



**HALIFAX REGIONAL COUNCIL
MINUTES
September 6, 2016**

PRESENT: Mayor Mike Savage
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

Regrets: Deputy Mayor Matt Whitman

STAFF: Mr. John Traves, Acting Chief Administrative Officer
Ms. Karen Brown, Acting Municipal Solicitor
Ms. Sherryl Murphy, Acting 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_2016-09-06_live.mp4.html

The agenda, supporting documents, and information items circulated to Council are available online: <http://www.halifax.ca/council/agendasc/160906rc-agenda.php>

The meeting was called to order at 10:00 a.m. Council recessed at 12:10 p.m. and reconvened at 1:00 p.m. Council recessed at 2:50 p.m. and reconvened at 3:12 p.m. Council recessed again at 5:12 p.m. and reconvened at 6:00 p.m. Council adjourned at 6:17 p.m.

1. CALL TO ORDER

The Mayor called the meeting to order at 10:00 a.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 – July 19, July 26 and August 2, 2016

MOVED by Councillor McCluskey, seconded by Councillor Nicoll

THAT the minutes of July 19, July 26 and August 2, 2016 be approved, as presented.

MOTION PUT AND PASSED.

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

The Clerk noted regrets from Deputy Mayor Whitman and sought deferral of Item 15.1 to the next meeting, to which Council agreed.

Councillor Hendsbee asked that the presentations (Items 12.3.1 and 12.3.2) be dealt with prior to Item 9.1, to which Council agreed.

Council agreed to address Items 12.3.1 and 12.3.2 prior to Item 9.1.

Councillor Rankin asked to address Item 14.1.1 immediately following the presentations, to which Council agreed.

MOVED by Councillor Walker, seconded by Councillor Karsten

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**

Items 12.3.1, 12.3.2 and 14.1.1 were addressed at this time.

12.3.1 Save Rural HRM – Building Permits for 25 Acre and Larger Properties

Mr. Andrew Robbins, resident of HRM made a presentation to Council and a copy of his speaking notes was provided for the public record.

This matter was also addressed under Item 12.3.2, see page 3.

12.3.2 Musquodoboit Harbour & Area Chamber of Commerce & Civic Affairs – Save Rural HRM – Building Permits for 10 Hectare Lots

Ms. Karen Mitchell, representing Musquodoboit Harbour & Area Chamber of Commerce & Civic Affairs made a presentation to Council and a copy of her speaking was provided for the public record.

Staff and Mr. Robbins responded to questions of clarification and it was noted that Mr. Robbins and Ms. Mitchell's speaking notes would be forwarded to staff for report.

13. INFORMATION ITEMS BROUGHT FORWARD – NONE

14. REPORTS

14.1 CHIEF ADMINISTRATIVE OFFICER

14.1.1 Facilitator's Report Regarding Negotiation of the Proposed Boundaries for the Blue Mountain/Birch Cove Lakes Regional Park in Relation to the Highway 102 West Corridor

The following was before Council:

- A staff recommendation report dated August 5, 2016
- Correspondence was submitted from Johanna Nesbitt, Colin Craig, Danny Martin, Margaret Campbell, Adam Bourque, Darren Kirk, Richard Irving, Trevor Parsons, Gwen Davies, Robert Ronconci, Dr. B. Bhanot, Matt Reid, Margaret Galbraith, Shannon Sellers, Martin Willison, Jane Somerville and Ivan Soudek, Lynda Mallett, Andrea MacLean, Anthony Kawalski, Jennifer McKinnon, Sarah Wong, John Doucette, Joyce Chew, Robert-Yves Mazerolle, Matt Lumley, Victoria Hiscock, Kate Sircom, Vicki Morton, Stephen Abbass, Nicole Desgrosseilliers, Michael and Diane Wilkinson, David L. Pretty, Deborah Jewels, Monika Price, Robin Mullin, Richmond Campbell, Brian Gifford, Bruce Smith, Karen Beazley, Grace Beazley
- Correspondence package from staff
- Staff presentation
- Handout from Staff re: Birch Cove Written Submissions that Reference Attachments

MOVED by Councillor Rankin, seconded by Councillor Mosher

THAT Halifax Regional Council:

1. **Receive the Facilitator's Report Regarding Negotiation of the Proposed Boundaries for the Blue Mountain/Birch Cove Lakes Regional Park in relation to the Highway 102 West Corridor and take no further action concerning the facilitation process or the report's recommendations;**
2. **Refuse the request to initiate secondary planning for all Hwy 102 West Corridor lands at this time;**
3. **Direct staff to explore opportunities and develop a program to acquire land to establish the proposed Blue Mountain – Birch Cove regional park, with a priority of providing public access to the provincially protected wilderness area, that includes, but is not limited to:**
 - a) **Discussions with the Federal and Provincial governments;**
 - b) **Discussions with all private land owners that own property located within the conceptual park boundary in Map 11 of the Regional Plan;**

- c) Discussions with land conservation and community groups; and
- d) Reviewing the potential use of land use planning tools and conservation easements.

Staff is further directed to report back to Regional Council within six (6) months.

Mr. Bob Bjerke, Chief Planner and Director, Planning & Development presented the facilitator's report regarding the proposed boundaries for the Blue Mountain/Birch Cove Lakes Regional Park.

Councillor Rankin proposed a friendly amendment, to include the following wording "*and then on an annual basis, staff report to Council on progress achieved in implementing the established Blue Mountain/Birch Cove Regional Park.*"

Council agreed to the friendly amendment.

The motion before Council now reads:

MOVED by Councillor Rankin, seconded by Councillor Mosher

THAT Halifax Regional Council:

1. **Receive the Facilitator's Report Regarding Negotiation of the Proposed Boundaries for the Blue Mountain/Birch Cove Lakes Regional Park in relation to the Highway 102 West Corridor and take no further action concerning the facilitation process or the report's recommendations;**
2. **Refuse the request to initiate secondary planning for all Hwy 102 West Corridor lands at this time;**
3. **Direct staff to explore opportunities and develop a program to acquire land to establish the proposed Blue Mountain – Birch Cove regional park, with a priority of providing public access to the provincially protected wilderness area, that includes, but is not limited to:**
 - a) **Discussions with the Federal and Provincial governments;**
 - b) **Discussions with all private land owners that own property located within the conceptual park boundary in Map 11 of the Regional Plan;**
 - c) **Discussions with land conservation and community groups; and**
 - d) **Reviewing the potential use of land use planning tools and conservation easements.**

Staff is further directed to report back to Regional Council within six (6) months and then on an annual basis, staff report to Council on progress achieved in implementing the established Blue Mountain/Birch Cove Regional Park.

Council discussed the motion and staff responded to questions. Concern was expressed regarding the process followed at the June 20, 2016 public meeting, where members of the public were unable to comment or ask questions of clarification respecting the presentation on the proposed plans for the Blue Mountain-Birch Cove Lakes wilderness area. Council commented that the park should be accessible. Staff advised that a recommendation report would be brought back to Council in the near future outlining a program and possible funding methods, if the motion is approved.

At Council's request, the vote was split.

MOVED by Councillor Rankin, seconded by Councillor Mosher

THAT Halifax Regional Council receive the Facilitator's Report Regarding Negotiation of the Proposed Boundaries for the Blue Mountain/Birch Cove Lakes Regional Park in relation to the Highway 102 West Corridor and take no further action concerning the facilitation process or the report's recommendations.

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

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

Against: Councillor McCluskey

Not present: Deputy Mayor Whitman

MOVED by Councillor Hendsbee, seconded by Councillor McCluskey

THAT Halifax Regional Council defer recommendation #2, as outlined in the staff recommendation report dated August 5, 2016, until the boundaries have been identified.

MOTION PUT AND DEFEATED. (2 in favour, 14 against)

In favour: Councillors McCluskey and Hendsbee

Against: Mayor Savage and Councillors Dalrymple, Karsten, Nicoll, Mancini, Mason, Watts, Mosher, Walker, Adams, Rankin, Johns, Craig and Outhit

Not present: Deputy Mayor Whitman

MOVED by Councillor Rankin, seconded by Councillor Mosher

THAT Halifax Regional Council refuse the request to initiate secondary planning for all Hwy 102 West Corridor lands at this time.

MOTION PUT AND PASSED. (14 in favour, 2 against)

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

Against: Councillors McCluskey and Hendsbee

Not present: Deputy Mayor Whitman

MOVED by Councillor Rankin, seconded by Councillor Mosher

THAT Halifax Regional Council direct staff to explore opportunities and develop a program to acquire land to establish the proposed Blue Mountain – Birch Cove regional park, with a priority of providing public access to the provincially protected wilderness area, that includes, but is not limited to:

- a) Discussions with the Federal and Provincial governments;
- b) Discussions with all private land owners that own property located within the conceptual park boundary in Map 11 of the Regional Plan;
- c) Discussions with land conservation and community groups; and
- d) Reviewing the potential use of land use planning tools and conservation easements.

Staff is further directed to report back to Regional Council within six (6) months and then on an annual basis, staff report to Council on progress achieved in implementing the established Blue Mountain/Birch Cove Regional Park.

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

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

Against: Councillor McCluskey

Not present: Deputy Mayor Whitman

9. CONSIDERATION OF DEFERRED BUSINESS

9.1 Councillor Rankin

The following was before Council:

- An extract of the draft minutes from July 26, 2016 regarding this item
- A 'Request for Council's Consideration' form (originally submitted to the July 26, 2016 meeting)

MOVED by Councillor Rankin seconded by Councillor Adams

THAT Halifax Regional Council withdraw Item 9.1 from the agenda as it had been dealt with in agenda item 14.1.1.

It was noted that this matter was no longer needed as the action was addressed under recommendations #1 and #2 of the motions passed for Item 14.1.1, see page 3.

Two-thirds majority required.

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

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

Against: Councillor McCluskey

Not present: Deputy Mayor Whitman

Council recessed at 12:10 p.m. and reconvened at 1:00 p.m.

10. NOTICES OF TABLED MATTERS – NONE

11. PUBLIC HEARINGS

11.1 By-law N-200, Respecting Noise – Exemption Application – King's Orientation Week

This matter was addressed later in the meeting, see page 19.

11.2 By-law N-200, Respecting Noise – Exemption Application – Dalhousie Orientation and DALfest

This matter was addressed later in the meeting, see page 19.

12. CORRESPONDENCE, PETITIONS & DELEGATIONS

12.1 Correspondence

The Clerk noted that correspondence was received for items: 14.1.1, 14.1.8, 14.2.3, 14.4.1 and 14.5.1. This correspondence was circulated to Council.

12.1.1 Fly-Past Request – Remembrance Day Ceremony

The following was before Council:

- A letter dated August 2016 from C.F. Sutherland, Captain (Navy) CFB Halifax Base Commander

MOVED by Councillor Mason, seconded by Councillor Mancini

That Halifax Regional Council grant permission for a flypast of a Sea King Helicopter from 12 Wing Shearwater at levels as low as 500 feet above the highest obstacle on Friday November 11, 2016 at 11:02 am over the Halifax Grand Parade, as part of the Remembrance Day Ceremony.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Deputy Mayor Whitman, Councillor McCluskey

12.1.2 Fly-Past Request – HMCS PRESERVER Paying Off Ceremony

The following was before Council:

- A letter dated August 31, 2016 from Vicky Marier, Lieutenant Commander, Commanding Officer, HMCS Preserver

MOVED by Councillor Mason, seconded by Councillor Nicoll

That Halifax Regional Council grant permission for a CH-124 Sea King or CH-148 Cyclone to conduct a fly-past at levels as low as 500 feet, or no lower than 500 feet, over the Water at Jetty, NB in the Halifax Dockyard on Friday, October 21, 2016 at 1:00 p.m. in conjunction with the HMCS PRESERVER Paying Off Ceremony.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Deputy Mayor Whitman, Councillor McCluskey

12.2 Petitions – None

12.3 Presentation

12.3.1 Save Rural HRM – Building Permits for 25 Acre and Larger Properties

This matter was addressed earlier in the meeting, see page 2.

12.3.2 Musquodoboit Harbour & Area Chamber of Commerce & Civic Affairs – Save Rural HRM – Building Permits for 10 Hectare Lots

This matter was addressed earlier in the meeting, see page 3.

13. INFORMATION ITEMS BROUGHT FORWARD – NONE

14. REPORTS

14.1 CHIEF ADMINISTRATIVE OFFICER

14.1.1 Facilitator’s Report Regarding Negotiation of the Proposed Boundaries for the Blue Mountain/Birch Cove Lakes Regional Park in Relation to the Highway 102 West Corridor

This matter was addressed earlier in the meeting, see page 3.

14.1.2 Hosting & Managed Services Award – Request for Proposal No. P15-358 – Website Solution Development

The following was before Council:

- A staff recommendation report dated August 10, 2016

MOVED by Councillor Nicoll, seconded by Councillor Karsten

THAT Halifax Regional Council:

- 1. Award Request for Proposal No. P15-358, Website Solution Development, Hosting & Managed Services, to the highest scoring proponent, FCV Technologies Ltd., for a three (3) year term at a total cost of \$1,816,655 plus net HST of \$77,862 for a total price of \$1,894,517 with funding from Project Account No. CI000001-Web Transformation Program and operating account A732-6399, as outlined in the Financial Implications section of the staff report dated August 10, 2016.**
- 2. Direct the Chief Administrative Officer (CAO) to execute the contract with FCV Technologies Ltd. subject to the final negotiation of terms acceptable to the CAO, receipt of Ministerial approval, and approval to form and authority by Legal Services.**
- 3. Delegate authority to approve future phase items: Online Service Design Framework(s); Online Service Implementation; Mobile Application Strategy; and Website Solution enhancements, as outlined in the RFP, to the CAO or their delegate, subject to budget availability.**
- 4. Delegate authority to the CAO or their delegate to approve the extension of the contract for three additional three year terms as defined in the contract**

Staff responded to questions respecting the phase of the initiative and the delivery of the new website design, services and capabilities. Staff confirmed that the new technology will allow for services to be expanded upon.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Deputy Mayor Whitman and Councillor Johns

14.1.3 Award Tender No. 16-073 Collection and Transportation of Source-Separated Solid Waste from Condominium Properties

The following was before Council:

- A staff recommendation report dated July 29, 2016

MOVED by Councillor Rankin, seconded by Councillor Mason

THAT Halifax Regional Council award Tender No. 16-073, Collection and Transportation of Source-Separated Solid Waste from Condominium Properties to GFL Environmental in Areas A and B, and to Royal Environmental (REgroup) in Area C, for a three year period (with the option, at the Municipality's sole discretion, for two separate one (1) year extensions) to provide the services specified at the unit and monthly prices provided in the tender, for a Total Tender Price of \$1,111,172 (net HST included) with funding from Solid Waste Resources Operating Account #R322 6399, as outlined in the Financial Implications section of the staff report dated July 29, 2016. The distribution of the award over three years is as follows:

**Area A – Halifax/Western County to GFL Environmental at a price of \$629,205
Area B – Dartmouth/Cole Harbour to GFL Environmental at a price of \$289,084
Area C – Bedford/Sackville to Royal Environmental at a price of \$192,883**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Deputy Mayor Whitman and Councillor Johns

14.1.4 Plan Dutch Village Road (Supplementary Report)

The following was before Council:

- A supplementary staff report dated August 17, 2016

MOVED by Councillor Walker, seconded by Councillor Mosher

THAT Halifax Regional Council give First Reading to consider the proposed amendments to the Halifax Municipal Planning Strategy (MPS), the Halifax Peninsula Land Use By-law (LUB) and Halifax Mainland Land Use By-law as set out in Attachments A, B and C of the staff report dated August 17, 2016 and schedule a public hearing.

Council discussed the motion with staff responding to questions. Comments were made around hours of operations respecting commercial zoning, which staff will continue to monitor.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Deputy Mayor Whitman and Councillor Johns

It was noted that the Public Hearing would be scheduled for October 4, 2016.

14.1.5 Second Reading Proposed By-Law F-302, Amendments to By-Law F-300, A By-Law Relating to Fees for the Provision of Taxation Information

The following was before Council:

- A staff recommendation report dated July 6, 2016
- An extract of the draft minutes from Regional Council's July 26, 2016 regarding this item

MOVED by Councillor Mosher, seconded by Councillor Craig

THAT Halifax Regional Council adopt By-law F-302, amending By-law F-300, a by-law relating to fees for the provision of taxation information, as set out in Attachment B of the report staff report dated July 6, 2016.

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

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

Against: Councillors Karsten and Rankin

Not present: Deputy Mayor Whitman and Councillor Johns

14.1.6 Proposed Amendments to Administrative Order 10, Respecting Partial Tax Exemption for Residential Taxation - Land Titles Clarification – Property Tax Relief

The following was before Council:

- A staff recommendation report dated August 25, 2016

MOVED by Councillor Hendsbee, seconded by Councillor Nicoll

THAT Halifax Regional Council:

1. **Authorize and direct staff to participate in the “Land Titles Clarification Project” currently being sponsored by the Province of Nova Scotia with the view of continuing to assess the role of HRM in the land title clarification pilot demonstration project through collaboration and discussions with external stakeholders,**
2. **Adopt the amendments to Administrative Order 10, Respecting Partial Tax Relief, as set out in Attachment B of the staff report dated August 25, 2016, and;**
3. **De-classify the In Camera Report, from the Audit & Finance Committee, “Land Titles Clarification – Program Mandate”, from the January 13, 2015 Halifax Regional Council Meeting.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Deputy Mayor Whitman

14.1.7 Gun Amnesty Program for HRM

The following was before Council:

- A staff recommendation report dated July 28, 2016

MOVED by Councillor Craig, seconded by Councillor Walker

THAT Halifax Regional Council:

1. **Endorse staff support and implementation of a Gun Amnesty Program for Halifax Regional Municipality;**
2. **Direct Halifax Transit to support the Gun Amnesty Program by contributing Fifty (50) single Transit Tickets for each firearm passed in to Halifax Regional Police or Halifax District RCMP.**

Council discussed the motion and staff responded to questions regarding the program, sponsorship and stakeholder opportunities and other ideas around increasing the incentive and promoting the program. Members expressed this being a step forward toward gun amnesty awareness and spoke about ways to engage the community, in particular youth.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Deputy Mayor Whitman

14.1.8 Case 18966 and Case 19281 – Amendments to the Halifax Municipal Planning Strategy (MPS) and the Halifax Peninsula Land Use By-Law (LUB) – 6009 and 6017 Quinpool Road, and 2032-2050 Robie Street Halifax

The following was before Council:

- A staff recommendation report dated August 4, 2016
- Correspondence was submitted from Andrea Arbic, Judy Haiven, Ian Porter, Chris Annand and Pat Whitman
- Staff presentation dated September 6, 2016

MOVED by Councillor Watts, seconded by Councillor Mason

That Halifax Regional Council direct staff to:

1. **Separate the site specific Municipal Planning Strategy and Land Use By-law amendments proposed for 6009 and 6017 Quinpool Road, Halifax and 2032-2050 Robie Street, Halifax from one another to allow planning policy to be developed independently for each development site; and**
2. **Draft site specific amendments, for Council's consideration, to the Halifax Municipal Planning Strategy and Halifax Peninsula Land Use By-law for 6009 and 6017 Quinpool Road, Halifax to enable the consideration of a mixed use residential and commercial building, generally consistent with the design found in Attachment B of the staff report dated August 4, 2016 but with the exception that it not exceed 20 storeys in height, by development agreement.**

Mr. Carl Purvis, Planning Applications Program Manager, gave a brief presentation on public consultation, reviewing previously proposed concepts, the current proposal and site analysis for 6009 and 6017 Quinpool Road and 2032-2050 Robie Street.

A copy of the staff presentation was provided for the public record.

Council discussed the motion with members expressing concern with the second recommendation and having the opportunity to come back through the public process.

At Council's request, the vote was split.

MOVED by Councillor Watts, seconded by Councillor Mason

That Halifax Regional Council direct staff to separate the site specific Municipal Planning Strategy and Land Use By-law amendments proposed for 6009 and 6017 Quinpool Road, Halifax and 2032-2050 Robie Street, Halifax from one another to allow planning policy to be developed independently for each development site; and

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Deputy Mayor Whitman and Councillor Johns

MOVED by Councillor Watts, seconded by Councillor Mason

That Halifax Regional Council direct staff to draft site specific amendments, for Council's consideration, to the Halifax Municipal Planning Strategy and Halifax Peninsula Land Use By-law for 6009 and 6017 Quinpool Road, Halifax to enable the consideration of a mixed use residential and commercial building, generally consistent with the design found in Attachment B of the staff report dated August 4, 2016 but with the exception that it not exceed 20 storeys in height, by development agreement.

MOTION PUT AND DEFEATED (4 in favour, 11 against)

In favour: Councillors Nicoll, Mancini, Mason and Watts

Against: Mayor Savage, Councillors Dalrymple, Hendsbee, Karsten, McCluskey, Mosher, Walker, Adams, Rankin, Craig and Outhit

Not present: Deputy Mayor Whitman and Councillor Johns

MOVED by Councillor Adams, seconded by Councillor Karsten

THAT Halifax Regional Council direct staff to create site specific Municipal Planning Strategy (MPS) and Land Use By-law (LUB) amendments for Case 18966 to allow a development substantially in the form as contained within Amendment A of the staff report

dated August 4, 2016 while continuing to work with the applicant for Case 19281 in the development of a building proposal and MPS and LUB amendments which respond to the design control principles for building height, mass, density, shadowing, and space between towers, as raised in the June 2, 2014 MPS amendment initiated staff report.

MOTION PUT AND PASSED. (12 in favour, 3 against)

In favour: Mayor Savage, Councillors Dalrymple, Hendsbee, Karsten, McCluskey, Mancini, Mosher, Walker, Adams, Rankin, Craig and Outhit

Against: Councillors Nicoll, Mason and Watts

Not present: Deputy Mayor Whitman and Councillor Johns

Council recessed at 2:50 p.m. and reconvened at 3:12 p.m.

14.1.9 Fire Stations Numbers 62 and 63

The following was before Council:

- A staff recommendation report dated August 10, 2016

MOVED by Councillor Adams, seconded by Councillor Johns

THAT Halifax Regional Council:

- 1. Direct staff to initiate the site selection process to acquire the land required to build the new consolidated fire station subject to final approval of the purchase by Regional Council; and**
- 2. Direct staff to include the funding for the new consolidated fire station the decommissioning of Fire Station No. 63, in compliance with the terms and conditions of the current lease with the Province of Nova Scotia, in the deliberations of the 17/18 Proposed Capital and Operating budgets.**

Councillor Adams indicated that he would be following up with staff respecting Station 63 (Sambro) to start the process to give the building back to the community.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Deputy Mayor Whitman and Councillor Mosher

14.1.10 Case 20102 – Plan Amendment, 383 Herring Cove Road, Halifax

The following was before Council:

- A staff recommendation report dated July 26, 2016

MOVED by Councillor Adams, seconded by Councillor Walker

THAT Halifax Regional Council not initiate the process to consider amendments to the Halifax Mainland South Secondary Municipal Planning Strategy and Mainland Halifax Land Use By-law to enable a 7-storey, 82-unit mixed-use building located at 383 Herring Cove Road, Halifax

Councillor Adams asked Council not to support the motion, indicating that he was prepared to put forward the alternative staff recommendation. He explained that as-of-right the proponent could build a four (4) storey apartment building. The alternative allows for: remediation of the site, underground parking, commercial space and public input.

Council discussed the motion with staff responding to questions. Staff advised that direction could be provided to assess traffic impact under the development agreement process. Staff further indicated that a dedicated regional planning team has been tasked with implementing the secondary planning program. In the coming months staff will identify to Council: what communities are on the list and what communities want to be added to the list, the community's needs and planning tools and policies to apply and timing, in order to assess prioritization.

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

In favour: Councillor Watts

Against: Mayor Savage, Councillors Dalrymple, Hendsbee, Karsten, Nicoll, McCluskey, Mancini, Mason, Mosher, Walker, Adams, Rankin, Johns, Craig and Outhit

Not present: Deputy Mayor Whitman

MOVED by Councillor Adams, seconded by Councillor Walker

THAT Halifax Regional Council direct staff to initiate a process to consider amendments to the Halifax Mainland South Secondary Municipal Planning Strategy and Mainland Halifax Land Use By-law subject to addressing the height and massing issues referenced within the staff report dated July 26, 2016 to enable a mixed-use building located at 383 Herring Cove Road, Halifax. In doing so, staff is directed to follow the public participation program for municipal planning strategy amendments as approved by Regional Council on February 27, 1997.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Deputy Mayor Whitman

14.1.11 Lease Agreement – Nova Scotia Department of Natural Resources, White Rock Park, River Road (Fourth Lake) Terence Bay

The following was before Council:

- A staff recommendation report dated August 12, 2016

MOVED by Councillor Adams, seconded by Councillor Rankin

THAT Halifax Regional Council direct staff to undertake community consultation to determine community interest in re-establishing White Rock Park (alternately known as River Road Park) in Terence Bay

A correction was noted on page 4 of the August 12, 2016 staff report that should read *5% of appraised market value* not 5% of assessed land value.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Deputy Mayor Whitman and Councillor Karsten

14.1.12 Proposed Amendments to Administrative Order 1, Respecting the Procedures of the Council - Schedule 7

The following was before Council:

- A staff recommendation report dated August 8, 2016

MOVED by Councillor Mason, seconded by Councillor Nicoll

THAT Halifax Regional Council adopt the amendments to Administrative Order 1, Schedule 7, the Transportation Standing Committee Terms of Reference, as set out in Attachment 2 of the staff report dated August 8, 2016.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Deputy Mayor Whitman and Councillor Karsten

14.1.13 First Reading Proposed By-Law S-442, an Amendment to By-Law S-400 Respecting Charges for Street Improvements – New Paving Projects Inside the Core Area – 2015, Emerson Street, Bedford

The following was before Council:

- A staff recommendation report dated August 16, 2016

MOVED by Councillor Outhit, seconded by Councillor McCluskey

THAT Halifax Regional Council give First Reading By-Law S-442, amending By Law S-400, the Street Improvement By-law, as set out in Attachment 1 of the staff report dated August 16, 2016.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Deputy Mayor Whitman and Councillor Karsten

14.1.14 First Reading Proposed By-Law S-443, an Amendment to By-Law S-400 Respecting Charges for Street Improvements – New Paving Projects outside the Core Area – 2015, Crouchers Point Road, Glen Haven,

The following was before Council:

- A staff recommendation report dated August 5, 2016

MOVED by Councillor Rankin, seconded by Councillor Walker

THAT Halifax Regional Council give First Reading By-Law S-443, amending By Law S-400, the Street Improvement By-law, as set out in Attachment 1 of the staff report dated August 5, 2016

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Deputy Mayor Whitman and Councillor Karsten

14.1.15 Navigator Program

The following was before Council:

- A staff recommendation report dated August 8, 2016.

MOVED by Councillor Mason, seconded by Councillor Watts

THAT Halifax Regional Council:

1. **Approve \$45,000 in funding for the Navigator Street Outreach Program, to cover the operating grant for fiscal 2016/2017; and**
2. **Approve the draft agreement between HRM and the Downtown Halifax Business Commission (DHBC) and Spring Garden Area Business Association (SGABA) that**

sets out the terms and conditions governing the municipal grant to the Navigator Street Outreach Program for fiscal 2016/2017.

Discussion was held around funding partners with staff responding to questions.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Deputy Mayor Whitman and Councillor Karsten

14.1.16 Request for Installation and Transfer of Ownership of Public Art – Barrington Benches

The following was before Council:

- A staff recommendation report dated August 11, 2016

MOVED by Councillor Mason, seconded by Councillor Watts

THAT Halifax Regional Council:

- 1. Approve the request of the Downtown Halifax Business Commission (DHBC) to install a sculpture in the Barrington Street right-of-way, south of George Street, as generally shown on the certified professional engineer drawings in Attachment 1 of the staff report dated August 11, 2016;**
- 2. Approve the installation of the sculpture as described in Attachment 1 of the staff report dated August 11, 2016, subject to staff approval of the following requirements:**
 - a) The final schedule for installation of the sculpture;**
 - b) The inspection and approval of the sculpture's installation by a certified professional engineer in accordance with standard practices; and**
 - c) The issuance of any necessary permits;**
- 3. Upon satisfactory compliance with the terms and conditions listed herein, authorize the Mayor and Municipal Clerk to execute a Deed of Gift (Attachment 2 of the staff report dated August 11, 2016) to transfer the ownership of the sculpture from the DHBC to the Municipality; and**
- 4. Authorize the Mayor and Municipal Clerk to execute a Deed of Gift (Attachment 4 of the staff report dated August 11, 2016) to accept the interactive ceramic mosaic "Barrington Blocks" situated on the property of 1741 Barrington Street (PID 40594764) as a work of public art under the Municipal Public Art Policy.**

During the discussion staff was asked to provide a status update and location of the artifacts and photographs that were removed from the Trophy Room, basement storage and other spaces in City Hall prior to renovations being undertaken.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Deputy Mayor Whitman

14.2 COMMUNITY PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE

14.2.1 Funding Request – Neptune Theatre Foundation

The following was before Council:

- A recommendation report dated July 29, 2016 from the Community Planning and Economic Development Committee; attached was a staff recommendation report dated June 8, 2016

MOVED by Councillor Mason, seconded by Councillor Johns

THAT Halifax Regional Council direct staff to consider a \$50,000 one-time capital grant contribution to Neptune Theatre as part of the 2017/18 operating budget.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Deputy Mayor Whitman

14.2.2 Charter Amendment to Enable Interim Development Controls

The following was before Council:

- A recommendation report dated July 29, 2016 from the Community Planning and Economic Development Committee; attached was a staff recommendation report dated June 17, 2016

MOVED by Councillor Mason, seconded by Councillor Nicoll

THAT Halifax Regional Council request the Province amend the HRM Charter to enable Council to implement interim development controls for all or part of the Municipality.

During the discussion, staff advised that the controls are intended to be a temporary measure that Council can use at its discretion to prevent the implementation of issuing new building permits and would allow the completion of planning reviews, which could determine rezoning is needed. Staff explained that the controls are not intended to sidetrack existing building permits.

Members of Council expressed concern with not having identified policy criteria; such as who will administer the controls and what the process will be for appealing before moving forward to the Province.

MOTION PUT AND DEFEATED. (7 in favour, 8 against)

In favour: Councillors Nicoll, Mancini, Mason, Watts, Mosher, Craig and Outhit

Against: Mayor Savage, Councillors Dalrymple, Hendsbee, McCluskey, Walker, Adams, Rankin and Johns

Not present: Deputy Mayor Whitman and Councillor Karsten

14.2.3 Bayers Lake Mystery Wall

The following was before Council:

- A recommendation report dated July 29, 2016 from the Community Planning and Economic Development Committee; attached was a staff recommendation report dated July 12, 2016
- Correspondence was submitted from Pearl O'Brien

MOVED by Councillor Rankin, seconded by Councillor Mason

THAT Halifax Regional Council:

1. **Approve entering into a one-time contribution agreement with the Nova Scotia Archeology Society for funding of \$5,475; and**
2. **Direct staff to negotiate and execute a contribution agreement on behalf of the Municipality with the Nova Scotia Archeology Society that, in the opinion of the Acting Chief Administrative Officer or his delegate, achieves the outcomes of the Municipality identified in the July 12, 2016 staff report.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Deputy Mayor Whitman and Councillors Karsten and Mosher

14.2.4 Halifax Partnership Update and Amended Services Agreement

The following was before Council:

- A recommendation report dated July 29, 2016 from the Community Planning and Economic Development Committee; attached was a staff recommendation report July 11, 2016.

MOVED by Councillor Mason, seconded by Councillor Nicoll

THAT Halifax Regional Council approve the amending agreement to the Services Agreement with the Halifax Partnership that replaces the 2015/16 Schedule A with the Schedule A included as Attachment 2 to the July 11, 2016 staff report

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Deputy Mayor Whitman and Councillors Karsten and Mosher

14.3 HARBOUR EAST – MARINE DRIVE & NORTH WEST COMMUNITY COUNCILS

14.3.1 Port Wallace Secondary Plan Report

The following was before Council:

- A recommendation report dated August 11, 2016 submitted from the Harbour East-Marine Drive and the North West Community Councils; attached was a staff recommendation report dated June 7, 2016.

MOVED by Councillor Mancini, seconded by Councillor Dalrymple

THAT Halifax Regional Council:

- 1. Include the 53 and 242 acre parcels shown on Attachment A of the Staff Report dated June 7, 2016 within the Port Wallace Secondary Planning study area; and**
- 2. Initiate a Municipal Planning Strategy amendment process to zone the Conrad quarry lands shown on Attachment A of the staff report dated June 7, 2016 for industrial and highway commercial uses and follow the public participation program for municipal planning strategy amendments as approved by Regional Council on February 27, 1997.**

In response to a question respecting future prioritization of services, staff made reference to the secondary planning program coming to Council in the near future.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Deputy Mayor Whitman and Councillor Johns

14.4 HERITAGE ADVISORY COMMITTEE

14.4.1 825 Young Avenue

The following was before Council:

- A recommendation report dated August 25, 2016 submitted from the Heritage Advisory Committee
- Correspondence was submitted from Gail Lonergan, Michelle and Jan Jensen, Dianne Marshall, Cindy Driscoll, Barry Copp and Michelle Morgolian

MOVED by Councillor Hendsbee, seconded by Councillor Mason

THAT Halifax Regional Council consider expediting the municipal heritage registration process for 825 Young Avenue

Members of Council pointed out that the previous owner had not made a request for heritage registration. Staff spoke to the demolition permit being issued and how a portion of the building had been demolished but how a Stop Work Order was in effect as there are tenants who will be living in the building until April 2017.

MOTION PUT AND DEFEATED. (6 in favour, 10 against)

In favour: Mayor Savage, Councillors Hendsbee, Nicoll, Mason, Watts and Outhit

Against: Councillors Dalrymple, Karsten, McCluskey, Mancini, Mosher, Walker, Adams, Rankin, Johns and Craig

Not present: Deputy Mayor Whitman

14.5 MEMBERS OF COUNCIL

14.5.1 Councillor Watts – Parking Lot Reconstruction Maritime Conservatory of Performing Arts and Maritime Muslim Academy

The following was before Council:

- A 'Request for Council's Consideration' form from Councillor Watts with attached joint submission from Maritime Conservatory of Performing Arts and Maritime Muslim Academy dated August 19, 2016
- Correspondence was submitted from Jasmine and Peter Ghosn

MOVED by Councillor Watts, seconded by Councillor Mason

THAT Halifax Regional Council direct staff to prepare a report to the Audit and Finance Standing Committee in order to identify a funding source for a special grant for the Parking Lot Reconstruction Maritime Conservatory of Performing Arts and Maritime Muslim Academy, and make a recommendation to Regional Council.

Council discussed the motion with a question being raised as to why capital district funds were not used for this project. A brief discussion was held around the location of the public playground which members indicated should be addressed separately from the parking lot. Concern was expressed with setting precedence with an example being noted of the Municipality not being able to pave school parking lots on Municipal lands. It was suggested that if a special grant is permitted under the performing arts, that the business case be captured in the staff report. Concern was also expressed with future budgetary items being affected in order to fund this project.

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

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

Against: Councillors Dalrymple, Hendsbee and Johns

Not present: Deputy Mayor Whitman

Council recessed at 5:12 p.m. and reconvened at 6:00 p.m.

11. PUBLIC HEARINGS

11.1 By-law N-200, Respecting Noise – Exemption Application – King’s Orientation Week

The following was before Council:

- A staff recommendation report dated August 12, 2016.

Ms. Tanya Phillips, Manager, By-Law Standards provided the staff presentation. She advised that the University of King’s College Students’ Union was requesting an exemption from the noise by-Law from 9:30 p.m. to midnight on Friday, September 9, 2016, for an outdoor concert.

There were no questions of clarification of staff.

The Mayor invited members of the public to come forward at this time.

Ms. Aidan McNally, President, King’s Student Union and Ms. Kristen Thompson addressed Council and advised that the requested noise exemption will enable them to hold an outdoor concert during orientation week. Ms. McNally noted that they were cognizant of the private residences in the surrounding area and has circulated a letter to the neighbourhood explaining the proposed outdoor event during orientation week and advised of the possibility that some events may be loud.

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

MOVED by Councillor McCluskey, seconded by Councillor Mosher

THAT the public hearing close.

MOTION PUT AND PASSED.

MOVED by Councillor Mason, seconded by Councillor Watts.

THAT Halifax Regional Council approve the University of King’s College Students’ Union’s application for an exemption from the provisions of the Noise By-Law pursuant to the contents of the staff report dated August 12, 2016.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Deputy Mayor Whitman; and Councillors Mancini and Rankin

11.2 By-law N-200, Respecting Noise – Exemption Application – Dalhousie Orientation and DALfest

The following was before Council:

- A staff recommendation report dated August 10, 2016

Ms. Tanya Phillips, Manager of Bylaw Standards provided the staff presentation. She advised that the Dalhousie Student Union has applied for an exemption from the noise by-law to accommodate outdoor concert events planned for new and returning students. Ms. Phillips stated that the exemptions are being requested for:

Friday, September 9, 2016 – 9:30 p.m. – 10:30 p.m.

Friday, September 16, 2016 – 9:30 p.m. – 11:00 p.m.

Saturday, September 17, 2016 – 7:00 p.m. - 11:00 p.m.

The Mayor called three times for anyone else wishing to address Council; 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 Mason, seconded by Councillor Walker

THAT Halifax Regional Council approve the Dalhousie Student Union's application for an exemption from the provisions of the Noise By-Law pursuant to the contents of the staff report dated August 10, 2016.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Deputy Mayor Whitman; and Councillors Mancini and Rankin

14.5.2 Councillor McCluskey – Plans for New Museum in Dartmouth

The following was before Council:

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

MOVED by Councillor McCluskey, seconded by Councillor Karsten

THAT Halifax Regional Council request a staff report following the September 30th closing of the sale of the Dartmouth City Hall building with information about the plans for the new museum in Dartmouth.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Deputy Mayor Whitman; and Councillors: Mancini, Rankin, and Johns

15. MOTIONS

15.1 Deputy Mayor Whitman

THAT Halifax Regional Council respect the wishes of the residents of Westwood Hills, surrounding communities and the Tantallon area to be heard on the possibility of an asphalt plant opening in their neighbourhood and instruct staff of HRM's Planning Department to conduct an additional public consultation session before the staff information report is presented to HRM's Northwest Community Council

This item was deferred to the next regular meeting of Council during the approval of the order of business.

15.2 Councillor Adams

MOVED by Councillor Adams, seconded by Councillor Mosher

THAT Halifax Regional Council request a staff report that consideration be given to the provision of a community monitoring committee for the Halifax Ragged Lake Source-Separated Composting Facility.

Mr. Matt Keliher, Manager, Solid Waste Resources, addressed Council and clarified that under the terms of the new operating permit for the Ragged Lake facility, there is a requirement for a community liaison committee. He added that with the new operator coming on-board October 1, staff will be working with them to establish the Committee, and that a staff report is currently being written in this regard.

Councillor Adams indicated that, in light of this information, he was willing to withdraw his motion.

With the unanimous consent of council, **THE MOTION WAS WITHDRAWN.**

16. IN CAMERA (IN PRIVATE)

Council did not convene in camera (in private) to approve the minutes.

16.1 In Camera (In Private) Minutes – July 19, July 26, and August 2, 2016

MOVED by Councillor Karsten, seconded by Councillor Nicoll

THAT the In Camera (In Private) minutes of July 19, July 26, and August 2, 2016, 2016 be approved as circulated.

MOTION PUT AND PASSED.

16.2 Legal Matter

16.2.1 Settlement Matter – Private and Confidential Report

The following was before Council:

- A Private and Confidential staff recommendation report dated August 26, 2016.

MOVED by Councillor Mosher, seconded by Councillor Johns

THAT Regional Council approve the staff recommendation as outlined in the August 26, 2016 Private and Confidential staff report.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Deputy Mayor Whitman; and Councillors: Mancini and Rankin.

17. ADDED ITEMS - NONE

18. NOTICES OF MOTION

18.1 Councillor Hendsbee

“TAKE NOTICE that, at the next regular Regional Council meeting to be held on September 20, 2016 I propose to move a motion to request a staff report that shall be vetted through the Audit and Finance Standing Committee to find \$10,000 as cash incentive for the HRM Gun Amnesty program during the 2016-17 fiscal year.”

19. ADJOURNMENT

The meeting adjourned at 6:17 p.m.

Kevin Arjoon
Municipal Clerk