



**HALIFAX REGIONAL COUNCIL
MINUTES
April 1, 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
Matt Whitman
Brad Johns
Steve Craig
Tim Outhit

REGRETS: Councillor Reg Rankin

STAFF: Mr. Richard Butts, Chief Administrative Officer
Mr. John Traves, Municipal Solicitor
Ms. Cathy Mellett, Municipal Clerk
Ms. Sheilagh Edmonds, 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_2014-04-01_live.mp4.html

The agenda, supporting documents, and information items circulated to Council are available online: <http://www.halifax.ca/council/agendasc/140401rcAgenda.html>

The meeting was called to order at 1:15 p.m. and recessed at 3:09 p.m. Council reconvened at 3:26 p.m. and recessed at 4:45 p.m. Council reconvened at 6:05 p.m. Council moved into an In Camera session at 4:47 p.m. and recessed at 5:30 p.m. Council adjourned at 6:32 p.m.

1. INVOCATION

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

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillors noted a number of special community announcements and acknowledgements.

3. APPROVAL OF MINUTES – Committee of the Whole February 26, 2014 and Regional Council March 4, 2014

Councillor Watts referred to page 6 of the February 26, 2014 Committee of the Whole minutes and asked that the minutes be amended to clarify that her concern was about having more accessible playgrounds. She asked that the March 4, 2014 Regional Council minutes, on pages 4 and 5, be amended to reflect that her reference to the term, ‘Gross Floor Area Ratio’ be corrected to state ‘Generalized Future Land Use’.

Councillor Craig noted that the February 26, 2014 Committee of the Whole minutes should indicate that when Council took a break at 12:02 p.m., he did not return to the meeting.

MOVED by Councillor McCluskey, seconded by Councillor Nicoll that the minutes of the Committee of the Whole February 26, 2014 and Regional Council of March 4, 2014, as amended be approved. MOTION PUT AND PASSED.

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

Additions:

- 14.1 Case 18565 – MPS (Municipal Planning Strategy) and LUB (Land Use By-Law) Amendments for 1034, 1042, 1050, & 1056 Wellington Street, Halifax
Motion – Give First Reading and Schedule a Joint Public Hearing
- 14.2 Ratification of Motion from Committee of the Whole – Budget Deliberations
- 14.3 In Camera – Personnel Matter

Deputy Mayor Fisher requested that item 14.2 be dealt with as the first order of business, to which it was agreed.

MOVED by Councillor Whitman, seconded by Councillor Karsten that the agenda, as amended, be approved. MOTION PUT AND PASSED.

- 5. BUSINESS ARISING OUT OF THE MINUTES – NONE**
- 6. MOTIONS OF RECONSIDERATION – NONE**
- 7. MOTIONS OF RESCISSION – NONE**
- 8. CONSIDERATION OF DEFERRED BUSINESS – NONE**
- 9. PUBLIC HEARINGS**
 - 9.1 Case 18462 – Municipal Planning Strategy (MPS) and Development Agreement for 7067 Chebucto Road, Halifax (Former Case 17397) (Joint Public Hearing with Halifax and West Community Council)**

The public hearing was held later in the meeting. See page 16.

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.1 Correspondence

The Clerk noted that correspondence was received for items: 11.4.1, 14.1 and for the Committee of the Whole Budget deliberations. 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 Councillor Adams

Councillor Adams submitted information entitled, Williams Lake Wildlands Birding Project – July 19-31, 2012 and asked that it be sent to staff for consideration with regard to the RP+5 Project.

During the Approval of the Order of Business, Council agreed to deal with the following item at this time:

14.2 Ratification of Motion from Committee of the Whole – Budget Deliberations

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

1. **Approve the proposed 2014/2015 Budget as presented, which include the addition of the following funded services and initiatives to the draft budget presented at COW:**
 - a. **CAO - \$170K for Pedestrian Safety Action Plan**
 - b. **Fire - \$100K for Search & Rescue and JEM (Joint Emergency Management Team)**
 - c. **HR - \$180K for two FTE's for Improvements to Diversity and Inclusion Initiatives**
 - d. **Corporate Accounts - \$300K for Interim Professional Arts Organization Grant Program**
 - e. **Capital - \$140K additional funds for Assessment of Accessibility Needs**
 - f. **Capital - \$1M additional funds for Micros and Thin Overlay projects**
 - g. **Capital - \$500K for the redevelopment of the 1st Floor of Alderney Gate.**

2. **Direct staff to transfer individual budget amounts from Corporate Services to Business Unit budgets as and when appropriate.**

3. **Approve the 2014/2015 Project and Operating Budget and tax rates for fiscal 2014-15, as per Attachment A of the staff report dated March 14, 2014 – “Resolution for Approval of Operating and Project Budget, and Tax Rates for Fiscal 2014/15,” including the Advance Project funding detailed in Schedule 1.**

4. **Approve the Halifax Regional Police 2014-2015 Operating Budget of \$76,320, 800.00**

5. (i) **Request that staff prepare a transit fare by-law for Regional Council's consideration; and**
 - (ii) **Approve the low income transit pass pilot program as described in the supplementary staff report dated February 25, 2014, for a maximum of 500 participants whose annual family income falls below the HRM low income indexed value (currently \$31,000) and who are not eligible for transportation reimbursements through other programs, including the Provincial Employment Support and Income Assistance Program, and allow those participants to purchase regular adult Metro Transit passes including Metro Link and Metro X monthly during the six month pilot program at a 50% discounted rate and request that the pilot program be implemented pending the adoption of a transit fare by-law as outlined in the discussion section of the supplementary staff report dated February 25, 2014.**

6. (i) **Approve the maintenance improvements to bike lane facilities as outlined in the Discussion section of the staff report dated March 21, 2014; and**
 - (ii) **Refer any further considerations to bike lane facility maintenance improvements to the five year review of the Active Transportation Plan.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillor Rankin

11. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.1 Award – Unit Price Tender No. 14-218, Street Recapitalization – Douglas Crescent (Ross St. – Ross St.) – Central Region

The following was before Council:

- A staff recommendation report dated March 7, 2014.

MOVED by Councillor Watts, seconded by Deputy Mayor Fisher that Halifax Regional Council award Tender No. 14-218, Street Recapitalization – Central Regional, to the lowest bidder meeting specification, Atlantic Road Construction & Paving Ltd. for a Total Tender Price of \$519,610.21 (net HST included) with funding from Project Account No. CR00000005 – Street Recapitalization, as outlined in the Financial Implications section of the March 7, 2014 staff report.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Rankin

11.1.2 Feasibility of Road Extension – Sussex Drive

The following was before Council:

- A staff recommendation report dated January 24, 2014.

MOVED by Councillor Whitman, seconded by Councillor Adams that Halifax Regional Council direct staff to negotiate with Piercey Investors Ltd. on a plan to extend Sussex Drive as a subdivision street to connect with Eider Drive, at no net cost to the Municipality.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Rankin

11.1.3 Petition to Name a Waterbody “Cabin Lake” in Hemlock Ravine Park, Halifax

The following was before Council:

- A staff recommendation report dated March 10, 2014.

MOVED by Councillor Outhit, seconded by Councillor Nicoll that Halifax Regional Council support the inclusion of the name “Cabin Lake” for the unnamed body of water

adjacent to Hemlock Ravine Park, as shown on Map 1, into the Nova Scotia Gazetteer and forward this recommendation to the Province of Nova Scotia for consideration.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Rankin

11.1.4 Case 18950 – Amendments to the Halifax Municipal Planning Strategy (MPS) and Halifax Peninsula Land Use By-law (LUB) – 1047, 1057, 1065 Barrington Street

The following was before Council:

- A staff recommendation report dated February 18, 2014.

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

- 1. Authorize staff to initiate the process to consider amending the Municipal Planning Strategy for Halifax and the Land Use By-law for the Halifax Peninsula to create specific provisions for 1047, 1057 and 1065 Barrington Street, Halifax, through the creation of a new zone in the Land Use By-law designed to acknowledge these lands as a transition area between the Downtown Halifax Land Use By-law and the South End Area Plan; and**
- 2. Request staff to follow the public participation program for the MPS amendment process as approved by Regional Council in February 1997.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Rankin

11.1.5 DalTRAC Transportation Collaboratory Contribution

The following was before Council:

- A staff recommendation report dated February 4, 2014.

MOVED by Councillor Watts, seconded by Deputy Mayor Fisher that Halifax Regional Council approve a one-time contribution of \$25,063.00 (exempt of HST) towards the creation of the Dalhousie Transportation Collaboratory (DalTRAC), with funding from Project No. CTU01285 – Road Network Model, as outlined in the Financial Implications section of the February 4, 2014 staff report.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Rankin

11.2 NORTH WEST COMMUNITY COUNCIL

11.2.1 Case 18423 – Municipal Planning Strategy (MPS) Amendments and Development Agreement for Bedford West Sub Area, Bedford and Hammonds Plains

The following was before Council:

- A recommendation report from North West Community Council dated March 18, 2014.

MOVED by Councillor Craig, seconded by Councillor Outhit that Halifax Regional Council give First Reading to consider the proposed amendments to Bedford West Secondary Planning Strategy as set out in Attachment A and B of the staff report dated February 28, 2014 and the Bedford Land Use By-law as set out in Attachment D of the staff report dated February 28, 2014 to allow for consideration of a development agreement and schedule a joint public hearing with North West Community Council.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Dalrymple and Rankin

11.2.2 Uniform Charge for Birch Bear Woods Homeowners Association

The following was before Council:

- A recommendation report from North West Community Council dated March 18, 2014.

MOVED by Councillor Whitman, seconded by Councillor Johns that Halifax Regional Council approve an annual uniform charge of \$45.00 to be applied against each of the residential properties within the mapped area depicted in Appendix A of the February 24, 2014 staff report for a period of two years commencing with the 2014-2015 fiscal year for the purpose of funding the construction of new signage for the main entrance to Birch Bear Woods Subdivision.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Dalrymple and Rankin

11.3 TRANSPORTATION STANDING COMMITTEE

11.3.1 Parking Strategy Project - Roadmap

The following was before Council:

- A report from the Transportation Standing Committee dated March 14, 2014.

MOVED by Councillor Mason, seconded by Councillor Walker that Halifax Regional Council direct staff in Planning and Infrastructure to review the 2008 Regional Parking Strategy Functional Plan and to come forward with a roadmap that addresses the

implementation considerations in the August 2008, Halifax Regional Municipality, Regional Parking Strategy Functional Plan.

And further, that the review specifically address the recommendations of: governance, use of technology for parking payment (such as pay by plate technology) and the management of parking in high-demand residential neighbourhoods.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Dalrymple and Rankin

11.4 DESIGN REVIEW COMMITTEE

11.4.1 Case 18708 – Amendments to the Downtown Halifax Secondary Municipal Planning Strategy (MPS) and Downtown Halifax Land Use By-law (LUB) and Proposed Administrative Order AO-SC-077, Respecting Closure of Part of Grafton Street, Halifax for the Nova Centre Redesign

The following was before Council:

- A recommendation report from the Design Review Committee dated March 21, 2014
- Staff report to Design Review Committee dated February 28, 2014
- Correspondence from Blair Beed, Andrew S. Harvey, Janet Shotwell, and Joanne Kerrigan

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

- 1. Give First Reading and schedule a public hearing to consider approving proposed amendments to the Downtown Halifax Secondary Municipal Planning Strategy (DHSMPS) and Downtown Halifax Land Use By-law (DHLUB), as contained in Attachments A and B of the staff report dated February 28, 2014, to allow for a redesign of the Nova Centre on the lands bounded by Argyle, Market, Prince, and Sackville Streets, Halifax; and**
- 2. Schedule a public hearing to consider adopting the proposed Administrative Order, AO-SC-77 as contained in Attachment C of the staff report dated February 28, 2014, to close that part of Grafton Street that is between Prince and Sackville Streets, Halifax, pursuant to a request associated with the redesign of the Nova Centre.**

In response to a question, the Municipal Clerk advised that the public hearing will be scheduled for April 29, 2014.

In response to questions concerning the street closure of Granville Street, Mr. Richard Harvey, Major Projects Planner advised that the matter under consideration this evening, if approved, would provide amendments which would allow for consideration of the street closure, and this was something that would be addressed in a future staff report.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Rankin

11.5 HERITAGE ADVISORY COMMITTEE

11.5.1 Case H00390 – Revisions to HRM’s Heritage Incentives Program Terms and Conditions, Proposed Administrative Order 2014-002-ADM

The following was before Council:

- A recommendation report from the Heritage Advisory Committee.

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

- 1. Approve the Administrative Order Number 2014-002-ADM – Respecting the Heritage Incentives Program, as outlined in the January 26, 2014 staff report, to be effective beginning with applications for financial assistance for the 2015-16 fiscal year; and**
- 2. Continue the existing Heritage Incentives Program for the fiscal year 2014-15 and delegate to the Heritage Planner the authority to continue administering the program and to approve applications for financial assistance within the annual program budget for 2014-15.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Rankin

11.6 SPECIAL EVENTS ADVISORY COMMITTEE

11.6.1 Hallmark Event Grants 2014

The following was before Council:

- A recommendation report dated March 20, 2014 from the Special Events Advisory Committee.

MOVED Councillor Johns, seconded Councillor McCluskey that Halifax Regional Council approve the renewal of nine (9) Hallmark Event grants from the 2014/15 Marketing Levy

Special Events Reserve (Q315) for a total of \$390,000, as listed below and subject to budget implications section of this report:

**\$90,000 to the Royal Nova Scotia International Tattoo;
\$60,000 to the Bluenose International Marathon;
\$50,000 to the Halifax International Busker Festival;
\$40,000 to the Halifax Jazz Festival;
\$40,000 to the Atlantic Film Festival;
\$30,000 to the Halifax Pride Festival;
\$25,000 to the Shearwater East Dartmouth Minor Hockey Association (SEDMHA) International Hockey Tournament;
\$40,000 to the Halifax Pop Explosion, on the condition of a free all ages concert is held or the grant will be lowered to \$25,000;
\$15,000 to the Scotia Festival of Music.**

Deputy Mayor Fisher questioned why the Committee did not support the increases as recommended by staff, highlighting in particular, the Royal Nova Scotia International Tattoo.

In response, Councillor Johns explained that a new events strategy is almost complete and will be coming forward to the Committee soon. In light of this the Committee felt it was best to maintain the status quo at this point. He also added that the Committee envisions in the future, HRM decreasing funding on some of the events with the hope that they will become self-sustaining, and then the Committee can look at funding new events.

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillors Mosher and Rankin

MOVED by Councillor Johns, seconded by Councillor Whitman that the Special Events Advisory Committee be requested to reconsider the funding for the Royal Nova Scotia International Tattoo, as was recommended by staff.

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

Those voting in favour: Mayor Savage; Deputy Mayor Fisher; and Councillors: Hendsbee, Karsten, Nicoll, McCluskey, Mason, Watts, Walker, Adams, Whitman, Johns, Craig, and Outhit.

Those against: Councillor Dalrymple

Not Present: Councillors Rankin and Whitman

11.6.2 Cheer Expo 2015

The following was before Council:

- A recommendation report dated March 20, 2014 from the Special Events Advisory Committee.

MOVED by Councillor Johns, seconded by Councillor Whitman that Halifax Regional Council approve an event grant from the 2014/15 Marketing Levy Special Events Reserve (MLSER) Q315, in the amount of \$33,000 to fund Cheer Expo 2015.

Councillor Johns advised that the organizer of Cheer Expo 2015 has been approached by other cities in the Atlantic Provinces and been offered facilities free of charge if the event were hosted in their city. He added that the recommended amount of \$33,000 is the cost of facilities in Halifax.

A discussion ensued with staff responding to questions. Some members of Council expressed reservation with the recommendation, noting that Council does not have information in front of them that confirms that other offers were made to Cheer Expo 2015, and that it could be placing Council in a bidding war with other cities for the event.

MOTION PUT AND PASSED. (14 in favour, 2 against)

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

Against: Councillors Karsten and Craig

Not present: Councillor Rankin

11.7 MEMBERS OF COUNCIL

11.7.1 Councillor Whitman – Exemptions to Truck Route By-Law (T-400)

The following was before Council:

- A supplementary staff recommendation report dated March 19, 2014.
- An information report dated February 17, 2014.

Councillor Whitman advised that he would move the staff recommendation in accordance with Council procedure, however, he was requesting that Council vote against the motion as he had an alternate motion he wished to bring forward.

MOVED by Councillor Whitman seconded by Councillor Adams that Halifax Regional Council not consider amendments to the Truck Route By-Law (T-400) that would allow for businesses to be granted exemptions to the by-law thereby enabling unencumbered operation of heavy trucks (trucks over 3000kg registered weight) on Hammonds Plains Road, Lucasville Road, or any other road not already identified in By-Law T-400 as being either a full-time or daytime truck route.

Mr. Taso Koutroulakis, Manager, Traffic and Right of Way Services responded to questions.

Councillor Whitman indicated that he was prepared to put forward an alternate motion, which would essentially allow the local businesses to use their trucks on the road in which their business was located.

MOTION PUT AND DEFEATED UNANIMOUSLY.

Not present: Rankin

MOVED by Councillor Whitman, seconded by Councillor Walker that Halifax Regional Council Give Notice of Motion to adopt By-law Number T-402, A By-law Respecting The Amendment of By-law T-400 The Truck Routes By-law, as outlined in Attachment B of the staff report dated March 19, 2014 to allow the operation of trucks on the Hammonds Plains Road and Lucasville Road, and Pockwock Road, Kearney Lake Road and Blue Water Road provided that the truck is registered to an address on the Hammonds Plains Road or Lucasville Road, Pockwock Road, Kearney Lake Road and Blue Water Road; and

Consider this motion as providing Notice of Motion that these amendments will come forward at a future meeting of Regional Council for First Reading.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Rankin

Council recessed at 3:09 p.m.

Council reconvened at 3:26 p.m.

12. MOTIONS

12.1 Councillor Watts

MOVED by Councillor Watts, seconded by Councillor Mason that Halifax Regional Council request a staff report on the use of Buy-Back Agreements and the implications of the current policy/practice for both the Municipality and community groups; and to provide options for consideration that would allow greater flexibility in buy-back agreements for less than market value sales of municipal property.

Councillor Walker advised that the main reason behind having a buy back agreement is for the protection of a neighbourhood and he felt that a neighbourhood which will be impacted by a buy-back agreement should have a bigger say in the term of the buy-back agreement.

In response to a question by Councillor Mosher, the Municipal Solicitor advised that the report will look at the liabilities associated with buy-back agreements and length of terms of buy-back agreements. He added that buy-back agreements are for the protection of the Municipality and to ensure the assumptions or promises are kept.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Rankin

12.2 Councillor Hendsbee

MOVED by Councillor Hendsbee, seconded by Councillor Dalrymple that:

Be it resolved that HRM Regional Council request a staff report to respond to the request by the Lake Charlotte Area Heritage Society, in its letter of March 3, 2014 for HRM to provide a capital contribution of \$40,000 towards its \$440,000 Visitor Experience Enhancement Project, recognizing it as a pro-rata contribution similar in nature to HRM support provided to the Discovery Centre; and

Be it further resolved that HRM request a staff report in regard to consideration of providing an annual operational support for the Eastern Shore Archives, up to a maximum of \$45,000 per year, to match any annual operational funding provided by the Province to the Lake Charlotte Area Heritage Society.

Councillor Hendsbee advised that he was bringing this forward in light of Council's approval of recent funding to the Discovery Centre, noting that the Lake Charlotte Area Heritage Society is a similar type of organization.

Councillor Watts pointed out that staff is currently carrying out a social heritage review process and perhaps there is direction already being considered in this regard. She suggested that Council should wait until this review comes forward to Council.

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

Those voting in favour: Mayor Savage; Deputy Mayor Fisher; and Councillors: Dalrymple, Hendsbee, Karsten, Nicoll, McCluskey, Mason, Mosher, Walker, Adams, Whitman, Johns, Craig, and Outhit.

Those voting against: Councillor Watts

Not Present: Councillor Rankin

13. IN CAMERA

13.1 In Camera Minutes – March 4, 2014

This item was dealt with later in the meeting, following the public hearing. See page 19.

14. ADDED ITEMS

14.1 Case 18565 – MPS (Municipal Planning Strategy) and LUB (Land Use By-Law) Amendments for 1034, 1042, 1050, & 1056 Wellington Street, Halifax

The following was before Council:

- Correspondence dated March 25, 2014 from Rebecca A. Jamieson and Christopher Beaumont (from Halifax and West Community Council on March 25, 2014)
- A recommendation report dated March 26, 2014 from the Halifax and West Community Council
- Handout from Councillor Adams with proposed amendments to the Halifax Municipal Planning Strategy and Halifax Peninsula Land Use By-law

The recommendation of the Halifax and West Community Council was MOVED by Councillor Mason, seconded by Councillor Nicoll that Halifax Regional Council give First Reading to consider the proposed amendments to the Halifax Municipal Planning Strategy (MPS) and the Halifax Peninsula Land Use By-law (LUB) to enable development of a multiple unit residential building at 1034, 1042, 1050 and 1056 Wellington Street, Halifax by development agreement, as set out in Attachments A and B of the March 4, 2014 staff report.

Councillor Adams advised that he had amendments to put forward for consideration, and was requesting that Council defeat the motion the floor and consider Attachment A and B, as distributed this afternoon. He asked the Municipal Clerk to circulate his proposed amendments to Council.

Councillor Adams explained that his proposed amendments will put a minimum on the number of dwelling units; a minimum on the size of the units; and that no more than 12 units will have more than four bedrooms. He added that this is designed to compact the development and minimize the ability to have rooming houses. Also, he pointed out that he is proposing the height limit be similar to Peter Green Hall, which is in the neighbourhood.

The Municipal Solicitor advised that in his view what Councillor Adams proposed was not an amendment of an existing motion and that it would require a new motion, and would require a new staff report.

Discussion ensued with Mr. Mitch Dickey, Planner, responding to questions.

In response to questions from members of Council Mr. Dickey indicated that, from a quick review of the document circulated by Councillor Adams, it would appear that the amendments to the MPS and LUB being proposed would be for two (2) towers of up to twelve storeys each to be built without requirement for a Development Agreement.

Following a question from Council Mr. Dickey advised that if Council were to proceed with Councillor Adams proposed MPS and LUB amendments; it would require staff to review and evaluate them and hold another public information meeting in regard to those proposed amendments.

MOVED by Councillor Adams, seconded by Councillor Johns that this matter be deferred in order that staff could report back on Councillor Adams amendments.

MOTION TO DEFER WAS PUT AND DEFEATED DUE TO A TIE VOTE.

Those voting in favour: Councillors: Dalrymple, Hendsbee, Karsten, McCluskey, Mosher, Walker, Adams, and Johns

Those voting against: Mayor Savage; Deputy Mayor Fisher; and Councillors: Nicoll, Mason, Watts, Whitman, Craig, and Outhit

Not Present: Councillor Rankin

MAIN MOTION PUT AND PASSED

Those voting in favour: Mayor Savage; Deputy Mayor Fisher; and Councillors: Karsten, Nicoll, Mason, Watts, Whitman, Craig, Johns, and Outhit.

Those voting against: Councillors Dalrymple, Hendsbee, McCluskey, Mosher, Walker, and Adams.

Not Present: Councillor Rankin

14.2 Motion from Committee of the Whole – Budget

This matter was dealt with earlier in the meeting. See page 3.

14.3 In Camera - Personnel Matter

This matter was dealt with during an In Camera session. The ratification of the In Camera motion was dealt with later in the meeting, following the public hearing. See page 19.

15. NOTICES OF MOTION

15.1 Councillor Dalrymple

Councillor Dalrymple Gave Notice that at the next regular meeting of Regional Council to be held on April 15, 2014, he intends to move a motion requesting a staff report on a means to donate \$10,000 to Fall River Minor Football prior to June 30, 2014 to finish topsoil and hydro-seed a new community multi-purpose sports field at High Road and Kinclaven Road in Fall River.

MOVED by Councillor Whitman, seconded by Councillor Mason that Council convene In Camera to discuss the Private and Confidential Personnel matter added during the Approval of the Order of Business. MOTION PUT AND PASSED.

At 4:47 p.m. Council moved to an In Camera session.

At 5:30 p.m. Council reconvened from an In Camera session and recessed.

Council reconvened at 6:05 p.m.

9. PUBLIC HEARINGS

9.1 Case 18462: MPS Amendment and Development Agreement for 7067 Chebucto Road, Halifax (former Case 17397)

The following was before Council:

- A staff recommendation report dated January 31, 2013
- A report from Halifax and West Community Council dated February 21, 2014
- A presentation, dated April 1, 2014
- A handout from the applicant displaying two images of the development
- Correspondence from Gloria Stephens, dated April 1, 2014 Correspondence from Ken Dewar, dated April 1, 2014
- Draft minute extract from Regional Council on March 4, 2014

Deputy Mayor Fisher invited staff to present on Case 18642.

Ms. Jillian MacLellan, Planner gave a presentation on Case 18642 and advised that the purpose of the application is to amend the Municipal Planning Strategy to allow the expansion of office uses within a shopping Centre area and to enter in to a Development Agreement for a three storey addition to the existing building through schedule C properties.

Ms. MacLellan commented that the rationale for the amendment is as follows:

- Circumstances have changed since the MPS was originally adopted.
- Regional Plan identifies the “West End Mall” as an Urban District centre, where there is to be a, “mix of high density residential, commercial, institutional & recreational uses”.
- Underlying zone permits mix of office uses and retail uses

Ms. MacLellan commented that the Development would propose the expansion of the office building and would include:

- 3 storey addition for office use
- Retention of 720 Parking Space Garage
- Rooftop Amenity Space
- Improvements to the existing façade and landscape area near Chebucto Road and Simpsons Lane

With respect to the overall design of the building, Ms. MacLellan commented that there have been concerns expressed by the community regarding the overall state of repair and massing of the building, light pollution, shadowing and the obstruction of sight lines.

Ms. MacLellan noted several proposed features which will improve the design of the building:

- New windows in several locations
- Timber ribs over the parking garage
- Planted Ivy along portions of the existing building
- Three storey addition will be stepped back from the street wall of the existing building
- Required glazing over the glassed portion of the three storey addition

She commented that the Applicant provided a shadow analysis which shows minimal impact on the surrounding environment. Ms. MacLellan referenced provisions in the Development Agreement that outline that the addition of outdoor lighting will be considered as a non-substantive amendment and would be subject to the approval of Halifax and West Community Council.

With respect to traffic, Ms. MacLellan noted concerns raised at the Public Information Meeting which varied between the adequacy of the existing road network and the affect that increased traffic would have on pedestrian safety. She commented that a traffic impact statement was completed and noted that the subject property can be accessed at three points, and is located in close proximity to a transit terminal. She remarked that the traffic study concluded that the proposed office addition will have a minimal impact on traffic.

With respect to parking, Ms. MacLellan commented on concerns brought forward by residents that employees of the proposed office development may use residential streets for parking if there is not adequate free parking on site. She commented that the Development Agreement will address the potential overflow of parking on residential streets and stipulates the retention of 720 parking spaces.

Deputy Mayor Fisher thanked Ms. MacLellan for the presentation and requested questions of clarification from members of Regional Council.

Councillor Hendsbee inquired if there are provisions in the Development Agreement for signage, an outdoor stage, and parking to accommodate the CBC as a potential tenant.

Ms. MacLellan noted that the Development Agreement does not speak to those provisions specifically. She noted that there are provisions in the Development Agreement that discuss limitations on signage that will face residential areas on the Chebucto Road side of the building. She further commented that parking for perspective tenants would be made available in the parking garage.

Councillor Watts inquired about the setback of the third story addition from the existing building. She further inquired if there is a plan for a sidewalk to be installed on Philip Street north of Chebucto Road.

Ms. MacLellan stated that the distance from the smallest portion of the building to the existing street wall is 18 feet. With respect to the portion on Chebucto Road, she noted that the setback is approximately 3.5 feet from the road. Ms. MacLellan indicated that the applicant is not proposing to install a sidewalk in the location specified by Councillor Watts.

Councillor Mason acknowledged a group of first-year planning students from Dalhousie University who were in attendance at the meeting.

Councillor Whitman requested further information regarding the low density neighbourhood located in proximity to the subject property. Ms. MacLellan stated that the two neighborhoods located nearby the subject property are zoned R-1, and are comprised primarily of single family homes.

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

Mr. Cesar Saleh, Engineer with W.M fares, noted that he is representing the Applicant and thanked Council for their consideration and staff for the work that was undertaken with respect to the application. Mr. Saleh noted that the MPS is 36 years old and the area in which the subject property is located has changed substantially over the years. He commented that the Regional Plan identifies the West End Mall area as an urban growth area. He further commented that the proposed development will be beneficial for the local business community and will help support the local economy.

Mr. Saleh commented that the proposed development will not be overly invasive. He commented that the construction work will require no heavy machinery or earth works and that it will be a fast construction. Mr. Saleh concluded by stating that the professional office space will work well with residential areas and that the existing building will enhance the area architecturally and esthetically. Mr. Saleh thanked members of Regional Council.

Deputy Mayor Fisher thanked Mr. Saleh for his comments and asked for questions of clarification from Council.

Councillor Hendsbee further inquired about the CBC as a potential tenant and requested information regarding specific amenities such as studio space, outdoor signage and parking.

Mr. Saleh noted that there is nothing formally signed with the CBC. He stated that the property owners have reviewed the Development Agreement and will have to conform to the terms which are stipulated in Development Agreement.

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

MOVED by Councillor Mosher, seconded by Councillor Walker that Halifax Regional Council approved the proposed amendments to the Halifax Municipal Planning Strategy as set out in attachment A of the staff report dated January 31, 2014 to allow for consideration of a development agreement for 7067 Chebucto Road.

Councillor Mosher expressed her support for the proposed development and noted that the proposed upgrades to the property will be complementary to the community. She stated that the applicant adequately addressed the concerns from residents respecting outdoor lighting, massing and traffic.

MOTION PUT AND PASSED UNANIMOUSLY.

13.1 In Camera Minutes – March 4, 2014

The following motion was passed in public session:

MOVED by Councillor McCluskey, seconded by Councillor Nicoll that the In Camera Minutes of March 4, 2014 be approved as presented. MOTION PUT AND PASSED

14.3 In Camera - Personnel Matter

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

MOVED by Councillor Adams, seconded by Councillor Johns that Halifax Regional Council approve a leave of absence of up to two months for Councillor Reg Rankin. MOTION PUT AND PASSED.

15. NOTICES OF MOTION

This item was dealt with earlier in the meeting. See page 16.

16. ADJOURNMENT

The meeting was adjourned at 6:32 p.m.

Cathy J. Mellett
Municipal Clerk