



**HALIFAX REGIONAL COUNCIL
MINUTES
July 22, 2014**

PRESENT:

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

STAFF:

Mr. Richard Butts, Chief Administrative Officer
Mr. John Traves, Municipal Solicitor
Ms. Cathy Mellett, Municipal Clerk
Ms. Sherryl Murphy, Deputy Clerk
Ms. Krista Vining, Legislative Assistant
Ms. Jennifer Weagle, 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_2014-07-22_live.mp4.html

The agenda, supporting documents, and information items circulated to Council are available online: <http://www.halifax.ca/council/agendasc/140722rc-Agenda.php>

The meeting was called to order at 1:00 p.m., and recessed at 2:03 p.m. Council moved into an In Camera session at 2:10 p.m. and reconvened at 4:17 p.m. Council recessed at 5:20 p.m. and reconvened at 6:03 p.m. Council adjourned at 9:23 p.m.

1. INVOCATION

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

The Mayor welcomed young visitors Martin and Margo Kramers. Mayor Savage also welcomed HRM interns who were in attendance.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillors noted a number of special community announcements and acknowledgements.

A moment of silence was held for Paul Richard "Rick" Paynter, former Town Engineer of Bedford and former HRM Director, Public Works and Transportation.

3. APPROVAL OF MINUTES – June 10 and 24, 2014

Councillor Mosher noted a typographical error on page 20 of the June 10, 2014 minutes.

MOVED by Councillor McCluskey, seconded by Councillor Nicoll that the minutes of June 10, 2014 be approved as amended and June 24, 2014 be approved as presented. MOTION PUT AND PASSED.

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

Additions:

14.1 Committee of the Whole – Capital Cost Contributions for Transit and Transportation Services

14.2 Ratification of In Camera Recommendations

14.2.1 Personnel Matter - Citizen Nominations to Metropolitan Regional Housing Authority

14.2.2 Labour Relations – Halifax Regional Police Association Collective Agreement

14.2.3 Intergovernmental Relations - Award – RFP No. 14-024, Design-Build Lacewood Transit Terminal

MOVED By Councillor Mason, seconded by Councillor Mosher 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. HERITAGE HEARINGS – 1:00 P.M.

9.1 Case H00396 – Application to consider 276 Portland Street, Dartmouth as a Municipally Registered Heritage Property

The following was before Council:

- A recommendation report from the Heritage Advisory Committee dated May 23, 2014
- An extract of draft minutes from the June 10, 2014 Regional Council meeting

MOVED by Councillor McCluskey, seconded by Councillor Karsten that Halifax Regional Council approve the registration of 276 Portland Street, Dartmouth as shown on Map 1 of the March 10, 2014 staff report under the HRM Heritage Property Program.

Councillor McCluskey spoke in support of registering 276 Portland Street, Dartmouth under the HRM Heritage Property Program.

Mr. Todd Kramers, Applicant stated that he his wife, Jane and their two children Martin and Margo moved into 276 Portland Street approximately a year and a half ago. He noted that the Pearce family had previously lived in the home for 92 years. He spoke to the history of Dartmouth being intertwined with the history of the ferries; and the history of the ferries in the early twentieth century being intertwined with Charles Pearce. Mr. Pearce had built the home for his family in 1902. Mr. Kramers highlighted that like Mr. Pearce's father and grandfather, Charles Pearce was Chief Engineer on the ferries. During the Halifax Explosion, Mr. Pearce would have done his part to keep the ferries in service by taking the injured to Halifax and ferrying rescue workers and supplies. Mr. Pearce was Chief Superintendent to the Dartmouth Ferry Commission between 1933 and 1945, during the busiest period in its history, with day-to-day control of the ferries.

Mr. Kramers highlighted that the construction of the Governor Cornwallis, the last wooden ferry to enter into service and the last ferry to be built in Dartmouth, was built during Mr. Pearce's tenure. Mr. Kramers commented that the home was somewhat rare in its design for the neighbourhood; being one of the earliest townhouses to be built on that section of Portland Street, and is an asset to the area. Mr. Kramers further stated that the house having been owned by the Pearce family added an interesting chapter to the history of Dartmouth. He and his wife supported the preservation of the built heritage remaining in HRM and the need to protect this property. Mr. Kramers asked Council to approve his application to have 276 Portland Street as a municipally registered heritage property.

In response to a request made by Councillor Hendsbee, staff advised that photographs of the home were included in the May 23, 2014 Heritage Advisory Committee report.

MOTION PUT AND PASSED UNANIMOUSLY.

9.2 Case H00397 – Application to consider 6053 Jubilee Road, Halifax as a Municipally Registered Heritage Property

The following was before Council:

- A recommendation report from the Heritage Advisory Committee dated May 23, 2014
- An extract of draft minutes from the June 10, 2014 Regional Council meeting

MOVED by Councillor Mason, seconded by Councillor Mosher that Halifax Regional Council approve the registration of 6053 Jubilee Road, Halifax as shown on Map 1 of the March 10, 2014 staff report under the HRM Heritage Property Program.

Councillor Mason spoke in support of the motion and provided history around the property.

MOTION PUT AND PASSED UNANIMOUSLY.

PUBLIC HEARINGS – 6:00 P.M.

9.3 By-law N-200, Respecting Noise – Exemption Application – Halifax Pride Festival

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

9.4 Case 16424 – Municipal Planning Strategy (MPS) and Land Use By-Law (LUB) Amendments for Planning Districts 1 and 3 – Tantallon at the Crossroads

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

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.1 Correspondence

The Clerk noted that correspondence was received relative to items: 9.4, 11.1.8, 11.1.9 and 11.1.11. This correspondence was circulated to Council.

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

10.2 Petitions

10.2.1 Municipal Clerk

Ms. Cathy Mellett, Municipal Clerk submitted a petition containing 118 signatures requesting that Council look for input from users of the Cole Harbour recreation programs, to understand the concerns and allow the users to be part of the solution.

11. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.1 Award – Unit Price Tender No.14-006, Street Light Maintenance

The following was before Council:

- A staff recommendation report dated May 12, 2014

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

- 1. Award Tender No. 14-006 to Black & McDonald Ltd. for material and services listed at the unit prices quoted for a Total Tender Price of \$1,188,825.99 (net HST included) for Year One (1) of the contract, June 1, 2014 to May 31, 2015, and a three business day service standard, with funding from Operating Account No. R825 Street Light Maintenance as outlined in the Financial Implications section of the May 12, 2014 staff report.**
- 2. Approve the award for Year Two (2) of the contract, June 1, 2015 to May 31, 2016, and a three business day service standard, to Black & McDonald Ltd. for \$1,219,134.63 (net HST included), with funding from Operating Account No. R825 Street Light Maintenance as outlined in the Financial Implications section of the May 12, 2014 staff report.**
- 3. Approve the award for Year Three (3) of the contract, June 1, 2016 to May 31, 2017, and a three business day service standard, to Black & McDonald Ltd. for \$1,250,065.85 (net HST included) contingent upon an annual performance review and budget allocation.**

Council entered into a discussion. Ms. Kathleen Llewellyn-Thomas, Acting Director, Transportation & Public Works provided confirmation that for HRM owned street lights there is a standard of three day response time, from the time a call is placed to 311, for a street light to be repaired.

In response to a question raised by Councillor McCluskey, Ms. Llewellyn-Thomas stated that the reason for the pricing approach is that the total number of street lights would be required is unknown and therefore staff provided an estimate based on past performances of the system. She noted that the tender price was fixed but that the quantity could change.

Councillor Dalrymple asked when HRM would take over ownership of the remaining street lights in the Municipality. Ms. Llewellyn-Thomas responded that the projected date was August 1, 2014, subject to Council's approval, and that a subsequent report would be provided to Council shortly. In terms of communicating this timeframe to the public, Ms. Llewellyn-Thomas suggested that Corporate Communications could provide assistance and that it should occur following Council's decision.

MOTION PUT AND PASSED UNANIMOUSLY.

11.1.2 Award Tender No. 14-049 Snow Removal and Ice Control, Groups A and B

The following was before Council:

- A staff recommendation report dated July 22, 2014

MOVED by Deputy Mayor Fisher, seconded by Councillor Karsten that Halifax Regional Council award Tender No.14-049, Snow Removal and Ice Control, Groups A and B, to the lowest bidder meeting specifications, Teak Tree Enterprises Limited, for the amount of \$597,402.35 (net HST included) for a three-year period, 2014 through 2017, and two additional option years with funding from Operating Accounts W200 totalling \$533,110.03 (net HST incl.) and Operating Account F160 totalling \$64,292.32 (net HST incl.), as outlined in the Financial Implications section of the July 22, 2014 staff report.

Councillor Watts asked whether, based on this contract, there had been a change to the service provided by HRM employees or contactors. Ms. Kathleen Llewellyn-Thomas, Acting Director, Transportation & Public Works advised that there were some newly added fire locations. In the past HRM had paid volunteer firefighters to do snow and ice clearing at some of the fire locations; however, due to time constraints a review was undertaken and these locations were included in the performance base contract.

Deputy Fire Chief Roy Hollett indicated that the added locations are core stations and two rural stations and reconfirmed Ms. Llewellyn-Thomas' response around the time constraints of completing the snow and ice removal that led to the decision of adding the stations to the corporate contract. He noted that the remaining rural stations were being taken care of by volunteers. Aside from the fire stations, Councillor Watts asked whether there were any other locations on the list that were previously completed by HRM staff, such as City Hall, that were now being contacted out. Ms. Llewellyn-Thomas was unable to respond at this time but indicated that she would confer with staff and provide the answer for Council.

Councillor Outhit questioned the status of the snow removal update from last season to Council. Ms. Llewellyn-Thomas and Mayor Savage confirmed that the report and presentation was anticipated for Regional Council on August 5, 2014.

In response to a question raised, Ms. Llewellyn-Thomas provided clarification around penalties for performance based contracts not meeting HRM's objectives. Richard Butts, Chief Administrative Officer provided clarification around Saint Patrick's High School being on the list for snow removal as HRM still has a responsibility to provide snow clearing.

In response to a question raised regarding snow removal for the Bengal Lancers, Mr. Butts advised that staff could look into the matter.

Councillor Karsten questioned why all the tenders were not before Council at the same time, pointing out that there were other tenders outside of Groups A and B. Ms. Llewellyn-Thomas clarified that the tender groups before Council were from the Facilities Management group and are a reflection of the places where HRM is outsourcing work on buildings. The tenders were done earlier in the year to try and obtain good prices but agreed that it would be more helpful to Council to have context around the tenders and would take this under advisement for future reports.

Councillor Mosher expressed concern that some contractors may have not met their performance contract, and asked whether this motion could be held off until staff's report comes forward. Mr. Butts confirmed that prior to the July 22, 2014 staff report coming to Council he had followed up with staff and was satisfied with the recommendation before Council at this time.

Councillor Mosher suggested that there be a future provision that contractors could only bid on a tender if they had no outstanding legal and performance issues with the Municipality. Councillor Mosher further suggested having synergy with one contractor being able to bid on one area that included a street, sidewalk and bus stop to prevent one contractor from pushing snow onto another contractor's area of responsibility. Ms. Llewellyn-Thomas indicated that staff was giving consideration to this, noting that it would have to be a multi-year strategy as HRM has to fulfill the current contract commitments, but she agreed with moving in the direction of having an area responsibility system.

At the request of Councillor Watts, Council agreed to defer the decision on this matter to later in the meeting to allow Ms. Llewellyn-Thomas to confer with staff on Councillor Watt's question. A response was later provided in the meeting and a vote taken, see page 9.

11.1.3 Award – Unit Price Tender No. 14-248 – Street Recapitalization – Rolling Hills Drive – Central Region

The following was before Council:

- A staff recommendation report dated June 27, 2014

MOVED by Councillor Dalrymple, seconded by Councillor McCluskey that Halifax Regional Council award Tender No. 14-248, Street Recapitalization - Rolling Hills Drive – Central Region, to the lowest bidder meeting specifications, Dexter Construction Company Limited for a Total Tender Price of \$893,522.45 (net HST included) with funding from Project Account No. CR000005 – Street Recapitalization, as outlined in the Financial Implications section of the June 27, 2014 staff report. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.4 Award – Unit Price Tender No. 14-264 – Paving, Sidewalk Renewal and Water Main Renewal – Windmill Road – East Region

The following was before Council:

- A staff recommendation report dated June 24, 2014

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

- 1. Approve a budget increase of \$814,126.66 (net HST included) to Project Account No. CR000005 – Street Recapitalization, funded through cost sharing with the Halifax Water.**
- 2. Award Tender No. 14-264, Paving, Sidewalk Renewal & Water Main Renewal – Windmill Road – East Region, to the lowest bidder meeting specifications, Basin Contracting Limited for a Total Tender Price of \$1,604,478.70 (net HST included) with funding from Project Account Nos. CR000005 – Street Recapitalization and CKU01084 – Sidewalk Renewals, as outlined in the Financial Implications section of the June 24, 2014 staff report.**

MOTION PUT AND PASSED UNANIMOUSLY.

11.1.5 Provincial Archival Development Program Contribution Funding Agreement

The following was before Council:

- A staff recommendation report dated June 25, 2014

MOVED by Councillor Mason, seconded by Councillor Outhit that Halifax Regional Council authorize HRM's participation in the Provincial Archival Development Program and direct the Mayor and Clerk to execute the Provincial Archival Development Program Agreement attached to the June 25, 2014 staff report.

Staff confirmed that all pre-amalgamation Council minutes will be microfilmed, digitalized and made available online.

MOTION PUT AND PASSED UNANIMOUSLY.

**11.1.6 McIntosh Run Watershed Association Single Track Trail
i) Halifax & West Community Council Information Report**

The following was before Council:

- A staff recommendation report dated May 5, 2014
- An information report from Halifax and West Community Council dated July 11, 2014

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

- 1. Support the request of the McIntosh Run Watershed Association to design, build and operate the proposed Singletrack Trail System on HRM lands located between Spryfield and Herring Cove.**
- 2. Direct staff to negotiate a License Agreement with the McIntosh Run Watershed Association for the Singletrack Trail System.**

Councillor Adams highlighted the six bullet points outlined in the discussion section of the May 5, 2014 staff report.

Councillor Mosher pointed out that Halifax and West Community Council had unanimously endorsed bringing this matter forward to Council.

MOTION PUT AND PASSED UNANIMOUSLY.

11.1.7 Case 19155 – Housekeeping Amendments to Municipal Planning Strategies (MPSs) and Land Use By-Laws (LUBs) Regarding References to Community Councils, Planning Advisory Committees, Watershed Advisory Boards, Former Municipal Unit Names and Planning Legislation

The following was before Council:

- A staff recommendation report dated June 23, 2014

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

- 1. Initiate the process to amend HRM's Municipal Planning Strategies and Land Use By-laws relative to references to the former municipal units and previous planning legislation.**
- 2. Approve the public participation program as presented in Attachment A of the June 23, 2014 staff report.**

Councillor Hendsbee questioned when housekeeping amendments would be made to the names and titles in some of the Municipal Planning Strategies. Mr. Richard Butts, Chief Administrative Officer advised that staff has a list of housekeeping amendments, and administrative and by-law updates that are being brought forward to Council on a priority basis.

MOTION PUT AND PASSED UNANIMOUSLY.

11.1.8 6067 Quinpool Road, Halifax – Administrative Order Number 50

The following was before Council:

- A staff recommendation report dated June 16, 2014
- Correspondence from Phil Pacey

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

- 1. Declare the property at 6067 Quinpool Road, Halifax, as shown in Attachment 1, surplus to municipal purposes.**
- 2. Categorize the property at 6067 Quinpool Road, Halifax, as 'Economic Development', as per Administrative Order 50.**
- 3. Authorize the demolition of the building at 6067 Quinpool Road (a subsequent report will be prepared to outline the funding of these costs as outlined in the Financial Implications Section of the June 16, 2014 staff report).**
- 4. Direct staff to initiate the process to consider amending the Municipal Planning Strategy for Halifax and the Land Use By-Law for Halifax Peninsula at 6067 Quinpool Road to address design, building height, mass, density, and use.**
- 5. Direct staff to return to Regional Council with the specifics of the disposal method for 6067 Quinpool Road following consideration of amendments to the Municipal Planning Strategy for Halifax.**

Councillor Watts spoke in support of the motion and provided the history around 6067 Quinpool Road as a school and resource centre, and landmark on the peninsula. She referenced the public meeting held with the community; commenting on the time and effort to bring this property forward under the new Administrative Order 50. Councillor Watts added that the property was a prime location in the urban core and the opportunity for the Municipality to find the balance in the planning and development for this property

Councillor Watts raised two concerns on behalf of residents around the demolitions of the gym and auditorium. She noted that a report went to Community Council around the status of gymnasia on the peninsula but that residents saw gaps in the report and were seeking further analysis. She suggested that the gym could be considered perhaps as part of a new development or replaced by a new location within the peninsula of Halifax. Councillor Watts could not support keeping the auditorium at this time on the basis of the development opportunity, the current condition and maintenance costs. She did however look to Councillor Mason to speak to the need for performing arts centres, as a member of the Special Arts and Culture Advisory Committee.

Councillor Mason made similar comments around the extensive community consultation and site planning. He addressed not being able to salvage the auditorium during the development of the rest of the property due to its size and condition; highlighting that the seating capacity was larger than the Rebecca Cohn, making it difficult for use or maintain by smaller arts organizations.

Councillor Whitman asked staff to clarify the difference between the disposal of the former Saint Patrick's High School property and the St. Pat's Alexandra School. Mr. Peter Stickings, Manager of Real Estate and Land Management advised that HRM was now following a new Administrative Order 50 that sets out a clear policy for disposal of surplus properties.

Councillor Mosher referenced the correspondence from the Quinpool Road Business Commission's correspondence submitted to Regional Council July 22, 2014 regarding the Commission's position in regard to the former Quinpool Education Centre Property.

MOTION PUT AND PASSED UNANIMOUSLY.

**MOVED by Deputy Mayor Fisher, seconded by Councillor Mason to convene into In Camera.
MOTION PUT AND PASSED.**

Council recessed at 2:03 p.m. to move into In Camera.

Council reconvened at 4:17 p.m.

The Mayor thanked Justice Nunn for speaking to Council during the In Camera session on governance matters. He further recognized Pride Week and showed the flag that was presented by Darren Louis in memory of his partner Raymond Taavel during the Pride Week Kick-off. Mayor Savage asked Council to keep the late Raymond Taavel and Grand Parade Marshall Scott Jones in their thoughts during Pride Week.

Council dealt with deferred item 11.1.2 at this time.

11.1.2 Award Tender No. 14-049 Snow Removal and Ice Control, Groups A and B

Ms. Kathleen Llewellyn-Thomas, Acting Director, Transportation & Public Works responded to Councillor Watts' question respecting Item 11.1.2 Award Tender No. 14-049. She confirmed that there was no impact on HRM's labour force as a result of contracting out the snow and ice removal service related to this contract.

The following motion was before Council as follows:

MOVED by Deputy Mayor Fisher, seconded by Councillor Karsten that Halifax Regional Council award Tender No.14-049, Snow Removal and Ice Control, Groups A and B, to the lowest bidder meeting specifications, Teak Tree Enterprises Limited, for the amount of \$597,402.35 (net HST included) for a three-year period, 2014 through 2017, and two additional option years with funding from Operating Accounts W200 totalling \$533,110.03 (net HST incl.) and Operating Account F160 totalling \$64,292.32 (net HST incl.), as outlined in the Financial Implications section of the July 22, 2014 staff report. MOTION PUT AND UNANIMOUSLY PASSED.

Not present: Councillor Johns

Councillor Johns entered the meeting at this time.

Council agreed to address Item 11.2.1 Annual Report for the Period Ending – March 31, 2014 (Presentation) at this time.

11.2.1 Annual Report for the Period Ending – March 31, 2014 (Presentation)

The following was before Council:

- Annual report for the period ending March 31, 2014 from the Office of the Auditor General, Halifax Regional Municipality
- A copy of the Auditor General's presentation

Mr. Larry Munroe, Auditor General presented his annual report for the period ending March 31, 2014. During the presentation it was noted that members of Council would be invited to a lunch and learn session in the fall 2014 to discuss a value for money framework. Following the presentation, Mr. Munroe introduced members from the Auditor General's Office.

MOVED by Councillor Karsten, seconded by Councillor McCluskey that Halifax Regional Council adopt the annual report for the period ending March 31, 2014 from the Office of the Auditor General, Halifax Regional Municipality. MOTION PUT AND UNANIMOUSLY PASSED.

**11.1.9 First Reading Proposed By-Law C-501, Proposed Amendments to By-law C-500, Respecting Commerce and Vending on Municipal Lands
Motion – Councillor Watts – Give First Reading**

The following was before Council:

- A staff recommendation report dated May 16, 2014
- Correspondence from Shawn Grant, Mary Ann McGrath

MOVED by Councillor Watts, seconded by Councillor Mosher that Halifax Regional Council give First Reading to consider the adoption of proposed By-law C-501 repealing By-law C-500, the *Commerce and Vending on Municipal Lands By-law*, as set out in Attachment J of the staff report dated May 16, 2014.

Council entered into discussion with Ms. Cathy Mellett, Municipal Clerk and Mr. John Traves, Municipal Solicitor providing clarification around process. Ms. Mellett advised that Council has the discretion when adopting by-law amendments, with the exception of land use amendments, whether to hold a public hearing or simply accept written submissions. Ms. Mellett added that a motion would be required providing direction around the intent to hold a public hearing. Mr. Traves clarified that the motion before Council was to adopt proposed By-law C-501 and repeal By-law C-500 which he advised impacts Administrative Order 37 and Administrative Order 15.

Councillor Hendsbee suggested having conditions within the proposed By-law C-501 to address waste management; such as the use of organic serving materials in place of plastics on food trucks. Mr. Richard Butts, Chief Administrative Officer suggested that Council continue with first reading and if requested via motion staff could come back with a future report around those types of conditions for vending.

Councillor Mosher proposed that the specific vending locations be identified in the proposed By-law; C-501 clarifying that the Sr. Sandford Fleming Park location is in the parking area adjacent to the washroom facilities.

In response to a question raised by Councillor Dalrymple, Mr. Christopher Davis, Supervisor, Right of Way Services, indicated that the proposed By-law C-501 does not speak to vendors on private land. Mr. Butts stated that vendors would need land use approval and a permit to operate on private land.

Mr. Davis further responded to questions around buffer zones from restaurants and the process for awarding vending sites.

MOVED by Councillor Walker, seconded by Councillor Adams that the motion be amended to remove Hamshaw Drive (Kearney Lake) from the Proposed By-law C-501. MOTION PUT AND UNANIMOUSLY PASSED.

The motion before Council now reads:

MOVED by Councillor Watts, seconded by Councillor Mosher that Halifax Regional Council give First Reading to consider the adoption of proposed By-law C-501 repealing By-law C-500, the *Commerce and Vending on Municipal Lands By-law*, as set out in Attachment J of the staff report dated May 16, 2014, with the removal of the Hamshaw Drive (Kearney Lake) from the Proposed By-law C-501.

In response to a question raised by Councillor McCluskey, Mr. Davis outlined the process around approving new vending locations under the proposed By-law C-501.

MOTION PUT AND PASSED UNANIMOUSLY.

**11.1.10 First Reading Proposed By-Law T-402, Respecting the Amendment of By-Law T-400, the Truck Routes By-Law
Motion – Councillor Whitman – Give First Reading**

The following was before Council:

- A staff recommendation report dated June 4, 2014
- An extract of the Regional Council minutes dated April 1, 2014

MOVED by Councillor Whitman, seconded by Councillor Walker that Halifax Regional Council give First Reading to consider the adoption of the proposed By-law T-402 as outlined in Attachment 1 of the staff reported dated June 4, 2014, which will amend By-law T-400, *Respecting the Establishment of Truck Routes for Certain Trucking Motor Vehicles within the Halifax Regional Municipality.*

Councillor Whitman sought clarification around the process following first reading and enforcement of proposed By-law T-402. Ms. Cathy Mellett, Municipal Clerk, advised that following first reading an advertisement would be placed for a two week period notifying residents of Council's intent to amend By-law T-400 and providing an opportunity for public input. She indicated that the earliest this matter would return to Council would be September 9, 2014. Mr. Richard Butt, Chief Administrative Officer clarified that enforcement was within the bounds of the enforcing authorities.

MOTION PUT AND PASSED UNANIMOUSLY.

Council agreed to address Items 11.4.1 and 11.4.2 at this time.

11.4.1 Councillor Appointment to Destination Halifax

The following was before Council:

- A recommendation report from the Community Planning and Economic Development Standing Committee dated June 17, 2014

MOVED by Councillor Mason, seconded by Councillor Whitman that Halifax Regional Council appoint Councillor Lorelei Nicoll as Halifax Regional Council's representative to Destination Halifax Board for a one (1) year term or until such time as Regional Council makes a determination on appointments to external committees under the governance review. MOTION PUT AND PASSED UNANIMOUSLY.

11.4.2 Schedule "A" Update – Services Agreement – Destination Halifax

The following was before Council:

- A recommendation report from the Community Planning and Economic Development Standing Committee dated July 3, 2014

MOVED by Councillor Nicoll, seconded by Councillor Karsten that Halifax Regional Council approve the amending agreement and updates to Schedule A of the Services Agreement with Destination Halifax as outlined in Attachment A of the April 17, 2014 staff report.

In regard to Schedule A, Item 1.2 Councillor Hendsbee spoke to ensuring there was opportunity for organizations that are doing tourism promotion to make application for funding toward their operational programs.

MOTION PUT AND PASSED UNANIMOUSLY.

Item 11.4.3 was addressed at this time.

11.4.3 Schedule "A" Update – Services Agreement – Greater Halifax Partnership (GHP)

The following was before Council:

- A recommendation report from the Community Planning and Economic Development Standing Committee dated July 3, 2014

MOVED by Councillor McCluskey, seconded by Councillor Nicoll that Halifax Regional Council approve the amending agreement to the Services Agreement with the Greater Halifax Partnership that replaces the 2013/2014 Schedule A with the 2014/15 Schedule A included as Attachment C of the April 17, 2014 staff report.

In regard to the partnership agreement, Councillor Johns looked to having a representative from the Greater Halifax Partnership assigned to the Special Events Advisory Committee. Ms. Maggie MacDonald, Acting Manager of Government Relations & External Affairs, advised that she would consult with civic events staff and GHP in regard to the appointment.

MOTION PUT AND PASSED UNANIMOUSLY.

Item 11.3.1 was addressed at this time.

11.3.1 Year End Financial Statements

The following was before Council:

- A recommendation report from the Audit and Finance Standing Committee dated July 10, 2014

MOVED by Councillor Karsten, seconded by Councillor Mason that Halifax Regional Council approve:

- **The Consolidated Financial Statements of the Halifax Regional Municipality for the year ended March 31, 2014;**
- **The statement of General Rate Surplus of the Halifax Regional Municipality for the year ended March 31, 2014;**
- **The transfers of the general rate surplus to the reserves identified in the statement of General Rate Surplus of the Halifax Regional Municipality for the year ended March 31, 2014; and,**
- **The financial statements of the Halifax Regional Municipality Miscellaneous Trust Funds for the year ended March 31, 2014.**

Councillor Hendsbee requested a status update on the report to Council around the itemized list of surplus for the previous year. Mr. Richard Butts, Chief Administrative Officer, clarified that this motion related to the year-end financial statements being reviewed by an external auditor which was different from HRM's internal financial statements. He added that staff provided a report to Council in regard to the allocations of surpluses to 2014 during the budget process.. Mr. Butts noted that he would provide Councillor Hendsbee with the information given during the budget process.

MOTION PUT AND PASSED UNANIMOUSLY.

Council recessed at 5:20 p.m.

Council reconvened at 6:03 p.m. and the public hearings were addressed at this time.

9.3 By-law N-200, Respecting Noise – Exemption Application – Halifax Pride Festival

The following information was before Council:

- Staff recommendation report dated June 20, 2014

Ms. Tanya Phillips, Manager, By-Law Standards, Community and Recreation Services, presented the application for an exemption from By-Law N-200, Respecting Noise, by the Halifax Pride organizing committee for Saturday, July 27, 2014 from 1:00 a.m. to 2:00 a.m. and Sunday, July 28, 2014 from 1:00 a.m. to 2:00 a.m.

Mayor Savage opened the public hearing called three times for anyone wishing to address Council on this matter; there being none it was **MOVED by Deputy Mayor Fisher, seconded by Councillor Karsten, that the public hearing close. MOTION PUT AND PASSED.**

MOVED by Councillor Mason, seconded by Councillor Karsten, that Halifax Regional Council approve the Halifax Pride's application for an exemption from the provisions of the Noise By-law pursuant to the contents of the staff report dated June 20, 2014.

MOTION PUT AND PASSED UNANIMOUSLY.

9.4 Case 16424 – Municipal Planning Strategy (MPS) and Land Use By-Law (LUB) Amendments for Planning Districts 1 and 3 – Tantallon at the Crossroads

The following information was before Council:

- Staff recommendation report dated June 5, 2014 (revised June 24, 2014 Attachments 1 & 2 only)
- Correspondence from John Leon, Coordinator of St. Margaret's Bay Steering Committee; Vic Heniss, President, Polaris Marine Services Limited; Member of the St. Margaret's Bay Coastal Planning Advisory Committee; Michael Murphy, Chair St. Margaret's Bay Coastal Planning Advisory Committee; John McKee, St. Margaret's Bay Seniors Association Housing Committee; Biruta Heniss; John Glover, President, Redmond's Hardware; Cathy Crouse, Chair, St. Margaret's Bay Stewardship Association; Barry Zwicker; and Blaise Morrison, WSP Canada Inc., representing Canadian Tire.
- Extract of the draft Regional Council minutes of June 24 & 25, 2014
- Motion memo with revised versions of Map 1 of Attachment 1 and Map 2 of Attachment 1.
- Staff presentation dated July 22, 2014.

Mr. Marcus Garnet, Senior Planner, Regional & Community Planning, presented an overview of case 16424 MPS and LUB Amendments for Planning Districts 1 and 3 – Tantallon Crossroads plan review. During his presentation Mr. Garnet noted a minor non-substantial correction as provided in the motion memo circulated to Council.

Councillor Hendsbee inquired why the residential area near the highway interchange is being retained, when the focus has been on encouraging commercial development at intersections of 100 series highways. Mr. Garnet indicated that staff did not receive any feedback from the community in favour of commercial development at the interchange, and did hear that the community wanted the village centre near the intersection with St. Margaret's Bay Road. Mr. Garnet clarified at the request of Councillor Hendsbee that a rezoning application and a plan amendment would be required to change the residential zoning to commercial.

In response to an inquiry from Councillor Karsten, Mr. Garnet indicated that he did not have information on how many acres or lots are available for development.

Responding to questions from Councillor Mason, Mr. Garnet clarified that due to the amendments made with the Regional Plan Five Year Review, one growth centre became two centres; a local rural commuter growth centre and a district rural growth centre.

Responding to an inquiry from Councillor Hendsbee, Mr. Garnet clarified that Case 16424 is the secondary planning stage for the smaller of the two growth centres, the local growth centre.

Mayor Savage opened the floor for those wishing to provide comment on this matter.

Mr. Keith Ayling, Tantallon, Secretary of the St. Margaret's Bay Chamber of Commerce, spoke in support of the amendments. He noted that this has been a five year process with many changes and hundreds of residents and businesses having input, with an end result which the Chamber supports. He noted that the amendments will add to the Chamber's shop local, support local strategy. He commended the 30 m buffer zone, noting that it will help with siltation and sediment build up in the water.

Mr. Michael Murphy, Boutilier Point, Chair of the St. Margaret's Bay Coastal Planning Advisory Committee, spoke in support of the amendments and referenced that he had also provided a written submission. Mr. Murphy commented that this all started with a visioning process led by the St. Margaret's Bay Chamber of Commerce, the St. Margaret's Bay Stewardship Association, and the St. Margaret's Bay Regional Tourism Development Association, and thanked all those involved in the process. He suggested that the process has taken a long time, and he is concerned it took too long since substantial development has already taken place in the area. He encouraged Council and staff to look at ways to speed up the implementation of community visioning. Mr. Murphy indicated that the amendments will provide the community and those wishing to pursue development opportunities in the community with clear direction on what is appropriate in the area. He noted that this will also provide the community with assurances that their vision for the development of the crossroads area is supported by Regional Council.

Mr. Vic Heniss, Seabright, advised he is property and business owner at 5434 St. Margaret's Bay Road, a member of the St. Margaret's Bay Coastal Planning Advisory Committee, and a member of the St. Margaret's Bay Chamber of Commerce. Mr. Heniss spoke in opposition to these amendments, indicating that they will hamper plans for his business and personal property. He advised that he has made several requests to have his property, which is situated at the edge of the proposed amendment area, removed from the amendment area. Mr. Heniss requested that a decision on this matter be deferred until his property is reviewed. He noted that a large portion of the area has already been developed, and he suggested that the remainder of undeveloped land will suffer.

Mr. Peter Lund, Glenhaven, advised he is Co-Chair Five Bridges Wilderness Trust, member of the St. Margaret's Bay Seniors' Housing Committee, and member of the Regional Watersheds Advisory Board. Mr. Lund commented that he has lived in the area since 1995, when the Crossroads area had a lot of village character and was generally used by residents of immediate area. He indicated that the commercial area at the exit to Hwy. 103 is primarily used by residents travelling along the highway and the Hammonds Plains Road. Mr. Lund noted that the Crossroads area is losing its village gateway feel with increasing development in the area. He suggested that the area needs improved walkability. Mr. Lund referenced the recent CBCL study on the Tantallon Watershed, which supports the opportunity for densification in the area, noting that densification will help bring water and sewer services, and help support seniors to stay in the community.

Ms. Shelly Webb, Hacketts Cove, representing the St. Margaret's Bay Regional Tourism Development Association, referred to a written submission from Mr. John Leon, Coordinator of the St. Margaret's Bay Steering Committee, representing the Stewardship, Chamber and Tourism Associations. She noted the importance of the Crossroads area in providing access to St. Margaret's Bay, and the iconic tourism destination of Peggy's Cove. Ms. Webb indicated that the \$2 billion tourism industry in Nova Scotia represents more revenue than agriculture, fisheries and forestry combined. She suggested that tourism in St. Margaret's Bay supports and drives the local rural economy, with over 500,000 people visiting Peggy's Cove each year, which makes it essential to present an attractive and inviting village gateway. Ms. Webb referenced an HRM pilot project regarding signage in the Prospect-Goodwood and Tantallon areas, which they hope will be in effect for next year, and commented on the need to encourage regional development and entrepreneurship, within constructive parameters that are attractive and inviting and convey the village look and ambiance. Ms. Webb advised that the Association has been pleased to partner with community organizations and HRM staff through this process.

Ms. Ellen McQuinn, representing the St. Margaret's Bay Stewardship Association, read aloud the submission from Mr. John Leon, Coordinator of the St. Margaret's Bay Steering Committee, representing the Stewardship, Chamber and Tourism Associations. Mr. Leon's submission is available on file.

Mr. Blaise Morrison, WSP Canada Inc., on behalf of Canadian Tire, referred to correspondence from himself submitted to Council. Mr. Morrison advised that his client Canadian Tire is generally on board with the intent of the proposed regulations, although they object based on the amendments limiting commercial development opportunities on their property. He noted an amendment to Schedule K, recognizing that Canadian Tire has existing development agreement capabilities. Mr. Morrison indicated that Canadian Tire feels they were not adequately consulted through the process, and were prejudged as a "big box store", despite the fact that they provide essential services for the community. Mr. Morrison asked Council to consider approving alternative 2 in the staff report.

Mr. Blaise Morrison, WSP Canada Inc., also spoke on behalf of Choice Properties REIT (CP REIT) and Loblaw Companies Limited (LCL), owners of the 28 acre Superstore property. Mr. Morrison indicated that his clients are opposed to the amendments, and would be significantly impacted because they do not have any development agreement rights on the property. He indicated that the impact on the property would not contribute to a walkable community, creating a 40,000 sq. ft. lot with maximum building footprint of 6,000 sq. ft. Mr. Morrison advised that his clients also feel they were excluded from the process, for being a "big box store".

Mr. Morrison submitted correspondence on behalf of CP REIT and LCL to the Municipal Clerk. The Clerk advised that since the correspondence was received after the submission deadline, it cannot be circulated. She accepted the correspondence for the file.

Mayor Savage called three times for any further speakers. There being none Mayor Savage asked Mr. Garnet for any comments arising from the speakers. Mr. Garnet, referencing Schedule N of the staff report, pointed out that Loblaws is absent from the map. He clarified that the original intent behind Schedule N was to replace superseded properties under existing development agreements on large retail properties. He advised that staff looked for an agreement regarding use of land and could not find one for the Superstore. Mr. Garnet indicated that a reference was found for Canadian Tire, although it was through a private agreement. He indicated that staff could prepare a supplementary report looking into including the Loblaws and Canadian Tire properties, although that would be considered a substantive amendments, and would have to be brought forward at a later date.

In response to questions from Councillor Karsten, Mr. Garnet clarified that inclusion of the Canadian Tire and Loblaws properties in the proposed Schedule at this time would likely be a substantive amendment and another public hearing would be required to include these properties.

At the request of Councillor Outhit, Mr. Garnet advised that he has had discussions with Mr. Heniss, and had understood his plans for future property use to be repair, fabrication, sales and service of boats, trailers, docks, ramps, etc. Mr. Garnet indicated that Schedule P was prepared specifically for this land use. He now understands that Mr. Heniss wishes to keep the property uses as open as possible for the potential future sale of the property. He suggested removing the property from the plan at this time would be a substantive amendment and would require another public hearing.

MOVED by Councillor McCluskey, seconded by Councillor Karsten, that the public hearing be closed. MOTION PUT AND PASSED.

MOVED by Councillor Whitman, seconded by Councillor Rankin, that Halifax Regional Council adopt the proposed amendments to the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) for Planning Districts 1 and 3, as set forth in the revised versions of Attachments 1 and 2 of the staff report dated June 5, 2014, and the revised circulated copy of Map 1 of Attachment 1 and Map 2 of Attachment 1.

Councillor Whitman thanked everyone involved in the process, and spoke in favour of the MPS and LUB amendments.

Councillor Hendsbee suggested the planning district numbers should be renamed to align better with polling district numbers, to be more descriptive and identifiable. He questioned what type of active transportation plan is proposed for the area, noting the importance of a walkable village centre. Councillor Hendsbee noted concern with development limitations on the Loblaws and Canadian Tire properties, noting that these are significant employers to the area.

MOVED by Councillor McCluskey that the motion be amended to remove Mr. Heniss' property from the plan.

Councillor McCluskey inquired why Mr. Heniss's property was not removed from the plan area when requested. Mr. Garnet advised that he had raised the request with the community group working on developing the plan, and they agreed that it would be better to accommodate the property as a schedule. He further noted that it is not clear whether the existing MU zoning on Mr. Heniss' property would allow the fabrication proposed, although Schedule P would allow some certainty for the property use.

Councillor Karsten pointed out that if the motion to amend were approved, the original plan amendment would not be able to proceed, and suggested a request for a supplementary report was a better option.

There being no seconder, the motion to amend was lost.

Discussion ensued on the proposed MPS and LUB amendments.

Mr. John Traves, Municipal Solicitor, at the request of Councillor Hendsbee, clarified that if Council approved the MPS and LUB amendments, a separate application could be brought forward for amendments with regard to the Loblaws, Canadian Tire, and Heniss properties. Mr. Kurt Pyle, Acting Operations Manager, added that the MPS amendments require ministerial approval.

Council discussed options with regard to the Loblaws, Canadian Tire and Heniss properties.

MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillor Whitman, seconded by Councillor Outhit, that Regional Council request a supplementary staff report on concerns raised during the public hearing with regard to three properties owned by Loblaws, Canadian Tire, and Mr. Vic Heniss. MOTION PUT AND PASSED. (11 in favour, 5 against)

In favour: Councillors Hendsbee, Karsten, Nicoll, McCluskey, Walker, Adams, Rankin, Whitman, Johns, Craig, and Outhit.

Against: Mayor Savage, Deputy Mayor Fisher, and Councillors Dalrymple, Mason, and Watts.

Councillor Mosher was not present for the vote.

**11.1.11 Second Reading Proposed By-Law E-203, Proposed Amendments to By-law E-200, Respecting Encroachments Upon, Under, or Over a Street
Motion – Councillor Craig – Approve Amendments**

The following was before Council:

- A staff recommendation report dated May 28, 2014
- An extract of the draft Regional Council minutes of June 24 and 25, 2014
- Correspondence from Kim Smith; Michael Keefe, 1st Vice-President, CUPW Nova Local; Carole Woodhall; Michael Keefe; Angela Hix; and George Nickerson, Eastern Canada Co-ordinator, Save Canada Post.

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

- 1. Adopt the proposed amendments to HRM By-law E-200, the Encroachment By-law, as set out in Amending By-law attached to the staff recommendation report dated May 28, 2014 as Attachment B.**
- 2. Authorize the Municipality to enter into an agreement with Canada Post Corporation, attached to this staff recommendation report dated May 28, 2014 as Attachment D, in accordance with the amended By-law E-203, and direct the Mayor and Clerk to execute the agreement on behalf of the Municipality.**

Councillor Craig noted that first reading was given on this matter on June 24, 2014. He noted that HRM does not have an agreement with Canada Post for encroachments and as a Crown Corporation, Canada Post has jurisdiction to place community mail boxes where they choose, based on certain standards they have in place. He indicated that staff have been working with Canada Post to put in place HRM standards for locating community mailboxes, which are set out in the Proposed Mail Receptacle Agreement attached to the staff report.

Councillor Watts noted general concern from the community and postal workers about the impact of accepting this type of encroachment. She inquired whether there would be costs incurred by the municipality with regard to the installation and maintenance of the community mailboxes, noting correspondence forwarded relating concerns from the Municipality of Yarmouth being responsible for lighting of the boxes. She noted that a petition had been submitted on behalf of 2000 residents with regard to this matter, and inquired when a response would be received.

Ms. Kathleen Llewellyn-Thomas, Acting Director, Transportation and Public Works, clarified that Canada Post is a federal level Crown Corporation, and does not have to accept Council's direction. She clarified that Canada Post is collaborating with municipalities on the placement of community mailboxes because of intervention from the Federation of Canadian Municipalities. Mr. Chris Davis, Supervisor, Right of Way Services, advised that staff have reviewed the correspondence on the topic of responsibility for lighting costs. He indicated that costs could be mitigated through placing the boxes where there is existing lighting, and this is included on the placement criteria list. Mr. Davis noted that some costs may be incurred by the municipality through meeting accessibility concerns, as well as maintaining distances from driveways and intersections.

Ms. Cathy Mellett, Municipal Clerk, advised that the petition was forwarded to staff and will be processed in the normal course of business.

Councillor Hendsbee suggested that placement of community mailboxes could be incorporated into placemaking opportunities, by placing them near parks, and adding shelters over the boxes. He encouraged any opportunities for negotiating cost-sharing for lighting installation with Canada Post.

Councillor Walker noted that residents have been sent surveys soliciting input on the placement and size of community mail boxes, and he would be interested in seeing the results of the surveys.

Councillor Mosher indicated that in some areas, Canada Post is not waiting for feedback, and have already started measuring and surveying for locations. She noted concerns with enforcing adequate plowing and lighting of community mail boxes, as well as traffic concerns with people driving to the boxes. Councillor Mosher indicated that Councillors and staff would be meeting individually with representatives of Canada Post to address specific concerns in their areas.

Mr. John Traves, Municipal Solicitor, advised that the agreement is silent with respect to breach and remedy, although it is a binding agreement and the municipality would be free to make a claim through the courts. Mr. Traves clarified that as a federal crown agency, Canada Post can expropriate the municipality's property.

Councillor Mosher commented on the optics of the agreement, indicating that it looks like the municipality is endorsing Canada Post's decision, which is not the case. Mr. Traves indicated that there is some benefit to the agreement, noting that because of FCM intervention, Canada Post is soliciting input from municipalities, when in the past they wouldn't have.

Responding to an inquiry from Councillor Nicoll, Mr. Davis advised that staff are focusing on the current roll out of the change from door to door delivery to community mailboxes. They are aware that there are existing community mailboxes that do not meet the criteria set out in the agreement, although as the boxes require upgrading or relocation, the criteria in the agreement would apply at that time.

Responding to an inquiry from Councillor Adams, Mayor Savage advised that there has been a request to present to Council from the Canadian Union of Postal Workers, which has been responded to in the usual manner. Discussion ensued on the motion.

Councillor Watts commented that what is missing is a statement from Council of not supporting this change. She indicated that she will be bringing forward a motion for consideration in this regard at a future meeting.

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

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

Against: Councillor Mosher

11.1.12 North Preston Community Boundary Project

The following was before Council:

- A staff recommendation report dated June 30, 2014

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

- 1. Recognize North Preston as an official HRM Community, as per Map 1 of the June 30, 2014 report, and authorize staff to install community signs as identified on Map 3 of the same report.**
- 2. Retire the community name of Lake Major, and include all associated lands into the community of Westphal, as per Map 1 of the June 30, 2014 report and authorize staff to install community signs at the Lake Major Road boundary as identified on Map 3 of the same report.**

In response to questions from members, Mr. Kurt Pyle, Acting Operations Manager, indicated that the boundaries of East Preston, Westphal, Cole Harbour, and Lucasville will be clarified, in that order.

Councillor Karsten noted that there is still one community boundary location on Caldwell Road going to Eastern Passage that needs clarification.

MOTION PUT AND PASSED UNANIMOUSLY.

11.2 AUDITOR GENERAL

11.2.1 Annual Report for the Period Ending – March 31, 2014 (Presentation)

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

11.3 AUDIT AND FINANCE STANDING COMMITTEE

11.3.1 Year End Financial Statements

This matter was addressed earlier in the meeting, see page 12.

11.3.2 Lake Charlotte Area Heritage Society – Capital and Operating Funding Request

The following was before Council:

- A recommendation report from the Audit and Finance Standing Committee dated July 10, 2014

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

- 1. Refer the Lake Charlotte Area Heritage Society’s request for capital funding to staff to investigate additional funding options from other sources and report back to the Audit and Finance Standing Committee.**
- 2. Decline the request for an annual operating subsidy.**

Councillor Hendsbee indicated that a portion of the \$40,000 capital funding request would leverage funds from other levels of government.

Councillor Outhit inquired why this matter came to Regional Council, when the Audit and Finance Standing Committee has the ability to request a staff report. Mr. John Traves, Municipal Solicitor, clarified that the Committee chose to refer the request to Regional Council.

MOTION PUT AND PASSED UNANIMOUSLY.

11.4 COMMUNITY PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE

11.4.1 Councillor Appointment to Destination Halifax

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

11.4.2 Schedule “A” Update – Services Agreement – Destination Halifax

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

11.4.3 Schedule “A” Update – Services Agreement – Greater Halifax Partnership (GHP)

This matter was addressed earlier in the meeting, see page 12.

11.5 EXECUTIVE STANDING COMMITTEE

11.5.1 Use of Buy-Back Agreements in Property Sales to Non-Profit Organizations

The following was before Council:

- A recommendation report from the Executive Standing Committee dated June 23, 2014

MOVED by Councillor Mosher, seconded by Councillor Nicoll that Halifax Regional Council approve that future Buy-Back Agreements shall:

- 1. Include a provision in the agreement for postponement of the Buy-Back Agreement for the purpose of Purchaser financing, and furthermore that the CAO shall have the authority under the agreement to approve the postponement subject to the financing not exceeding 65 percent of the property’s market value as of the date of the request, any Purchaser**

financing agreement shall include a reservation of right in favour of HRM to have notice and the option to cover any default under the Purchaser's financing.

- 2. Shall have an initial term of 25 years followed by an automatic review by Regional Council to consider continuation, amendment or release of the Buy-Back Agreement.**

Councillor Mosher, referring to the staff report, pointed out that since 1996, approximately 30 properties have been conveyed to non-profit organizations, and that without the provisions of buy back agreements the total value would be in excess of \$10,000,000.

Councillor Watts noted that the original motion was to have greater flexibility allowed for non-profits, and inquired how this amendment is different from current practice. Ms. Jane Fraser, Director, Planning & Infrastructure, clarified that this amendment gives more flexibility in delegated authority, so that postponement and buy back agreements would not have to come through to Regional Council, subject to the financing not exceeding 65 percent of the property's market value, which will speed up the process.

Mr. John Traves, Municipal Solicitor, clarified that it is always open to Council to decide in any particular case not to have a buy back agreement, although generally speaking it is staffs' advice and the Executive Committee's recommendation that a buy back agreement be in place to ensure that the purposes for which the property is being provided at less than market value are being met.

MOTION PUT AND PASSED UNANIMOUSLY.

11.5.2 Councillor Appointments to Halifax Water

The following was before Council:

- A recommendation report from the Executive Standing Committee dated June 23, 2014

MOVED by Councillor Mosher, seconded by Councillor Nicoll, that Halifax Regional Council appoint Councillor Barry Dalrymple (Environment & Sustainability Standing Committee Representative), Councillor Russell Walker and Councillor David Hendsbee to the Board of Halifax Water for a term to March, 2016.

Responding to an inquiry from Councillor Outhit with regard to whether members of Council should be appointed as ex officio members to the Halifax Water Board, Ms. Cathy Mellett, Municipal Clerk, indicated that the current Halifax Water legislation requires the appointments and these appointments would be in place pending the Governance Review recommendations. Mr. John Traves, Municipal Solicitor, advised that the intent of the Municipal Conflict of Interest Act would be that Councillors would act in the best interest of Halifax Water, while it being understood that they are there in their capacity as a member of Regional Council.

MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Nicoll was not present for the vote.

11.6 TRANSPORTATION STANDING COMMITTEE

11.6.1 Temporary On-Street Parking During Construction

The following was before Council:

- A recommendation report from the Transportation Standing Committee dated July 4, 2014

MOVED by Councillor Mason, seconded by Councillor Watts, that Halifax Regional Council request staff implement a temporary on-street parking program in time for the 2015 construction season for residents of neighbourhoods with time limited on street parking and who temporarily lose access to their residential parking due to road and sidewalk construction.

Councillor Mason clarified that this is intended to be free temporary parking, when residential parking has been interrupted because of construction, and they live in an area with time-restricted on-street parking.

MOTION PUT AND PASSED UNANIMOUSLY.

11.6.2 Modified Smart Trip E-Pass for Carshare Operators

The following was before Council:

- A recommendation report from the Transportation Standing Committee dated July 4, 2014

MOVED by Councillor Watts, seconded by Councillor Hendsbee, that Halifax Regional Council direct staff to modify the SmartTrip E-Pass program to accommodate clients of carshare operators, including waiving of the employers discount and waiving the annual SmartTrip E-Pass membership fee.

Councillor Karsten noted that the staff recommendation was to not support the modification, and asked for clarification. Mr. David McCusker, Manager, Strategic Transportation Planning, clarified that the staff recommendation was to not support the modification to preserve the integrity of the SmartTrip E-Pass program, and to keep the final cost to the client 75% of the monthly cost. He noted that the modification would not achieve that goal because there would be no employer discount.

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

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

Against: Councillor Karsten

11.7 HERITAGE ADVISORY COMMITTEE

11.7.1 Case H00388 – 5 Year Overview of the Barrington Street Heritage Conservation District Incentives Program

The following was before Council:

- A recommendation report dated July 3, 2014

Councillor Mason noted an error in the recommendation, as pointed out by staff, correcting that it should read “until March 31, 2017” to extend the program for a full two years.

MOVED by Councillor Mason, seconded by Councillor Whitman, that Halifax Regional Council approve a two year extension of the Barrington Street Heritage Incentives Program, with the existing Terms and Conditions as provided in Attachment A and B of the May 15, 2014 staff report, until March 31, 2017.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Rankin

11.7.2 Case H00402 – Substantial Alteration to 2608 Brunswick Street, Halifax – The Churchfield Barracks – a Municipality Registered Heritage Property

The following was before Council:

- A recommendation report from the Heritage Advisory Committee dated July 10, 2014

MOVED by Councillor Mason, seconded by Councillor Whitman, that Halifax Regional Council approve the proposed substantial alternation to 2068 Brunswick Street, Halifax, as outlined in Attachments A and B of the staff report dated April 4, 2014.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Rankin

11.8 MEMBERS OF COUNCIL

11.8.1 Councillor Whitman – Request for a staff report to enable public access to Wrights Lake

The following was before Council:

- A request for Council's consideration form

MOVED by Councillor Whitman, seconded by Councillor Adams, that Halifax Regional Council request a staff report to be brought back to Regional Council, through the Audit and Finance Standing Committee, as this request could result in a mid-year change to the 2014-15 capital project budget, to enable access to Wrights Lake with funding to be provided through the Westwood Hills Residents' Association Area Rate.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Rankin

11.8.2 Councillor Nicoll – Cherry Brook Community Centre

The following was before Council:

- A request for Council's consideration form

MOVED by Councillor Nicoll, seconded by Councillor Hendsbee, that Halifax Regional Council request a staff report regarding the status of the former Cherry Brook Community Center, to include:

- a) Ownership status of the land and building;**
- b) Safety and security measures for the building; and**
- c) Future intended uses of the property and any other HRM land that surrounds the property; and**
- d) Any planned/proposed consultation pertaining to future uses of the property.**

Councillor Hendsbee asked that the staff report reference the over \$131,000 in Capital Acct. CBR00069 Cherry Brook Community Centre.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Deputy Mayor Fisher and Councillor Rankin.

11.8.3 Councillor Karsten – Paving of Municipality Owned Gravel Roads

The following was before Council:

- A request for Council's consideration form

MOVED by Councillor Karsten, seconded by Councillor Outhit, that Halifax Regional Council request a staff report exploring options to the current process followed for the paving of gravel roads and possible amendments to the process including but not limited to changes to By-Law S-400.

Councillor Hendsbee suggested that the report include looking at capping the maximum price on construction and standards for chip sealing.

Councillor Rankin noted that the request is vague, and questioned whether it refers to staff exploring technical or financial alternatives with regard to paving of gravel roads.

Councillor Craig spoke in favour of the motion. He suggested that as a part of a comprehensive process, staff take into account amenities on certain roads, noting as an example the Sucker Brook Road in Lower Sackville which goes directly to a trail head at First Lake, and is used heavily by people accessing the trail and park.

Councillor Whitman noted that there is a concern that the three year agreement for provincial "J" class roads is about to expire. He suggested that it needs to be extended, otherwise it should be included in this report.

Councillor Outhit asked that the status of the category of non-accepted roads be included in the report.

Councillor Karsten indicated that provincial "J" class roads and private roads are issues separate from the paving of gravel roads, and asked that they not be included in the report.

MOTION PUT AND PASSED UNANIMOUSLY.

11.8.4 Councillor Adams – Financial Implications of Heritage Day

The following was before Council:

- A request for Council's consideration form

MOVED by Councillor Adams, seconded by Councillor Mosher, that Halifax Regional Council request a staff report outlining the financial implications of the provincially-mandated February holiday in terms of staffing costs, both union and non-union employees.

MOTION PUT AND PASSED UNANIMOUSLY.

12. MOTIONS

12.1 Councillor Mason

A Notice of Motion was given on June 25, 2014.

MOVED by Councillor Mason, seconded by Councillor Hendsbee, that Halifax Regional Council request a staff report regarding the effectiveness and appropriateness of appointing a municipal manager, serving as traffic and right of way manager, as the provincially mandated Traffic Authority, and to make recommendations regarding:

- a) potential administrative changes to this structure inside current statutory requirements; and**
- b) potential statutory changes that may be proposed for consideration by the province, if any.**

Councillor Mason indicated he is bringing this request forward after hearing concerns from residents. He clarified that the request is from an organizational point of view, and is in no way reflective of the work being done by staff.

Councillor Outhit spoke in support of the motion, noting he would like to know the best practices for appeal or overruling the decisions of the traffic authority in other municipalities.

Councillor Rankin indicated that this matter has been reviewed many times before and always results in it being in the municipality's best interest to leave this with the engineers with legislative authority from the

province. He suggested that Council does not have the technical experience and best practices knowledge to determine such matters as crosswalk locations, road signage, and implementation of the winter parking ban.

Councillor Karsten spoke against the motion, noting that in the former city of Dartmouth, Council could make traffic decisions with the approval of the chief of police, and as a result there are many existing crosswalks around Dartmouth that would not meet today's standards.

Councillor Mosher spoke against the motion, noting that traffic decisions must be based on sound principles and not specific skills that Council does not have. She noted the personal liability that would be associated with Council making such traffic decisions.

Discussion ensued on the motion.

Councillor Mason commented that he agrees the Traffic Authority should be a traffic engineer professional, and is questioning why the Traffic Manager is automatically appointed by Council. He clarified that the intent of the motion is not to have Council making these decisions, but to clarify the position.

Mr. John Traves, Municipal Solicitor, clarified that Council could appoint the CAO, the Chief of Police, or any other official of the municipality to the position of Traffic Authority. He noted that it is common for provincial and municipal employees to have statutory authority, which gives them authority over certain matters based on their education and experience.

MOTION PUT AND PASSED. (10 in favour, 7 against)

In favour: Mayor Savage, Deputy Mayor Fisher, and Councillors Dalrymple, Hendsbee, Nicoll, Mason, Watts, Whitman, Johns and Outhit.

Against: Councillors Karsten, McCluskey, Mosher, Walker, Adams, Rankin and Craig.

12.2 Councillor Watts

A Notice of Motion was given on June 25, 2014.

MOVED by Councillor Watts, seconded by Councillor Mason, that Halifax Regional Council request a staff report on the status of the African Nova Scotian Affairs office with specific reference to options for strengthening the delivery of municipal services to residents of African descent within the Municipality and how these options are articulated in the budget and business plan process and how it advances the commitment made in the Africville Agreement.

Councillor Hendsbee suggested that the staff report will include discussion on the Greater Halifax Partnership Services Agreement Schedule "A" update approved earlier in this meeting.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Johns and Outhit.

13. IN CAMERA – 2:00 P.M.

13.1 In Camera Minutes – June 10 & 25, 2014

The June 10 and 25, 2014 In Camera minutes were approved during the earlier In Camera session.

13.2 Personnel Matter

Citizen and Councillor appointments to boards and committees in keeping with the Public Appointment Policy adopted by Regional Council in August 2011, to be found at <http://www.halifax.ca/boardscom/documents/Citizenrecruitmentpolicy.pdf>

13.2.1 Citizen Nominations to Metropolitan Regional Housing Authority (MRHA) – *Private and Confidential Report*

This matter was addressed during an earlier In Camera session and was later before Council for ratification.

13.3 Legal Advice

A matter pertaining to legal advice eligible for solicitor-client privilege.

13.3.1 Legal Advice – Oral

This matter was addressed during the earlier In Camera session.

13.4 Labour Relations

A matter pertaining to reports, advice and recommendations, instruction or direction to officers and employees of the Municipality concerning labour relations and employee negotiations arising out of the contract or contract negotiations with one of the Municipalities unions.

13.4.1 Halifax Regional Police Association Collective Agreement – *Private and Confidential Report*

This matter was addressed during the earlier In Camera session and was later before Council for ratification.

13.5 Intergovernmental Relations

A matter pertaining to any subject, the discussion of which could, violate the confidentiality of information obtained from another body of government, or a public body.

13.5.1 Award – RFP No. 14-024, Design-Build Lacewood Transit Terminal – *Private and Confidential Report*

This matter was addressed during the earlier In Camera session and was later before Council for ratification.

14. ADDED ITEMS

14.1 Committee of the Whole – Capital Cost Contributions for Transit and Transportation Services

This matter was addressed during the earlier Committee of the Whole session and was now before Regional Council for ratification.

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

- 1. Adopt a Regional Capital Cost Contribution for Transportation Services, collected prior to issuing a building permit region wide; from all greenfield development that occurs in the commutershed, more particularly described as the Regional Transportation Rate Boundary.**

2. **Adopt a Regional Capital Cost Contribution for Transit Services, collected prior to issuing a building permit region wide; from all greenfield development that occurs in the commutershed, more particularly described as the Regional Transportation Rate Boundary.**
3. **Direct staff to consult with the development industry prior to completing a background study that would form the basis for the proposed charges.**

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

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

Against: Councillor McCluskey

Not present: Councillors Johns and Outhit

14.2 Ratification of In Camera Recommendations

14.2.1 Personnel Matter - Citizen Nominations to Metropolitan Regional Housing Authority

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

1. **Approve the nominations to the Metropolitan Regional Housing Authority as outlined in the Private and Confidential Report from the Executive Standing Committee dated June 27, 2014; and**
2. **That the Private and Confidential Report from the Executive Standing Committee dated June 27, 2014 not be released to the public.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Johns and Outhit

14.2.2 Labour Relations – Halifax Regional Police Association Collective Agreement

MOVED by Councillor Mason, seconded by Councillor Whitman, that Halifax Regional Council ratify the collective agreement with the Halifax Regional Police Association as per the key terms and conditions found in the Private and Confidential report dated July 17, 2014.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Rankin, Johns and Outhit

14.2.3 Intergovernmental Relations – Award – RFP No. 14-024, Design-Build Lacewood Transit Terminal

MOVED by Councillor Rankin, seconded by Councillor Walker, that Halifax Regional Council:

1. **Waive the requirement to send the private and confidential report dated July 8, 2014 to the Audit and Finance Standing Committee due to time constraints related to the project;**
2. **Approve an increase to Project No. CB000013, Lacewood Terminal Replacement subject to the conditions as outlined in the Financial Implications section of the private and confidential report dated July 8, 2014;**

3. **Award RFP No. 14-024, Design-Build Lacewood Transit Terminal for a tender price of \$5,680,459.46 (net HST included) subject to the conditions as outlined in the private and confidential report dated July 8, 2014 with funding from Project No. CB000013 – Lacewood Terminal Replacement; and**
4. **Release the private and confidential report dated July 8, 2014 following the finalization of funding arrangements as outlined in the private and confidential report dated July 8, 2014.**

Mayor Savage clarified that the motion to waive the requirement to send the report to the Audit and Finance Standing Committee requires an affirmative vote of two-thirds of members present.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Johns and Outhit.

15. NOTICES OF MOTION

15.1 Councillor Mosher

Take notice that, at the next regular meeting of Halifax Regional Council to be held on July 29, 2014, I intend to introduce a motion to request a staff report relating to tender awards for snow removal and ice control contracts. And that in addition to awarding tenders to lowest bidder meeting specifications – consideration be given in the report to procurement specifications also including a proviso that a contractor can only bid if they are in good standing with the municipality and that bidders must not have outstanding legal, procurement, or performance issues.

15.2 Deputy Mayor Fisher/Councillor McCluskey

Take notice that, at the next regular meeting of Halifax Regional Council to be held on July 29, 2014, we intend to move a motion requesting a staff report on the findings of the Stantec report on weed growth in Lakes Banook and MicMac. The report will outline all short-term and long-term options discussed in the Consultants study and provide Council some recommendations and Budget implications.

15.3 Mayor Savage (provided on his behalf by Deputy Mayor Fisher)

Take notice that, at a future meeting of Halifax Regional Council to be held on July 29, 2014, I intend to move a motion that Halifax Regional Council request a staff report for submission to the Executive Committee examining the benefits and implications of extending the right to vote in municipal elections to Permanent Residents. The report should include a review of practice in other jurisdictions and address administrative, intergovernmental, legislative, procedural and social implications.

15.4 Councillor Hendsbee

Take notice that, at the next regular meeting of Halifax Regional Council to be held on July 29, 2014, I propose to:

1. Move First Reading of By-Law O-110 amending By-Law O-109, Respecting Open Air Burning; and
2. Introduce amendments to Administrative Order Number 15, Respecting License, Permit and Processing Fees

The purpose of which is to bring the By-law and Administrative Order in line with the amended Provincial Forest Fire Protection Regulations.

15.5 Councillor Mason

Take notice that, at the next regular meeting of Halifax Regional Council to be held on July 29, 2014, I propose to introduce Administrative Order 2014-007-ADM, the purpose of which is to provide for grants from the Municipal to professional arts organizations in the Municipality.

16. ADJOURNMENT

The meeting was adjourned at 9:23 p.m.

Cathy J. Mellett
Municipal Clerk