



**HALIFAX REGIONAL COUNCIL  
MINUTES  
May 31, 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:**

Ms. Jane Fraser, Acting Chief Administrative Officer  
Ms. Karen Brown, Acting Municipal Solicitor  
Mr. Kevin Arjoon, Municipal Clerk  
Ms. Krista Vining, Legislative Assistant  
Ms. Sheilagh Edmonds, 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\\_2016-05-31\\_live.mp4.html](http://archive.isiglobal.ca/vod/halifax/archive_2016-05-31_live.mp4.html)

The agenda, supporting documents, and information items circulated to Council are available online: <http://www.halifax.ca/council/agendasc/160531rc-agenda.php>

*The meeting was called to order at 1:00 p.m. Council recessed at 2:54 p.m. and reconvened in at 3:10 p.m. Council recessed again at 5:08 p.m. and received at 6:00 p.m. Council adjourned at 7:11 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.

Councillor Karsten introduced Ms. Jessica Vickery the 2016 Atlantic Canada recipient of the Federation of Canadian Municipalities Canadian Women in Municipal Government Scholarship, and along with Mayor Savage and Councillor Nicoll presented her a congratulatory certificate.

**2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS**

Councillors noted a number of special community announcements and acknowledgements.

Councillor Mosher asked Mayor Savage to write letter to Mr. Seamus McGreal, Heritage Planner thanking him for his work on National Historic Site status for Melville Island and Deadman's Island.

**3. APPROVAL OF MINUTES – Committee of the Whole April 26, 2016 and Regional Council April 26, May 10 & 18, 2016**

MOVED by Councillor McCluskey, seconded by Councillor Mancini

**THAT the Committee of the Whole April 26, 2016 and Regional Council April 26, May 10 and 18, 2016 minutes be approved as presented.**

**MOTION PUT AND PASSED.**

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

Additions:

As per Administrative Order One, Section 24 In Camera (In Private) Information Report re: Halifax Civic Workers'/Canadian Union of Public Employees, Local 108 (CUPE) Collective Bargaining Update (In Camera (In Private) Information Item 2) was agreed to be considered. Further, Council agreed to add this report to the June 14, 2014 agenda.

Council agreed to add Information Item 7 (supplementary information report) re: Regina & Saskatoon Housing Development Incentives to the June 14, 2016 agenda.

Council agreed to defer Item 16.2.2 Property Disposal – Parcel RL-F – Walcot Run, PID No. 41194846 – Private and Confidential Report to the June 14, 2016 meeting.

- 17.1 Community Grants Program 2016 – Referrals
- 17.2 Regional Special Events Grants Report 2016
- 17.3 **Councillor Adams** – Utilization of the Provincial Capital Assistance Program (PCAP) - Harrietsfield Area

Councillor Johns requested an added item re: Lucasville Road Corridor – Active Transportation Priorities Plan (Item 17.4).

MOVED by Councillor Walker, seconded by Deputy Mayor Whitman

**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. **CALL FOR DECLARATION OF CONFLICT OF INTERESTS – NONE**
- 7. **MOTIONS OF RECONSIDERATION – NONE**
- 8. **MOTIONS OF RESCISSION – NONE**
- 9. **CONSIDERATION OF DEFERRED BUSINESS – NONE**
- 10. **NOTICES OF TABLED MATTERS – NONE**

**11. PUBLIC HEARINGS**

**11.1 Community Interest Sale – 220 Lake Loon Road**

This matter was dealt with later in the meeting, see page 13.

**11.2 Proposed By-law L-400, Respecting Lot Grading – Lot Grading and Stormwater Management By-laws and Administrative Order 15, Respecting License, Permit and Processing Fees**

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

**12. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**12.1 Correspondence**

The Clerk noted that correspondence was received for items: 11.2 and 16.2.2. This correspondence was circulated to Council.

The Clerk noted that the correspondence for Item 16.2.2, which was deferred to the next meeting, would be recirculated for the June 14, 2016 meeting.

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

**12.2 Petitions – None**

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

**14. REPORTS**

**14.1 CHIEF ADMINISTRATIVE OFFICER**

**14.1.1 Award – Unit Price Tender No. 16-212 Pavement Renewal & Water Main Renewal – Murray Hill Drive & View Street – East Region**

The following was before Council:

- A staff recommendation report dated May 10, 2016

MOVED by Councillor McCluskey, seconded by Councillor Mason

**THAT Halifax Regional Council:**

- 1. **Approve a budget increase of \$377,077 (net HST included) to Project Account No. CR000005 – Street Recapitalization, funded through cost sharing with Halifax Water; and**

2. **Award Tender No. 16-212, Pavement Renewal & Water Main Renewal – Murray Hill Drive & View Street - East Region, to the lowest bidder meeting specifications, Dexter Construction Company Limited for a Total Tender Price of \$672,332 (net HST included) with funding from Project Account No. CR000005 – Street Recapitalization, as outlined in the Financial Implications section of the staff report dated May 10, 2016.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**14.1.2 Award – Unit Price Tender No. 16-220, Micro Surfacing – Phase 1 – Various Locations**

The following was before Council:

- A staff recommendation report dated May 9, 2016

MOVED by Councillor Craig, seconded by Councillor Outhit

**THAT Halifax Regional Council award Tender No. 16-220, Micro Surfacing Phase 1 – Various Locations, to the lowest bidder meeting specifications, Industrial Cold Milling Limited for a Total Tender Price of \$1,027,942 (net HST included) with funding from Project Account No. CR000005 – Street Recapitalization, as outlined in the Financial Implications section of the staff report dated May 9, 2016.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**14.1.3 Modification of the Street Line on Trinity Avenue, Dartmouth**

The following was before Council:

- A staff recommendation report dated May 4, 2016

MOVED by Councillor Mancini, seconded by Councillor McCluskey

**THAT Halifax Regional Council approve the acceptance of two parcels of HRM Owned land (PID 90597 and PID 90589) as road so that they may form part of the Trinity Avenue street right of way.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**14.1.4 First Reading Proposed By-Law U-100, Respecting User Charges**

The following was before Council:

- A staff recommendation report dated April 7, 2016

MOVED by Councillor Watts, seconded by Councillor Nicoll

**THAT Halifax Regional Council give First Reading to Proposed By-Law U-100, the User Charges By-law attached to the staff report dated April 7, 2016 as Attachment 1.**

Councillor Watts spoke to By-law U-100 providing an option for low income residents to participate in the low income transit pass pilot program, and the impact on increased ridership. In response to questions raised, staff provided the following clarification:

- The 50 percent discounted rate would be automatic in the event there was change in the transit fee rate, such as an increase
- Residents under the Provincial Employment Support and Income Assistance Program but do not receive transportation reimbursements would be eligible for low income passes
- If approved, the applications for the pilot program will be updated before being published

Councillor Johns expressed concern with the transit service being cut to Route 400 Beaver Bank.

MOVED by Councillor Johns, seconded by Councillor Walker

**THAT the Proposed By-Law U-100 Section 3(h) (Schedule 1) with respect to Beaver Bank Monarch Drive Elementary School be amended to delete “before July 1, 2016”.**

Council discussed the amendment with the following points of clarification being noted:

- Route 400 Beaver Bank deviates from conventional routing twice a day to service a free trip to 15 students living in the Woodbine Mobile Home Park to get to Beaver Bank Monarch Drive Elementary School
- This “school special” is unique in that this is the only case where the Municipality provides the service for free; this service was part of an agreement made over 30 years ago by the Beaver Bank Community Group and agreed to by the Municipality at amalgamation
- The amendment to remove the words “before July 1, 2016” would allow the service to continue for these students
- If the amendment is approved, the bus service would no longer go into the Woodbine Mobile Home Park but stop at a central point on the Beaver Bank Road, as identified in the Moving Forward Together Plan
- The distance from the Woodbine Mobile Home Park to the Beaver Bank Monarch Drive Elementary School falls within the Halifax Regional School Board boundary but the school board is not obligated to provide a busing service; in discussions with the school board’s working group, they are not prepared to provide a bus service as the distance from the mobile home park meets the criteria for students to walk to the school

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

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

Against: Councillor Rankin

The motion before Council now reads:

MOVED by Councillor Watts, seconded by Councillor Nicoll

**THAT Halifax Regional Council give First Reading to Proposed By-Law U-100, the User Charges By-law attached to the staff report dated April 7, 2016 as Attachment 1, with the amendment to delete “before July 1, 2016” from Section 3(h) (Schedule 1) with respect to Beaver Bank Monarch Drive Elementary School.**

Council discussed the motion as amended with staff responding to questions. The following points were noted in regard to the low income transit pass pilot program:

- Residents and Councillors can contact 311 in regard to concerns with certain types of passes not be available at all retail locations
- Staff confirmed that the pilot program will be a on a first come/first serve basis
- Concern was raised with many low income residents still not being able to afford bus passes under the pilot program; a suggestion was made with low income falling under the same program as the U-Pass program (e.g. \$165 for the year)
- Staff clarified that transit fees for refugees is addressed in a separate part of the schedule but was unable to confirm the exact number of anticipated applications they would receive, and would report back to Council
- In regard to the Municipality’s strategy for promoting the pilot program; members noted the importance of communicating the program with low income residents and suggested application forms be available at centres for low income individuals

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

Council recessed at 2:54 p.m. and reconvened at 3:10 p.m.

**14.1.5 Case 20405 – Amendments to the Halifax Municipal Planning Strategy (MPS) and Land Use By-law (LUB), Halifax Grammar School, 915, 921, 945 and 967 Tower Road, Halifax**

The following was before Council:

- A staff recommendation report dated April 20, 2016

MOVED by Councillor Mason, seconded by Councillor Craig

**THAT Halifax Regional Council:**

- 1. Initiate the process to consider amending the Halifax Municipal Planning Strategy and Halifax Peninsula Land Use By-law to enable Halifax Grammar School to expand onto land located at 915, 921, 967 and a portion of 945 Tower Road; and**
- 2. Follow the public participation program for municipal planning strategy amendments that was adopted by Regional Council on February 27, 1997.**

A brief discussion was held with staff responding to a question regarding parking.

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillor Karsten

**14.1.6 Requested Assistance to Fort McMurray**

The following was before Council:

- A staff recommendation report dated May 13, 2016

MOVED by Councillor Watts, seconded by Councillor Rankin

**THAT Halifax Regional Council make a \$10,000 contribution to the Union of Nova Scotia Municipalities (UNSM) collection for donation to the Red Cross for Fort McMurray appeal.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillor Karsten

**14.2 AUDIT AND FINANCE STANDING COMMITTEE**

**14.2.1 Proposed Administrative Order 2016-001-GOV – Western Common Advisory Committee**

The following was before Council:

- A recommendation report submitted by the Chair of the Audit and Finance Standing Committee dated May 20, 2016 with attached staff report dated April 21, 2016

MOVED by Councillor Rankin, seconded by Councillor Mosher

**THAT Halifax Regional Council approve funding for the Western Common Advisory Committee from Account A121 and adopt Administrative Order 2016-001-GOV as set out in Attachment 1 of the staff report dated April 21, 2016.**

A brief discussion was held with staff responding to questions around the number of Municipal boards and committees where councillors are not part of the composition.

MOVED by Councillor Craig, seconded by Councillor Johns

**THAT Section 10 of Administrative Order 2016-001-GOV be amended to include one (1) member of the Halifax West Community Council.**

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

In favour: Deputy Mayor Whitman, Councillors Dalrymple, Hendsbee, Mancini, Mason, Mosher, Walker, Adams, Johns, Craig and Outhit

Against: Mayor Savage, Councillors Nicoll, McCluskey, Watts and Rankin

Not present: Councillor Karsten

The motion before Council now reads:

MOVED by Councillor Rankin, seconded by Councillor Mosher

**THAT Halifax Regional Council approve funding for the Western Common Advisory Committee from Account A121 and adopt Administrative Order 2016-001-GOV as set out in Attachment 1 of the staff report dated April 21, 2016, with an amendment to Section 10 to include one (1) member of the Halifax West Community Council.**

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

Not present: Councillor Karsten

### **14.3 COMMUNITY PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE**

#### **14.3.1 Case 19507 – Amendments to the Regional Subdivision By-Law**

The following was before Council:

- A recommendation report submitted by the Chair of the Audit and Finance Standing Committee dated May 20, 2016 with attached staff report dated March 30, 2016

MOVED by Councillor Mason, seconded by Deputy Mayor Whitman

**THAT Halifax Regional Council give First Reading to the proposed amendments to the Regional Subdivision By-Law as set out in Attachment A of the March 30, 2016 staff report, and schedule a public hearing.**

MOVED by Councillor Watts, seconded by Councillor Nicoll

**That section 31 is amended by adding subsections (3) and (4) directly after subsection (2) as follows:**

- (3) *Other than lots meeting the requirements of section 34, wherever possible, side lot lines shall be substantially at right angles or radial to street lines.***
- (4) *Wherever possible, lots shall be uniform in shape and the rear lot lines of a series of adjoining lots shall be continuous, not stepped or jogged.***

In response to a question raised, Erin MacIntyre, Planner clarified that the proposed amendments to the Regional Subdivision By-law do not apply to flag lots.

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

On a Point of Order, Councillor Adams recognized and introduced Brendan McGurie, MLA for Halifax Atlantic who was in attendance.

The motion before Council now reads:

MOVED by Councillor Mason, seconded by Deputy Mayor Whitman

**THAT Halifax Regional Council:**

- 1. Give First Reading to the proposed amendments to the Regional Subdivision By-Law as set out in Attachment A of the March 30, 2016 staff report with the additional amendment:**

**That section 31 is amended by adding subsections (3) and (4) directly after subsection (2) as follows:**

- (3) *Other than lots meeting the requirements of section 34, wherever possible, side lot lines shall be substantially at right angles or radial to street lines.***
- (4) *Wherever possible, lots shall be uniform in shape and the rear lot lines of a series of adjoining lots shall be continuous, not stepped or jogged.***

- 2. Schedule a public hearing.**

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

**14.4 MEMBERS OF COUNCIL**

**14.4.1 Councillor Watts – Solar City Information Report**

The following was before Council:

- A request for Council's consideration form dated May 31, 2016
- Staff presentation dated May 31, 2016

MOVED by Councillor Watts, seconded by Councillor Hendsbee

**THAT Halifax Regional Council request that the Solar City Information Report from May 24, 2016 be brought forward for discussion and presentation at the May 31, 2016 meeting of Regional Council.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

Ms. Shannon Miedema, Manager Energy and Environment delivered a presentation on the Halifax Solar City Program. Ms. Midema and Mr. Gordon Roussel, Financial Consultant responded to questions respecting: the Municipality's 10 year low interest loans, concern around quality control and warranty period.

**15. MOTIONS**

**15.1 Councillor Dalrymple**

The following was before Council:

- A request for Council's consideration form

Notice of Motion was given May 24, 2016.

MOVED by Councillor Dalrymple, seconded by Councillor Karsten

**THAT Halifax Regional Council 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 26th Scouting Group to do Capital Upgrades to a bridge and cabin at their camp at Miller Lake.**

Councillor Dalrymple clarified that is more than \$5,000 in capital repairs needed but that this was the amount requested by the 26<sup>th</sup> Scouting Group.

MOVED by Councillor Adams, seconded by Councillor Dalrymple

**THAT the motion be amended to include \$2,000 in Capital Funds from District 11.**

Council discussed the amendment with points being made around the scouting group's \$5,000 request, the repairs needed to the camp and how it services various scouting groups throughout the Municipality. During the discussion it was noted that Councillor Watts' contribution was dependant on her participatory budgeting process. In response to other members of Council wanting to make contributions, it was suggested that the amendment be withdrawn and have staff meet with the 26<sup>th</sup> Scouting Group to discuss future funding requests. In response to concerns raised, Councillor Dalrymple indicated that if Councillor Watts' capital funds were not approved, he would bring back a request for additional funding to Council.

Staff confirmed a policy review for distributing District Capital Funds is being undertaken but is not projected to come back to Council until after the election. In response to questions around funding projects on crown land, the Mayor clarified that staff would work with the Municipal Solicitor to provide wording around this as part of the review.

With the agreement of Council, Councillors Adams and Dalrymple **withdrew the motion to amend.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

Mayor Savage stepped down at this time and Deputy Mayor Whitman assumed the Chair.

## **15.2 Mayor Savage**

The following was before Council:

- A request for Council's consideration form

Notice of Motion was given May 24, 2016.

MOVED by Mayor Savage, seconded by Councillor Mason

**THAT Halifax Regional Council 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.**

Mayor Savage provided a status update.

**MOTION PUT AND PASSED UNANIMOUSLY.**

Mayor Savage resumed as Chair and Deputy Mayor Whitman took his seat.

Council agreed to address Item 17.3 at this time.

**17.3 Councillor Adams – Utilization of the Provincial Capital Assistance Program (PCAP) - Harrietsfield Area**

The following was before Council:

- A request for Council's consideration form

MOVED by Councillor Adams, seconded by Councillor Mason

**That Halifax Regional Council authorize staff to complete an application to the Provincial Capital Assistance Program (PCAP) for funds to be used in support of a municipally-operated program to coordinate/facilitate property owner installation of well water treatment equipment to mitigate the impacts of extraordinary levels of local contamination currently being experienced on properties in the Harrietsfield area.**

In response to a question raised, Councillor Adams clarified that the application deadline for the program has passed and he confirmed that there was no cost to the Municipality.

**MOTION PUT AND PASSED UNANIMOUSLY.**

Council agreed to address the remainder of the added items (Items 17.1, 17.2 and 17.4) at this time.

**17.1 Community Grants Program 2016 – Referrals**

The following was before Council:

- A recommendation report submitted by the Chair of the Grants Committee dated May 25, 2016 with attached staff report dated May 12, 2016

MOVED by Councillor Dalrymple, seconded by Councillor Hendsbee

**That Halifax Regional Council approve:**

- 1. Five (5) awards as detailed in the Discussion section of the report dated May 12, 2016 for a combined total of \$24,900 from Operating Account Community Grants Program M311-8004; and**
- 2. A project grant in the amount of \$5,000 to Mount Saint Vincent University Art Gallery toward hosting the national touring exhibition Walking With Our Sisters, as detailed in the report dated May 18, 2016.**

Staff provided clarification on the recommended grant awards and past practices.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**17.2 Regional Special Events Grants Report 2016**

The following was before Council:

- A recommendation report submitted by the Chair of the Grants Committee dated May 25, 2016 with attached staff report dated May 18, 2016

MOVED by Councillor Dalrymple, seconded by Councillor Walker

**That Halifax Regional Council:**

- 1. Approve 67 Event Grants for a total of \$197,100 as identified in Table 1 of the staff report dated May 18, 2016, from the approved 2016/17 Operating Budget – C760 Community/Civic Events;**

2. Approve 13 Event Grants for a total of \$200,000 as identified in Table 1 of the staff report dated May 18, 2016, funded from the 2016/17 Culture Development Reserve Q312 as amended:
  - (a) We Day Atlantic Grant be increased from \$10,000 to a total of \$37,500 as outlined in alternative 2 of the staff report dated May 18, 2016.
3. Pending the approval of the 2017/18 budget, approve 38 Event Grants for a total of \$178,500 as identified in Table 2 of the staff report dated May 18, 2016, from the approved 2017/18 Operating Budget - C760 Community/Civic Events;
4. Pending the approval of the 2017/18 budget, approve 13 Event Grants for a total of \$200,000 as identified in Table 1 of the staff report dated May 18, 2016, funded from the 2016/17 Culture Development Reserve Q312 as amended:
  - (a) We Day Atlantic Grant be increased from \$10,000 to a total of \$37,500 as outlined in alternative 2 of the staff report dated May 18, 2016.
5. Pending the approval of the 2018/19 budget, approve 38 Event Grants for a total of \$178,500 as identified in Table 3 of the staff report dated May 18, 2016, from the approved 2018/19 Operating Budget - C760 Community/Civic Events; and;
6. Pending the approval of the 2018/19 budget, approve 13 Event Grants for a total of \$200,000 as identified in Table 1 of the staff report dated May 18, 2016, funded from the 2016/17 Culture Development Reserve Q312 as amended:
  - (a) We Day Atlantic Grant be increased from \$10,000 to a total of \$37,500 as outlined in alternative 2 of the staff report dated May 18, 2016.

Council discussed the motion with staff responding to questions raised on the applications received and the recommended grant award of \$37,500 to We Day Atlantic for the three (3) year period.

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillor Nicoll

At this time Councillor Johns recognized Ms. Emily Alford of Beaver Bank who was in attendance. It was noted that Ms. Alford, along with her partner, won third place in the Junior Female Doubles, as well as Ms. Alford received the sportsmanship award.

**17.4 Councillor Johns - Lucasville Road Corridor – Active Transportation Priorities Plan**

MOVED by Councillor Johns, seconded by Councillor Hendsbee

**THAT Halifax Regional Council request a staff report with respect to adding the Lucasville Road Corridor to the list of proposed active transportation routes contained in the Active Transportation Priorities Plan.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillor Nicoll

**16. IN CAMERA (IN PRIVATE)**

**16.1 In Camera (In Private) Minutes – April 26, 2016**

This matter was dealt with in the public session.

MOVED by Councillor Rankin, seconded by Councillor Mosher

**THAT the In Camera (In Private) minutes of April 26, 2016 be approved as circulated.**

**MOTION PUT AND PASSED.**

## 16.2 Property Matter

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

### 16.2.1 Industrial Lot Re-Purchase – Private and Confidential Report

The following was before Council:

- A private and confidential staff recommendation report dated May 16, 2016

This matter was dealt with in the public session.

MOVED by Councillor Mosher, seconded by Councillor Karsten

**That Halifax Regional Council:**

1. **Approve an increase of \$920,000 to the Capital Budget CQ000011 — Lot Inventory Repurchase with funding from Q121, Business/Industrial Park Reserve, with no net increase to the Capital Budget; and**
2. **Following the repurchase of property identified in Table 1 of the private and confidential staff report dated April 15, 2016 in accordance with the approved Buy-Back Agreement, approve the addition of the property to the lot inventory with the minimum unit selling price as provided in Table 1 of the private and confidential staff report dated April 15, 2016.**

**It is further recommended that this report not be released to the public.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillor Nicoll

### 16.2.2 Property Disposal – Parcel RL-F – Walcot Run, PID No. 41194846 – *Private and Confidential Report*

The following was before Council:

- A private and confidential staff recommendation report dated May 5, 2016
- Correspondence from Kenny and Jill Wong and family, Harold S. Wood, Timothy Gentleman, Catherine and James O'Neil, and Vishal Bhardwaj.

This matter was deferred to the June 14, 2016 meeting during the approval of the agenda.

## 17. ADDED ITEMS

### 17.1 Community Grants Program 2016 – Referrals

This matter was addressed earlier in the meeting, see page 10.

### 17.2 Regional Special Events Grants Report 2016

This matter was addressed earlier in the meeting, see page 10.

### 17.3 Councillor Adams – Utilization of the Provincial Capital Assistance Program (PCAP) - Harrietsfield Area

This matter was addressed earlier in the meeting, see page 9.

**17.4 Councillor Johns - Lucasville Road Corridor – Active Transportation Priorities Plan**

This matter was addressed earlier in the meeting, see page 11.

**18. NOTICES OF MOTION**

**18.1 Deputy Mayor Whitman**

“TAKE NOTICE that at the meeting of Halifax Regional Council to be held on June 14, 2016, I intend to move First Reading of By-law A-404, amending By-law A-400, the *Alternative Voting By-law* the purpose of which is to make changes to the by-law as a result of amendments to the Municipal Elections Act of Nova Scotia and other general administrative amendments.”

**18.2 Councillor Mason**

“TAKE NOTICE that, at the next meeting of Halifax Regional Council to be held on June 14, 2016, I propose to:

1. Move First Reading of proposed By-law M-200, *Respecting Minimum Standards for Residential Occupancies* which will repeal and replace By-Law M-100, *Respecting Standards for Residential Occupancies; and*
2. Introduce proposed amendments to Administrative Order 15 *Respecting License, Permit and Processing Fees.*

The purpose of which is to strengthen the Licensing Framework which has become outdated.”

**18.3 Councillor McCluskey**

“TAKE NOTICE that, at the next meeting of Halifax Regional Council to be held on June 14, 2016, I propose to introduce proposed By-law A-701, amending By-law A-700 *Respecting Animals and Responsible Pet Ownership*, the purpose of which is to clarify that clause 8(1)(a) does not apply to bees owned by beekeepers registered under the *Bee Industry Act.*”

Council recessed at 5:08 p.m. The meeting reconvened at 6:00 p.m. Councillors Dalrymple, Mason, Mosher, and Johns were not present.

**11. PUBLIC HEARINGS**

**11.1 Community Interest Sale – 220 Lake Loon Road**

The following was before Council:

- A staff recommendation report dated May 3, 2016
- Extract of draft Regional Council minutes dated May 10, 2016
- A presentation entitled Public Hearing Administrative Order 50 – Community Interest, Former Cherry Brook Community Centre, 220 Lake Loon Road, 266 Cherry Brook Road

The Mayor reviewed the Rules of Procedure for public hearings.

Mr. Bruce Fisher, Manager of Financial Policy and Planning provided the staff presentation on the proposal to sell 220 Lake Loon Road (PID #00624486) and a portion of 266 Cherrybrook Road (PID #00624155) to the Lake Loon Cherry Brook Development Association for the total proposed purchase price of \$1.00.

Mr. Fisher and Ms. Jane Fraser, Acting CAO responded to questions of clarification.

The Mayor asked the applicant to come forward at this time.

Mr. Brenton Sparks, President of the Lake Loon Cherry Brook Residents Association addressed Council and advised that the Association was very pleased to be at this point in the process, and are in agreement with the staff recommendation. He noted that the Community Centre will once again become the backbone of the community and it will be wonderful to have it back and restored. Mr. Sparks expressed appreciation to staff, Council, and in particular to Councillor Nicoll for their efforts on this matter. In his comments he noted that the community was supportive of not having a buyback agreement because it views the land and the building as having always belonged to the community, and sees this matter as more of a settlement agreement between HRM and the community. He also noted that the community would like to have the playground removed as soon as possible because of safety issues.

The Mayor opened the public hearing.

Ms. Alma Johnstone-Tynes, Lake Loon Cherry Brook advised that the building had originally been a school which she attended in her youth, and in 1960's she circulated a petition in the community to turn it into a community centre. She added that she was successful in turning it into a community centre at that time, but it has been closed the past number of years. Ms. Johnstone-Tynes questioned the absence of a buyback agreement and advised that it was her understanding that if a buyback agreement were attached, it could negatively impact the Association if it needed to secure more funding in the future because they would not be able to use the building as collateral if a buyback agreement were in place.

The Mayor explained that at this point in the hearing, members of the public are invited to present their comments, and that once the hearing closes, and Council enters debate, the question may come up during debate and clarified.

Mr. Stewart Sparks, Lake Loon Cherry Brook advised that he also had attended elementary school in this building, and that he was happy that Council has seen the historic value in the building and he was agreement with recommendation.

Ms. Ulah Sparks advised that as a member of the community and a mother she was looking forward to a revamped playground and community centre.

Ms. Marsha Sparks advised that she was a volunteer with the Lake Loon Community Association, and noted that the Association has put in countless hours to get to this point and she looked forward to many more hours of hard work to get the community centre back in operation.

Mr. Juan Bundy indicated his support of the staff recommendation advising that he has been concerned about the youth in the community. He noted that he has been transferring his 14 year old son and his friends outside the community to play ball, and that approval of the recommendation would enable after school programs to be developed and for his son and friends to play ball in the community.

Ms. Cathy Beals, a member of the community indicated her support, advising that her nine-year old son would greatly benefit from the community centre, as it would provide him opportunities he doesn't now have.

Ms. Rosemary Simon indicated her support for the staff recommendation. She advised that she was raised in Cherry Brook and that her children grew up in the area without anything to do, and she didn't want the same for her grandchildren.

Prior to closing public hearing, the Mayor invited the applicant to respond to questions from Council.

Mr. Brenton Sparks responded to questions, clarifying the following points:

- The Association's priorities will be roof repairs, environmental issues to be dealt with, and gutting the interior of the building.
- The Association believes the \$170,000 will enable them to access other funding in their own name.

- The reason for asking for removal of the playground as soon as possible is due to safety concerns— noted that pieces of the roof have fallen on the playground.
- The Association supports not having a buyback agreement because if things don't go according to plan, the property would return to HRM and the Community would be back where they started. If, for example, the building could not be salvaged, the Community would still have the land and could use that for leverage.

The Mayor called three times for anyone else wishing to address Council; there being none, it was

MOVED by Councillor Walker, seconded by Councillor McCluskey

**THAT public hearing close.**

**MOTION PUT AND PASSED.**

In response to a question the Acting CAO advised that without the buyback agreement, title will pass to the Community as is, where is. She concurred that it would make it easier for the Community in regard to funding eligibility if they own the building.

MOVED by Councillor Nicoll, seconded by Councillor Hendsbee

**THAT Halifax Regional Council approve the sale of 220 Lake Loon Road (PID #00624486) and a portion of 266 Cherry Brook Road (PID #00624155) to the Lake Loon Cherry Brook Development Association for the total proposed purchase price of \$1.00 subject to the following conditions:**

- a. complete the process for the subdivision of the portion of 266 Cherry Brook Road (PID #00624155) and consolidation to 220 Lake Loon Road (PID #00624486) to enable the parcel to meet land requirements for well, septic field and parking; and**
- b. removal of the existing playground on 220 Lake Loon Road.**

Two-thirds majority vote required.

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillors: Dalrymple, Mason, Mosher, and Johns

MOVED by Councillor Nicoll, seconded by Councillor Outhit

**THAT staff be directed to:**

- a. Negotiate a draft Contribution Agreement with the Lake Loon Cherry Brook Community Development Association for the provision of a grant in the amount of \$170,000 towards the repairs to the building and site in accordance with the terms and conditions outlined in Table 1 of the staff report dated May 3, 2016, and**
- b. that the Audit and Finance Standing Committee review and make a recommendation to Regional Council respecting the draft Contribution Agreement; and**

**If the transaction is completed, staff be further directed to**

- a. recommend to Audit and Finance Standing Committee a possible source of funding respecting the construction of a new playground structure for 266 Cherry Brook Road; and**
- b. that Audit and Finance Standing Committee review and make a recommendation to Regional Council respecting the source of such funding.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillors: Dalrymple, Mason, Mosher, and Johns

**11.2 Proposed By-law L-400, Respecting Lot Grading – Lot Grading and Stormwater Management By-laws and Administrative Order 15, Respecting License, Permit and Processing Fees**

The following was before Council:

- A supplementary staff report dated December 8, 2015 with attached staff report dated July 5, 2015
- Extract of draft Regional Council minutes dated April 26, 2016
- Correspondence from Walter N. Regan, President of Sackville Rivers Association
- A presentation entitled, Proposed Lot Grading By-law, May 31, 2016.

Mr. Peter Duncan, Manager, Infrastructure Planning provided the staff presentation on the proposed lot grading bylaw.

There were no questions of clarification, and the Mayor opened the public hearing for anyone wishing to speak on the matter.

Mr. Shalom Mandaville, representing the Soil and Water Conservancy Association of Metro Halifax addressed Council and commended staff on the proposed bylaw, indicating that it has been many years to get to this point. He made reference to the original staff report recommendation 4 and suggested that staff look at other jurisdictions across North America, in particular, Nepean Ontario where they used ultraviolet disinfection of stormwater before it goes into the lake, and they recently introduced phosphorus removal. He also suggested staff look into the Tri-State Authority for Lake Tahoe, as they treat their stormwater with Alum. Mr. Mandaville added that it was his understanding that the by-law will apply to new development only but he would like to see it include existing areas, for example First Lake where the phosphorus level has increased and it is often closed to swimming. He suggested the installation of an intercept to all the storm sewers and have them flow into a treatment plant, and that any treatment system should be able to remove any particle less than 10 microns.

Councillor Rankin advised that Mr. Mandaville was referencing a recommendation from the original staff report which had been dealt with at First Reading on April 26, 2016. He questioned Mr. Mandaville if there was anything in regard to the three recommendations, which were the subject of the public hearing, that he would like changed.

Mr. Mandaville indicated that his concern was with the fourth recommendation from the original staff report.

Mr. Peter Lund, Dartmouth, advised that when he was an HRM councillor, the creation of this by-law was a passion of his, and he was very pleased to see it at this point. He added that the benefits of the by-law are that it will protect water courses, property owners, taxpayers, and it will save staff time, and protect the environment.

The Mayor called three times for anyone else wishing to speak; there being none, it was

MOVED by Councillor McCluskey, seconded by Councillor Watts

**THAT public hearing close.**

**MOTION PUT AND PASSED.**

In response to a question about the upcoming stormwater by-law, Mr. Duncan advised that staff have not scoped the public engagement but expects that it may include several open houses and workshops.

MOVED by Councillor Craig, seconded by Councillor Rankin

**That Halifax Regional Council:**

1. **Adopt the proposed By-law L-400 – A By-law Respecting Lot Grading, as contained in Attachment A of the supplementary staff report dated December 8, 2015, to replace By-law L-300 – A By-law Respecting Lot Grading and Drainage;**
2. **Repeal By-law L-300 – A By-law Respecting Lot Grading and Drainage, the existing bylaw that regulates lot grading; and**
3. **Amend Administrative Order 15 Respecting License, Permit and Processing Fees as contained in Attachment C of the supplementary staff report dated December 8, 2015.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not Present: Councillors Dalrymple, Mason, Mosher, and Johns

Mayor Savage advised that due to an oversight at this afternoon's session, Councillor Adams did not get the opportunity to provide a Notice of Motion, therefore he would do so now.

**18.4 Councillor Adams**

Councillor Adams gave notice that, at the next meeting of Halifax Regional Council to be held on June 14, 2016, he will move amendments to Administrative Order 45, Respecting Private Road Maintenance, the purpose of which is to add Schedule 14, respecting a Uniform Charge for the Shiloh and Karla Drive Road Association."

**19. ADJOURNMENT**

The meeting adjourned at 7:11 p.m.

Kevin Arjoon  
Municipal Clerk