

HALIFAX REGIONAL COUNCIL  
MINUTES

March 20, 2012

PRESENT:

Mayor Peter Kelly  
Deputy Mayor Bill Karsten  
Councillors: Steve Streach  
Barry Dalrymple  
David Hendsbee  
Lorelei Nicoll  
Darren Fisher  
Jackie Barkhouse  
Jim Smith  
Mary Wile  
Dawn Sloane  
Jennifer Watts  
Russell Walker  
Debbie Hum  
Linda Mosher  
Stephen Adams  
Brad Johns  
Robert Harvey  
Tim Outhit  
Reg Rankin  
Peter Lund

REGRETS:

Councillors: Gloria McCluskey  
Jerry Blumenthal  
Sue Uteck

STAFF:

Mr. Richard Butts, Chief Administrative Officer  
Ms. Mary Ellen Donovan, Municipal Solicitor  
Ms. Cathy Mellett, Municipal Clerk  
Ms. Sherryl Murphy, Acting Municipal Clerk  
Ms. Chris Newson, Legislative Assistant  
Ms. Krista Vining, Legislative Assistant

TABLE OF CONTENTS

1.	INVOCATION .....	4
2.	SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS .....	4
3.	APPROVAL OF MINUTES – February 21, 23 & 28, 2012.....	4
4.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS .....	4
5.	BUSINESS ARISING OUT OF THE MINUTES - NONE .....	4
6.	MOTIONS OF RECONSIDERATION – NONE .....	4
7.	MOTIONS OF RESCISSION – NONE .....	4
8.	CONSIDERATION OF DEFERRED BUSINESS – NONE.....	4
9.	PUBLIC HEARINGS.....	4
9.1	Case 16655 – Amendments to the Regional Municipal Planning Strategy, Halifax Municipal Planning Strategy and Downtown Halifax Municipal Planning Strategy and Land Use By-Law for the YMCA- CBC Project at Sackville and South Park Streets, Halifax.....	4 & 13
10.	CORRESPONDENCE, PETITIONS & DELEGATIONS .....	4
10.1	Correspondence .....	4
10.1.1	Request for Fly-Past .....	4
(i)	Titanic 100 Commemorative Events .....	5
(ii)	Battle of Britain .....	5
10.2	Petitions .....	5
10.2.1	Councillor Walker .....	5
11.	REPORTS .....	5
11.1	CHIEF ADMINISTRATIVE OFFICER .....	5
11.1.1	Cost-Sharing Agreement – Halifax Water Tender No. 101029, Dunbrack Street – West Region.....	5
11.1.2	Proposed Burnside/Sackville Expressway, 107 Bypass – Provincial Request to Purchase Lands at Burnside Industrial Park.....	6
11.1.3	Case 17174 – Amendments to the Halifax Municipal Planning Strategy and Peninsula Land Use By-Law for 1017 and 1021 Beaufort Avenue, Halifax .....	6
11.1.4	First Reading Proposed By-Law S-500 – Respecting Charges for Solar City Program.....	7
11.2	EXECUTIVE STANDING COMMITTEE.....	7
11.2.1	Second Reading Proposed Amendment to Administrative Order One – Alignment with Robert’s Rules of Order .....	7
11.3	ENVIRONMENT AND SUSTAINABILITY STANDING COMMITTEE .....	7
11.3.1	Harbour East Transmission Line Update .....	7
11.4	GRANTS COMMITTEE .....	8
11.4.1	Canadian Naval Memorial Trust - Funding Request .....	8
11.4.2	Addendum to By-Law T-228 Respecting Tax Exemption for Non- Profit Organizations - Appeals 2011-2012 (supplementary report) .	9
11.5	MEMBERS OF COUNCIL.....	9

---

	11.5.1 Councillor Walker – Request that the Halifax Regional Municipality Host the Annual Federation of Canadian Municipalities (FCM) Conference in 2018.....	9
12.	MOTIONS - NONE .....	10
13.	ADDED ITEMS .....	10
	13.1 Councillor Hendsbee – 2602 Highway 7 East Preston .....	10
14.	NOTICES OF MOTION .....	10
	14.1 Councillor Johns .....	10
	14.2 Councillor Harvey .....	10
	14.3 Councillor Sloane.....	11 & 12
15.	IN CAMERA.....	11
	15.1 In Camera Minutes – February 21, 23, 28 & March 6, 2012 .....	11
	15.2 Personnel Matter .....	11
	15.2.1 Citizen Appointment to Advisory Committee for Accessibility in HRM.....	11
	15.2.2 Appointments to District 12 Planning Advisory Committee .....	11
16.	ADJOURNMENT .....	33

**1. INVOCATION**

The Mayor called the meeting to order at 1:33 p.m. with the Invocation being led by Councillor Smith.

**2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS**

Councillors noted a number of community announcements and acknowledgements.

**3. APPROVAL OF MINUTES – February 21, 23 & 28, 2012**

**MOVED by Councillor Sloane, seconded by Councillor Nicoll that the minutes of February 21<sup>st</sup>, 23<sup>rd</sup> and 28, 2012 be approved as presented. MOTION PUT AND PASSED.**

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

Additions:

13.1 Councillor Hendsbee – Waive of Claim #2602 Highway 7 East Preston

**MOVED by Councillor Sloane, seconded by Councillor Nicoll that the Order of business be approved as amended. MOTION PUT AND PASSED.**

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

**6. MOTIONS OF RECONSIDERATION – NONE**

**7. MOTIONS OF RESCISSION – NONE**

**8. CONSIDERATION OF DEFERRED BUSINESS – NONE**

**9. PUBLIC HEARINGS**

**9.1 Case 16655 – Amendments to the Regional Municipal Planning Strategy, Halifax Municipal Planning Strategy and Downtown Halifax Municipal Planning Strategy and Land Use By-Law for the YMCA- CBC Project at Sackville and South Park Streets, Halifax**

This matter was deferred to later in the meeting. See page 13.

**10. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**10.1 Correspondence**

**10.1.1 Request for Fly-Past**

**(i) Titanic 100 Commemorative Events**

A request for fly-past from Andree Gracie, on behalf of the Titanic 100 Society, dated March 3, 2012 was before Council for consideration.

Councillor Outhit entered the meeting at 1:44 p.m.

**MOVED by Councillor Sloane, seconded by Councillor Hendsbee that Halifax Regional Council grant permission for a Canadian Air Force fly past on April 14, 2012 at 12:20 a.m. over downtown Halifax and on April 15<sup>th</sup> at 3:30 p.m. over Fairview Lawn Cemetery in conjunction with the Titanic 100 Commemorative Events. MOTION PUT AND PASSED.**

**(ii) Battle of Britain**

A request for fly-past from Paul MacDonald, Parade Co-ordinator of the Battle of Britain Parade and Ceremony, dated March 4, 2012 was before Council for consideration.

**MOVED by Councillor Sloane, seconded by Councillor Nicoll that Halifax Regional Council grant permission for a Canadian Air Force, 11 Mic Mac Wing, fly past over Sullivans Pond in Dartmouth on September 16, 2012 at 2:00 p.m. in conjunction with the Battle of Britain Parade and Ceremony. MOTION PUT AND PASSED.**

**10.2 Petitions**

**10.2.1 Councillor Walker**

Councillor Walker submitted a petition requesting the removal of No Parking and Loading Zone signs at 3671 Dutch Village Road, corner of Dutch Village Road and Deal Street, Halifax, signed by ten area businesses.

**11. REPORTS**

**11.1 CHIEF ADMINISTRATIVE OFFICER**

**11.1.1 Cost-Sharing Agreement – Halifax Water Tender No. 101029, Dunbrack Street – West Region**

A staff report dated February 23, 2012 was before Council.

**MOVED by Councillor Wile, seconded by Councillor Hum that Halifax Regional Council authorize the Mayor and Clerk to sign an agreement with Halifax Water for \$798,747.33 (net HST included) with funding from Project Account No(s). CYU01076 - Curb Renewal and CYX01345- Street Recapitalization, as outlined in the Budget Implications section of the February 23, 2012 staff report. MOTION PUT AND PASSED.**

**11.1.2 Proposed Burnside/Sackville Expressway, 107 Bypass – Provincial Request to Purchase Lands at Burnside Industrial Park**

A staff report dated February 21, 2012 was before Council.

An overlay of Attachments 1 & 2 was circulated to Council at this time.

**MOVED by Councillor Smith, seconded by Councillor Wile that Halifax Regional Council:**

- 1. Authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale with the Province of Nova Scotia for the subject land as per the terms and conditions outlined in Table 1 of the Confidential Information Report dated February 21, 2012; and**
- 2. Authorize the Mayor and Municipal Clerk to enter into a Memorandum of Understanding (MOU) with the Province of Nova Scotia, for the extension of Akerley Boulevard across the Highway 107 corridor.**

**MOTION PUT AND PASSED.**

**11.1.3 Case 17174 – Amendments to the Halifax Municipal Planning Strategy and Peninsula Land Use By-Law for 1017 and 1021 Beaufort Avenue, Halifax**

A staff report dated February 20, 2012 was before Council.

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

- 1. Authorize staff to initiate a process to consider amending the Halifax Municipal Planning Strategy and the Land Use By-Law for Halifax Peninsula to permit a maximum of six (6) single unit dwellings on a shared driveway at 1017 and 1021 Beaufort Avenue, by development agreement; and**
- 2. Request that staff follow the public participation program as approved by Council in February 1997.**

In response to a request for clarification, Mr. Miles Agar, Planner, confirmed for Members of Council that the proposal is for staff to initiate a process for consideration by Council of amending the MPS and LUB to consider an alternative option of constructing six (6) single unit dwellings on one lot and providing access to each dwelling via a shared driveway. The current as-of-right ability is for a public street with seven to eight lots. The Developer has requested consideration of an MPS amendment to consider one lot with six accesses by shared driveway.

Councillor Hendsbee expressed concern with the proposal for six dwellings on one shared access as follows: 1. Parkland dedication - the possibility of higher densification would place more burden on the trailways so consideration should be given to parkland dedication/fee; 2. Garbage Collection - being a private driveway, how would garbage collection be handled.

**MOTION PUT AND PASSED.**

**11.1.4 First Reading Proposed By-Law S-500 – Respecting Charges for Solar City Program**

A staff report dated February 15, 2012 was before Council.

**MOVED by Councillor Dalrymple, seconded by Councillor Watts that Halifax Regional Council give First Reading to By-Law S-500, Respecting Charges for Solar City Program. MOTION PUT AND PASSED.**

**11.2 EXECUTIVE STANDING COMMITTEE**

**11.2.1 Second Reading Proposed Amendment to Administrative Order One – Alignment with Robert’s Rules of Order**

A report from the Executive Standing Committee dated February 27, 2012 was before Council.

A revised Attachment 2 was circulated to Council at this time.

**MOVED by Councillor Johns, seconded by Councillor Fisher that Halifax Regional Council approve the proposed amendment to Administrative Order One, the purpose of which is to better align notices of Rescission and Reconsideration with Robert’s Rules of Order.**

In response to concerns raised by Councillor Hendsbee, Ms. Cathy Mellett, Municipal Clerk, explained that the request for consideration of Canadian sources, such as Bourinot’s Rules of Order on Parliamentary Procedures, has been referred to the Executive Standing Committee. The proposal before Council at this time is to align Notices of Rescission and Reconsideration with Robert’s Rules of Order.

**MOTION PUT AND PASSED.**

**11.3 ENVIRONMENT AND SUSTAINABILITY STANDING COMMITTEE**

**11.3.1 Harbour East Transmission Line Update**

A report from the Environment and Sustainability Standing Committee dated March 5, 2012 was before Council.

An extract of the June 8, 2010 Regional Council minutes was circulated to Council at this time.

Councillor Nicoll advised that the motion in regard to this matter originated with Regional Council on June 8, 2010. She expressed appreciation for the consultative process and the work of the dedicated volunteers, Nova Scotia Power Inc. and HRM staff and Council

**MOVED by Councillor Nicoll, seconded by Councillor Fisher that Halifax Regional Council approve that:**

- 1. The process undertaken to identify the route for a new transmission line between the Dartmouth East substation and Eastern Passage is acceptable;**
- 2. The proposed project design and routing reasonably reflects values related to community identity and inspirational scenery as gathered during the Cole Harbour Basin: Open Spaces; and**
- 3. The utilization of existing power lines in the HRM right-of-way to accommodate the new transmission line is acceptable, providing the project complies with By-Law S-300 (Streets By-Law) and that Nova Scotia Power Inc. agrees to continue to work with HRM staff around detailed design of the line along Bissett Road in order to meet Municipal objectives as outlined in the staff report dated March 1, 2012.**
- 4. Further, that Halifax Regional Council request the Mayor to send a letter of commendation to the community members of Harbour East Transmission Project Public Advisory Committee (Cole Harbour, Woodlawn and Eastern Passage), thanking them for their efforts in relation to the positive outcome.**

**MOTION PUT AND PASSED.**

#### **11.4 GRANTS COMMITTEE**

##### **11.4.1 Canadian Naval Memorial Trust - Funding Request**

A report from the Grants Committee dated March 6, 2012 was before Council.

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

- 1. Approve a one time capital grant of \$50,000 from account M311-8004 Community Grant Program to the Canadian Naval Memorial Trust, conditional upon future payment schedule subject to additional information**

requested by the Grants Committee, towards professional fees for an international design competition in relation to the proposed Naval Memorial Hall in accordance with the terms and conditions defined in the Discussion section of the January 9, 2012 report; and

2. Approve assignment of an HRM representative to serve on the Design Competition Committee.

**MOTION PUT AND PASSED.**

**11.4.2 Addendum to By-Law T-228 Respecting Tax Exemption for Non-Profit Organizations - Appeals 2011-2012 (supplementary report)**

A supplementary report from the Grants Committee dated March 5, 2012 was before Council.

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

1. The conditional reinstatement of tax exemption status for the Chezzetcook & District Lions Club, Musquodoboit Harbour Heritage Society, Ostrea Lake Wharf Preservation Society and the North Preston Medical Society, effective April 1, 2011, as detailed in the Discussion section of the February 15, 2012 Supplementary Report for a total combined cost of \$12,882;
2. The decline of the request for partial tax exemption from the Veritas Society;
3. The deferral of the request for a further increase in exemption level for Dartmouth Adult Services Centre to the 2012-2013 tax exemption program; and
4. Addendum to By-Law T-228 (Attachment 1 of the February 15, 2012 Supplementary Report).

**MOTION PUT AND PASSED.**

**11.5 MEMBERS OF COUNCIL**

**11.5.1 Councillor Walker – Request that the Halifax Regional Municipality Host the Annual Federation of Canadian Municipalities (FCM) Conference in 2018**

**MOVED by Councillor Walker, seconded by Councillor Sloane that Halifax Regional Council submit a request to the Federation of Canadian Municipalities (FCM) that the Halifax Regional Municipality host the annual conference in 2018.**

**MOTION PUT AND PASSED.**

**12. MOTIONS - NONE**

**13. ADDED ITEMS**

**13.1 Councillor Hendsbee – 2602 Highway 7 East Preston**

**MOVED by Councillor Hendsbee, seconded by Councillor Nicoll that Halifax Regional Council formally waive any claim of property ownership to the property at 2602 Highway 7, East Preston, thereby releasing any encumbrances associated with it.**

Ms. Mary Ellen Donovan, Municipal Solicitor, explained that an error had been made approximately twenty (20) years ago in that the wrong land description had been attached to the deed. A deed of rectification has been requested and Legal Services supports that approach.

**MOTION PUT AND PASSED.**

**14. NOTICES OF MOTION**

**14.1 Councillor Johns**

“Take notice that, at the next regular Regional Council meeting, to be held on Tuesday, the 27<sup>th</sup> day of March, 2012, I propose to move First Reading of By-Law A-500 a By-Law to amend By-Laws, to effect an expanded mandate for the Standing Appeals Committee by repealing and replacing By-Law A-100 Respecting License and Permit Appeals, amending Administrative Order 30 Respecting Dangerous and Unsightly Premises, and administrative amendments to the following by-laws:

E-200 – Encroachment By-Law  
P-600 Municipal Parks By-Law  
T-60 Tree By-Law  
D-300 Derelict Building By-Law  
S-800 Temporary Signs By-Law  
T-108 Taxi and Limousine By-Law  
S-900 Controlled Access Streets By-Law  
S-300 Streets By-Law  
L-200 C&D Materials Recycling and Disposal License By-Law  
M-100 Standards for Residential Occupancy By-Law”

**14.2 Councillor Harvey**

“Take notice that at the next regular Regional Council meeting, to be held on Tuesday, the 27<sup>th</sup> day of March, 2012, I propose to give Notice of Rescission on Council’s motion for Skye Towers.”

**14.3 Councillor Sloane**

Matter addressed later in the meeting, see page 12.

**15. IN CAMERA**

**15.1 In Camera Minutes – February 21, 23, 28 & March 6, 2012**

**MOVED by Councillor Nicoll, seconded by Councillor Sloane that the In Camera minutes of February 21, 23, 28 & March 6, 2012 be approved as circulated. MOTION PUT AND PASSED.**

**15.2 Personnel Matter**

**15.2.1 Citizen Appointment to Advisory Committee for Accessibility in HRM**

**MOVED by Councillor Johns, seconded by Councillor Smith that Halifax Regional Council approve the recommendation of the Transportation Advisory Standing Committee to appoint the applicant as specified in Attachment “A” of the report dated March 6, 2012, to the Accessibility Advisory Committee in HRM, to fill a vacant unexpired term to end November 30, 2012. MOTION PUT AND PASSED.**

**15.2.2 Appointments to District 12 Planning Advisory Committee**

**MOVED by Councillor Johns , seconded by Councillor Sloane that Halifax Regional Council approve the recommendation of the Peninsula Community Council to appoint two citizens to the District 12 Planning Advisory Committee as specified in Attachment “A” of the report dated March 6, 2012 for terms to expire November 2012. MOTION PUT AND PASSED.**

Council recessed at 2:17 p.m.

Council reconvened at 6:00 p.m. with Deputy Mayor Karsten and Councillor Streach in attendance and without Councillors Blumenthal, McCluskey, Uteck and Johns in attendance.

Item 14.3 – Notice of Motion from Councillor Sloane was given at this time.

### **14.3 Councillor Sloane**

“Take notice that at the next regular Regional Council meeting, to be held on Tuesday, the 27<sup>th</sup> day of March, 2012, I propose to move First Reading of the proposed amendments to Administrative Order 37, the purpose of which is to add 7 new newspaper box locations, relocate one newspaper box location, remove one newspaper box location, and add one new vending site to the list of approved sites for Commerce and Vending on Municipal Lands.”

Item 9.1.1 – Public Hearing for Case 16655 was heard at this time.

### **9.1 Case 16655 – Amendments to the Regional Municipal Planning Strategy, Halifax Municipal Planning Strategy and Downtown Halifax Municipal Planning Strategy and Land Use By-Law for the YMCA- CBC Project at Sackville and South Park Streets, Halifax**

**(i) Supplementary Staff Report**  
**(ii) Design Review Committee Report**  
**(ii) Staff report dated October 31, 2011**

The following was before Council:

- An extract of draft Regional Council minutes dated February 28, 2012
- A supplementary staff report dated February 14, 2012
- A report from the Design Review Committee dated November 16, 2011
- A staff report dated October 31, 2011
- Submissions from Alison Bleeker, Adam Conter, Robert Hiscock, Hannes Weiland, Katherine Kitching, Steve Lionais, Jonathan Lampier, Adam Gallant, Valerie Payn, Susan Sunderland, Sharon Earle, Francine Hollohan, E. A. Irwin, Svenja Skaalum, Pierre and Brigitte Schmit, Judy Haiven, Peggy Cameron and Beverly Miller, Dr. Asha Parkash and Dr. Rajender Parkash, Phil Pacey, Janet Morris, Colin Stuttard, Blair Beed, Elizabeth Pacey, Lyndon Watkins, Arthur and Brian LeBlanc, Cheryl Tissington, Paul Dyer, Liz and Don Mills and Judy Burke.

Richard Harvey, Senior Planner Western Region, delivered a presentation on Case 16655 and responded to questions of clarification by Council. Mr. Harvey advised that if Council approves the amendments to the planning documents the building proposal would come forward at a later date through a site plan approval process. The proposal would be reviewed by a development officer and staff before moving forward to the Design Review Committee for consideration, pursuant to the design portion of the Land Use By-law. He further confirmed that the plan amendments for Case 16655 are site specific.

Mayor Kelly explained the Rules of Procedure for public hearings and called for speakers to come forward at this time to speak for or against Case 16655.

**Mr. Robert Richardson, Chair of the Board of Directors for the YMCA of Greater Halifax and Dartmouth**, introduced himself and **Ms. Betty Watson Borg, YMCA President and CEO**, and delivered a presentation on Case 16655. He advised that the YMCA requires additional density on the CBC site to support the land value, that when combined with the YMCA's fundraising goal, can generate the \$22 million necessary to build a Class C-2 equivalent recreation centre for HRM. He commented that HRM's recreation department's research confirms a recreation deficit exists on peninsula Halifax; a deficit that is only expected to increase with the residential growth planned for the Regional core. The existing YMCA building at South Park Street is 60 years old and well past its useful life. The building is costing a fortune to keep open and must be replaced. Mr. Richardson went on to note that a new YMCA and the development would be very successful; which has been confirmed through the Board's economic market studies performed by independent consultants. These studies reinforce the feasibility of a modern mixed use development and highlight the demand for a new YMCA that will average 7,000 members per year and an estimated \$250,000 annual user visits. Mr. Richardson quoted Chief Ovide Mercredi, National Chief of the Assembly of First Nations: *it is the economic horse that pulls the social cart*, commenting that the YMCA on South Park Street over the past 60 years has been a key economic horse that indeed pulls the YMCA social cart that serves 25,000 HRM residents each year. The YMCA has been in Halifax since 1853 and a new facility is needed to serve HRM for another 159 years.

Mr. Richardson suggested that significant synergies exist by combining the CBC and YMCA sites. The combined sites bestow a development that will be markedly more cohesive, aesthetically animated and promote one complementary urban design rather than two separate developments that become a patch work of high and low buildings. He indicated that the YMCA chose not to be grandfathered under the old planning guidelines. The YMCA/CBC team is committed to HRM by Design as the way of the future; with a focus on high quality development and good urban design of public spaces. The team was pleased the final design achieved the HRM by Design goal; highlighting and accentuating the visual goal created at the corners of Bell Road, Sackville Street and South Park Street. The development responsibly and elegantly emphasises the corner of South Park Street as it rises to its maximum height of 46 metres (150 feet) only on the back eighteen percent (18%) of the CBC site. This gradual step back ensures that there is minimal impact of shadow on the Public Gardens and neighbouring Martello and Paramount mid-rises.

Ms. Watson-Borg advised that an amendment of this nature is allowable under HRM by Design, as outlined in Policy 89 and quoted an excerpt from the policy. She commented that with Council's support and successful completion, the mixed use development will provide a \$22 million Class C-2 recreation centre at no cost to HRM's capital or operating budget. This dollar value is tremendous when considering the impact calculated over the next 50 years.

Ms. Watson-Borg further highlighted that the mix use development would:

- fulfill the intention of HRM by Design for residential densification; more people living in the downtown fuelling economic activity in the Spring Garden, South Park and downtown districts as market and main street areas
- generate additional real estate taxes of at least \$1.1 million and bring funds to the Municipality
- have significant impact on the local construction market as it is constructed over a period of years
- provide an unprecedented access to state of the art facilities, programs and equipment to people living with physical disabilities and face daily participation barriers
- create a safer neighbourhood through fresh urban mixed use design that will provide lights on and animation of the area seven days of the week
- continue the YMCA's mandate of affordable access; poverty is the number one social cause of poor health; between 15-80% of participants in YMCA health, recreation and community based programs in HRM receive confidential financial assistance to participate; the YMCA is committed to continuing affordable access
- maximize and enhance the renewal of YMCA programs and services in the community
- allow the public social benefit of growing the number of HRM residents who will live an enhanced quality of life (examples were provided on how the YMCA has enhanced the quality of lives for its participants)

Ms. Watson-Borg concluded that the legacy project would contribute significant quantifiable, economic, social and cultural benefits. The magnitude of public good to be realized within the application would set a precedent of a significantly high standard for all future consideration of Policy 89.

Mr. Robertson reiterated his comments made earlier on the design, the \$22 million contribution at no cost to HRM and the importance of the development to HRM. In return YMCA/CBC asks for additional height on the back portion of one site. Mr. Robertson asked for Council's support to allow them to be ambitious with this development.

Councillor Watts requested clarification on the following:

- whether consideration has been given to having affordable housing in the development
- the relationship between the YMCA and the developer, if any
- identify the development's timeline

Mr. Robertson responded as follows:

- the estimated timeline for the development is four years
- as the development moves forward the YMCA will acquire a partner; equity interest in the development (ie. condominium) and the value created would be reinvested back into the building

- at this time consideration has not been given to affordable units; Mr. Robertson believes this could significantly impact profitability and funding available for the development

**Mr. Paul Dyer of 1171 Dalhousie Street, Halifax** noted that he is currently a Trustee of the YMCA, past president of the Halifax YMCA and is involved with a private family foundation that has made significant contributions to the YMCA over the past 40 years. Mr. Dyer indicated his support for the CBC/YMCA joint development application and their request for variance. He felt that under Policy 89 of HRM by Design, the variance would enhance HRM's economic, social and cultural perspectives. In thinking of the institution renewals occurring in the immediate area (ie. new high school, hospital, oval), he felt that the CBC/YMCA project would greatly add to the renewal and would also benefit HRM culturally. A new YMCA would allow various cultures to meet, increasing its offering to HRM's ever increasing and dynamic population, made up of so many wonderful cultures. He encouraged Council to support this initiative that would directly and indirectly benefit so many throughout HRM.

**Ms. Suzanne McDonough of MacLean Street, Halifax**, indicated that she has been a volunteer and YMCA staff member for the past 30 years and was speaking on behalf of many YMCA members. She commented that the YMCA is a centre for mind, body and spiritual health. The facility offers a home away from home for citizens and supports the philosophy of the YMCA; however, the building is no longer sustainable in its current condition. She noted that health care costs are going through a crisis and the YMCA is a community that offers prevention and care to those living with health conditions. She further noted that the only therapeutic pool in HRM has closed and that the new YMCA pools will offer relief to residents battling ALS, arthritis, brain injury and compromised mobility; at no cost to HRM. The pools are part of the social benefit project the YMCA offers that is not offered by most recreation facilities. Ms. McDonough went on to indicate that over the years, YMCA staff and members have developed life long friendships and shared in the good and bad times together. On behalf of the YMCA members, she expressed their excitement for the project and urged Council to support the centre for healthy living.

**Mr. Greg Auld of Halifax** advised that he is presently a Trustee of the local YMCA and has served as past chairman of the local YMCA Board of Directors and vice chairman of the National Board of Directors of YMCA Canada. As well, he serves as a member of the YMCA/CBC Project Steering Committee. He noted that throughout the course of his 25 year involvement, in particular the seven years where he served on the National Board, he has seen tremendous growth of the member's associations across Canada. This is due in large part to the renewal of the YMCA facilities; either through new downtown or suburban location or the replacement of an existing facility with significant direct and indirect benefits to the respective community. Mr. Auld echoed the Proponent with regard to these benefits. He highlighted that the new facility would:

- build much needed financial capacity within the organization so that it would be able to contribute economic resources to its surrounding sister facilities

- build leadership capacities to grow new and current YMCA programs and services; including delivery of services for after school programs, child care, camping, employment, immigration, leadership and youth at risk
- ensure the YMCA's mission of affordable access, which provides over \$300,000 in financial assistance per year increases

**Mr. Pete Clive, resident of Birmingham Street and business owner on Brenton Street,** spoke of his experiences at the YMCA as a youth and the positive role the child care programs have played for his four year old daughter. He commented that he and his wife have seen tremendous development in their daughter. He and his wife feel very strongly about the opportunity their daughter has had being exposed to children of various cultures and backgrounds, and often wonder what types of experiences children have elsewhere. Mr. Clive stressed it was critical to welcome the project to the city so that future generations of children and families could benefit from these programs.

**Ms. Jean Shaw of Summer Street, Halifax,** indicated that she has an Arts and Physical and Health Education Degrees from Queens University, and has worked for the past 40 years both as a staff member and volunteer for the Halifax YMCA. Her work consisted of organizing and teaching a variety of fitness and health programs at the YMCA. Mr. Shaw believed that the YMCA is critically important in Nova Scotia as it focuses on healthy life styles. Commenting that the YMCA is a leader in encouraging individuals to take responsibility for their health, and echoing similar comments made on Nova Scotia's health care and the importance of disease prevention:

- For 18 years the Halifax YMCA ran the first of its kind preventative medicine centre with a focus on health education, exercise design and programing for special groups
- Part of the emphasis of these programs is the power of working with people in groups, benefitting from support and encouragement from others with similar needs and goals of achieving health despite existing conditions
- Many of these programs have been adopted locally and nationally (examples provided)

Ms. Shaw echoed similar comments made on the YMCA's therapeutic programs and the closure of the therapeutic pool. Further comments made were:

- The YMCA is a charitable organization, it is able to solicit funding without political red tape and ensure its ability to carry out special preventive programing
- Through the widespread use of trained volunteers, costs to the public can be reduced
- The YMCA's Provincial, National and International connections allow successful program concepts and educational materials to be disseminated for widespread use
- The YMCA believes in the balance of the whole person; in body, mind and spirit and genders the spirit of family and community
- In an age when isolation of the individual is epidemic, becoming part of the YMCA means becoming part of a happy and meaningful experience

**Mr. Garth Kloostar of North End Halifax** spoke in support of the development, commenting that Halifax should be proud to have this development, which allows people with low incomes to attend and noted his experiences as a member.

**Mr. Michael Kabalen of Calvin Grove, Halifax** stated that he works in the apartment rental business and commented that Council has shown through its decisions that they want to invest in the downtown. However, he noted that Council has also indicated that they will be dealing with a substantial financial shortfall in the spring. He echoed earlier comments made on how the YMCA's proposal would extend Council's vision at no cost to taxpayers. Mr. Kabalen went on to provide the benefits of approving the proposal:

- There would be no need to travel to areas such as Clayton Park to experience a state of the art facility
- It would send a clear message to residents that downtown is the place to live and work
- It is a tangible encouragement to his and future generations that although this is a city with a beautiful past, it is also a city with a promising and progressive future for all

**Mr. Peter Graham of Cunard Street, Halifax** spoke in support of the development and provided examples of the positive impacts he has seen and experienced in being a member of the South Park YMCA. Mr. Graham commended CBC and YMCA on moving forward on the project and showing their long term commitment to the city. He expressed his excitement for the social, health and economic benefits the project will add to the community and expressed for Council's support.

**Mr. Brian Lane, 1044 Greenwood Avenue, Halifax** spoke in support of the proposal. He noted that he is the CEO of IH Mathers, which has been in the marine business in Halifax for over 140 years and is a near neighbour to the YMCA's current location. Mr. Lane noted his experiences at the YMCA through swimming and the Young Leaders Program. His daughter is now a camp counsellor at Big Cove Camp. As past chair of Sport Nova Scotia and Sport Division Chair of the 2011 Canada Winter Games he knows the value of good programs and facilities and the significant benefit this development will bring to Halifax. He echoed similar comments made on the YMCA's contributions to the community, the proposed design and need for the new facility and asked for Council's support.

**Dr. Scott MacMillan of Brenton Street, Halifax** noted his support for the YMCA project and his 20 year career working with the YMCA. Dr. MacMillan referenced the YMCA's mission: *the development of the individual in body, mind and spirit; building a better community and a better world for all.* He noted that he was encouraged by the YMCA to continue his education and is now an academic, teaching at a business school. He is still a part of the YMCA and shares his experiences and the mission of the YMCA with his students. He commented that the YMCA is a significant organization that could bring the community forward and urged Council to support the YMCA.

**Mr. Mike Hachey CEO of Egg Films, Halifax** advised that his company currently has twenty employees and is growing. He spoke in support of the proposal as his business has seen the impact the YMCA has made in the community. He commented that many of his friends, colleagues, clients and family members have enjoyed the YMCA at some point in time. As well, Egg Films recently partnered with the YMCA to produce impact videos for this project and the YMCA's website to help communicate some of the benefits; he encouraged people to view the website. Mr. Hachey noted the need for more facilities in the downtown to accommodate the growing city and made similar comments on how the YMCA improves health and wellness for the entire community and within the business community. He expressed concern that currently facilities are spread out, not convenient to access and are limited in their programs. Egg Films wants to be able to offer more to its employees to help them stay healthier and live less stressful lives through the YMCA.

**Mr. Ryan Joseph of 180 Torrington Drive, Halifax and owner of Famous Folks** advised that his marketing company worked on the YMCA's campaign during this process. During the campaign, his business monitored HRM residents' feedback on the proposal through social media and online, of which 80-85% was positive. Mr. Joseph went on to speak in support of the proposal and shared a personal story as to how opening a new YMCA facility in Sydney, Cape Breton positively affected the city, its residents and local businesses.

**Mr. Michael Kontak of Halifax** read from an email his nephew sent him about his experience as a counsellor at Big Cove YMCA Camp and how it has helped him earn a summer job at a camp in Indiana. Mr. Kontak commented that decisions made tonight are not just for the building but for the initiatives undertaken by YMCA employees. One of those initiatives is Big Cove Camp, which sees 10,000 campers each summer and offers those children a development opportunity to grow and become leaders. 20% of those campers are financially supported by the YMCA; many are from HRM. He asked that Council allow the extra floors to establish a sounder financial basis for the protection of YMCA programs offered in HRM.

Council recessed at 7:00 p.m.

Council reconvened at 7:14 p.m.

**Mr. Gary Jones of Halifax** spoke in support of the redevelopment and echoed similar comments made on health and wellness, and noted his personal experiences as a member of the YMCA.

**Mr. Jeremy Jackson, on behalf of the West End Steelers Youth Basketball Club as Club President and coach, and on behalf of the Metro Basketball Association of HRM,** gave their full support for the development of a new YMCA on the peninsula. He provided background on the Association and his clubs:

- The Association has over 3,400 kids, 300 coach volunteers and 315 youth basketball teams ranging from ages 6 to 18 years that are in need of more affordable gym time

- The clubs are volunteer run and charge approximately \$200-300 per player for the season; half of which is paid in fees to the main league to organize weekend games and the rest the clubs' use to book affordable gym space and uniforms
  - The West End Steelers Youth Basketball Club has 300 kids/26 teams and over 50 volunteer coaches that play out of 11 different gyms around the city
  - Last year clubs had to turn children away due to capacity issues
  - Examples were provided on the difficulties clubs have finding suitable/affordable gym space in HRM within the needed timeframes; often clubs end up with less than appropriate gym space
  - Of the 3,400 participants, approximately 15-20% are funded through Kid Sport
- Mr. Jackson advised that he wrote a letter a few years ago endorsing the Canada Games Centre but unfortunately the facility is unaffordable to the vast majority of clubs and other youth sports. As well, P-3 schools are no longer affordable without increasing registration fees. He went on to provide examples of the older facilities the clubs currently use.

**Mr. Alan Parish of 2360 Moran Street, Halifax** advised that he was the Chair of the HRM by Design Review Committee when the proposed plan amendments came before the Committee in November 2011. The decision of the HRM by Design Review Committee was not to approve these amendments. He referenced the HRM by Design Program that was put in place approximately two years ago, which was the result of many years of community participation. The idea was that there would be a blue print of the city and that developers would have to fit within the parameters of the blueprint. He noted that there were some possible exceptions but the idea was that those were to be very rare exceptions. He went on to state that the HRM by Design Review Committee was made up of architects, engineers, planners and members of the public. The Committee reviewed four to five developments since formed, which were all approved. However, the Committee turned down the proposed plan amendments based on the following reasons:

- The project is twice as high as HRM by Design height requirements, which far exceeds what the plan would support
- The amendment of the plan is conforming to the development, which is spot zoning and makes a mockery of HRM by Design
- Parks Canada is opposed to the proposal; there has been a good relationship between Parks Canada and HRM for years, which should be respected
- There was not a sufficient public benefit to outweigh the violation of HRM by Design; while a new YMCA would be a positive asset to the city, the YMCA has other options to raise funds to construct a new building ,or it could seek another site; this particular site has the highest and best use as high-end residential, whereas there are other perhaps superior locations available for a new YMCA such as near the existing centennial pool
- A suggestion that a tall building will provide more suitable entrance to downtown is not convincing; a wonderful new building meeting the current height requirements could easily be constructed

- The proposed development is completely nebulous; the proposal that came before the Committee was just a suggestion; changes could be made to the development by the time it comes forward for approval
- A planning decision should not be made on the basis that an applicant has a positive community profile; if this were the case, future developers could likely try and identify an occupant for a proposed development who has a positive public profile to allow them to circumvent HRM by Design
- To allow this proposal would create a precedent that would make it difficult to deny other proposed developments which exceed height restrictions around the Citadel

**Ms. Lydia Bugden of Norwood Street, Halifax and member of the YMCA Board of Directors** expressed her support for the development of the new recreation health and wellness facility and noted that the facility would help her to realize her goals:

1. For her children to be raised in a community that actively promotes the health and wellness of its citizens
2. To see the community regain some of its vibrancy downtown that she recalls as a child growing up in the city
3. To see the YMCA develop a significant asset into a self sustaining facility while preserving the history and integrity of what she considers to be a prominent corner in the core of HRM

Ms. Bugden highlighted her experiences growing up in Clayton Park and the various activities she participated in downtown. She and her husband moved back to Halifax when they started their family and made the conscious decision to live downtown. She wanted her children to feel the rhythm of the city and have closer access to some of the facilities she attended as a child. Ms. Bugden expressed her disappointment that in the seven years she was gone from Halifax, there had been significant development in the suburban area and decay in the downtown. She recalled her excitement when HRM by Design was formed and residents could be engaged with not only how they wanted their city to look but how they want to live in their city. She referenced one of the original posts for HRM by Design which spoke to:

- A vibrant downtown city;
- Development that sparks good community use;
- Public spaces;
- Good design; and

felt the YMCA building fulfills all of these requirements. She commented that HRM is now at a time when the city needs renewal and the proposed facility will not only attract people to live downtown but will also be a catalyst for the health and wellness regardless of their financial circumstances. She went on to echo similar comments made on the role of YMCA in relation to health and wellness and being a self sustaining facility.

**Mr. Rod McCulloch of Colley Lane, Halifax** noted his choice to live and raise his family in Halifax and shared his experience and support as a YMCA Trustee.

**Mr. Luc Ergavec of 6682 Second Street, Halifax and Vice President of Atlantic Canada Canadian Restaurant and Foodservices Association**, noted the CRFA's support for this project. He commented that there are hundreds of small businesses in the community that will benefit from this project. CRFS is the fourth largest employer in Nova Scotia and foresees this project being a catalyst for Nova Scotia, Halifax and the community. Mr. Ergavec highlighted the following benefits the project will bring:

- private sector investment in Municipal infrastructure and recreational facilities to downtown Halifax
- generate revenue for the city
- bring people to the downtown core to visit and live, which will create more jobs and increase vibrancy

He went on to note that critics will indicate that this project contravenes HRM by Design and he would be the first to hold governments accountable for contravening policy and not following procedures, but in this case the projects works. He commented that HRM by Design anticipated one of a kind projects by putting in Section 89 to allow for special projects that will benefit the community to be constructed. The proposed development does this economically, socially, commercially, recreationally and culturally.

**Mr. Bob Mussett of 7 Rockwood Avenue, Halifax** expressed his enthusiasm about the affects HRM by Design are having on the city through the evidence of new development and infill projects both planned and underway in the Central Business Districts (CBD). Noting that he counted 12 such projects of which 8 are residential. Mr. Mussett commented that HRM by Design is not perfect and he would have liked more flexibility and higher density. He echoed similar benefits the project will offer, nothing that the use of existing services in place will save significant amounts of taxpayer's money. He further echoed comments made on the use of Section 89 for this project.

**Ms. Mary Ellen Gurnham of 1034 Bellevue Avenue, Halifax** advised that she is Chief Nursing Officer at Capital Health and recently stepped down as Chair of the YMCA's Board of Directors. She chose to get involved with the YMCA as she has recognized the community needs organizations such as the YMCA. The holistic inclusive approach the YMCA embraces is consistent with the values that she holds as a citizen and registered nurse. She echoed similar statements made on the increasing rate of chronic diseases and prevention programs in relation to Nova Scotia's health care. She commented that strategic partnerships with health focus community based organizations such as the YMCA are crucial to build the health of this community. She provided an overview of successful programs being run in partnership with the YMCA. Furthering these partnerships is limited by an aging facility that is not fully accessible. She went on to comment on the closure of the rehab pool and what the new YMCA facility will have to offer. Ms. Gurnham disagreed with the HRM by Design Review Committee's decision to not support the YMCA plan amendment application as it does not provide enough public benefit to warrant the plan amendment. Commenting that the proposed development is not for a new building but for the kind of programs and services a modern, accessible facility can offer the community.

**Mr. Fred Honsberger, past president and current trustee and historian for the Halifax YMCA**, spoke in support of the YMCA's vision for a new facility which will respond to current needs for a twenty-first century growing Halifax. Quoting Winston Churchill, he provided insight into the establishment of the YMCA in 1853 and past contributions during 1853 to 2012. He commented that as a long standing member of the Nova Scotia Historical Society, he knows that many of HRM's nineteenth century buildings are the product of three exceptionally forward looking people:

- J.C. Damerick was a member of the YMCA Board of Director in 1870, who helped guide the Board's thinking in support of the first YMCA building
- S.M. Brookfield helped with the construction of the first YMCA building on Grandville Street and went on to build the second building on Barrington Street; he also served as Vice President of the YMCA for a number of years
- George Wright's generous bequest to the YMCA following his death on the Titanic, helped to pay off the mortgage of the current YMCA building

He noted that all three gentlemen supported the YMCA's vision to a modern nineteenth century Halifax and suggested that they would also support today's vision for a modern twenty-first century building.

**Mr. Johanna Stork of Lawrence Street, Halifax and representative of Canadian National Institute for the Blind (CNIB)** spoke in support of the YMCA and how it assists people with vision loss:

- A new facility will create new opportunities to access recreation, wellness and community near their homes; people with vision loss are three times as likely to suffer from depression; approximately 65% of Canadian's with vision loss are not employed
- The YMCA reaches out to people who are isolated and makes programming accessible and inclusive for people in the community who need wellness the most
- The YMCA offers economically accessible memberships; people with vision loss will be able to travel to the building on many bus routes and the build design will be accessible
- Building a new larger building will allow the YMCA to reach out to many more people in the community who are in need and offer help and support

She advised that the CNIB envisions a future where every Canadian has equal access to the type of life changing services the YMCA provides.

**Ms. Adele Poirier of Dartmouth** noted that she teaches two classes a week at the YMCA and agreed with supportive comments made this evening, especially in relation to the health promotion benefits of a new YMCA. She provided her perspective as a volunteer fitness instructor at the YMCA. She echoed similar comments made on the YMCA community and its support to one another. Ms. Poirier commented that she would like to see more people experience this support, especially those with accessibility issues and concluded that HRM needs to build for the future.

**Mr. John Britton of South Street, Halifax** spoke personally in support of the project and on behalf of the Maritime Heart Centre, a local charity of which he is the Executive

Director. He provided an overview of the Marine Heart Centre and their supporting reasons for the project; specifically relating to heart disease and overall wellness. He indicated that urban planning offers an excellent opportunity to increase chances for physical activity by providing access to sports and recreation facilities. According to the Canadian Community Health Survey as many as 48% of HRM residents are physically inactive. He noted that 200 HRM residents die prematurely each year due to physical inactivity, which accounts for 7% of all premature deaths in HRM. The Centre performs over 1,200 open heart surgeries per year. He went on to note that HRM citizens need to be more active for their wellbeing, their loved ones and their communities. Mr. Britton echoed similar benefits a new facility would bring, in particular by addressing the current recreation infrastructure deficit.

**Mr. John Rogers of 1974 Woodlawn Terrance, Halifax and CEO of Stewart McKelvey** spoke as a citizen and committed volunteer in support of the proposal. He urged Council to support the amendments to allow this project to proceed, highlighting similar comments made on the significant community benefit the new facility offers. He noted that his firm supports YMCA's across Canada as a result of the benefits the facility provides. In response to comments made on the project's design, Mr. Rogers commented that the project has the support of HRM staff and meets HRM's approval process.

**Mr. Andrew Cochran of Halifax and Managing Director of CBC Maritimes** spoke in favour of the proposal and shared memories of his experiences at 5600 Sackville Street. He indicated that CBC's decision to enter into this agreement with the YMCA has only been after highly detailed and careful consideration of CBC's best options:

- CBC has more space than needed in Halifax and every dollar saved on infrastructure is money they can devote to programs and jobs
- Combining CBC's operations into one facility makes more sense to how they currently operate
- The cost to remediate Sackville Street for CBC's needs was the most expensive option; CBC needs to move to secure its future in Halifax
- CBC's relationship with the YMCA is the best way for them to proceed with their building
- CBC feels a responsibility to be stewards of the building and corner and believes the YMCA has been the perfect partner; both are aligned in goals, values and how the future of this property can contribute to the city's future
- When they sell their building, CBC needs to gain the most value possible; They are convinced that at this time their relationship with the YMCA for the proposed development produces the greatest value they could ever achieve for the sale of the building; in return proceeds will help CBC to renew their facilities and its commitment to future Halifax programming

**Ms. Jennifer Laplante of MacLean Street, Halifax** echoed similar comments made about her children's experiences attending the YMCA daycare and her family's decision to live downtown.

Council recessed at 8:08 p.m.  
Council reconvened at 8:27 p.m.

**Ms. Staci Latham-Murphy of 39 Arlington Avenue, Halifax** spoke positively of her involvement at the YMCA both in the daycare program and later as a swimming instructor.

**Mr. Stewart MacLean of Sherwood Street, Halifax, Vice Chair of the YMCA and CEO of the Workers Compensation Board** noted that the YMCA, Province and Municipality have the same problems and goals, and he believes the YMCA offers a partial solution through private investment. He commented that the YMCA's problem is not in its ability to provide service but rather its need for sustainability. From his perspective, the Province and Municipality's problem is with regard to budget challenges and the associated need to develop infrastructure to improve the population's health. Growth of current budgets is not sustainable. He provided examples of earlier comments made to budget cuts to provincial health care and witnessing what the new YMCA facility in Sydney had to offer its community.

**Ms. Kathy Moddridge of Lawrence Street, Halifax** shared her experience as a YMCA member and noted her support for the proposal. She echoed supporting comments made of the benefits a new sustainable facility would bring to the community. She shared the results of the 2010-13 Community Health Plan research, in which 4,000 HRM residents were surveyed:

- 62% obesity
- 47% physically inactive
- 1 of 3 residents have a weak sense of belonging to their community

Ms. Moddridge spoke further on the proposed facility's accessibility, the ability to take transit, the YMCA financial contribution to the redevelopment and the height recognition under Section 89. She congratulated the YMCA in its efforts to partner with CBC.

**Dr. Carla Wheaton of Hawthorne Street, Dartmouth and Cultural Resource Manager for Mainland Nova Scotia Field Unit of Parks Canada** indicated that the current maximum allowable height of 23 metres at the corner of Sackville and South Park Streets should be retained. She spoke on the preservation and presentation of the Halifax Citadel as a national historic site of Canada and Parks Canada's ongoing stabilization efforts to maintain the site. The following information respecting the Citadel was provided:

- To date the site welcomes more than a half million visitors annually and contributes approximately \$5.5 million towards Nova Scotia's GDP
- The site is featured prominently in the Provincial tourism campaigns and is listed as one of Halifax's top attractions on [tripadvisor.ca](http://tripadvisor.ca)
- To many the fort and its highlanders have become synonymous with the city of Halifax and the Province of Nova Scotia
- The site is more than a tourist attraction, it is an important part of the city's daily life and its identity
- In 2007 readers of the Daily News voted the Citadel the top wonder of Halifax

Dr. Wheaton advised that Parks Canada holds sites such as the Citadel in trust for present and future generations of Canadians. Parks Canada takes its responsibility seriously to care for these places which have played significant roles in the nation's history and continue to make important contributions to their communities economically and recreationally. She provided an overview of Parks Canada impact assessment of the proposed height increase on the Halifax Citadel site, which is available on the Municipal planning website. She concluded that Parks Canada would welcome neighbouring development that is in keeping with the goals and objectives of the current Municipal Planning Strategy.

**Ms. Anne McGuire of North End Halifax and President and CEO of the IWK Health Centre** spoke on the health and wellness of Nova Scotia's children, what the YMCA offers and the YMCA's partnership with the IWK:

- the YMCA hosts children from the IWK's mental health and additions program
- The IWK is developing a physical rehab program for children with physical disabilities but requires the YMCA's partnership to move this program forward

**Mr. Andy Lynch of Quinpool Road, Halifax and owner of Lydon Lynch Architects** advised that for over 32 years his business has designed and built a half billion dollars worth of construction in downtown Halifax; all of which were subject to view plane legislation, height controls and public consultation. He highlighted the construction of the North American Life Centre on Sackville Street in the early 1980's. He speculated that this project brought overlays of height controls around the Citadel as it was viewed as a towering block of office building directly across from the town clock. Similar concerns being expressed tonight were expressed for this building 30 years ago; Parks Canada wrote a similar impact study. He asked people to visit the Citadel and face the building to see how well it has integrated into the urban fabric. He concluded that the North American Life Centre may have seemed like a tragic error at the time but given the perspective of 30 years it was the right decision.

**Ms. Anne Cogdon of Waverley Road** gave her support to the YMCA proposal. She highlighted her history with YMCA, echoing the YMCA's attributes and how it aligns with Council's vision for Halifax.

**Mr. Robert Zed of Oakland Road, Halifax** agreed with information provided this evening in support of the project, noting his family's involvement with the YMCA.

**Mr. Peter Delefes, Head of St. Margaret's Bay and President and representative of Nova Scotia Heritage Trust** asked Council to accept the advice of the HRM by Design Review Committee and turn down the application. Mr. Delefes noted his history with the YMCA and agreed with Alan Parish's comments respecting other options available to the YMCA. He indicated that Heritage Trust has no concerns with the YMCA building new facilities on the site but is concerned with the excessive size of the towers, which will house the pool and gymnasium in the lower levels. He asked that the height limit of 23 metres be respected and suggested it is enough to provide the amenities and residential facilities. Mr. Delefes went on to note the following oppositions:

- The Citadel and Public Gardens are significant public recreation facilities which also confer economic, social and cultural benefits for all HRM citizen and visitors; the Proposed development negatively impacts these benefits in a significant way
- The two 15 and 16 storey towers would cast shadows in the Public Gardens for approximately three hours on each sunny morning in the Spring and Summer
- The towers will wall off sustainable amounts of the South West view over the Public Gardens
- Public views will be blocked for the benefit of relatively few occupants of a private development
- Phil Pacey, who will speak later, indicates that 23.8 degrees of the views of the Public Gardens from the Citadel would be blocked and sacrificed by this development
- The HRM by Design Review Committee has expressed concern that an approval of this project would establish a dangerous precedent for other projects which will exceed the height restrictions around the Citadel
- Reference was made to the pending Sky proposal by United Gulf for a 48 storey tower on the former Tex Park site; at 150 metres the development is two and a half times the 60 metre height currently permitted on this site
- If the YMCA/CBC proposal is permitted to move forward the precedent is established for the approval of the Sky proposal and other similar projects which will exceed the height limits imposed by HRM
- The 75 foot height limit adjacent to Citadel Hill was established in 1987 to protect the context of Citadel Hill and prevent views from being walled off by high buildings has been reaffirmed by HRM by Design, with 75 feet now being translated into its metric equivalent of 23 metres
- A process undertaken by HRM by Design over a number of years, involving several thousand citizens and a couple of million dollars was supposed to create a new clear vision for downtown Halifax; it was not their intention that developers claiming public benefits for their projects would have unlimited height concessions that doubles or triples allowable limits

**Mr. Louis Brill of 1386 Edward Street, Halifax** spoke in support of the redevelopment as:

- President and CEO of the Nova Scotia Lung Association
- Volunteer Chair for Athletics Nova Scotia; and
- Representing his son and daughter

Mr. Brill highlighted his rationale for supporting the proposal as representative of each of the above groups (ie. daycare, preventative health care and enhancement of access to sport).

**Ms. Beverly Miller of 6182 South Street Halifax** advised that the last part of the YMCA's mission statement indicates: *and since of responsibility to each other*. She expressed concern that the proposal has a distinct lack of sense of responsibility to each other and questioned what the YMCA is asking for in its proposal:

- The YMCA is asking HRM residents to throw out the existing planning by-laws under which HRM is supposed to be operating

- HRM by Design is less than three years old, with a cost of \$2 million to taxpayers
- She felt the YMCA had no intension of considering HRM by Design
- The YMCA is asking residents to ignore potential damage to four other public recreational facilities (Citadel, Public Gardens, Halifax Common, Centennial Pool)
- The Citadel is an important green space and major tourist attraction
- The YMCA has ignored concerns expressed by local citizens and Parks Canada
- Council and the YMCA have received a letter from the Friends of the Public Gardens, expressing concerns about the affect of the building's size on the gardens and people's enjoyment
- There are significant portions of the project that are in violation of the Halifax Common plan, including the Garrison Grounds; reference made to the letter from the Co-chairs of the Halifax Commons

Ms. Miller questioned what would happen to the publicly owned Centennial Pool, located on the other side of the Citadel. She further questioned the YMCA's intension with the towers and referenced the comments made by Alan Parish. She suggested that the YMCA will receive approval and then shop this project to the developer willing to pay them the most money. Ms. Miller referenced the HRM by Design Review Committee's report respecting concerns for the design of the facility. She commented that both Council and the YMCA need to rethink this proposal. The proposal is out of sync with the YMCA's mission statement.

**Mr. Phil Pacey of 6269 Yukon Street, Halifax and Chair of the Heritage Trust of Nova Scotia** commented that current height requirements confirm the economic, social and cultural benefits to HRM; but suggested that weakening these protections would do significant economic, social and cultural damage to HRM and the application should be turned down. He provided similar background and history on Citadel Hill and the Public Gardens. The following points were noted:

- 93% of HRM residents surveyed in 2007 said they go to Citadel Hill to see the view
- 27 years ago the city of Halifax limited building heights around Citadel Hill to prevent views from being walled off by high buildings (Ban Day); Four developments have been built under this rule; this height limit has been carried forward in the new By-law
- 70% of Citadel Hill's perimeter is outside the narrow tops of the view planes; he suggested that if tall buildings were permitted, the view would be visible only in narrow gaps between buildings resulting in a picket fence effect

Mr. Pacey highlighted photos of Citadel Hill's current south west view planes from the CBC site, as well as a projection of how the proposed towers would wall off 23.8 degrees of the view. He went on to comment that:

- The towers could be approximately 49 metres above grade, 27 metres higher than the roadway around Citadel Hill and 19 metres higher than the ramparts of the Citadel
- The Public Gardens is one of the best examples of a Victorian garden in North America; the gardens are designed to be an oasis of natural beauty in the heart of the city

- The Land Use By-law has special setback provisions for the Public Gardens and South Park Street; the provisions protect the morning sunlight on the gardens, as well as the view of the sky to the east; this sunlight and these sky views are important public benefits and the application would extinguish these benefits; Reference was made to earlier comments on the casting of shadows on the gardens
- The application would have a negative impact on the public good
- the increase in height is not essential for the construction of a new indoor recreation facility and could be built elsewhere
- The HRM by Design rules allow for 11 million square feet of development in downtown Halifax; a consultant identified 40 sites where development could occur; one of the goals was to fill in the 1 million square feet of vacant land downtown; the CBC and YMCA sites were not considered to be good, promising development sites because of their high cost; the sites identified were calculated to have sufficient development capacity to satisfy demand for the next 50-70 years; many of these sites can accommodate a new indoor recreation facility
- A new facility could be constructed elsewhere without weakening the protections for the Citadel and the Public Gardens
- HRM needs to protect views, allow sunlight to reach sidewalks and give pedestrians lots of views of the sky to allow downtown to thrive

Mr. Pacey closed by asked Council to turn down the application.

**Mr. Neil Ritchie of 6290 Jennings Street, Halifax and member of the YMCA Board of Directors** noted that he was formally the Chief Operating Officer at the Capital District Health Authority and has spent most of his career working in the health care system. He comments on Nova Scotia's health care system and the need to focus on prevention and gave support to the project. Mr. Ritchie highlighted the YMCA's business case, providing an example of Moncton's efforts with the YMCA and he urged Council's support.

**Mr. Blair Beed of 6467 Summit Street, Halifax** expressed concern with the Homburg and Scotia Square Buildings when taking visitors to see Citadel Hill. He provided a metaphor of people speaking out about *boots on the gym floor at the YMCA* and suggested no matter how many speak out about the matter, it would not be permitted as it is a rule. He commented on HRM's planning rules in relation to the Citadel and Public Gardens and asked Council to turn down the proposal due to the height intrusion. He highlighted comments made on the YMCA's programs but noted that much of these programs do not happen at this site. The benefit seems to underlie that the YMCA could go elsewhere. Mr. Beed further referenced staff's report in relation to considering of the Forum site. He commented that:

- The CBC site is best developed to respect the Citadel, which gives huge economic, social and cultural benefits to the city
- The city wants more people downtown but it is not just about the numbers of people (ie. sunlight)
- Increased assessment is not an economic benefit that neighbours want to hear; building that is not in the plan blocks people who bought in areas of buildings

where they thought they might have a view, which does not increase their benefit to life

Mr. Beed agreed that the CBC development proposal does not meet the standards of giving HRM significant economic, social and cultural benefit; asking Council to turn down the proposal based on the planning rules.

**Mr. Fred Morley of Newton Avenue, Halifax** spoke in support of the proposal, noting his is involved in a number of volunteer roles working with HRM over the past years through the Regional Planning Advisory Committee and the HRM by Design Review Committee. The understanding he took during this planning was that plans are not static documents; they are working documents that have to be interpreted and used for the benefit of the community. Mr. Morley noted that the project is consistent with the Regional Plan and HRM by Design's plan; commenting that HRM by Design is brilliant in its anticipation of these generational projects like the YMCA that come along once every one to two generations that can make a difference for a community. He closed by quoting Vince Lombardy and the need to *work the plans*.

**Mr. Alan Ruffman of 202 Ferguson's Cove Road and member of Heritage Trust, Friends of the Public Gardens and Friends of the Commons**, advised that he has been involved in planning for a long time. He agreed with the HRM by Design Review Committee's decision. He expressed concern of pre-planning before knowing what will be built on the site; no proposed developer and agreement in place. Mr. Ruffman agreed that allowing the proposal makes a *mockery* of the planning process; after three (3) years HRM wants to make a major change (four plan amendments) for one property. Mr. Ruffman quoted Mr. Cochran's reasoning for why the property should be sold, indicating that he would be asking the Clerk for a transcript of Mr. Cochran's comments following the meeting. However, what Mr. Cochran did not say is that CBC is using the YMCA to front for them so they could sell their property for as much money as possible. He asked Council if this is a reason to use Policy 89. He felt it is not a good reason and suggested the YMCA and CBC would know the same. Mr. Ruffman closed by saying that Council should not be taken in that this is a workable, legitimate use of Policy 89 and it was shameful for staff to suggest, and it would be shameful for Council to support.

**Ms. Kaitlyn Fennessy of Queen Street, Halifax** spoke in support of the proposal and noted her involvement with the following groups and facilities around HRM:

- Member of the Halifax Sport and Social Club (HSSC)
- Employed at Dalhousie
- Member of Fusion Halifax
- Volunteer for International Special Events Society of Canada (ISES) in the Halifax Refugee Clinic

Through Ms. Fennessy's involvement, she has become familiar with the YMCA project and understood that the space HSSC rents could not exist without this amendment due to financial implications. She referenced earlier comments on the proposed funding for the project and disagreed with comments about protecting the things that make the city great; commenting that it is the people that make the city great. If investment is not

made in the people and communities, HRM will be a city with an empty fort and a nice view of some greenery. She asked Council to consider all of the implications of the project and all the wonderful things the YMCA currently does, and could do with increased capacity in a new space.

Mayor Kelly gave the third and final call for speakers.

The following closing statement was provided by **Mr. John Lindsay, YMCA volunteer, trustee and member, past Board chairman of the local YMCA, National YMCA Board vice chairman and chair of the YMCA/CBC Project Steering Committee.** Mr. Lindsay indicated that his family has chosen the YMCA as their favourite charity place to volunteer for the past three decades. He thanked Council and everyone for coming tonight to discuss the project and provided the following points of clarification:

- The YMCA completed a comprehensive site disclosure; the equity YMCA/CBC has in the site is at the core of the strategy of trying to realize a refurbished and renewed facility
- The YMCA needs the extra height; the increase in height is on 18% of the CBC site; the facility is lower as it steps down in respect to the Citadel and Public Gardens; ensuring the views and winds and minimizing impacts
- This is not a nebulous process; this process has been successfully pursued by YMCAs across Canada (most recently in Vancouver)

As a development professional in the city and as a volunteer at the centre of this project for the past four years, Mr. Lindsay reiterated the depth and completeness of the YMCA's consultation and dialogs with HRM staff, neighbours, members and all other stakeholders. Highlights were as follows:

- The YMCA believes that through the excellent and completeness of the process, they have set a new standard for development applications in HRM
- The plan amendment is a critical step in strengthening one of the most progressive and critically needed planning improvements in the history of the city; therefore mentioned by HRM by Design

Mr. Lindsay noted that he was an active volunteer on behalf of Greater Halifax Partnership in the HRM by Design creation process. During the lengthy discussions, he fully accepted the importance of taking height off the table but only if the rules could have expectations for projects that offer truly significant community benefits. He commented that he was one of the first into the Policy 89 cue and have always believed that the delivery of the \$22 million of Class C recreational infrastructure, with no impact to on operating or capital budget and with minimal impact on the site neighbours and no impact on the rampart views or view planes, would set such a compellingly high bar for any future applicants. This level of the bar is a benefit, not a detraction from HRM by Design. Further, supporting the work of the YMCA and maximizing the CBC facility renewal through increased returns from the sale of the property to support the future and culture of Halifax, Council's endorsement of this Municipal plan amendment on the basis of Policy 89 would give HRM by Design its final necessary building block; a standard for amendment. It would be a standard that is extremely high but available to those in the future who bring this same level of community benefit to HRM. On this

basis and all other information brought forward, Mr. Lindsay personally requested Council's positive support of the Municipal plan amendments.

There being no further speakers, it was **MOVED by Deputy Mayor Karsten, seconded by Councillor Nicoll that the public hearing be closed. MOTION PUT AND PASSED.**

Council recessed at 9:35 p.m.

Council reconvened at 9:44 p.m.

**MOVED by Councillor Sloane, seconded by Councillor Outhit that Halifax Regional Council approve the proposed amendments to the Regional Municipal Planning Strategy, the Halifax Municipal Planning Strategy, the Downtown Halifax Secondary Municipal Planning Strategy, and the Downtown Halifax Land Use By-Law as contained in Attachments A1, B1, C1 and D1 of the February 14, 2012 supplementary staff report.**

Council entered into debate. The following clarification was provided by Mr. Harvey:

- The length of time referenced by speaker relative to shadow cast is the combined impact of buildings, including existing buildings; the actual additional maximum amount of shadow cast from this project would be 1 hour and 5 minutes; it is estimated that shadow cast would leave the park no later than 9:30 a.m.
- The amendments are site specific to the YMCA and CBC sites and staff does not believe the amendments would be precedent setting
- The view toward the Public Gardens (highlighted in Phil Pacey's photos) Point E is not a protected view
- Alan Parish was the former chair of the HRM by Design Review Committee

Councillor Sloane spoke in support of the proposal, referencing the purpose and use of Policy 89. She expressed concern with the decay on the Peninsula and how HRM by Design was formed to bring vibrancy.

**MOVED by Councillor Rankin, seconded by Councillor Mosher to extend the Council session past 10:00 p.m. to complete the agenda. MOTION PUT AND PASSED.**

Council continued with its debate.

Councillor Hendsbee requested clarification on a number of points, to which Mr. Harvey responded as follows:

- With respect to process, Council is considering passage of amendments to HRM planning documents. If approved by Council, the amendments would be forwarded to the Province for review. Following the Province's review and if approved, HRM would advertise the new amendments, which would allow the YMCA to make a site plan approval application; the preparation of plans that are

in keeping with the Land Use By-law. The application would be reviewed by development staff for conformity and public consultation would be needed, involving notification via newspaper and website. At the conclusion of the public consultation a full site plan approval application would be considered by the Design Review Committee. The Design Review Committee has the ability, with the development officer, to approve or refuse a project on the basis of its conformity with the Land Use By-law and design criteria.

- An appeal could be made and considered by Halifax Regional Council; the appeal decision would be final.
- As this project is not a proposed subdivision there would be no associated park land fees.
- Ms. Mary Ellen Donovan, Municipal Solicitor confirmed that there would be some level of eligibility for tax exemption with respect to a non-profit recreational facility.

In response to Councillor Hendsbee's comment that there should be an understanding of *buyer beware* in relation to HRM's Noise By-law and this project; therefore, no noise by-law complaints should be registered, Ms. Donovan agreed that there is a caveat emptor for this type of scenario.

Councillor Harvey highlighted his experience as a YMCA member but was concerned with the planning aspect of the proposal. He indicated that no one is opposed to the YMCA or building a new facility; however, the proposed height increase is a concern. He questioned whether the project meets the requirement of Policy 89 and whether it would open the door to more exceptions. He was further concerned with the exception becoming the rule; people looking to the exception and not looking at what is outlined in HRM by Design.

In response to statements made by speakers, Deputy Mayor Karsten provided the following clarification for the record:

1. The affairs of the Municipality as it relates to finances are in order; the 2011-2012 Budget will be tabled next week
2. The Municipality does face financial challenges, which are often faced during the year but he assured the public that the city faces no "perilous" finances
3. Unsure of where the premise of HRM by Design review process costing HRM \$2 million

During the discussion several Council members thanked the speakers and similar supporting comments were echoed on the project's benefits, HRM's vision for the downtown, the use of Policy 89 and the project having no financial cost to HRM.

Councillor Hendsbee requested a recorded vote.

A recorded vote was taken.

**MOTION PUT AND PASSED UNANIMOUSLY. (20 in favour and 0 opposed)**

Those voting in favour were: Mayor Kelly, Deputy Mayor Karsten, Councillors Adams, Barkhouse, Dalrymple, Fisher, Harvey, Hendsbee, Hum, Lund, Mosher, Nicoll, Outhit, Rankin, Sloane, Smith, Streach, Walker, Watts and Wile.

Those voting against were: None.

Councillors Blumenthal, Johns, McCluskey and Uteck were absent from the meeting.

**16. ADJOURNMENT**

The meeting was adjourned at 10:24 p.m.

Cathy J. Mellett  
Municipal Clerk

**Private and Confidential Information Items**

1. Private and Confidential In Camera Information Report - re: Proposed Burnside/Sackville Expressway, 107 Bypass – Provincial Request to Purchase Lands at Burnside Industrial Park
2. Private and Confidential In Camera Information Report - re: Dismissal/Discontinuance of Legal Matters Against HRM

---

**INFORMATION ITEMS**  
**March 20, 2012**

---

1. Proclamation – Purple Day for Epilepsy – March 26, 2012
2. Memorandum from Chair, Community Planning and Economic Development Standing Committee dated February 23, 2012 re: Review of Economic Development Governance Structure
3. Memorandum from Chair, Community Planning and Economic Development Standing Committee dated February 29, 2012 re: Year One Implementation of 2011-2016 Economic Strategy 3<sup>rd</sup> Quarter Update from October to December 2011
4. Memorandum from Acting Director, Finance and Information Technology dated March 9, 2012 re: Third Quarter 2011/2012 Financial Report
5. Memorandum from Director, Transportation and Public Works dated February 9, 2012 re: District 20 Flooding Issues due to August 2, 2011 Storm Event
6. Memorandum from the Municipal Clerk dated March 12, 2012 re: Requests for Presentation to Council – Blue Nose Marathon