



**HALIFAX REGIONAL COUNCIL
MINUTES
April 15, 2014**

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

REGRETS: Councillors: Waye Mason
Reg Rankin

STAFF: Mr. Richard Butts, Chief Administrative Officer
Mr. John Traves, Municipal Solicitor
Ms. Cathy Mellett, Municipal Clerk
Ms. Krista Vining, Legislative Assistant
Mr. Quentin Hill, 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_2014-04-15_live.mp4.html*

*The agenda, supporting documents, and information items circulated to Council are available
online: <http://www.halifax.ca/municipalclerk/140415rcAgenda.html>*

The meeting was called to order at 1:45 p.m., and recessed at 3:33 p.m. Council reconvened at 3:47 p.m. Council recessed at 5:22 p.m. and reconvened at 6:00 p.m. Council moved into an In Camera session at 8:45 p.m. and reconvened at 9:00 p.m. Council adjourned at 9:08 p.m.

1. INVOCATION

The Mayor called the meeting to order with the Invocation being led by Councillor Hendsbee.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillors noted a number of special community announcements and acknowledgements.

3. APPROVAL OF MINUTES – March 18, 2014

MOVED by Councillor McCluskey, seconded by Councillor Watts that the minutes of March 18, 2014 be approved as amended.

Councillor McCluskey asked the Clerk to verify the seconder of the motion at the bottom of page 5.

MOTION PUT AND PASSED.

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

Councillor Karsten requested Information Item 4 - Memorandum from the General Manager of the Halifax Regional Water Commission dated April 4, 2014 re: Stormwater Service Charges be moved up on the agenda under Item 10.3.1 to coincide with Halifax Water Commissions presentation, to which Council agreed.

MOVED by Councillor Mosher, seconded by Councillor Whitman that item 11.5.3 HRM Branding Strategy be addressed following Item 10.3.1., to which Council agreed.

Councillor Watts requested Item 11.1.9 Second Reading Proposed By-Law R-107 be addressed following Item 11.5.3, to which Council agreed.

MOVED by Councillor Walker, seconded by Councillor Whitman that the agenda as amended be approved. 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 – 6:00 P.M.

9.1 Case 17491 – Municipal Planning Strategy (MPS) and Land Use By-law (LUB) Amendments and Development Agreement for 2894 St. Margarets Bay Road, Timberlea (Joint Public Hearing with Halifax & West Community Council)

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

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.1 Correspondence

The Clerk noted that correspondence was received for items: 9.1, 11.1.9., 11.5.1, 11.5.3 and Information Item 4. This correspondence was circulated to Council.

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

10.1.1 Fly-Past Request – Battle of the Atlantic

MOVED by Councillor Watts, seconded by Councillor Nicoll that Halifax Regional Council approve a fly-past of a long-range patrol aircraft at an altitude of 500 feet above the highest obstacle, over Point Pleasant Park as per the diagram attached to the correspondence dated March 19, 2014, to commence at 10:58 a.m. on May 4, 2014 as part of the Battle of the Atlantic Ceremony. MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Mason and Rankin.

10.2 Petitions – None

10.3 Presentation

10.3.1 Halifax Regional Water Commission

The following was before Council:

- A copy of the presentation entitled: Stormwater Costs of Service and Rates
- A memorandum from the General Manager of the Halifax Regional Water Commission dated April 4, 2014 re: Stormwater Service Charges (Information Item 4)
- Correspondence for Information Item 4 from Mr. Ross Hartley

Ms. Cathie O'Toole, Director of Finance and Customer Service, CFO of Halifax Water and Mr. John Sheppard, Director of Environmental Engineering Services, Halifax Water delivered a presentation to Council around the establishment/implementation of a cost of service based rate for wastewater and stormwater services.

Councillor Johns noted for the record that he does not support the current billing practice for ditching and stormwater throughout HRM. As he previously stated when this matter was before

Council, that if Halifax Water could guarantee that the money generated from this service charge in areas where people do not have pipe services, if that money goes back into the maintenance and service upgrades of ditches is one issue, but it is difficult for him to support when a number of District 14 residents do not receive maintenance on ditches presently.

In response to a question raised by Councillor Johns around the billing process, Ms. O'Toole clarified that Halifax Water billed HRM for this service in 2013-2014, which has been paid. For fiscal 2014-2015 HRM has directed Halifax Water to recoup the cost. In response to a follow up question on the total amount for right of way stormwater that Halifax Water will be billing HRM, Ms. O'Toole confirmed approximately \$3.8 million.

MOVED by Councillor Johns, seconded by Councillor Whitman that the dividend the Halifax Regional Municipality receives from the Halifax Regional Water Commission be used to offset the cost of the right of way stormwater charge.

Mr. John Traves, Municipal Solicitor advised that motion was not in order as there were financial implications, which requires a staff report to Council.

In response to potential re-wording of the motion by Councillor Johns, Mr. Traves further clarified that, by way of Council's rules as per Administrative Order One, Council is prevented from voting on the motion until a staff report has been received, along with a recommendation from the CAO.

The new motion read as follows:

MOVED by Councillor Johns, seconded by Councillor Whitman that Halifax Regional Council request a staff report outlining the budget implications in the 2015-2016 budget and onward, of using the dividends received from the Halifax Regional Water Commission to offset the cost of the right of way stormwater charge.

Council entered into debate on the motion with points being made respecting a two year commitment of \$3 million from the dividends going toward the deep stormwater system.

During the discussion, Councillor Craig suggested the source of funding for the stormwater charge not be limited to the Halifax Regional Water dividend.

Councillor Watts asked that the staff report include a broad analysis of the implications; identify the options and impacts to subsequent budget years.

The discussion ensued with staff responding to questions around the intent of Councillor Craig's suggestion and an alternate motion was proposed by Councillor Johns as follows:

MOVED by Councillor Johns, seconded by Councillor Whitman that Halifax Regional Council request staff to bring back options in the 2015-2016 budget process dealing with the right of way storm water charges including but not limited to the use of the Halifax Regional Water dividend.

Ms. Cathy Mellett, Municipal Clerk advised that there are now two motions on the floor and in discussion with the Municipal Solicitor, Council either needs to agree to have the first motion withdrawn in order to put the second motion on the floor or deal with the motion from Councillor Johns separately.

Council agreed to withdraw the original motion put forward by Councillor Johns.

Council voted on the alternate motion.

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

In Favour: Deputy Mayor Fisher, Councillors Dalrymple, Hendsbee, Karsten, Nicoll, McCluskey, Watts, Mosher, Adams, Whitman, Johns, Craig and Outhit.

Against: Mayor Savage and Councillor Walker.

Not Present: Councillors Mason and Rankin

Staff responded to questions around the presentation in relation to communication with the public and the roll out of the new service charge for stormwater right of way, the process of having staff come and review individual properties and the appeal process. It was noted that upon completion of the appeal process, Appellants would be notified in writing of the decision.

Council recessed at 3:33 p.m. and reconvened at 3:47 p.m.

Item 11.5.3 was addressed at this time.

11.5.3 HRM Branding Strategy

The following was before Council:

- A recommendation report from the Executive Standing Committee dated March 25, 2014
- Correspondence from Valerie A. Payn, President and CEO of Halifax Chamber of Commerce dated April 15, 2014 and from Judy Dudar dated April 15, 2014.
- A revised presentation entitled Proposed Brand Strategy dated April 15, 2014

Mr. Bruce Debaie, Managing Director, Corporate Communications introduced Branding Consultant Phil Otto of Revolve Branding Inc. and Paul Kent, President and CEO of the Greater Halifax Partnership (GHP). Mr. DeBaie presented an overview of the branding life cycle, engagement with HRM citizens and the perceived key attributes and barriers. Mr. Kent spoke to GHP's role and the international brand. Mr. Otto then delivered a presentation entitled: Halifax Region Brand DNA.

MOVED by Councillor Mosher, seconded by Councillor Walker that Halifax Regional Council approve the branding strategy as presented by Revolve Branding Inc. and to direct staff to development a visual identity for HRM based on this strategy.

Councillor Mosher advised that if this motion is approved, the consultant is prepared to present a visual of a brand identity. She went on to speak in support of having an overarching brand for the Municipality; clarifying that if adopted the legal name Halifax Regional Municipality would not change. Councillor Mosher made reference to the feedback received from residents, businesses and stakeholders around the use of the name Halifax to reference the Region and support for the brand. She further pointed out how the brand would be physically rolled out, being an ambassador for the City and asked for Council's support.

Note was made that Deputy Mayor Rankin had introduced a motion that Halifax Regional Council formally recognizing the name Halifax as an appropriate designation for the Municipality at the July 14, 1998 Council session.

Councillor Hendsbee further referenced a tweet he received around modern city logos, which he would forward to members of Council.

In response to comments made by Councillor Hendsbee, Mr. Otto confirmed that Revolve has reviewed background reports and materials but that just looking at the Halifax Coat of Arms, flag or present logo was not sufficient, and that the method for logo design should be simple and bold. Through public consultation, people have indicated that they do not want the logo to include lobster traps, lobsters, lighthouses, the town clock, bridges, or Citadel Hill. Revolve has developed a logo that is more a system; based on a simple word mark, taken from the same system development as eBay, Google and other great brands which are not embellished or cluttered with iconography.

Mr. Kent, Mr. Debaie and Mr. Otto further responded to questions raised by Council around the brand logo, strategy and public consultation process.

During the discussion, Mayor Savage stepped down as Chair and Deputy Mayor Fisher assumed the chair. Mayor Savage spoke in support of moving forward with a new brand without losing touch with the individual communities throughout the Municipality.

Mayor Savage resumed the Chair and Deputy Mayor Fisher took his seat.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Mason and Rankin.

Mr. Otto presented HRM's brand logo to Council. It was noted that a copy of the presentation would be made available online.

Mr. Debaie indicated that there is a microsite that is about to be launched HalifaxDefined.ca which explains the rationale, strategy and components of the logo; residents and members of the public are encouraged to go to this website for more information on the HRM brand logo.

Item 11.1.9 was addressed at this time.

11.1.9 Second Reading Proposed By-Law R-107, An amendment to By-Law R-100, Respecting the Repeal of By-Laws and Ordinances and the repeal of Administrative Order 23

The following was before Council:

- A staff recommendation report dated February 17, 2014
- A supplementary staff information report dated April 2, 2014
- Extract of Draft Regional Council Minutes from March 18, 2014
- Submissions from Laura Stirling, Barbara Rockwell, Peter Lund, Angela Mullin, Helen Jones, Tamara and Kenneth Hill, Carol Tredwell, Melanie Briand, Joan and David Dobbie, Brian Palmer, Francis G. Mitchell, David Thompson, Karen Stephenson, Alisa Snyder, Nancy Hoddinott, Leya Evelyn, Robert Kropla, Thea Meeson, Anne Falconer, Cathy Poole, Marilyn McAvoy, Janet Simmons, John Sell, Meghan MacCulloch, Michael Greer, Mhairi Fyfe, Thomas MacDonald c/o Amy MacDonald, Monika Wright, Becky Thompson, Jean Adams, Mike Conway, Anne Rapson, Graham Calder, Sue Bookchin, Carol Millett, Marcy Tilford, Michael Creighton, Lisa Comeau, Annette Siebers, Robert MacDonald, Barb Campbell Black, Maria MacKenzie-Cann, Scott MacDougall, Andrea Johnson, Elisabeth Gold, Gary Campbell, Judy Smith, Lynne FitzGerald, Yvonne Macor, Ted and Emily Donelan, Heather Grant, Douglas Cane, Judith Cookey, Marie Koehler, Adam Fine, John Wimberly, Gwen Davies, David Patriquin, Lisa Comeau, David Wimberly, Kate Watson, Jean M. Chard, Stacey Cornelius, Kate Dunlay, Sybil Nunn, David Greenberg, Pamela Johnson, Sara Lafrance, Chris Benjamin on behalf of Pesticide Free Nova Scotia and Carole Thorne

MOVED by Councillor Watts, seconded by Councillor Nicoll that Halifax Regional Council give Second Reading to By-law R-107 to repeal the following:

- 1. By-law S-203 Respecting Smoke Free Places (HRM);**
- 2. By-law H-300 Halifax County Regional Rehabilitation Centre (HRM);**
- 3. By-law P-800 Respecting the Regulation of Pesticides, Herbicides and Insecticides (HRM);**
- 4. Administrative Order 23 Respecting Pesticides, Herbicides and Insecticides Excluded from the Pesticides By-law`**
- 5. By-law No. 1 Interpretation By-law (County);**
- 6. By-law No. 16 Penalties By-law (County); and**
- 7. By-law P-300 Penalties By-law (Dartmouth).**

Before entering into debate on the motion, it was **MOVED by Councillor Watts, seconded by Councillor Dalrymple that Halifax Regional Council amend proposed By-law R-107, An Amendment to By-law R-100 Respecting the Repeal of By-laws and Ordinances, by deleting By-law P- 800 from section 3 Item 7 of R-107, being the list of by-laws to be added to Schedule “E” of By-law R-100.**

It was further, **MOVED by Councillor Watts, seconded by Councillor Dalrymple that Halifax Regional Council refer the repeal of By-Law P-800 and AO 23, for further review**

and recommendation to Regional Council, to the Environment and Sustainability Standing Committee.

Council entered into debate on the amendment and referral.

Councillor Karsten supported deferring By-law P-800 but indicated that it should come back to Regional Council, not the Environment and Sustainability Standing Committee (ESSC) as the motion originated at Regional Council.

Councillor Watts spoke to the benefit of sending By-law P-800 to the ESSC to review the specifics and make a recommendation to Regional Council. Based on the history around By-law P-800, Councillor Watts suggested that it was prudent that Council allow for further discussion to be held with ESSC.

Councillor McCluskey commented that there are parts of By-law P-800 that should be retained but agreed with Councillor Karsten on bringing the matter back to Regional Council to review the specifics and debate in its entirety.

MOVED by Councillor McCluskey, seconded by Councillor Karsten to refer the consideration of the repeal of By-law P-800 and AO 23 respecting Pesticides, Herbicides and Insecticides to Regional Council rather than the Environment and Sustainability Standing Committee for further review.

At the direction of Mayor Savage, Ms. Cathy Mellett, Municipal Clerk clarified that Council is dealing with two separate questions; the first is the amendment in the matter of withdrawing By-law P-800 Pesticide By-law from proposed R-107 the By-law to Repeal. Subsequent to that motion, there is another motion on the floor referring By-law P-800 to ESSC, which could be amended but suggested that the first motion be dealt with prior to considering the referral.

On the motion of deleting By-law P-800 from R-107 the By-Law of Repeal; **MOTION PUT AND PASSED UNANIMOUSLY.**

Not Present: Councillors Mason and Rankin.

Council entered into discussion on the amendment to refer By-law P-800 to Regional Council rather than the ESSC.

In response to a question raised by Deputy Mayor Fisher, Mayor Savage provided clarification around the process for voting on the motion if members of Council wanted By-law P-800 to go to ESSC.

Councillor Karsten pointed out that this matter had never been to the ESSC, reiterating his earlier comments about having By-law P-800 come back to Regional Council.

On the motion to refer By-law P-800 to Halifax Regional Council rather than ESSC; **MOTION PUT AND DEFEATED.** (6 in favour, 9 against)

In Favour: Councillors Karsten, McCluskey, Mosher, Whitman, Johns and Outhit.

Against: Mayor Savage, Deputy Mayor Fisher, Councillors Dalrymple, Hendsbee, Nicoll, Watts, Craig, Adams and Walker

Not Present: Councillors Mason and Rankin.

The main motion before Council now reads:

MOVED by Councillor Watts, seconded by Councillor Nicoll that Halifax Regional Council give Second Reading to By-law R-107 to repeal the following:

- 1. By-law S-203 Respecting Smoke Free Places (HRM);**
- 2. By-law H-300 Halifax County Regional Rehabilitation Centre (HRM);**
- 3. By-law No. 1 Interpretation By-law (County);**
- 4. By-law No. 16 Penalties By-law (County); and**
- 5. By-law P-300 Penalties By-law (Dartmouth).**

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

In Favour: Mayor Savage, Deputy Mayor Fisher, Councillors Dalrymple, Karsten, Nicoll, McCluskey, Watts, Mosher, Walker, Adams, Whitman, Johns, Craig and Outhit.

Against: Councillor Hendsbee.

Not Present: Councillors Mason and Rankin.

On the motion to refer the repeal of By-law P-800 and AO 23, for further review and recommendation to Regional Council, to the ESSC; **MOTION PUT AND PASSED UNANIMOUSLY.**

Not Present: Councillors Mason and Rankin.

Councillor Adams requested Item 11.1.5 Award RFP-P13-325 – Halifax Central Library Café Services be addressed at this time, to which Council agreed.

11.1.5 Award RFP-P13-325 – Halifax Central Library Café Services

The following was before Council:

- A staff recommendation report dated March 26, 2014

MOVED by Councillor Adams, seconded by Councillor Mosher that Halifax Regional Council:

- 1. Award RFP No. 13-325 – Halifax Central Library Café Services, to the highest scoring proponent, Pavia – Espresso Bar, Café and Gallery; and**

- 2. Authorize the Mayor and Municipal Clerk to enter into a lease agreement for the café services at the new Halifax Central Library, between the Halifax Regional Municipality (Landlord) and Pavia – Espresso Bar, Café and Gallery (Tenant), as per the terms and conditions outlined in Table 1 of the Private and Confidential Information report dated March 26, 2014.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Mason and Rankin.

Council recessed at 5:22 p.m. and reconvened at 6:00 p.m.

9. PUBLIC HEARINGS – 6:00 P.M.

9.1 Case 17491 – Municipal Planning Strategy (MPS) and Land Use By-law (LUB) Amendments and Development Agreement for 2894 St. Margaret’s Bay Road, Timberlea (Joint Public Hearing with Halifax & West Community Council)

Councillor Mosher acknowledged the presence of the 1st Armdale Scout group in the gallery.

The following was before Council:

- A staff recommendation report dated February 3, 2014
- A report from Halifax and West Community Council dated February 21, 2014
- A presentation dated April 15, 2014
- A minute extract from Regional Council on March 4, 2014
- Correspondence from C. MacMillan, Edward Brine, David Roy, Richard Beazley, John Baillie, Anne and Bob Angus, Sean and David Bailey, Fred Leafloor and family, Kevin McKinnon, Jerome and Michelle MacDonald. Robert Fournier, Dawn and Jim Tufts, Peter Lund.

Deputy Mayor Fisher invited staff to present on Case 17941.

Mr. Shayne Vipond, Planner gave a presentation on Case 17491 and advised that the request was from Bay Self Storage (BSS) for amendments to the HRM Planning Policies and Regulations for expansion of a self-storage facility at 2894 St. Margaret’s Bay Road.

Mr. Vipond stated that Regional Council authorized an expansion to add additional storage space onto C-3 zoned lands due to increased market demands for outdoor storage facilities. In 2011 HRM became aware that BSS had, without authorization, further expanded their outdoor commercial vehicle storage onto adjacent R-1 zoned property. BSS applied to have this additional storage area legalized but neither the existing MPS Policy, R-1 Zoning nor the development agreement allows the expanded area.

Mayor Savage assumed the Chair at 6:10 p.m.

Mr. Vipond stated that on February 18, 2014 Halifax and West Community Council (HWCC) set a joint public hearing to consider the MPS and LUB amendments for Case 17491. He noted that only the MPS and LUB amendments would be considered during the Public Hearing. If Council approved the amendments, the DA would go back to HWCC for decision once those amendments came into effect.

Mayor Savage thanked Mr. Vipond for his presentation and requested questions of clarification from Council members.

Councillor Watts asked if the proposal would it affect the wetlands in the area.

Councillor Whitman questioned what environmental concerns were evident and how they might be addressed.

Mr. Vipond advised that the Department of Environment raised concern about any further development into the wetlands. He added that the Department of Environment were provided with drainage maps of the property and did not provide any negative feedback of the project moving forward.

As there were no further questions of clarification, Mayor Savage opened the Public Hearing.

Mr. Tom Robertson, President of BSS, thanked Council for hearing his case. He advised that he had started the business in 1992. He noted that his business was approached by a number of residents who were looking for places to store their recreation vehicles, boats and trailers. He noted there are a large number of residents in HRM that have small properties with no storage areas for recreational vehicles. Mr. Robertson added that due to the demand they started to store a number of these vehicles on their lot.

Mr. Robertson further explained that they had applied for permits for their storage facilities and were led to believe that they would not need to have a permit for a parking lot on their property. He advised that once they had found out that they were not permitted to have a parking lot on the property, they were given a short period of time to evict the 60 residents who had items stored in the parking lot. Mr. Robertson continued explaining that although he has cleared the area he gets calls daily from residents looking for a commercial vehicle storage area. He added that since Council is considering increasing the density of the downtown core, they should give consideration to those residents who will be looking for storage facilities.

Mayor Savage thanked Mr. Robertson for his presentation and hearing no questions of clarification from Council, called for members of the public to come forward and address Council on the matter.

Mr. Robert Fournier, Timberlea stated that he lived on the St. Margaret's Bay Road close to the self-storage facility. He added that he has been an active member in the community and participated in the MPS for the area. He stated while he is in favor of commercial growth, he was not in favor of the proposal put forward by BSS. Mr. Fournier added that he was not comfortable

changing the rules and that doing so was violating the intent of the original MPS. He encouraged Council to not support making any changes.

Ms. Anne Fournier, Timberlea stated that she was involved in the creation of the MPS for the area. She noted the intent of the original MPS was to provide a safeguard to the residential areas. She raised concern that in addition to recreation vehicles on the property there are additional concerns such as; fuel trucks and improper storage of materials on the property. She further added that if Council agreed to make changes, it would only open the door for other properties to become rezoned.

Mr. Bill MacDonald advised that he was speaking in favour of the amendments. He stated that Mr. Robertson is well respected in the community. He added that small business growth in the area is good for the community.

Mr. Perry Schlay, Halifax advised that he relies on businesses such as BSS to store his recreation vehicles as there are no such services in the downtown area.

Mr. Bill Lackie, Halifax stated that he supported the changes as he has no place to store his trailer.

Mr. Edward Brian, St. Margaret's Bay Road, expressed concern regarding the proposed amendments. He added that it does not conform to the current MPS and is too close to the wetland area. He further commented that if changes were being made, it would only benefit the business and not the community at large.

Mr. Humphrey Longard, St. Margaret's Bay stated he has lived in the area his entire life. He advised that he is in favor of the zoning changes as it is difficult for business owners to expand their businesses. He requested that Council approve the amendments so that businesses can thrive and help support their communities.

Mr. Peter Lund, Glenhaven advised that he was hired by BSS to take a look at the surface water flows from the property in question. He advised that he conducted his review during four heavy rainfalls over a three month period. He hoped that the information he collected would be used for any future stormwater management plan. He stated that the wetland noted by the Department of Environment is not an actual wetland. It had been created by runoff of water from the nearby highway and that water runs to the nearest wetland in the area. He stated he was surprised by the boundary and the zoning of the C- 3 and R-1 property as the land would be landlocked by the other zoning areas. He found no reason why the property could not be used as a parking facility as it had no effect to the stormwater drainage in the area. Mr. Lund stated there are a number of sink holes in the area.

In response to questions from Council, Mr. Lund clarified that the ditch along the parking lot does not pick up any of the ponded water along the nearby trail. He felt that what little water came off the parking lot in question did not require the creation of swales or retaining ditches. He did not feel there needed to be additional work completed to make the parking lot environmentally safe.

Mr. Michael Hart, Timberlea, referenced the Ivany Report and questioned if anyone was listening to the advice included in it. He advised the report stated that Nova Scotia needed to be innovative and create economic growth and small business was key to achieving that. He stated that he lived directly across the street from BSS and was in favour of the amendments.

Mr. Carl Boyd, St. Margaret's Bay Road, disagreed with the comments put forward by a previous speaker. He stated that the zoning laws worked and this proposal would violate those laws. He added that he was involved with original planning committee that allowed the previous business to become the storage facility. Mr. Boyd stated it was easy to approve that transition because the property was already zoned C-3 but more difficult to approve the additional parking lot as it was zoned R1. He expressed concern that BSS went against the by-law before seeking input. He requested that Council respect the current bylaws when making their decision.

Mr. Keegan O'Neil, Spryfield, stated that he had been a tenant at the storage facility for over four years and felt the approval would be a great service to the community.

Mayor Savage called three times for members of the public to come forward to speak for or against the applications, as there were no further speakers it was **MOVED by Councillor McCluskey, seconded by Councillor Karsten that the Public Hearing be closed. MOTION PUT AND PASSED.**

Mayor Savage invited the applicant to speak again to address some of the comments made from the public.

Mr. Robertson advised that he had some concerns about what activity he could do on the property before he purchased it. He explained that he had obtained a permit from Halifax County for an industrial building and also a regional development permit from the Province to operate the industrial building in the area. He was told that he would be able to get the proper zoning for the business. He noted that five years later he found out that the parking lot was zoned R-1 and he needed to have it changed. . He clarified that there is a drainage plan for the property and his property was not responsible for any flooding in the area. He stated that they did expand the parking area but felt they were within their rights to do so. He added that after he found out it was not allowed, he removed the tenants until it could be addressed.

Councillor Adams noted there is a lot of confusion about whether there is an actual wetland in the area. He requested clarification from staff as to whether an actual wetland exists and wanted to know the significance of the proposed expansion to it if there is one. He also asked if there was a violation of the Development Agreement by cutting into the buffer. Councillor Adams also asked how significant the encroachment on the R-1 zone was.

Mr. Vipond explained that the Department of Environment identify that there is a wetland in the area but neither are considered substantial nor significant to the area. He added that they did state that they did not want to see development or encroachment on the wetlands. Mr. Vipond explained that the buffer had been cut, but the property owner would be required to fix the buffer as per the terms of the development agreement. He concluded that the encroachment of the

parking lot into the R-1 zone was a substantial encroachment and was approximately 1 acre in size.

Councillor Watts wanted to know if a stormwater management plan and landscaping would be part of the development agreement. She noted some of the concerns she heard was that there was noise coming from the property at night and hoped that the landscaping might be able to buffer some of the sound.

Mr. Vipond stated that the landscaping and stormwater management could be dealt with under the development agreement when it is before Halifax and West Community Council.

Councillor Hendsbee questioned if the Halifax Watershed Advisory Board was involved in the application. He wondered if a stormwater management plan could include a monitoring well to see if there was any increase in contamination of the site.

Mr. Vipond stated that there would be ability of Halifax Water Advisory Board to look at the stormwater management plan.

Ms. Ashley Blissett, Senior Development Engineer advised that they have asked for a general stormwater management plan. She added that a professional engineer will decide if oil and grit separators would be required on the site.

MOVED by Councillor Walker, seconded by Councillor Whitman that Halifax Regional Council approve amendments to the Timberlea/Lakeside/Beechville Municipal Planning Strategy (MPS) and Land Use By-Law (LUB) to allow for the consideration of the proposed development agreement as outlined in the staff report dated February 3, 2014.

Councillor Walker stated that he had been in contact with Councillor Rankin on this matter and he is supportive of this being approved. Councillor Walker stated that many of the Land Use By-laws are out of date and needed to be changed. This is the process to make those changes. He further added that the specifics of the stormwater management and landscaping issues are matters that would be decided by the Community Council under the terms of the new Development Agreement.

Councillor Outhit stated that there was a lot of good discussion from residents on both sides of the matter and he would be supporting the amendments as the Councillor of the area is supportive of it going ahead.

Councillor Watts explained it was difficult to make a decision on this matter. She stated that the application did not meet the zoning for the area. She raised concern that the applicant also made changes without having a permit and are only now asking for a change. She further added that residents should be able to have confidence in the LUB and that they will be respected and upheld.

Councillor Walker stated there is a need for this facility in the area. He noted it easy for a property owner to use their property in an incorrect manner if they do not fully understand the zoning of the area.

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

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

Those voting against: Mayor Savage.

Not Present: Councillors Mason, and Rankin.

11. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.1 Award – Unit Price Tender No. 14-213 – Micro Surfacing – Phase 1 - Various Locations

The following was before Council:

- A staff recommendation report dated March 17, 2014

MOVED by Councillor Karsten, seconded by Councillor Nicoll that That Halifax Regional Council:

- 1. Approve a budget increase of \$13,264.14 (net HST included) to Project Account No. CR000005 – Street Recapitalization, funded through cost sharing with Halifax Water.**
- 2. Award Tender No. 14-213, Micro Surfacing – Phase 1 - Various Locations, to the lowest bidder meeting specifications, Dexter Construction Company Limited for a Total Tender Price of \$1,437,269.65 (net HST included) with funding from Project Account No(s).CR000005 – Street Recapitalization and CRU01079 – Other Related Roadworks, as outlined in the Financial Implications section of the March 17, 2014.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillors Mason, Rankin, and Johns.

11.1.2 Award – Unit Price Tender No. 14-238 – Street Planer Patching – Phase 1 – Various Locations

The following was before Council:

- A staff recommendation report dated March 17, 2014

MOVED by Councillor Nicoll, seconded by Councillor McCluskey that Halifax Regional Council award Tender No. 14-238, Street Planer Patching - Phase 1, Various Locations, to the lowest bidder meeting specifications, Dexter Construction Company Limited for a Total Tender Price of \$875,188.97 (net HST included) with funding from Project Account No. CR000005 - Street Recapitalization, as outlined in the Financial Implications section of the March 17, 2014 staff report.

Councillor Hendsbee noted that Rocky Lake Drive- Waverley Legion is in District 1 and not District 2 as indicated in the staff report.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Mason, Rankin, and Johns.

11.1.3 2014 Spring Debenture and Temporary Borrowing Resolution

The following was before Council:

- A staff recommendation report dated March 25, 2014

MOVED by Councillor Karsten, seconded by Councillor Whitman that Halifax Regional Council:

- 1. Authorize the Mayor and Municipal Clerk to sign the Resolution for Pre-Approval of Debenture Issuance, subject to interest rate confirmation not to exceed 5.0%, to enable the Halifax Regional Municipality to issue a 10-year debenture of \$21,875,000.**
- 2. Approve a Temporary Borrowing Resolution (TBR) of \$1,375,000 for refinancing of the balloon payment from the 04A1 Debenture.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Mason, Rankin, and Johns.

11.1.4 Property Matter – Less than Market Value Lease of a Portion of PID#40619561 22835 Highway #7, Sheet Harbour – Amendment

The following was before Council:

- A supplementary staff recommendation report dated February 12, 2014

MOVED by Councillor Hendsbee, seconded by Councillor Whitman that Halifax Regional Council approve an amendment to the land lease with the Sheet Harbour & Area Grand Search and Rescue to increase the area to a total of 8,000 square feet.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Mason, Rankin, and Johns,

11.1.5 Award RFP-P13-325 – Halifax Central Library Café Services

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

11.1.6 Award - Sole Source - Purchase of Adobe Software

The following was before Council:

- A staff recommendation report dated April 3, 2014

MOVED by Councillor McCluskey, seconded by Councillor Deputy Mayor Fisher that Halifax Regional Council:

- 1. Award the Sole Source purchase of Adobe Software licensing for HRM staff use to Adobe Systems Incorporated for a period of three (3) years at an annual cost of \$49,137.48 (Net HST included). The total value of the agreement is \$147,412.44 (Net HST included) with a term of three years with funding per the Financial Implications Section of the April 3, 2014 staff report; and**
- 2. Authorize and direct the CAO to execute the enterprise agreement subject to terms and conditions agreeable to HRM and in accordance with the Financial Implications Section of the April 3, 2014 staff report.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Mason, Rankin, and Johns.

11.1.7 Award – Unit Price Tender No. 14-203 – Resurfacing, New Sidewalk South Side, Traffic Improvements and Watermain Renewal – Wright Avenue – East Region

The following was before Council:

- A staff recommendation report dated March 12, 2014

MOVED by Deputy Mayor Fisher, seconded by Councillor Karsten that Halifax Regional Council:

- 1. Approve a budget increase of \$729,182.05 (net HST included) to Project Account No. CR000005 – Street Recapitalization, funded through cost sharing with Halifax Water.**
- 2. Award Tender No. 14-203, Resurfacing, New Sidewalk South Side, Traffic Improvements and Watermain Renewal – Wright Avenue – East Region, to the lowest bidder meeting specifications, Dexter Construction Company Limited for a Total Tender Price of \$1,400,456.69 (net HST included) with funding from Project**

Account Nos. CR000005 – Street Recapitalization, CR000003- New Sidewalk, CTU01086 – Intersection Improvement Project and CT000004 – Controller Cabinet and Detection Program, as outlined in the Financial Implications section of the March 12, 2014 staff report.

Councillor Hendsbee asked if bike lanes would be included in the project.

Mr. Dave Hubley, Manager Design and Construction Services, advised that there were no bike lanes planned in this particular project.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Mason, Rankin, and Johns.

11.1.8 Case 19060 – Amendments to the Sackville Drive Secondary Planning Strategy (SPS) and Land Use By-law (LUB) to Enable Mixed Use Development at 8 Walker Avenue and 732 Old Sackville Road, Lower Sackville

The following was before Council:

- A staff recommendation report dated March 14, 2014

MOVED by Councillor Craig, seconded by Councillor Johns that Halifax Regional Council:

- 1. Authorize staff to initiate the process to consider amending the Sackville Drive Secondary Planning Strategy and Land Use By-law to include site-specific policy which would enable consideration of a mixed use development by development agreement at 8 Walker Avenue and 732 Old Sackville Road, Lower Sackville, as shown on Map 1; and**
- 2. Request that staff follow the public participation program as approved by Council in February 1997.**

Councillor Hendsbee expressed concern that the report did not mention any active transportation component.

Ms. Thea Langille, Supervisor Planning Applications, advised that the active transportation piece would be looked at as they take the work through the process.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Mason, and Rankin.

11.1.9 Second Reading Proposed By-Law R-107, An amendment to By-Law R-100, Respecting the Repeal of By-Laws and Ordinances and the repeal of Administrative Order 23

This matter was addressed earlier in the meeting, see page 7.

11.2 HALIFAX AND WEST COMMUNITY COUNCIL

11.2.1 Case 16367 – Herring Cove Road Municipal Planning Strategy (MPS) and Land Use By-law (LUB) Amendments and Development Agreement for 286/290 Herring Cove Road, Halifax Motion – Give First Reading and Schedule a Joint Public Hearing

The following was before Council:

- A recommendation report from Halifax and West Community Council dated March 26, 2014

MOVED by Councillor Mosher, seconded by Councillor Walker that Halifax Regional Council give First Reading to consider the proposed amendments to the Municipal Planning Strategy (MPS) for Halifax and the Land Use By-law (LUB) for Halifax Mainland as set out in Attachment A and B of the February 24, 2014 staff report to allow for consideration of a proposed development agreement as outlined in Attachment C of the staff report dated February 24, 2014 and schedule a joint Public Hearing with Halifax and West Community Council.

Councillor Mosher requested that the Public Hearing be scheduled after May 20, 2014.

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

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

Against: Councillor Watts.

Not present: Councillors Mason, and Rankin.

11.3 NORTH WEST COMMUNITY COUNCIL

11.3.1 Case 17736 – Open Space Design Development Agreement – Brookhill Drive, Grand Lake

The following was before Council:

- A recommendation report from North West Community Council dated April 1, 2014

MOVED by Councillor Craig, seconded by Councillor Johns that Halifax Regional Council request a staff report to consider directing the cash-in-lieu of parkland dedication for Case 17736: Open Space Design Development- Brookhill Drive, Grand Lake to the development of the playground in the Brookhill subdivision.

Councillor Craig advised that through the public hearing on this project, North West Community Council became aware that there was a need for a park in the community. He added that legal had advised that only Regional Council had the authority to direct the cash in-lieu and that is why it is before Council.

Councillor Karsten advised that he would support the recommendation adding that he had a couple similar situations in his district. He requested that staff provide rationale and direction to improvise policy on similar matters if they come back with a negative recommendation.

Councillor Dalrymple advised that Brookhill subdivision is in his district. He explained that there was parkland donated when the original subdivision was approved over 20 years ago. The donated land currently still sits empty. He added that Grand Lake is a considerable distance away from other communities and has no recreation facilities.

Councillor Watts questioned if this would set precedence for other areas and what implications might arise out of moving forward on the recommendation.

The CAO advised that he could not comment currently on the question brought forward by Councillor Watts but noted it would be included in the report.

Deputy Mayor Fisher stated he would support a report coming back to Council would like to see what makes this community and situation unique to consider the recommendation.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Mason, and Rankin.

11.4 COMMUNITY PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE

11.4.1 Dartmouth Sportsplex Revitalization Project

The following was before Council:

- A recommendation report from the Community Planning and Economic Development Standing Committee dated March 24, 2014

MOVED by Councillor McCluskey, seconded by Deputy Mayor Fisher that Halifax Regional Council:

- 1. Direct staff to include the Dartmouth Sportsplex revitalization construction project in the strategic capital projects to be considered by the Audit and Finance Standing Committee for determination of priorities and funding strategies;**

2. **Direct staff to, upon approval of the project within the capital budget, explore naming rights opportunities for the Dartmouth Sportsplex, as part of the revitalization project;**
3. **Confirm the removal of the Findlay Centre as surplus to recreation needs from consideration under Administrative Order 50; and**
4. **Direct staff to complete a program review of the Dartmouth North Community Centre, as part of the upcoming Community Facility Master Plan update.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Mason, and Rankin.

11.5 EXECUTIVE STANDING COMMITTEE

11.5.1 HRM Charter Review

The following was before Council:

- A recommendation report from the Executive Standing Committee dated March 25, 2014
- Correspondence from John Cascadden dated April 14, 2014

MOVED by Councillor Mosher, seconded by Councillor Walker that Halifax Regional Council direct staff to negotiate a new Halifax Regional Municipality Charter based on the scope as outlined in the February 18, 2014 staff report, reporting back to the Executive Standing Committee as appropriate and for approval and recommendation to Regional Council when complete.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Mason, and Rankin

11.5.2 Process for Citizen Appointments to the Halifax Water Board

The following was before Council:

- A recommendation report from the Executive Standing Committee dated March 26, 2014

MOVED by Councillor Mosher, seconded by Councillor Walker that Halifax Regional Council amend the HRM Public Appointment Policy as outlined in Attachment 1 of the February 10, 2014 staff report.

And, further, direct that the Environment and Sustainability and Executive Standing Committees use the full process available to them under the Public Appointment Policy adopted by Regional Council and as outlined in the February 10, 2014 staff report in regard to citizen appointments to the Halifax Water Board.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Mason, and Rankin.

11.5.3 HRM Branding Strategy

This matter was addressed earlier in the meeting, see page 5.

12. MOTIONS

12.1 Councillor Dalrymple

The following was before Council:

- A Council Request for Consideration form dated April 15, 2014 entitled: requesting staff report on a means to donate \$10,000 to Fall River Minor Football, prior to June 30, 2014

MOVED by Councillor Dalrymple, seconded by Councillor that Halifax Regional Council request a staff report on a means to donate \$10,000 to Fall River Minor Football prior to June 30, 2014 to finish topsoil and hydro-seed a new community multi-purpose sports field at High Road and Carmel Road in Fall River.

Councillor Dalrymple advised that the land is owned by the developer of Lockview subdivision and he has offered to sell or lease the land to HRM for one dollar. The Fall River Minor Football Association made an agreement to lease the land for five years and they have brought in over 400 truckloads of fill and completely brought the field up to grade. They have leveled off the land and purchased their own goal posts but now have run out of money. The field would be playable if they could get the top soil and have it hydro seeded by June. Councillor Dalrymple explained that he tried a variety of ways to get funding through various HRM departments and programs but was unsuccessful.

Councillor Dalrymple further explained that he was willing to use \$10,000 of his Capital District Fund but as the property is not owned by the group and therefore HRM is unable to release the funds. He stated he would like staff to find a way to get the money to the Fall River Minor Football by June 2014 and have this field open for use.

The CAO indicated he was not aware of the proposed donation of land and noted the report would investigate this aspect of the proposal.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Mason, and Rankin.

13. IN CAMERA

Council agreed to deal with item 13.3.1 before the other In Camera items.

13.3.1 Briar Lane Municipal Lands to YMCA Development Project (Supplementary Report) – *Private and Confidential Report*

The following was before Council:

- A private and confidential supplementary staff recommendation report dated March 24, 2014

MOVED by Councillor Watts, seconded by Councillor McCluskey that Halifax Regional Council:

- 1. Direct staff to complete the street closure of a portion of Briar Lane, specifically Parcels BL-1 and BL-2, as shown on Attachment B of the staff report dated March 24, 2014;**
- 2. Direct staff to take the necessary steps to create parcels BL-1 and BL-2 as shown on Attachment B of the staff report dated March 24, 2014;**
- 3. Declare Parcel BL-1, a portion of Briar Lane shown on Attachment B of the staff report dated March 24, 2014, surplus to municipal requirements and categorize as “Economic Development” as per Administrative Order 50;**
- 4. Declare Parcel BL-2, a portion of Briar Lane shown on Attachment B of the staff report dated March 24, 2014, surplus to municipal requirements and categorize as “Remnant” as per Administrative Order 50;**
- 5. Authorise the Mayor and the Municipal Clerk to enter in a Purchase and Sale Agreement with YMCA of Greater Halifax/Dartmouth, or Assignee, for the conveyance of Parcel BL-1 as its appraised market value, as per terms and conditions outlined in Table 1 of the staff report dated March 24, 2014;**
- 6. Authorise the Mayor and the Municipal Clerk to enter in a Purchase and Sale Agreement with Paramount Apartment Limited , for the conveyance of Parcel BL-2, as per terms and conditions outlined in Table 1 of the staff report dated March 24, 2014; and**
- 7. It is further recommended that this report, with the exception of Attachment B of the staff report dated March 24, 2014, not be released until transactions have closed.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Mason, and Rankin

13.1 In Camera Minutes – March 18, 2014

MOVED by Deputy Mayor Fisher, seconded by Councillor Watts that the In Camera minutes of May 18, 2014 be approved as circulated. MOTION PUT AND PASSED.

13.2 Personnel Matter

13.2.1 Candidate Nominations for Halifax International Airport Authority Board (HIAA) – *Private and Confidential Report*

The following was before Council:

- A private and confidential recommendation report from the Executive Standing Committee dated March 24, 2014

Councillor Adams requested that this item be addressed In Camera. Council agreed to deal with this issue at the end of the meeting. See page 27.

13.2.2 Citizen Appointments – Board of Police Commissioners – *Private and Confidential Report*

The following was before Council:

- A private and confidential recommendation report from the Executive Standing Committee dated March 24, 2014

MOVED by Councillor Johns, seconded by Councillor Whitman that Halifax Regional Council extend both citizen appointments on the Board of Police Commissioners (due to expire March 31, 2014) to October 31, 2014 to enable the current Board to complete the HRM Police Strategic Planning Process and the Police Governance Conference (in July 2014) and to proceed with the competency based recruiting process to fill the Board positions effective November 2014, and to stagger the subsequent citizen appointment date.

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

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Mason, and Rankin

13.2.3 Citizen Appointments to the Heritage Advisory Committee – *Private and Confidential Report*

The following was before Council:

- A private and confidential recommendation report from the Community Planning and Economic Development Standing Committee dated April 11, 2014

MOVED by Councillor Nicoll, seconded by Councillor that Halifax Regional Council:

- 1. Approve the appointments to the Heritage Advisory Committee as outlined in the Private and Confidential Report from the Community Planning and Economic Development Standing Committee dated April 11, 2014.**

- 2. Extend the term to November 2016 to allow the member sufficient time to become familiar with and contribute to the Committee.**
- 3. It is further recommended that the citizen appointments be released to the public following ratification and notification of the successful candidates.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Mason and Rankin.

13.3 Property Matter

13.3.1 Briar Lane Municipal Lands to YMCA Development Project (Supplementary Report) – *Private and Confidential Report*

This item was dealt with earlier in the meeting. See page 23.

14. ADDED ITEMS – NONE

15. NOTICES OF MOTION

15.1 Councillor Nicoll

Take notice that, at the next regular Regional Council meeting, to be held on the 29th day of April 2014 I propose to introduce Administrative Order 2014-003-GOV, the purpose of which is to support international partnerships with other local governments that are approved by Council and also includes the repeal of the 2002 HRM Twinning Policy.

15.2 Councillor Hendsbee

Take notice that, at the next regular Regional Council meeting, to be held on the 29th day of April 2014 I propose to move a motion that in regard to information item #6 (Purcell's Cove Services Feasibility Study) which was tabled, Council reaffirm that the item is to be removed for any further consideration.

15.3 Councilor Mosher

Take notice that, at the next regular Regional Council meeting, to be held on the 29th day of April 2014 I propose to introduce amendments to Administrative Order 19 Respecting the Corporate Coat of Arms, Logo and Flag in order to implement the visual identity introduced in Revolve Branding's April 15, 2014 presentation to Regional Council entitled "Halifax Brand Identity"

Council convened In Camera at 8:45 p.m. and reconvened at 9:00 p.m.

13.2 Personnel Matter

This matter was considered during an In Camera session which was held earlier in the meeting. The following motion was ratified in public session:

13.2.1 Candidate Nominations for Halifax International Airport Authority Board (HIAA) – *Private and Confidential Report*

The following was before Council:

- A private and confidential recommendation report from the Executive Standing Committee dated March 24, 2014

MOVED by Councillor Hendsbee, seconded by Councillor Dalrymple that Halifax Regional Council nominate the eight (8) Candidates, as put forward by the Executive Standing Committee, to the Board of the Halifax Stanfield International Airport Authority.

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

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Mason and Rankin.

16. ADJOURNMENT

The meeting adjourned at 9:08 p.m.

Cathy J. Mellett
Municipal Clerk