

2. LEGAL ADVICE – Boundaries for the Blue Mountain Birch Cove (BMBC) Regional Park – Deferred from March 8, 2016

The following was before Council:

- A private and confidential staff recommendation report dated February 16, 2016.
- A staff presentation dated March 22, 2016
- A handout entitled "Alternate Motion – Councillor Rankin"

Ms. Karen E. MacDonald, Senior Solicitor, provided the staff presentation regarding the Blue Mountain Birch Cove lands. She provided commentary with respect to the history of the matter, noting that although there were facilitated meetings between HRM staff and representatives of the Annapolis Group and Susie Lake Developments, they were unable to reach an agreement regarding the boundaries of the proposed park. Ms. MacDonald advised that the next step is to proceed to public consultation on the matter.

MOVED by Councillor Rankin, seconded by Councillor Karsten

THAT:

- 1. Halifax Regional Council instruct staff to assist in the completion of the facilitator's report and proceed to the public consultation, as per article 5 of the Terms of Reference (Attachment 1 of the July 8, 2013 staff report), on both HRM Map 3A and the Annapolis Map dated July 27, 2015; and**
- 2. The private and confidential report dated February 16, 2016 not be released to the public.**

Councillor Rankin indicated that if the motion is defeated, he is prepared to move the alternative contained in the handout circulated to members of Council.

Councillor McCluskey joined the meeting at 5:03 p.m.

In the ensuing discussion, the following points were raised:

- There are two sets of vested interests involved, and the gap between them is significant and not conducive to resolution, as outlined in the facilitator's interim report;
- [REDACTED]
- Including both maps in the public consultation would reflect the history of the discussion and clarify changes made to the map that was provided in the 2006 Regional Plan, but it could divide the public and thus undermine efforts to reach a pragmatic compromise; and
- When the matter returns to Council, it would be informative to include a list of landowners and the sizes of the different parcels of land involved.

Mayor Savage left the meeting at 5:39 p.m. Deputy Mayor Whitman took the Chair.

MOVED by Councillor Watts, seconded by Councillor Mason

THAT Halifax Regional Council waive the rules of order to permit Committee of the Whole speaking rules.

Two-third majority vote required.

MOTION PUT AND PASSED.

Responding to a question of clarification, Mr. Peter Bigelow, Manager, Policy and Planning indicated that it is staff's understanding that the Annapolis Group would be using the lakes to generate electricity and they maintain the licence required by the province. As they hold the license and liability, they are responsible for the maintenance of the dams.

Extract from Private and Confidential In Camera Council Minutes – March 22, 2016

Mayor Savage resumed the Chair at 6:13 p.m.

The question was called on the main motion.

MAIN MOTION PUT AND DEFEATED.

MOVED by Councillor Rankin, seconded by Councillor Adams

THAT

1. Halifax Regional Council instruct staff to assist in the completion of the facilitator's report preparatory to proceeding directly to public consultation, as per article 5 of the Terms of Reference (Attachment 1 of the July 8, 2013, staff report), on the basis of the proposed BMBC Regional Park boundaries as outlined in the 'Developers Map' dated December 10, 2015 and;
2. This report not be released to the public.

MOTION PUT AND PASSED.

DECLASSIFIED

FOIPOP Review

Original Signed

Approved to Release

Original Signed

Date Dec 17, 2019 U