



**HALIFAX REGIONAL COUNCIL
MINUTES
April 26, 2016**

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

REGRETS: Councillor: Linda Mosher

STAFF: Mr. John Traves, Acting Chief Administrative Officer
Ms. Karen Brown, Acting Municipal Solicitor
Mr. Kevin Arjoon, Municipal Clerk
Ms. Sherryl Murphy, Deputy Municipal Clerk
Ms. Krista Vining, Legislative Assistant
Mr. Liam MacSween, Legislative Assistant

The following does not represent a verbatim record of the proceedings of this meeting.

A video recording of this meeting is available:
http://archive.isiglobal.ca/vod/halifax/archive_2016-04-26_live.mp4.html

The agenda, supporting documents, and information items circulated to Council are available online:
<http://www.halifax.ca/council/agendasc/160426rc-agenda.php>

The meeting was called to order at 11:21 a.m. Council moved into an In Camera (In Private) session at 11:45 p.m. and reconvened at 1:05 p.m. Council recessed at 3:16 p.m. and reconvened at 3:35 p.m. Council recessed again at 5:05 p.m. and reconvened at 6:00 p.m. Council moved into an In Camera (In Private) session at 8:12 p.m. and reconvened at 8:53 p.m. Council adjourned at 8:54 p.m.

1. CALL TO ORDER

The Mayor called the meeting to order at 11:21 a.m. and Council stood for a moment of reflection.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillors noted a number of special community announcements and acknowledgements.

3. APPROVAL OF MINUTES – March 8 and March 22, 2016

MOVED by Councillor McCluskey, seconded by Councillor Mancini

THAT the minutes of March 8 and March 22, 2016 be approved as circulated.

MOTION PUT AND PASSED.

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

Additions:

16. IN CAMERA (IN PRIVATE)

Council may rise and go into a private In Camera session, in accordance with Section 19 of the Halifax Regional Municipality Charter, for the purpose of dealing with the following:

16.5 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.

16.5.1 Nova Scotia Union of Public and Private Employees, Local 13 (NSUPE) Finalized Collective Agreement Ratification – *Private and Confidential Report*

17.1 Ratification of Motion of Committee of the Whole – Proposed By-law L-400, A By-law Respecting Lot Grading – Lot Grading and Stormwater Management By-laws

In regard to Item 16.4.1, Councillor Adams requested consideration to convene to In Camera (In Private) to discuss allowing a presentation from representatives of the Nature Conservancy of Canada and The Shaw Group Limited, as outlined in the private and confidential Councillor Request for Consideration form.

MOVED by Councillor Adams, seconded by Councillor Rankin

THAT Halifax Regional Council convene to In Camera (In Private) to consider allowing a presentation from representatives of the Nature Conservancy of Canada and The Shaw Group Limited.

MOTION PUT AND PASSED.

Council moved In Camera (In Private) at 11:45 p.m. and reconvened at 1:05 p.m.

Mayor Savage introduced the new Poet Laureate Rebecca Thomas who delivered her poem "Etuaptmumk" to Regional Council at this time.

MOVED by Councillor Adams, seconded by Councillor Outhit

THAT Halifax Regional Council allow a presentation from representatives of the Nature Conservancy of Canada and The Shaw Group Limited as outlined in the private and confidential Councillor Request for Consideration form, at the Council meeting of April 26, 2016 and that the presentation be held in public session.

MOTION PUT AND PASSED.

Council agreed that the presentation would be given later in the meeting.

Councillor Nicoll requested a staff presentation for Item 14.3.1 – Argyle Street and Spring Garden Road Streetscaping Projects. Staff confirmed a presentation would be provided.

Councillor Karsten requested Information Item 11 - Memorandum from the Director of Transportation and Public Works dated March 15, 2016 re: Review of 2007 Crosswalk Task Force Policy be added to the May 10, 2016 agenda, to which Council agreed.

MOVED by Councillor Mason, seconded by Councillor Nicoll

THAT the agenda be approved as amended.

Two-third majority vote required.

MOTION PUT AND PASSED.

5. **BUSINESS ARISING OUT OF THE MINUTES – NONE**
6. **CALL FOR DECLARATION OF CONFLICT OF INTERESTS – NONE**
7. **MOTIONS OF RECONSIDERATION – NONE**
8. **MOTIONS OF RESCISSION – NONE**

9. **CONSIDERATION OF DEFERRED BUSINESS – February 23, 2016**

- 9.1 **First Reading, Proposed By-law T-1001, Amendments to By-law T-1000, Respecting Taxis, Accessible Taxis and Limousines and Administrative Order 39, Respecting Taxis & Limousines Regulation**

The following was before Council:

- A recommendation report submitted by the Chair of the Transportation Standing Committee dated January 22, 2016 with attached staff report dated December 22, 2015
- Extract of Regional Council February 23, 2016 minutes

MOVED by Councillor Outhit, seconded by Councillor Walker

THAT Halifax Regional Council give First Reading to proposed By-Law T-1001, which includes amendments to By-Law T-1000, Respecting the Regulation of Taxis, Accessible Taxis and Limousines, as set out in the Appendix B of the staff report dated December 22, 2015.

The following points of clarification were noted:

- a separate staff report to the Transportation Standing Committee has been prepared, which will outline a proposed amendment to Schedule 5(1a) Vehicle Requirements to accommodate electric vehicles
- concerns regarding the accessible taxi component will be brought forward under a separate process

Several Councillors expressed concern with the amendment that *a vehicle entering into the industry shall not be accepted for registration as a licensed vehicle under a conventional license if it exceeds seven (7) years of age*. Points were made that the age of a vehicle has no bearing on the condition of the vehicle.

Councillor Adams asked staff to provide a summary of past and present practices/processes around licensing for drivers and vehicles.

MOVED by Councillor Rankin, seconded by Councillor Adams

To amend the motion to include direction to staff to schedule a Public Hearing for Proposed By-law T-1001.

MOTION TO AMEND PUT AND PASSED. (9 in favour, 7 against)

In favour: Councillors Hendsbee, McCluskey, Mancini, Watts, Adams, Rankin, Johns, Craig and Outhit

Against: Mayor Savage, Deputy Mayor Whitman and Councillors Dalrymple, Karsten, Nicoll, Mason and Walker

Not present: Councillor Mosher

The motion before Council now reads:

THAT Halifax Regional Council:

1. **Give First Reading to proposed By-Law T-1001, which includes amendments to By-Law T-1000, Respecting the Regulation of Taxis, Accessible Taxis and Limousines, as set out in the Appendix B of the staff report dated December 22, 2015.**
2. **Direct staff to schedule a Public Hearing for Proposed By-law T-1001.**

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

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

Against: Councillor Adams

Not present: Councillor Mosher

10. NOTICES OF TABLED MATTERS – NONE

11. PUBLIC HEARINGS – 6:00 P.M.

11.1 By-law N-200, Respecting Noise – Exemption Application – Canadian Cancer Society's 2016 Relay for Life

This matter was addressed later in the meeting, see page 10-11.

11.2 Case 19627 – Amendment to the Hammonds Plains, Beaver Bank and Upper Sackville Municipal Planning Strategy and Land Use By-Law, 1345 & 1355 Hammonds Plains Road, Hammonds Plains

This matter was addressed later in the meeting, see page 11-12.

11.3 Case 19056 – Amendments to the Sackville Municipal Planning Strategy (MPS) and Land Use By-Law (LUB) and associated development agreement, Walker Service Road, Lower Sackville (Joint Public Hearing with North West Community Council)

This matter was addressed later in the meeting, see page 12-14.

12. CORRESPONDENCE, PETITIONS & DELEGATIONS

12.1 Correspondence

The Clerk noted that correspondence was received for items: 11.2, 14.1.3 and 14.3.2. This correspondence was circulated to Council.

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

12.2 Petitions – None

12.3 Presentations

12.3.1 Nature Conservancy of Canada and The Shaw Group Limited re: Potential Acquisition of Purcell's Cove Lands

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

13. INFORMATION ITEMS BROUGHT FORWARD – NONE

14. REPORTS

14.1 CHIEF ADMINISTRATIVE OFFICER

14.1.1 Award – Tender No. 16-017, The Receipt and Management of Separately Collected Leaf & Yard Waste and/or Christmas Trees and/or Additional Organics Capacity

The following was before Council:

- A staff recommendation report dated March 10, 2016

MOVED by Councillor Mason, seconded by Deputy Mayor Whitman

THAT Halifax Regional Council award Tender No. 16-017, The Receipt and Management of Separately Collected Leaf & Yard Waste and/or Christmas Trees and/or Additional Organics Capacity to the lowest bidder meeting specifications for each Service as noted below and at the prices provided below with annual funding from Operating Account #'s R324 6399 and R325 6399 as outlined in the Financial Implications section of the staff report dated March 10, 2016:

Service A – Receipt and Management of Separately Collected Residential Leaf & Yard Waste to Earthco Premium Soils Inc. for a one year period commencing October 1, 2016 at a total tender price of \$49,536 (net HST included) with an option (at HRM's sole discretion) for two one year extensions at a total tender price of \$50,527 (net HST included) for the

first extension year and at a total tender price of \$51,537(net HST included) for the second extension year.

Service B – Receipt and Management of Separately Collected Christmas Trees to Earthco Premium Soils Inc. for a one year period commencing December 27, 2016 at a total tender price of \$7,196 (net HST included) with an option (at HRM’s sole discretion) for two one year extensions at a total tender price of \$7,196 (net HST included) for the first extension year and at a total tender price of \$7,196 (net HST included) for the second extension year.
Service C – Additional Organics Capacity to Fundy Compost Inc. for a three year period commencing April 1, 2016 (or upon contract award) with delivery of 2,500 tonnes per year at a total tender price of \$195,000 (year one) plus \$202,500 (year two) plus \$210,000 (year three) = \$607,500 plus net HST (\$26,038) for a three year total price of \$633,538 (net HST included).

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Mosher

Councillor Rankin exited the meeting at this time.

14.1.2 Proposed Amendments to Administrative Order 45, Respecting Private Road Maintenance – Fee Increase for Petpeswick Drive Improvement Society

The following was before Council:

- A staff recommendation report dated April 1, 2016

MOVED by Councillor Hendsbee, seconded by Councillor Dalrymple

That Halifax Regional Council amend Schedule 1 of Administrative Order 45 as indicated in Appendix A of the staff report dated April 1, 2016 in order to increase the annual road maintenance fee for the Petpeswick Drive Improvement Society from \$200.00 to \$300.00 per property effective with the 2016-17 fiscal year, and approve the revised Schedule 1 included in Appendix B of the staff report dated April 1, 2016.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Rankin and Mosher

Councillor Rankin rejoined the meeting at this time.

14.1.3 Argyle Street and Spring Garden Road Streetscaping Projects

The following was before Council:

- A staff recommendation report dated March 18, 2016
- A copy of staff presentation
- Correspondence from Kyle Drake, Paul MacKinnon, Suzanne Saul and Christine Bower

Mr. Jacob Ritchie, Urban Design Manager delivered a presentation on the streetscaping projects for Argyle & Grafton Streets and Spring Garden Road.

MOVED by Councillor Mason, seconded by Councillor Watts

That Halifax Regional Council direct staff to complete the preparation of detailed design and construction documents for major streetscaping project on Argyle & Grafton Streets and Spring Garden Road, as described in the staff report dated March 18, 2016, and tender

these projects with funding from account CD000002, Downtown Streetscapes – Capital Improvement Campaign under the Q146 – Planned Strategic Project Reserve.

Points of discussion were as follows:

- regional streetscaping vs. pedway system; it was suggested that the pedway system be expanded; in response staff noted the importance of advocating that people be out on well-designed streets and experiencing the city rather than in a pedway system
- a question was raised on the status of undergrounding power; consideration of looking at other levels of government as a funding source
- a suggestion was made to using thermal heating technology for streets; being able to use the patios all seasons
- give consideration to the materials used during the Request for Proposal (RFP) stage (e.g. issues with paving stones)
- concern was raised regarding panhandlers on Spring Garden Road and the need to minimize aggressiveness
- a suggestion was made that staff engage with the Canadian Federation of Independent Business (CFIB) to assist with coordination around the timing of the RFP, awarding the tender and starting construction; minimizing impact on businesses/stakeholders
- concern raised around parking issues and traffic

During the discussion Mayor Savage stepped down as Chair to speak to the motion and Deputy Mayor Whitman assumed the Chair. Mayor Savage resumed as Chair prior to the vote.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Mosher

Council recessed at 3:16 p.m. and reconvened at 3:35 p.m.

Item 12.3 Presentation from Nature Conservancy of Canada and The Shaw Group Limited was given at this time.

12.3.1 Nature Conservancy of Canada and The Shaw Group Limited re: Potential Acquisition of Purcell's Cove Lands

Mr. Alan Shaw of The Shaw Group Limited and Mr. Craig Smith of Nature Conservancy of Canada delivered a presentation to propose a mutually beneficial, three-way partnership with the Municipality for the protection of the Williams-Colpitt Lake site. A copy of the presentation is on file.

MOVED by Councillor Adams, seconded by Councillor Walker

THAT Halifax Regional Council direct staff to follow up with the Nature Conservancy of Canada and The Shaw Group to prepare a report and recommendation for the Audit and Finance Standing Committee to assess the proposal and its feasibility regarding the Purcell's Cove Backlands (PID 00052407).

Mr. Michael Hanusiak of The Shaw Group responded to questions of clarification respecting the purchase of the property in 2011.

Mr. Smith spoke to the limited timeframe to fund this project.

Councillor Dalrymple sought additional information around the financial implications and it was MOVED by Councillor Dalrymple, seconded by Councillor Johns

To defer this matter to later in the meeting to discuss financial implications.

Council discussed whether to defer this matter to In Camera (In Private) to address questions around the financial implications.

MOTION TO DEFER PUT AND DEFEATED.

The motion before Council reads:

MOVED by Councillor Adams, seconded by Councillor Walker

THAT Halifax Regional Council direct staff to follow up with the Nature Conservancy of Canada and The Shaw Group to prepare a report and recommendation for the Audit and Finance Standing Committee to assess the proposal and its feasibility regarding the Purcell's Cove Backlands (PID 00052407).

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

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

Against: Councillor Dalrymple

Not present: Councillor Mosher

14.1.4 Proposed Amendments to Administrative Order 12, the Appointment of the Traffic Authority

The following was before Council:

- A staff recommendation report dated March 18, 2016

MOVED by Councillor Outhit, seconded by Councillor Nicoll

That Halifax Regional Council adopt the amendments to Administrative Order 12, the *Appointment of the Traffic Authority* Administrative Order, as set out in Attachment 2 of the staff report dated March 9, 2016 to:

1. Appoint Roddy MacIntyre, P.Eng., as a Deputy Traffic Authority; and
2. Repeal the appointment of Tanya Davis, P.Eng, as a Deputy Traffic Authority.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Mosher

14.2 AUDIT AND FINANCE STANDING COMMITTEE

14.2.1 Award – Request for Proposal (RFP) # P15-380 Review of Administrative Order 24 and Halifax Fire and Emergency Services Service Standard

The following was before Council:

- A recommendation report submitted by the Chair of the Audit & Finance Standing Committee dated April 15, 2016 with attached staff report dated March 7, 2016

MOVED by Councillor Karsten, seconded by Councillor Craig

That Halifax Regional Council:

1. **Award Request For Proposal (RFP) #P15-380 Review of Administrative Order 24 and Halifax Fire and Emergency Services Service Standard to the only proponent, Pomax Consultants for a cost of \$85,577 (net HST included);**
2. **Approve the attached Strategic Studies Project Charter as contained in the March 7, 2016 staff report; and**
3. **Approve the withdrawal in the amount of \$85,577 from the Strategic Studies Reserve, Q330, to fund the Review of Administrative Order 24 and Halifax Regional Fire and Emergency Services Service Standard Study, as outlined in the Financial Implications Section of the staff report dated March 7, 2016**

Council discussed the rationale of investigating Halifax Regional Fire service response times, with Fire Chief Doug Trussler responding to questions. It was noted that the operational review would identify what resources are needed, and the costs associated, to meet HRF's Service Standards.

During the discussion, Mr. John Traves, Acting Chief Administrative Officer advised that because funding is coming from a reserve, it requires Council's approval but the desire to have this review has already been established. In response to concerns raised, Mr. Traves confirmed that the report will not come back recommending the closure of stations.

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

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

Against: Deputy Mayor Whitman and Councillors McCluskey and Johns

Not present: Councillor Mosher

14.2.2 Tangible Capital Asset Accounting Treatment (CE020001 – Police Services Replacement Equipment)

The following was before Council:

- A recommendation report submitted by the Chair of the Audit & Finance Standing Committee dated April 15, 2016 with attached staff report dated March 16, 2016

MOVED by Councillor Karsten, seconded by Councillor McCluskey

That Halifax Regional Council approve an increase to Project Account CE020001 - Police Services Replacement Equipment in the amount of \$551,300 with funding from the approved Halifax Regional Police (HRP) 2015/16 Operating budget with no net change to the Project Budget.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Mosher

14.2.3 Trap Neuter and Release (TNR) Program Funding Request

The following was before Council:

- A recommendation report submitted by the Chair of the Audit & Finance Standing Committee dated April 15, 2016 with attached staff report dated March 29, 2016

MOVED by Councillor Adams, seconded by Councillor Nicoll

That Halifax Regional Council:

1. Provide one-time funding In 2016-17 by way of a \$50,000.00 joint grant to the Nova Scotia SPCA and SPAY Day HRM Society to extend the TNR (trap-neuter-release) Program, to be funded from the existing 2016-17 Planning & Development budget, and further direct that the expenditure be managed through cost centre S320 Animal Control, cost element 8004 Grants; and
2. Request a staff report on the feasibility of establishing a permanent grant program for spaying and neutering cats. Furthermore this report is to return to Regional Council in October, 2016.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Mosher

14.3 MEMBERS OF COUNCIL

14.3.1 Councillor Mason – Campaign Finance Reform

The following was before Council:

- A Councillor Request for Consideration form dated April 26, 2016

MOVED by Councillor Mason, seconded by Councillor Watts

That Halifax Regional Council request that staff initiate a process to consult the public on the provincial government’s recently tabled Bill 154, which is to allow the municipality to enact a bylaw regarding campaign finance reform, and to report back to council with recommendations. The public consultation is to include, but not be limited to the following:

- election campaign spending limits;
- maximum contribution amounts;
- disclosure requirements;
- eligibility to contribute; and
- dates for making contributions.

During the discussion members asked that the report include:

For comparison purposes, outline the Federal and Provincial campaign spending limits

- identify how GoFundMe contributions for campaigns will be reported/tracked in order to address transparency; whether these contributions have to be disclosed to the Municipal Clerks Office
- investigate having a Municipal Tax Receipt program

In response to concerns raised, Mr. John Traves, Acting Chief Administrative Officer spoke to status of Bill 154, clarifying that staff would not be in a position to start public consultation until Bill 154 is passed in the Legislature.

Discussion on this matter resumed following the public hearings, please refer to page 15.

Council recessed at 5:05 p.m. and reconvened at 6:00 p.m. to address the public hearings.

11. PUBLIC HEARINGS – 6:00 P.M.

11.1 By-law N-200, Respecting Noise – Exemption Application – Canadian Cancer Society’s 2016 Relay for Life

The following was before Council:

- A staff recommendation report dated March 22, 2016

Ms. Tanya Phillips, Manager, By-Law Standards gave a brief overview of the staff report dated March 22, 2016 respecting the Noise Exemption Application – Canadian Cancer Society’s 2016 Relay for Life.

Mayor Savage thanked Ms. Phillips for her presentation and read the rules of procedures with respect to public hearings.

Mayor Savage opened the public hearing and invited the applicant to address Council. The applicant did not wish to address Council.

Mayor Savage called for anyone wishing to speak to the matter to address Regional Council; there being none, it was

MOVED by Councillor McCluskey, seconded by Councillor Craig

THAT the public hearing close.

MOTION PUT AND PASSED.

MOVED by Councillor Craig, seconded by Councillor Outhit

That Halifax Regional Council approve the Canadian Cancer Society Relay for Life’s application for an exemption from the provisions of the Noise By-Law pursuant to the contents of the staff report dated March 22, 2016.

In response to a follow up question, Ms. Phillips noted that the noise exemption process is laid out in By-law N-200. She advised that staff can review it to determine if efficiencies can be found.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Mosher

11.2 Case 19627 – Amendment to the Hammonds Plains, Beaver Bank and Upper Sackville Municipal Planning Strategy and Land Use By-Law, 1345 & 1355 Hammonds Plains Road, Hammonds Plains

The following was before Council:

- A recommendation report submitted by the Chair of the North West Community Council dated March 7, 2016 with attached staff report dated January 15, 2016
- Extract of Regional Council March 22, 2016 draft minutes
- A presentation from the applicant pertaining to Case 19627
- A staff presentation pertaining to Case 19627
- Correspondence from Donald R. Boutilier

Mr. Ben Sivak, Major Project Planner delivered a presentation on Case 19627. Mayor Savage thanked Mr. Sivak for his presentation and requested questions of clarification from members of Council. There were no questions of clarification at this time.

Mayor Savage opened the public hearing and invited the applicant to address Council.

Mr. William Robinson-Mushkat, Senior Planner with KWR Approvals, on behalf applicant provided a presentation on Case 19627.

In response to follow up questions from Council, Mr. Robinson-Mushat noted the following:

- That there is an existing patio on the subject property but it is not intended for the proposed pub usage.

- It is the responsibility of the patrons who consume alcoholic beverages to do so responsibly and make the necessary arrangements for safe transportation.

Mayor Savage thanked Mr. Robinson-Mushkat for his comments, read the rules of procedure respecting public hearings and called for anyone wishing to speak to address Regional Council on Case 19627.

Mr. Matthew Webber, of Bedford advised that he is one of the co-owners of Edible Matters and noted the overwhelming desire of the community to have a pub in the Hammonds Plains area. He commented that the existing Municipal Planning Strategy is from the 1990's and does not fully account for the growth in the area since its implementation. He stated that there is no plan for amplified music on site and advised that the proposed operating hours for the pub are appropriate. He concluded by thanking Council for considering the application.

Ms. Frances Mills, of Dartmouth noted that she is the General Manager of Edible Matters. She commented that the addition of the pub to the existing business is in response to a desire in the community to provide a nice place to go to that is closer to the homes in the Hammonds Plains area. She concluded by stating that the proposed pub will also provide job opportunities in the area.

Ms. Pamela Lovelace, of Hammonds Plains spoke in support of the application and noted that the business is a model for the community.

Mr. Cesar Saleh, of 16 Laurentian Drive, commented that he is a regular customer and believes that the request is very reasonable and a great addition to the community.

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

MOVED by Councillor Karsten, seconded by Councillor Nicoll

THAT the public hearing close.

MOTION PUT AND PASSED.

MOVED by Deputy Mayor Whitman, seconded by Councillor Johns

That Halifax Regional Council adopt the amendments to the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy (MPS) and Land Use By-law (LUB), as contained in Attachments A and B of the staff report dated January 15, 2016, to permit commercial entertainment uses in conjunction with full service restaurants at 1345 & 1355 Hammonds Plains Road, as contained in Attachments A and B of the staff report dated January 15, 2016.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Mosher

11.3 Case 19056 – Amendments to the Sackville Municipal Planning Strategy (MPS) and Land Use By-Law (LUB) and associated development agreement, Walker Service Road, Lower Sackville (Joint Public Hearing with North West Community Council)

The following was before Council:

- A recommendation report submitted by the Chair of the North West Community Council dated March 23, 2016 with attached staff report dated February 23, 2016
- Extract of Regional Council April 5, 2016 draft minutes
- An application presentation
- A staff presentation

Mr. Ben Sivak, Major Project Planner delivered a presentation on Case 19065. Mayor Savage thanked Mr. Sivak for his presentation and requested questions of clarification from members of Council.

In response to questions from members of Council, Mr. Sivak noted the following:

- The subject property is entirely located within the urban service boundary, and the developer is responsible for extending water series to the development.
- Reductions in the proposed density and size of the multi-unit dwelling have been made, which has further reduced the overall scale of the building.
- The size of the proposed parkland is slightly larger than that of a neighbourhood park and is based on criteria relating to the number of units on site. Further details of the park design will be included in the development agreement and will encompass the needs of the area.
- Staff has consulted with the provincial Department of Environment (DOE) regarding any potential impact of the proposed development on the Sackville River. There were no concerns raised by DOE with regard to impacts on watercourses in the area.

Mayor Savage thanked Mr. Sivak for his comments, opened the public hearing and invited the applicant to address Council.

Mr. Cesar Saleh, of WM Fares Group, on behalf of the applicant provided a brief presentation on Case 19056. He provided the following commentary:

- The proposed development encompasses the highest form of compatibility for the area particularly with respect to the siting and orientation of structures, consistent buffering, and the maintenance of existing residential uses.
- The previous usage of the subject property was for a commercial excavating business. He noted that the applicant continues to monitor wells to assure there is no risk to adjacent property owners and advised that subject property has been remediated under provincial DOE guidelines.
- A considerable portion of the site allows for a wide range of commercial uses and stated that the applicant proposes that only 11.5 % commercial coverage take place on site. He further commented that the applicant was able to meet four out of five recommendations of the North West Planning Advisory Committee respecting setbacks and buffering. He further noted the decreased footprint of the multi-unit building from the proposed 63 to 52 units.
- Changes to the application have taken place since the public information meeting was held including increased setbacks from the Walker Service Road, a revised site plan to ensure that an existing residential home located at 34 Walker Road is not impacted, and the restriction of future development on a large parcel of land abutting the proposed townhouses uses. Increased buffering and green belting around the proposed multi-unit building and townhouse properties have also been included.

Mayor Savage thanked Mr. Saleh for his presentation and read the rules of procedure respecting public hearings. He invited members of the public to address Council on Case 19056.

Mr. Chris Dagley, of 49 Scott Edward Drive, expressed concern that the proposed development will negatively impact the Wood Turtle which are a species under threat. He advised that a critical habitat of Wood Turtle's is located nearby and advised that wood turtles can travel up to one kilometer from their habitat. He commented that development activities can lead to the permanent destruction of the Wood Turtle habitat and advised that the proposal should not be approved at this time until a review by the provincial wildlife division is done.

Ms. Leslie Walker, of the Walker Service Road, advised that the changes made by staff and the applicant to the proposed development are an improvement from what had been presented at the public information meeting. She commented that the proposed development will make the area much busier, and advised that traffic will increase in the area. She inquired if there will be sidewalks considered to get people to the Old Sackville Road. She further advised that she would like some assurance that existing

wells will be protected. She requested further information about proposed fencing to help buffer the properties.

The Mayor called three times for anyone else wishing to speak; there being none, it was MOVED by Councillor Adams, seconded by Councillor McCluskey

THAT the public hearing close.

MOTION PUT AND PASSED.

Mayor Savage invited the applicant to briefly respond to points raised by the public.

Mr. Saleh provided the following commentary:

- In response to a question from Council, Mr. Saleh noted that the proposed development does not meet the ten percent parkland dedication provision under the MPS/LUB. He advised that the proponent will provide cash or improvement in lieu for the establishment of a small park (play structure, etc.) as outlined in the proposed development agreement.
- The Development agreement will provide a sedimentation erosion control plan to mitigate any impact on existing watercourses and wetlands.
- The soil conditions on site are clay and it is unlikely that blasting will take place. He further advised that HRM has strict guidelines in place for the protection of wells during construction.
- The applicant would prefer to not use fencing as a buffer but rather use existing vegetation as it is more natural. He further advised that a thirty foot non-disturbance buffer will be implemented on the subject property.
- There have been no interactions with wood turtles on the site that he is aware of.

In response to a follow up question from Council, Mr. Saleh noted that sewer and water services will be incorporated in the proposed development which has been reviewed by Halifax Water. He reiterated an earlier point in relation to the developer providing cash and site preparation or site development of a park (play structure, etc.) for the use of residents.

MOVED by Councillor Craig, seconded by Councillor Outhit

That Halifax Regional Council adopt the amendments to the Sackville Municipal Planning Strategy (MPS) and Land Use By-law (LUB), as contained in Attachments A and B of the staff report dated February 23, 2016, to permit the proposed comprehensively planning development at 26 and 34 Walker Service Road, Lower Sackville.

In response to questions of clarification from members of Council Mr. Sivak provided the following:

- With respect to sidewalks, he advised that the development agreement will stipulate that a sidewalk will need to be included by the developer on the new road required for the proposed development. He noted there is no provision for the installation of sidewalks on the Walker Service Road as part of the development agreement.
- With regard to the installation of water lines, he commented that the applicant is responsible for the cost of installation. He advised that other properties in the area can access the water infrastructure but would need to deal directly with Halifax Water to do so.
- With respect to upgrades at the intersection of the Walker Service Road and Old Sackville Road, he advised that a traffic study was submitted as part of the application and did not identify a need for road upgrades due to the proposed development.
- With respect to property taxes, he advised that Council establishes the tax rate, and the province establishes the assessment. He commented that it is difficult to determine whether or not the proposed development will positively or negatively impact the current tax rate or property values as there are many considerations that need to be taken into consideration to determine tax rates.

- With respect to extending sidewalk infrastructure, he noted a challenge in staff's ability to connect sidewalk infrastructure with other existing side walk infrastructure in some cases. In response to a follow up question, he advised that he is not aware of any ability to transfer funds from parkland planning to sidewalk infrastructure.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Mosher

Council resumed discussion on Item 14.3.1 at this time.

14.3.1 Councillor Mason – Campaign Finance Reform (Continued)

Councillor Johns proposed the following amendment:

MOVED by Councillor Johns, seconded by Councillor Watts

That Halifax Regional Council move that staff initiate a process to consult the public on the provincial government's recently tabled Bill 154, (upon the proclamation of the Bill passing)

The amendment was accepted as friendly. The motion before Council now reads:

That Halifax Regional Council move that staff initiate a process to consult the public on the provincial government's recently tabled Bill 154, (upon the proclamation of the Bill passing) which is to allow the municipality to enact a bylaw regarding campaign finance reform, and to report back to council with recommendations. The public consultation is to include, but not be limited to the following:

- election campaign spending limits;
- maximum contribution amounts;
- disclosure requirements;
- eligibility to contribute; and
- dates for making contributions.

In response to follow up questions from Council, Mr. Traves advised that Council can decide whether or not a public hearing will be held on the proposed By-Law when it comes forward in the future.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Nicoll and Mosher

14.3.2 Councillor Hendsbee – Contribution of \$300,000 to the NS Nature Trust 100 Wild Islands Legacy Campaign.

The following was before Council:

- A Councillor Request for Consideration form dated April 26, 2016
- Correspondence from the Nova Scotia Nature Trust 100 Wild Islands

MOVED by Councillor Hendsbee, seconded by Councillor Karsten

That Halifax Regional Council request a staff report to identify potential sources of funding for a \$300,000 contribution towards the NS Nature Trust 100 Wild Islands Legacy Campaign.

Mr. John Traves, Acting Chief Administrative Officer noted that this matter should be sent to the Audit & Finance Standing Committee to identify the potential funding sources given that the proposed expenditure

has not been included in the 2016/17 budget and to provide clarity that the funding commitment is to be provided over two years.

Councillor Hendsbee advised that he would view this as a friendly amendment. The motion before Council now reads:

MOVED by Councillor Hendsbee, seconded by Councillor Karsten

That Halifax Regional Council request a staff report for the consideration of the Audit & Finance Standing Committee to identify potential sources of funding for a \$300,000 contribution over two years towards the NS Nature Trust 100 Wild Islands Legacy Campaign.

The following items were identified by members of Council to be addressed in the requested staff report:

- Whether or not the commitment for the funding or the actual funding for the campaign is required at the present time and the impact that the funding request will have on other budgetary items.
- Whether or not Councillor Discretionary Capital can be used to contribute to the funding.
- If consultation with the province can be held to improve the road system in the area.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Mosher

15. MOTIONS – NONE

16. IN CAMERA (IN PRIVATE)

16.1 In Camera (In Private) Minutes – March 8 and March 22, 2016

The following motion was passed in public session:

MOVED by Councillor Watts, seconded by Deputy Mayor Whitman

That the In Camera (In Private) minutes of March 8 and March 22, 2016 be approved as circulated.

MOTION PUT AND PASSED.

16.2 Property Matter

16.2.1 St. Patrick Alexandra School Property – Private and Confidential Information Item brought forward – April 12, 2016

This matter was dealt with In Camera (In Private). No further action by Council was required.

16.3 Personnel Matter

16.3.1 Citizen Appointments to the Halifax Convention Centre Board – *Private and Confidential Report*

The following motion was passed in public session:

MOVED by Councillor Karsten, seconded by Deputy Mayor Whitman

That Halifax Regional Council:

1. Approve the appointments to the Halifax Convention Centre Board as set out in the Discussion Section of the April 18, 2016 private and confidential report from the Executive Standing Committee.
2. That the names of the successful candidates be released as a joint-release coordinated with the Province.

MOTION PUT AND PASSED.

Not present: Councillor Mosher

16.4 Contract Negotiations

16.4.1 Councillor Adams – Request for In Camera Presentation – Contract Negotiations – Nature Conservancy of Canada and The Shaw Group Limited – *Private and Confidential Report*

This matter was dealt with In Camera (In private). No further action by Council was required.

16.5 Labour Relations

16.5.1 Nova Scotia Union of Public and Private Employees, Local 13 (NSUPE) Finalized Collective Agreement Ratification – *Private and Confidential Report*

The following motion was passed in public session:

MOVED by Councillor Rankin, seconded by Councillor Karsten

That Halifax Regional Council:

1. Ratify the finalized collective agreement with NSUPE 13 as found in Attachment 1 of the private and confidential report dated April 21, 2016.
2. Authorize the Mayor and Clerk to execute the collective agreement on behalf of the Municipality.
3. It is further recommended that the private and confidential report dated April 21, 2016 not be released to the public.

MOTION PUT AND PASSED UNANIMOUSLY

Not present: Councillor Mosher

17. ADDED ITEMS

17.1 Ratification of Motion of Committee of the Whole – Proposed By-law L-400, A By-law Respecting Lot Grading – Lot Grading and Stormwater Management By-laws

This matter was dealt with in Committee of the Whole and ratified as follows:

MOVED by Councillor Craig, seconded by Councillor Nicoll

THAT Committee of the Whole amend the motion of October 8, 2015 to provide that the reference to Attachment A be to the supplementary staff report dated December 8, 2015, the addition of parts 3 and 4 as follows and the replacement of the word ‘and’ at the end of clause 4(b) with the word ‘or’:

1. Give First Reading and schedule a public hearing to consider the adoption of the proposed Bylaw L - 400 – A By-law Respecting Lot Grading, as contained in Attachment A of the supplementary staff report dated December 8, 2015, to replace By-law L-300 – A By-law Respecting Lot Grading and Drainage; and
2. Direct staff to begin consultations with the Development Liaison Group concerning the content of a Stormwater By-Law in the supplementary staff report dated December 8, 2015.
3. Repeal By-L-300 – A By-law respecting Lot Grading and Drainage, the existing by-law that regulates lot grading pending approval of the proposed By-law L-400.
4. Amend Administrative Order 15 Respecting License, Permit and Processing Fees as contained in Attachment C of the supplementary staff report dated December 8, 2015 pending approval of the proposed By-Law L-400.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Mosher

18. NOTICES OF MOTION

18.1 Councillor Mason

“Take notice at the next scheduled meeting of Halifax Regional Council I will move the following – that Regional Council request a staff report recommending best options to establish protections to the heritage and character of historic Young Avenue, including but not limited to:

1. Changes to the Land Use By-law related to lots size, coverage, frontage and dwelling count
2. Establishing a Heritage Conservation District or Heritage Streetscape”

18.2 Councillor Mason

“Take Notice at the next meeting of Halifax Regional Council I will move the following motion: That Regional Council request a staff report regarding the discharge of the development agreement for the former Texpark site, between Halifax Regional Municipality and United Gulf Developments Limited, dated November 28, 2007 and filed in the Land Registration Office as Document No. 89466073”.

18.3 Councillor Craig

“Take Notice at the regular Council meeting to be held on May 24, 2016, I propose to request a staff report that recommends options to protect the properties at 75, 79, and 85 Sackville Crossroads from further erosion by the Little Sackville River”.

18.4 Councillor Rankin

“Take Notice that, at the next meeting of Halifax Regional Council to be held on May 10, 2016 I propose to move amendments to Administrative Order 48, Respecting the Creation of Community Councils, the purpose of which is to amend the name of District 12 to “Timberlea – Beechville – Clayton Park – Wedgewood”.

19. ADJOURNMENT

The meeting adjourned at 8:54 p.m.

Kevin Arjoon
Municipal Clerk