:  
<http://www.halifax.ca/council/agendasc/160524rc-agenda.php>*

*The meeting was called to order at 1:00 p.m. and recessed at 2:30 p.m. Council reconvened at 2:50 p.m. and recessed at 5:17 p.m. Council reconvened at 6:00 p.m. and recessed at 7:58 p.m. Council reconvened at 8:05 p.m. and adjourned at 9:07 p.m.*

**1. CALL TO ORDER**

The Mayor called the meeting to order at 1:00 p.m. and Council stood for a moment of reflection.

**2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS**

Councillors noted a number of special community announcements and acknowledgements.

**3. APPROVAL OF MINUTES – Committee of the Whole April 12, 2016**

MOVED by Councillor McCluskey, seconded by Deputy Mayor Whitman

**THAT the minutes of the Committee of the Whole meeting of April 12, 2016 be approved.**

**MOTION PUT AND PASSED.**

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

Additions:

At the request of Councillor Watts, Council agreed to deal with the in camera item 16.1.1 Agreement of Purchase and Sale, Bloomfield Property during the public portion of the meeting.

MOVED by Councillor Watts, seconded by Councillor Nicoll

**That the Private and Confidential report for item 16.1.1 Agreement of Purchase and Sale, Bloomfield Property be declassified.**

**MOTION PUT AND PASSED.**

MOVED by Councillor Nicoll, seconded by Deputy Mayor Whitman

**THAT the agenda, as amended, be approved.**

Two-third majority vote required.

**MOTION PUT AND PASSED.**

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

**6. CALL FOR DECLARATION OF CONFLICT OF INTERESTS -NONE**

**7. MOTIONS OF RECONSIDERATION – NONE**

**8. MOTIONS OF RESCISSION – NONE**

**9. CONSIDERATION OF DEFERRED BUSINESS – May 10, 2016**

**9.1 Councillor Karsten – Review of 2007 Crosswalk Task Force Policy**

Councillor Karsten noted that there is some road and sidewalk construction work that requires notification to area residents, but other work that does not. He pointed out that Councillors have often received calls from residents when a crosswalk has been removed because there has been no advance notice. Councillor Karsten advised that he had a motion to request a staff report in regard to this matter and that, in order to do so, he would require two-thirds majority support from Council to suspend the Rules of Procedure and waive notice of motion, to bring forward his motion for staff report.

MOVED by Councillor Karsten, seconded by Deputy Mayor Whitman

**THAT Regional Council suspend the Rules of Procedure and waive Notice of Motion.**

Two-thirds majority vote required.

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillor Johns

MOVED by Councillor Karsten, seconded by Councillor Nicoll

**THAT Halifax Regional Council request a staff report on a policy to implement a notification process regarding the removal of crosswalks under the 2007 Crosswalk Policy.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillor Johns

**9.2 Award – Q16M022 Maintenance Agreement for Facility Emergency Generators**  
(i) Supplementary Information Report

The following was before Council:

- An extract of the draft minutes of the May 10, 2016 Regional Council meeting.
- A staff recommendation report dated April 4, 2016 (originally submitted for the May 10, 2016 Regional Council meeting)
- A Supplementary Information Report dated May 18, 2016.

MOVED by Councillor Rankin, seconded by Councillor McCluskey

**THAT Halifax Regional Council award RFQ number Q16M022 to Eastern Alternative Power Systems for a total tender price of \$1,797,616 (net HST included), with funding from W213, W203, W169, R680, R681, R683, B034, and P425 as outlined in the Financial Implications section of the staff report dated April 4, 2016 for a five-year term from 01 May 2016, to 30 April 2021, pending Ministerial Approval.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillor Johns

**10. NOTICES OF TABLED MATTERS – NONE**

**11. PUBLIC HEARINGS**

**11.1 By-law N-200, Respecting Noise – Exemption Application – Inn on the Lake**

This was dealt with later in the meeting. See page 14.

**11.2 Case 20264 – Amendment to the Regional Subdivision By-Law, Beaver Bank**

This was dealt with later in the meeting. See page 14.

**11.3 Proposed By-law T-1001, Amendments to By-law T-1000, Respecting Taxis, Accessible Taxis and Limousines and Administrative Order 39, Respecting Taxis and Limousines Regulation**

This was dealt with later in the meeting. See page 14.

**12. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**12.1 Correspondence**

The Clerk noted that correspondence was received for item 11.2. This correspondence was circulated to Council.

**12.2 Petitions – None**

**13. INFORMATION ITEMS BROUGHT FORWARD – NONE**

**14. REPORTS**

**14.1 CHIEF ADMINISTRATIVE OFFICER**

**14.1.1 Award Tender No. 16-014 Cole Harbour Turf – Earthworks, Services and Landscaping and Request for Proposal (RFP) No. 16-036 Artificial Turf Supply and Installation**

The following was before Council:

- A staff recommendation report dated May 3, 2016.

MOVED by Councillor Nicoll, seconded by Councillor McCluskey

**THAT Halifax Regional Council**

- 1. Award Tender No. 16-014, Cole Harbour Turf - Earthworks, Services and Landscaping, to the lowest bidder meeting specifications, Dexter Construction Company Limited, for a Total Tender Price of \$1,646,875 (no HST included, 100% recoverable) with funding from Project Account No. CP110002 – Cole Harbour Turf, as outlined in the Financial Implications section of the staff report dated May 3, 2016; and**
- 2. Award Request for Proposal No. 16-036, Artificial Turf Supply and Installation, Cole Harbour, to the highest scoring proponent, Turf Masters Landscaping Limited, for a Total Price of \$1,269,215 (no HST included, 100% recoverable) with funding from Project Account No. CP110002 – Cole Harbour Turf, as outlined in the Financial Implications section of the staff report dated May 3, 2016.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillor Johns

**14.1.2 Award – Request for Proposals (RFP) P16-012, Security and Administrative Services**

The following was before Council:

- A staff recommendation report dated May 6, 2016

MOVED by Councillor McCluskey, seconded by Councillor Nicoll

**THAT Halifax Regional Council award RFP # P16-012, Security and Administrative Services to Commissionaires Nova Scotia for a period of up to five (5) years subject to operational requirements and budget availability at a first year cost of \$1,388,914 net HST included with funding from Operating Account P270-6399 and P208-6399**

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillor Johns

**14.1.3 Award – Unit Tender Price No. 16-205 Pavement Renewal – Beckfoot Drive and Peddars Way – East Region**

The following was before Council:

- A staff recommendation report dated April 19, 2016.

MOVED by Councillor McCluskey, seconded by Councillor Mancini

**THAT Halifax Regional Council award Tender No. 16-205, Pavement Renewal – Beckfoot Drive and Peddars Way – East Region, to the lowest bidder meeting specifications, Dexter Construction Company Limited for a Total Tender Price of \$531,150 (net HST included) with funding from Project Account No. CR000005 – Street Recapitalization, as outlined in the Financial Implications section of the staff report dated April 19, 2016.**

Councillor Johns entered the meeting at 1:42 p.m.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**14.1.4 Proposed Amendment to Administrative Order 58, the Delegation of Certain Authorities Administrative Order**

The following was before Council:

- A staff recommendation report dated May 6, 2016.

MOVED by Councillor Craig, seconded by Councillor Karsten

**THAT Halifax Regional Council adopt the proposed amendments to Administrative Order 58, as set out in Attachment B to the staff report dated May 6, 2016.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**14.1.5 Appointment of Building Officials**

The following was before Council:

- A staff recommendation report dated April 28, 2016.

MOVED by Councillor Johns, seconded by Deputy Mayor Whitman

**THAT Halifax Regional Council appoint Cyril Huntley and Adam Sadler as Building Officials, pursuant to Section 5 (2) of the Nova Scotia Building Code Act. This appointment is effective for the duration of their current conditions of employment with Halifax Regional Municipality.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**14.1.6 Case 19535 – Amendments to the Municipal Planning Strategy and Land Use By-Laws for Timberlea/Lakeside/Beechville, for 1839 & 1841 St. Margarets Bay Road, Timberlea**

The following was before Council:

- A staff recommendation report dated April 26, 2016.

MOVED by Councillor Rankin, seconded by Deputy Mayor Whitman

**THAT Halifax Regional Council**

1. **Initiate the process to consider amending the Municipal Planning Strategy and Land Use By-law for Timberlea/Lakeside/Beechville, to permit commercial development at 1839 & 1841 St. Margarets Bay Road, Timberlea, and to amend the parking requirements in the Land Use By-law for restaurants and to introduce landscape requirements in the C-2 Zone; and**
2. **Follow the public participation program for municipal planning strategy amendments that was adopted by Regional Council on February 27, 1997.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**14.1.7 Municipal and School Board Elections – Data Sharing Agreement with Elections Nova Scotia**

The following was before Council:

- A staff recommendation report dated May 9, 2016.

MOVED by Councillor Craig, seconded by Deputy Mayor Whitman

**THAT Halifax Regional Council**

1. **approve the Information Sharing Agreement with Election Nova Scotia, as set out in Attachment 1 of the staff report dated May 9, 2016, and authorize and direct the Mayor and Municipal Clerk to execute the Agreement on behalf of the Municipality; and**
2. **authorize the Municipal Clerk to enter into and execute Information to Use Agreements on behalf of the Municipality in a form substantially similar to Attachment 2 of the staff report dated May 9, 2016.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillor Rankin

**14.1.8 Former Halifax County Regional Rehabilitation Centre Lands – Cole Harbour**

The following was before Council:

- A staff recommendation report dated May 5, 2016.

MOVED by Councillor Nicoll, seconded by Councillor Hendsbee

**THAT Halifax Regional Council**

1. **Designate approximately 16 hectares of the lands associated with the Former Halifax County Rehabilitation Centre PID, #00402982, as parkland as outlined in Attachment 2 of the staff report dated May 5, 2016;**

2. Direct staff to work with the Cole Harbour Parks and Trails Association to create the necessary connections from Bissett Park to Cole Harbour Lawrencetown Heritage Park through the Rehabilitation Centre Lands; and
3. Direct staff to review the remainder of the property under the Administrative Order 50 process for potential disposal.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**14.1.9 Increased Notification Distance for Variance Appeals**

The following was before Council:

- A staff recommendation report dated April 15, 2016.

Councillor Mosher indicated that she did not support the staff recommendation and was prepared to put forward an alternate recommendation. In accordance with the Rules of Procedure, she advised that she would move the staff recommendation and she requested that Council defeat the motion, in order for her to put forward the alternate motion.

MOVED by Councillor Mosher seconded by Councillor Karsten

**THAT Halifax Regional Council not increase the notification distance for variance appeals beyond 30 metres of the applicant's property for variance requests.**

Councillor Mosher stated that she believed the 30 metre notification for variance appeals was inadequate and that more people should be notified in regard to variance applications. She included that in areas outside of the urban core, with less density, there may be instances where the 30 metre notification distance means that surrounding immediate neighbours may not receive notification.

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

In favour: Councillor Walker

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

MOVED by Councillor Mosher, seconded by Councillor Walker

**THAT Regional Council increase the notification distance for variance appeals to 100 metres in all areas of the Municipality and direct staff to prepare a new Administrative Order in this regard.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

At 2:30 p.m. Council recessed.

Council reconvened at 2:50 p.m.

**14.2 AUDIT AND FINANCE STANDING COMMITTEE**

**14.2.1 Multi-Year Funding Commitment – Cogswell Interchange Redevelopment Program**

The following was before Council:

- A recommendation report dated May 16, 2016 from the Chair of the Audit and Finance Standing Committee, with an attached staff recommendation report dated April 28, 2016.

MOVED by Councillor Mosher, seconded by Councillor Mason

**THAT Halifax Regional Council direct staff to amend section “m” of the 2016/17 Budget Resolution to include the Cogswell Interchange Redevelopment Project CT000007 in the amount of \$58M as shown in revised “Schedule One – Multi-Year Funding Commitments” outlined in attachment one of the staff report dated April 28, 2016, as approved by Regional Council March 8, 2016 item 17.1, to allow multi-year tenders to be awarded. The Approved Budget for the Cogswell Interchange Redevelopment Project (CT000007) is \$58M in Years 2017/18 to 2019/20 of the 2016/17 Approved Capital Budget Book.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**14.3 EXECUTIVE STANDING COMMITTEE**

**14.3.1 Battle of the Atlantic Place - Update**

The following was before Council:

- A recommendation report dated May 16, 2016 from the Chair of the Executive Standing Committee, with an attached staff recommendation report dated April 14, 2016.

MOVED by Councillor Karsten, seconded by Deputy Mayor Whitman

**THAT Halifax Regional Council request the Mayor write a letter in support of the Battle of the Atlantic Society’s application for federal funding.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**14.4 ENVIRONMENT AND SUSTAINABILITY STANDING COMMITTEE**

**14.4.1 National Zero Waste Council Management Board Alternate**

The following was before Council:

- A recommendation report dated May 16, 2016 from the Chair of the Environment and Sustainability Standing Committee, with an attached staff recommendation report dated April 20, 2016.

MOVED by Councillor Watts, seconded by Councillor Nicoll

**THAT Halifax Regional Council appoint the Manager of Solid Waste Resources as an alternate to the National Zero Waste Council Management Board, Council appointment for a term up to October 31, 2016**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**14.5 MEMBERS OF COUNCIL**

**14.5.1 Councillor Johns – Parking All-Weather Fields Burnside**

The following was before Council:

- A Request for Council’s Consideration Form submitted by Councillor Johns.

Councillor Johns advised that since he brought this matter forward staff have been in contact with him and have been helpful, and that there was no need for this matter to be on the agenda. He stated that if Council were in agreement, he would remove the item from the agenda.

Council agreed to remove this item from the agenda.

**14.5.2 Councillor Watts – Homes not Hondas**

The following was before Council:

- A Request for Council's Consideration Form submitted by Councillor Watts

MOVED by Councillor Watts, seconded by Councillor Mason

**THAT Halifax Regional Council request a staff report addressing the requests identified in the petition titled Homes Not Hondas submitted on May 10, 2016**

A discussion ensued in regard to the purpose of requesting a staff report on a matter that has been determined to be 'as of right' and that the property owner was developing the property in accordance with Municipal regulations. Councillor Watts suggested that Council has a responsibility to respond to residents who have submitted a petition and a staff report for the public record on this matter would be helpful.

Councillors discussed the process around petitions, and concern was expressed that the process had changed but Councillors were not informed. The Acting CAO explained that when staff brought forward amendments to Administrative Order 1, it was understood that not all petitions were being dealt with by staff reports. The Acting CAO advised that staff are currently writing revisions to Administrative Order 1, and that petitions and this discussion will be forwarded to them for review for any potential amendments.

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

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

Against: Councillor McCluskey

**14.5.3 Councillor Karsten – District Capital Request**

The following was before Council:

- A Request for Council's Consideration Form submitted by Councillor Karsten

MOVED by Councillor Karsten, seconded by Councillor Nicoll

**THAT Halifax Regional Council approve a request for \$10,000.00 from the District 3 District Capital Fund for the purchase and installation of an entry sign for Fisherman's Cove.**

Councillor Karsten indicated that he had been waiting for the report on the District Capital Funding to come forward before dealing with this matter. He advised that the report is in progress, however, he needed to address this matter at this time.

Councillor Outhit noted he would support the motion, and he requested that the CAO provide an update on when the report would be forthcoming.

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillor Mosher

**15. MOTIONS:**

**15.1 Councillor Watts**

The following was before Council:

- A Request for Council's Consideration form submitted by Councillor Watts.

MOVED by Councillor Watts, seconded by Councillor Mason

**THAT Halifax Regional Council request the Province amend the HRM Charter to enable Council to implement an Interim Development Control for an area, and that the amendment include:**

- (a) That Council may, by resolution, suspend or limit subdivision, development, or certain classes of subdivision or development in an identified area;
- (b) The maximum length a time the resolution may stay in effect;
- (c) That a resolution suspending or limiting may be different for different areas of the Municipality and for different periods of time providing the maximum time is not exceeded for any given area; and
- (d) That no permit or approval of any kind may be issued that is contrary to the resolution establishing the area.

Councillor Watts advised that the matter was brought forward, as Interim Development Control for an area is a planning tool commonly used by other municipalities across Canada, and it would help HRM guide development according to comprehensive planning.

The Acting Municipal Solicitor pointed out that the motion put forward does not ask for a staff report, which is Council's usual process; it is a request to the Province to amend HRM's Charter.

Councillor Watts advised that she would be agreeable to requesting a staff report on the matter, if Council wished.

With the consensus of Council, the motion was revised to have staff provide a report on the matter. The motion now reads:

**THAT Halifax Regional Council request a staff report on asking the Province to amend the HRM Charter to enable Council to implement an Interim Development Control for an area, and that the amendment includes:**

- (a) That Council may, by resolution, suspend or limit subdivision, development, or certain classes of subdivision or development in an identified area;
- (b) The maximum length a time the resolution may stay in effect;
- (c) That a resolution suspending or limiting may be different for different areas of the Municipality and for different periods of time providing the maximum time is not exceeded for any given area; and
- (d) That no permit or approval of any kind may be issued that is contrary to the resolution establishing the area.

**MOTION PUT AND PASSED.** (13 in favour, 4 against)

In favour: Mayor Savage; and Councillors: Dalrymple, Karsten, Nicoll, McCluskey, Mancini, Mason, Watts, Mosher, Rankin, Johns, Craig, and Outhit.

Against: Deputy Mayor Whitman; and Councillors Hendsbee, Walker, and Adams.

## **15.2 Councillor Watts**

The following was before Council:

- A Request for Council's Consideration form submitted by Councillor Watts

MOVED by Councillor Watts, seconded by Councillor Mason

**THAT Halifax Regional Council request a staff report that identifies which zones outside the Centre Plan area of the Municipality currently allows and could be amended to allow**

**for large-scale automotive dealerships, and that staff be directed to return to Council for consideration of the report.**

Councillor Watts advised that her request is intended to see if there is potential in having a zone outside the urban core for large-scale automotive dealerships.

A discussion ensued and a concern was expressed that this was a matter that the car dealerships should be investigating on their own and that it is not something that should occupy staff time. Councillors in favour of the motion pointed out that it has been suggested that the industry wants the Municipality to explore this issue, and that it would be informative to see what other municipalities across the country are doing in this regard.

**MOTION PUT AND DEFEATED.** (8 in favour, 9 against)

In favour: Councillors: Nicoll, McCluskey, Mancini, Mason, Watts, Mosher Johns, and Outhit.

Against: Mayor Savage; Deputy Mayor Whitman; and Councillors: Dalrymple, Hendsbee, Karsten, Walker, Adams, Rankin, and Craig.

### **15.3 Councillor Watts**

The following was before Council:

- A Request for Council's Consideration form submitted by Councillor Watts.

MOVED by Councillor Watts, seconded by Councillor Nicoll

**THAT Halifax Regional Council request a staff report on the status of the municipal strategy to engage with First Nations community on actions identified through the Truth and Reconciliation process and our commitment to partnership as passed in the Dec. 8, 2015 motion of Regional Council. The report is requested to provide an overall framework for engagement, steps to move forward on development of a strategy with a timeline for implementation, and a reporting framework to the Executive Committee**

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

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

Against: Councillor Karsten

### **15.4 Councillor Dalrymple**

The following was before Council:

- A Request for Council's Consideration form submitted by Councillor Dalrymple.

MOVED by Councillor Dalrymple, seconded by Councillor Hendsbee

**THAT Halifax Regional Council request a staff report on extending the Water Service Boundary along the Fall River Road from the Windsor Junction Road to Highway 2 including PID 50650100 and further along Highway 2 from the Fall River Road to the Highway 102 overpass.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

### **15.5 Deputy Mayor Whitman**

MOVED by Deputy Mayor Whitman, seconded by Councillor Walker

**THAT Halifax Regional Council request a staff report to explore a pedestrian connection from St. Margaret's Bay Elementary to the St. Margaret's Bay Rails to Trails and the HRM ball field, playground and Bay waterfront access**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**16. IN CAMERA (IN PRIVATE) – NONE**

Council dealt with the following matter in the public session.

**16.1 Property Matter**

**16.1.1 Agreement of Purchase and Sale, Bloomfield Property – Private and Confidential Report**

The following was before Council:

- A private and confidential staff recommendation report dated May 18, 2016.

MOVED by Councillor Watts, seconded by Councillor Mason

**THAT Halifax Regional Council direct staff to defer sale of the property until the conclusion of Centre Plan process and to report back to Council at the appropriate time with disposal options for the property pursuant to Administrative Order 50.**

MOVED by Councillor Watts, seconded by Councillor Mason

**THAT the motion be amended to include a report on how the Bloomfield Master Plan and tangible municipal requirements developed for the initial RFP will be incorporated into the disposal options.**

Councillor Watts noted that even though Province decided not to proceed with developing the Bloomfield property, it was good to hear that they are still willing to work with the Municipality in regard to affordable housing. She indicated that there is a strong Master Plan for the property and hoped that it didn't get lost as the Municipality goes through its Centre Plan process.

Mr. Traves, Acting CAO and Mr. Peter Stickings, Acting Director, Operations Support responded to questions.

Councillors put forward the following comments and suggestions:

- When the matter comes back to Council, that the focus is not just about the dollar value, but consideration as to what is best for the community.
- Council needs a clear definition in the criteria on 'affordable'.
- There should be a separate Centre Plan public engagement for this site with Imagine Bloomfield.
- The process for disposing of St. Pat's High School is a model that Council can follow in this process.
- In reference to the Bloomfield Master Plan, concern was expressed about adhering to the aspirations of four or five years ago, and it was suggested that Council should keep options open.

**THE AMENDMENT TO THE MOTION WAS PUT AND PASSED.** (14 in favour, 3 against)

In favour: Mayor Savage; and Councillors: Dalrymple, Hendsbee, Karsten, Nicoll, McCluskey, Mancini, Mason, Watts, Mosher, Walker, Johns, Craig, and Outhit.

Against: Deputy Mayor Whitman; and Councillors Adams and Rankin

**THE MOTION AS AMENDED WAS PUT AND PASSED.** (14 in favour, 3 against)

In favour: Mayor Savage; and Councillors: Dalrymple, Karsten, Nicoll, McCluskey, Mancini, Mason, Watts, Mosher, Walker, Rankin, Johns, Craig, and Outhit.

Against: Deputy Mayor Whitman; and Councillors Hendsbee and Adams.

**17. ADDED ITEMS - NONE**

**18. NOTICES OF MOTION**

**18.1 Councillor Rankin**

Councillor Rankin gave notice that, at the next meeting of Halifax Regional Council to be held on May 31, 2016, he proposes to introduce Administrative Order 2016-001-GOV Respecting the Advisory Committee on the Western Common, the purpose of which is to establish a committee to provide advice to Halifax & West Community Council on the development and operation of the Western Common Park.

**18.2 Councillor Dalrymple**

Councillor Dalrymple gave notice that at the next meeting of Regional Council to take place on May 31, 2016 he intends to move a request for Halifax Regional Council to approve a request for \$5,000 from District Capital Funds (\$2,000 from District 1, \$1,500 from District 8, \$1,500 from District 9) to the 26<sup>th</sup> Scouting Group to do Capital Upgrades to a bridge and cabin at their camp at Miller Lake.

**18.3 Councillor Craig (on behalf of Mayor Savage)**

On behalf of Mayor Savage, Councillor Craig gave notice that, at the next meeting of Halifax Regional Council to be held on May 31, 2016, he proposes to request a staff report on the status of the CAO's Business Unit Strategic Initiative related to Accessibility Coordination, which was adopted by Regional Council as a part of the 2015/16 Budget and Business Plan. The report is to provide an outline of work achieved to date, a framework for engagement (including through the Accessibility Advisory Committee), next steps in the development of an Accessibility Policy, and timeline for implementation.

**18.4 Councillor Watts**

Councillor Watts gave notice that, at the next meeting of Halifax Regional Council to be held on May 31, 2016, she will introduce Proposed By-Law U-100, Respecting User Charges the purpose of which outline user charges including Halifax Transit User Charges and SmartTrip Program Membership Fees.

**18.5 Councillor Mason**

Councillor Mason gave notice that, at the next meeting of Halifax Regional Council to be held on May 31, 2016, he will introduce proposed amendments to Administrative Order 15 Respecting License, Permit and Processing Fees, the purpose of which is to remove all application fees and other related fees from the Regional Subdivision By-law and incorporate them into Administrative Order 15.

Council recessed at 5:17 p.m.

Council reconvened at 6:00 p.m. without Councillor Mosher in attendance.

Councillor Dalrymple recognized Bill Horne, MLA and Darrell Sampson, MP who were in attendance.

The public hearings were addressed at this time.

**11. PUBLIC HEARINGS**

**11.1 By-law N-200, Respecting Noise – Exemption Application – Inn on the Lake**

The following was before Council:

- A staff recommendation report dated May 5, 2016

Ms. Tanya Phillips, Manager, Buildings & Compliance delivered a presentation on the application from the innkeeper at the Inn on the Lake for an exemption from By-law N-200, Respecting Noise.

Mayor Savage declared the public hearing open and invited the applicant to come forward to address Council. It was noted that the applicant was present but did not wish to speak.

The Mayor called three times for anyone wishing to speak to come forward; there being none, it was MOVED by Councillor McCluskey, seconded by Councillor Karsten

**THAT the public hearing close.**

**MOTION PUT AND PASSED.**

MOVED by Councillor Dalrymple, seconded by Councillor Karsten

**THAT Halifax Regional Council approve the Inn on the Lake's application for an exemption from the provisions of the Noise By-Law pursuant to the contents of the staff report dated May 5, 2016.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillor Mosher

**11.2 Case 20264 – Amendment to the Regional Subdivision By-Law, Beaver Bank**

The following was before Council:

- A staff recommendation report dated March 1, 2016
- Extract of Regional Council Minutes dated April 5, 2016
- Revised page 9 of Attachment D "PIM Minutes"
- Staff presentation
- Applicant presentation
- Correspondence from Debbie Seguin, Christopher P. Taylor, Bruce Bennett, Paul Fleming, Ross Sheppard, Theresa Scratch, Shane F. O'Neil, and Marilyn Challis.

Mr. Ben Sivak, Major Projects Planner gave a presentation on the application of WSP Canada Inc., on behalf of Marque Investments Ltd., to amend the Regional Subdivision By-law to extend the Water Service Area boundary to approximately 148.5 hectares (367 acres) of land located off Windgate Drive in Beaver Bank.

Mayor Savage declared the public hearing open and invited the applicant to come forward to address Council.

Mr. Kourosh Rad, Urban Planner and Mr. Ryan Barkhouse, Civil Engineer with WSP Canada Inc. made a presentation on the proposed water service extension to make the connection between the two service zones in Windgate Drive using a closed value system that can be opened in future to join zones as needed. The following points were noted:

- The developer's vision is to take the industrial zoned land and rezone it as open space development to create classic and hybrid open space designs (Windgate Village Development)
- the proposal would protect existing trails and provide public amenities and greenspace areas

- The proposed development borders two central water systems that are on different service zones
- Part of the proposed development is structure as a higher density open space community which is ideal for installing central water; without central water they would not be able to achieve higher densities and preserve the open space
- Installing a central water distribution system in Windgate Village would provide safe potable drinking water to future residents and provide connections between Capilano Drive and Monarch Drive
- The Windgate Village would be serviced under the Sackville Service Zone
- The extension of water service boundary fulfills an objective in Halifax Water's long term Regional Servicing Master Plan; provides redundancy in Halifax Water's Regional Water system
- The hybrid lots would be traditional site sewage systems; classic condominium style open space development would be done through engineered wastewater treatment plans owned and operated by the condominium corporations; different technologies are being considered

Mr. Rad and Mr. Barkhouse responded to questions of clarification on the two types of services and density on the properties under the open space design.

In response to a question raised, Mr. Sivak explained that the extension of service would guarantee that there is enough water to service the maximum allowable density under the Regional Plan. He noted that a detailed ground water study has not been completed to determine if there is presently enough water onsite to be able to put the proposed 265 units without the service extension.

The Mayor read the rules of procedure respecting public hearings and called for anyone wishing to speak to come forward.

**Paul Fleming, Terry Road** spoke to the positive aspects of the proposal, indicating that he was not concern with the back 55 lots being developed, which is comparable to the Capilano Estates Subdivision. He was concerned however with the large amount of water that would feed into one point to service the homes and condominiums, which he pointed out is close to the river which runs behind his house. Mr. Fleming highlighted that the river has a tendency to overflow as a result of the beaver dams. He foresaw many water issues for him and his neighbors based on the proposed location of the wastewater treatment plan. He asked Council to consider where the water would go if the proposal is approved. In response to a question raised, Mr. Fleming described to the sightline issues of trying to exit Terry Road onto Windgate Drive, as well as the traffic concerns along Beaver Bank Road.

**Darrell Samson, MP for Sackville-Preston-Chezzetcook** spoke on behalf of his constituents that are concerned with the traffic challenges in the Beaver Bank area. As well, many residents are concerned with the proposed location of the wastewater treatment plant and the potential water runoff and smell. He agreed that residents are not concerned with the back 55 lots of the development but are concerned with the lots in the front. Mr. Sampson indicated that he would continue to monitor and discuss this matter with his constituents as it moves forward.

**Bill Horne, MLA for Waverley-Fall River-Beaverbank** noted that this proposal was not in his constituency but closely borders Capilano Estates. Mr. Horne stated that a number of his constituents in Capilano Estates are also concerned with the potential smells that might come from the wastewater treatment plant based on their proximity to the site and questioned if the smells could be removed before the wastewater gets to the plant. He suggested that wastewater treatment plants may not work as well under central water due to an increase in water consumption. He echoed points about the wetlands nearby and the overflow issues from the beaver dams. Mr. Horne explained that he and his constituents will continue to follow this case as it proceeds. He further responded to a question of clarification regarding the potential impact the development could have on the intersection of Windgate Drive and Beaver Bank Road and the need for improvements.

**Shane O'Neil, Lower Sackville** did not support the extension of the water service boundary; highlighting points made in the submission regarding the changes it would have on the nature of the green space

connection to the neighbouring forest land. He stated that the extension was not in keeping with the intent of the Regional Plan, which could impact future development in areas that are already being serviced. He asked Council not to approve the amendment to Regional Subdivision By-law to extend the Water Service Area boundary.

**Tristan Cleveland, Our HRM Alliance Coordinator and resident of Duncan Street** did not support extending the water service boundary. He explained that the 2014 Regional Plan identifies 54 growth centres and the proposed development does not fall within 75 percent of the urban and suburban area and is not in keeping with the plan. He commented that staff had looked narrowly at the parts of the Regional Plan that outlined when water service could be extended; suggesting the need to look at the overall objectives of the plan. Mr. Cleveland explained that growth needs to be directed to the urban centre is to get the Municipality's costs under control. He commented that proposed development at full build out would cost \$350,000 per year, which is more than it would pay out in taxes to service. Further, it would be more expensive to service the lands than it would be to service growth in one of HRM's growth centres. He further expressed concern that the proposal was not within the transit boundaries, as residents will not be able to walk or bike to work or to day-to-day tasks and their only option would be to drive. He commented that density is only a good when there are transit services and local businesses nearby to support and that increasing traffic was not good planning. Mr. Cleveland encouraged Council to deny the proposal and to support the concerned residents, good environmental planning and identified growth areas.

**Kelsey Lane, Robie Street** spoke on behalf of the Halifax Cycling Coalition, echoing points made that extending the water service boundary was not in keeping with the spirit of the Making Connections 2014-19 Halifax Active Transportation Priorities Plan. She explained that the plan does not support fiscally or environmentally sustainable forms of transportation modes as it is not within the transit boundary and mixed transportation would not be utilized in this space. Ms. Lane asked Council to deny the proposal and continue their actions with the spirit of the plan to prioritize active transportation and build healthy sustainable communities in this area.

The Mayor called three times for anyone else wishing to speak; there being none, he invited applicant to respond to questions raised from the public.

Mr. Barkhouse clarified that the design and technologies for wastewater treatment plants provides wastewater treatment for large clusters of developments; around 30 to 60 homes. In response to odour concerns, he advised that these types of facilities use a stage/step collection system and the odour is often associated with the septic tank as the solids settle and the liquid goes to the field. He explained that the tanks located at the plant would be vented to appropriate locations and if required, would be filtered to prevent odours. He further added that the system would be designed to handle peak flows from increased water consumption.

Mr. Rad clarified that they were in the early stages of the proposed development and are working with the Municipality to address traffic issues in this area. He noted that a traffic analysis has been completed, which confirms that issues exist even without the proposed development. He saw this development as an opportunity to help address some of those traffic issues. Mr. Rad stated that he supports active transportation communities but noted the need to preserve the natural environments in suburban areas. He explained that the property is privately owned and presently zoned industrial. The proposed development is an opportunity to rezone the land to residential and preserve at least 60 percent of the natural features of the site and enhance the existing neighbourhood.

Mr. Rad and Mr. Barkhouse responded to additional questions of clarification from members of Council respecting traffic issues, setbacks of the wastewater treatment facilities in proximity to neighbouring properties and wetlands, and the development being consistent with the 2006 Regional Plan.

MOVED by Councillor Mancini, seconded by Councillor Mason

**THAT the public hearing close.**

**MOTION PUT AND PASSED.**

In response to questions from members of Council, Mr. Sivak noted the following:

- The extension of the water service boundary is appropriate as it would connect the water services on either side, making it a more efficient use of the water distribution network as it currently exists
- Based on the existing water service boundary there is an opportunity along Windgate Drive to make at least one (1) connection should Halifax Water choose to proceed without rezoning/development at their cost; Halifax Water had indicated that the development would facilitate the connection sooner
- If approved, the developer would be responsible for the installation of the local water service and would contribute to oversizing the main line
- Presently the roads are limited to residential uses; however, new public roads could be built for commercial/industrial uses
- Under the current industrial zoning, the full range of industrial type uses would be permitted on the site
- Consideration of the water service boundary and is not grandfathered and is under the 2014 Regional Plan; however, the development agreement is grandfathered under the 2006 Regional Plan
- Based on the concept plans and discussions with Halifax Water, two connections are proposed along the roads on either side of the proposed site

MOVED by Councillor Johns, seconded by Deputy Mayor Whitman

**THAT Halifax Regional Council approve the amendments to the Regional Subdivision By-Law, as contained in Attachment A of the staff report dated March 1, 2016, to extend to the Water Service Area to approximately 148.5 hectares (367 acres) of land located off Windgate Drive in Beaver Bank.**

Council entered into discussion with members speaking both in support and against the motion. Members who spoke against the motion echoed points made during the public hearing. Many were concerned that the development agreement would not be similar with the sites on either side of the property and not having the right policies in place under the 2006 and 2014 Regional Plans if the water service boundary is extended. Members who spoke in support noted the following positive aspects:

- Removing the industrial zoning
- Making the service boundary connection
- Having the developer cover the cost of installing the infrastructure
- That there are improved technologies for wastewater treatment facilities to mitigate/eliminate odours and handle increase water consumption

**MOTION PUT AND PASSED.** (9 in favour, 7 against)

In favour: Deputy Mayor Whitman, Councillors Dalrymple, Hendsbee, Karsten, McCluskey, Mancini, Walker, Adams and Rankin

Against: Mayor Savage, Councillors Nicoll, Mason, Watts, Johns, Craig and Outhit

Not present: Councillor Mosher

Council recessed at 7:58 p.m. and reconvened at 8:05 p.m. without Councillors Watts and Johns in attendance.

**11.3 Proposed By-law T-1001, Amendments to By-law T-1000, Respecting Taxis, Accessible Taxis and Limousines and Administrative Order 39, Respecting Taxis and Limousines Regulation**

The following was before Council:

- A recommendation report submitted by the Chair of the Transportation Standing Committee dated January 22, 2016 with attached staff report dated December 22, 2015
- Extract of Regional Council Draft Minutes dated April 26, 2016
- Correspondence from Darshan Virk, president of United Cab Drivers Association of Halifax
- Staff's presentation

Mr. Kevin Hindle, Licensing Coordinator gave a presentation on proposed By-law T-1001, amendments to By-law T-1000, Respecting Taxis, Accessible Taxis and Limousines and Administrative Order 39, Respecting Taxis and Limousines Regulation.

In response to a question raised, Mr. Hindle and Mr. Randolph Kinghorne, Senior Solicitor, Legal Services, provided greater explanation around the amendment for restrictions to corporately held licenses. The following was clarified:

- The 2012 amendments restricted corporations from transferring licenses; exemptions/grandfathering was done for corporations with more than one shareholder
- The proposed amendment allows corporations with more than one shareholder to transfer the ownership of the license to the existing shareholder as of 2012

Mayor Savage declared the public hearing open and read the rules of procedure respecting public hearings and called for anyone wishing to speak to come forward.

**Ed Benoit, Vice President of United Cab Driver Association of Halifax** indicated that he has been working as a cab driver since 1988 in Halifax. He referenced Council's decision in 1995 to limit the number of taxis to 300, explaining that 85 percent of taxi drivers' owned their taxis at that time. He spoke to the previous owner/driver operated system and how it worked better and how actions taken should enhance/improve/protect this system which he viewed as being jeopardized. He expressed concern with information not being available on the current number of leased roof lights, noting that in 2008 there were 177 roof light renters. He disagreed with Halifax Global's recommendations to the Municipality to have an unlimited supply of limousines and accessible taxis, which compromises his ability to work in the taxi industry. Mr. Benoit did not support the seven (7) year age limitation for new vehicles, stating that it was inappropriate and that older vehicles are built better and last longer. He spoke to the increases to insurance rates, the cost of repairs and having to have their vehicles inspected twice a year. He questioned the number of municipal buses that were older than seven (7) years. He asked Council to defeat the recommendation without making any amendments. He further asked Council to keep the seniority list and work against renting out vehicles. In response to a question raised, he reiterated his point on the benefits of having a driver/owner operating system and suggested that vehicles older than seven (7) years should be permitted if they pass the Municipality's inspection.

**Darshan Virk, President of United Cab Drivers Association of Halifax** commented that he has driven a taxi for the past 44 years. He spoke to the changes made following amalgamation and how he was not in support of the proposed amendments. He spoke to inconsistencies and that there should be one taxi by-law as opposed to By-law T-1000 and T-1001 at the same time. He expressed concern with the taxi industry being over saturated, providing examples of the ratios for different zones. He expressed concern with limousines operating as taxis and charging the same rates. Mr. Virk spoke to the difficulty of making a living as a taxi driver when there are no restrictions on the number of limousines. He provided an example of driver's daily fare, expenses, the length of time drivers are working in a day. He explained that the association is requesting that the number of vehicles and the taxi fare should be regulated by the Nova Scotia Utility and Review Board (UARB). Mr. Virk asked Council to defeat the recommendation and leave By-law T-1000 as status quo.

**Dave Buffett, president of Halifax Taxi Drivers Owners Association** stated to the Association representing over 400 drivers. Mr. Buffett spoke to drivers always looking for the next call and how when he started in the industry in 1999 there were a lot of substandard taxis on the road. He suggested that approximately 80 percent of the current taxi vehicles on the road exceed the Municipality's requirements

and how the standards have risen. Mr. Buffett noted that under Mr. Hindle's leadership more inspections are being conducted and the requirements under By-law T-1000 make taking a taxi more enjoyable. He spoke to the increased number of mystery riders and commented that By-law T-1001 would be better for the public and drivers. In response to a question raised, Mr. Buffett spoke to his understanding of the seven (7) year age requirement on new vehicles entering the industry but did not raise any concerns.

**Vlado Ostarcevic, Halifax** spoke to operating a taxi in the Halifax zone for the past 35 years. He commented that the taxi industry was broken and needed to be fixed. He spoke to the challenges and pressures drivers are under to make a living in this industry and not being properly represented. Mr. Ostarcevic had anticipated that the Halifax Taxi Drivers Owners Association would have collected all the drivers' input and provided it to Council. He spoke to the inconsistencies in the taxi by-laws and how the creation of more by-laws would create more problems for drivers. He further agreed with having a code of ethics but suggested that the Municipality could create a committee that would represent the taxi industry to discuss/address the greater issues that exist. Mr. Ostarcevic went on to echo similar points made regarding driver wages versus expenses, and provided an example of having to compete with drivers who work non-stop on the road, which puts other motorists and passengers at risk.

The Mayor called three times for anyone else wishing to speak; there being none, it was MOVED by Councillor McCluskey, seconded by Councillor Nicoll

**THAT the public hearing close.**

**MOTION PUT AND PASSED.**

MOVED by Councillor Rankin, seconded by Deputy Mayor Whitman

**THAT Halifax Regional Council:**

1. **Adopt By-law T-1001, which includes amendments to By-Law T-1000, Respecting the Regulation of Taxis, Accessible Taxis and Limousines, as set out in the Appendix B of the staff report dated December 22, 2015; and**
2. **Adopt Amendments to Administrative Order 39, Respecting Taxi and Limousine Regulation, as set out in Appendix D of the staff report dated December 22, 2015.**

Council Rankin spoke to the decision to hold a public hearing for this matter and based on the feedback receive it was MOVED by Councillor Rankin, seconded by Councillor McCluskey

**That the motion be amended that the requirement for new vehicles entering the industry be seven (7) years of age or newer be deleted.**

Council discussed the amendment with members speaking to the positive and negative points of requiring new vehicles entering the industry with a seven (7) year old or newer vehicle. Several members expressed that the age of the vehicle should not matter if it is well maintained and passes the Municipality's standards/inspections.

**MOTION TO AMEND PUT AND PASSED.** (8 in favour, 6 against)

In favour: Mayor Savage, Councillors Dalrymple, Hendsbee, McCluskey, Mancini, Walker, Adams and Rankin

Against: Deputy Mayor Whitman, Councillors Karsten, Nicoll, Mason, Craig and Outhit

Not present: Councillors Watts, Mosher and Johns

The motion before Council now reads:

MOVED by Councillor Rankin, seconded by Deputy Mayor Whitman

**THAT Halifax Regional Council:**

1. **Adopt By-law T-1001, which includes amendments to By-Law T-1000, Respecting the Regulation of Taxis, Accessible Taxis and Limousines, as set out in the Appendix B of the staff report dated December 22, 2015; and**
2. **Adopt Amendments to Administrative Order 39, Respecting Taxi and Limousine Regulation, as set out in Appendix D of the staff report dated December 22, 2015, with the amendment that:  
The requirement for new vehicles entering the industry be seven (7) years of age or newer be deleted.**

Council continued their discussion on the motion as amended.

Councillor McCluskey asked Mr. Hindle to provide her a copy of the regulations for taxi drivers for her information.

**MOTION AS AMENDED PUT AND PASSED UNANIMOUSLY.**

Not present: Councillors Watts, Mosher and Johns

**19. ADJOURNMENT**

The meeting adjourned at 9:07 p.m.

Kevin Arjoon  
Municipal Clerk