



**HALIFAX REGIONAL COUNCIL
MINUTES
March 27, 2018**

PRESENT: Mayor Mike Savage
Deputy Mayor Wayne Mason
Councillors: Steve Streach
David Hendsbee
Bill Karsten
Lorelei Nicoll
Sam Austin
Tony Mancini
Lindell Smith
Shawn Cleary
Russell Walker
Stephen Adams
Richard Zurawski
Matt Whitman
Lisa Blackburn
Steve Craig

REGRETS: Councillor: Tim Outhit

STAFF: Jacques Dubé, Chief Administrative Officer
John Traves, Municipal Solicitor
Kevin Arjoon, Municipal Clerk
Sheilagh Edmonds, Legislative Assistant
Liam MacSween, Legislative Assistant

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

The agenda, reports, supporting documents, information items circulated, and video (if available) are online at halifax.ca.

The meeting was called to order at 2:00 p.m. and recessed at 3:35 p.m. Council reconvened at 3:50 p.m. and recessed at 5:27 p.m. Council reconvened at 6:00 p.m. and recessed at 7:35 p.m. Council reconvened at 7:45 p.m. and adjourned at 9:14 p.m.

1. CALL TO ORDER

The Mayor called the meeting to order at 2:00 p.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 – February 27 and March 6, 2018

MOVED by Councillor Nicoll, seconded by Councillor Cleary

THAT the minutes of February 27 and March 6, 2018 be approved.

MOTION PUT AND PASSED.

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

There were no additions or deletions to the agenda.

At the request of Deputy Mayor Mason, Council agreed to move item 14.3.1 Councillor Mancini – Code of Conduct – External Consultant to be dealt with following item 9.3 Councillor Mancini – Code of Conduct Annual Review.

At the request of Councillor Walker, Council agreed to move item 14.1.4 Case 21284 – Discharge of Covenant – 90 Sunnysbrea Avenue, Halifax to be dealt with prior to item 9.1 Amendments to the Regional Plan and All Secondary MPS and LUB Regarding Secondary Suites and Backyard Suites.

MOVED by Councillor Whitman, seconded by Councillor Cleary,

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 – March 20, 2018

9.1 Amendments to the Regional Plan and All Secondary Municipal Planning Strategies and Land Use By-laws Regarding Secondary Suites and Backyard Suites

The following was before Council:

- A staff recommendation report dated January 23, 2018

MOVED by Deputy Mayor Mason, seconded by Councillor Cleary

THAT Halifax Regional Council:

1. Initiate a process to consider amendments to the Halifax Regional Municipal Planning Strategy and all applicable secondary municipal planning strategies and land-use by-laws as necessary, to simplify, consolidate and remove barriers to the development of secondary suites and backyard suites, consistent with the proposed policy direction outlined within the Discussion section of the staff report dated January 23, 2018; and

2. Follow the public participation program as set out in the Community Engagement section of the staff report dated January 23, 2018.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Outhit

9.2 Councillor Hendsbee – Egg Laying Hens/Chickens

The following was before Council:

- A 'Request for Council's Consideration' form submitted by Councillor David Hendsbee
- Correspondence was submitted from Joe LeBlanc, and Paul Swantee

MOVED by Councillor Hendsbee, seconded by Councillor Whitman

THAT Halifax Regional Council request a staff report to consider adopting, by policy, for the consideration of regional wide amendments to the Regional Municipal Planning Strategy and all Secondary Municipal Planning Strategies and Land Use By-laws regarding the keeping and raising of egg-laying hens/chickens in ALL Residential Zones for the purpose of personal household food supply.

Councillor Hendsbee advised that this request was being brought forward as residents in District 2 with large properties have expressed a desire to be able to raise chickens on their properties.

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

In favour: Mayor Savage, Deputy Mayor Mason and Councillors Streach, Hendsbee, Karsten, Nicoll, Austin, Mancini, Smith, Cleary, Adams, Zurawski, Whitman, Blackburn, and Craig

Against: Councillor Walker

Not present: Councillor Outhit

9.3 Councillor Mancini – Code of Conduct Annual Review

The following was before Council:

- A 'Request for Council's Consideration' form submitted by Councillor Tony Mancini

In response to a question of clarification, the Municipal Solicitor advised that a motion to reconsider this matter would have to be dealt with first as Council considered a similar motion previously, and it had been defeated. The Solicitor advised that Council requires a motion to waive the rules to reconsider the matter, and it will require a two-thirds vote.

MOVED by Councillor Mancini, seconded by Councillor Cleary

THAT Regional Council waive the rules of order to allow a motion of reconsideration.

Two-thirds majority required.

MOTION PUT AND DEFEATED. (9 in favour, 7 against)

In favour: Mayor Savage, Deputy Mayor Mason and Councillors Nicoll, Austin, Mancini, Smith, Cleary, Zurawski and Blackburn

Against: Councillors Streach, Hendsbee, Karsten, Walker, Adams, Whitman and Craig

Not Present: Councillor Outhit

10. NOTICES OF TABLED MATTERS – NONE

11. PUBLIC HEARINGS

11.1 Case 20800 – Municipal Planning Strategy and Land Use By-law amendment to allow for industrial and highway commercial uses on the Conrad Quarry lands in Waverley

The following was before Council:

- A staff recommendation report dated November 21, 2017
- A report from the Chairs of Harbour East Community Council and North West Community Council dated February 13, 2018
- A draft extract of the February 27, 2018 Regional Council minutes.
- Correspondence submitted from John van Kroonenburg, Rene Leclerc, Charles and Betty Knocton, Dorothy Hart, Wayne A. Moore, Doug Skinner; Adam Flick, Andrea Bowie, Glenn Bowie, Michael Peck, Claudia Currie, Andrea Lebel, Dean Ciufio, Brad McGregor, Joe & Maria MacKinnon, Paul Currie, Maureen Flick, Sarah Healy, Jason White, Ellen MacDonald, Kelli and Derrick Matthews, Jennifer Coll, Lynette Mitchell, Kelly Flick, Allyson MacQueen, Shawn M. MacDonald, Nadine MacKay, Scott and Sylvie Stevens, Abel Lazarus, Bailey Murphy, Dave and Theresa Bailey, Geoff English, Debra Smith and Bev Marriott, Mark Flick, Lesley MacLeod, Sabina Guilford, Kathryn MacDonald, Shawn M. MacDonald, Doug Crutcher, Wayne and Leslie Hurst, Joanne Bonazza, Deanna Connors, Jim Geddes, Ruth Winters, Christian and Alanna West, Alaine Crowell-Hemming, Natasha MacLellan, Sandra Evans, Paul Bonazza, Danielle Skinner, Paul Quinn, David Cheeseman, Tara Barnett, Jennifer Van der Weegen, Mary Beth Bowie, Jennifer Mallette, Ed Thornhill and Angela Smith, Bridget Brennan, Brian Covert, Kristen Hemming, Debra Smith and Bev Marriott, Tim Evers, Jennifer Lockyear, Jessie Wentzel, Susan Delaney, Paul MacQueen, Kevin Sawler, Tracy and Dan Beaton, Julie English, Mike Willett, Debby and Tony Murphy, Neil Armstrong, Jennifer Stevens, Barry Flick, Nancy White, Kathryn Willett, Joanne Tortola, Robert Covert, Lynn Cashen and Rene LeClerc

Ben Sivak, Principal Planner provided a presentation on Case 20800 to allow for industrial and highway commercial uses on the Conrad Quarry lands in Waverley.

Mayor Savage opened the public hearing and invited the applicant to address Council on Case 20800.

Tom Swanson, Senior Engineer with Eastpoint Engineering Limited, on behalf of the Applicant, provided a presentation on Case 20800. Swanson provided commentary on following:

- Communication gaps respecting the proposed intent of the application within the community.
- The history of the application and an overview of the public participation events that have been undertaken over the past five years.
- A request from the applicant that Council consider amending the staff recommendation to not permit used building material outlets, recycling depots, construction and demolition (C&D)

material processing facilities and C&D Transfer Stations under the I-4 zone and that general office buildings be added as permissible use.

- Increased controls for water quality and quantity and protections for nearby watercourses.
- Provisions in the proposed zoning relating to buffering and land scaping.
- Traffic and municipal servicing provisions for the subject property that will be integrated with the regulations put forward in the Port Wallis Secondary Planning Process.

Mayor Savage reviewed the rules of procedure for public hearings for members of the public wishing to speak on the matter.

Rene LeClerc of Dartmouth spoke in opposition to the proposed rezoning, citing environmental concerns and the proposed heavy industrial uses for the subject property. LeClerc expressed further concerns that property values in the area will decrease and run-off events into lake Charles and other local water courses may also increase. LeClerc concluded by noting that more time is needed for the implementation of reasonable environmental safeguards and improvements.

Adam Flick of Port Wallace thanked the applicant for suggesting an amended motion to remove potential construction and demolition uses on the subject property. Flick noted concerns with respect to impacts on the local environment and increased traffic in existing neighbourhoods. Flick concluded by citing a recent Nova Scotia Department of Transportation and Infrastructure Renewal Traffic impact statement for the area which conflicts with the figures provided CBCL Consulting as outlined in the staff report.

Glenn Bowie of Dartmouth noted that additional information has been made available at the recent Public Information Meeting held in the community. Bowie advised that Council should pay attention to the impacts of the proposed development on local traffic and water quantity and quality.

John O'Connor of Dartmouth cited concerns with respect to traffic, the potential for environmental damages to nearby lakes, and increased density related to the development of the subject property. O'Connor suggested that staff and Council should study the application in further detail before proposing amendments to the MPS and LUB for the area.

Paul Bonazza of Dartmouth raised concerns with respect to water quality and ground water contamination if development proceeds as presented.

Kevin Fitzgerald of Waverly spoke in favour of the proposed development noting that the applicants are residents of the area who are concerned with environmental sustainability.

Paul Currie of Waverley highlighted issues with respect to silt running in to nearby lakes and watercourses. Currie advised that these events have been documented and forwarded to the provincial Department of Environment. Currie raised concern with run-off from the Conrad Quarry lands entering Spider Lake through infrastructure located under Highway 107. Currie referenced pictures of the watercourses which were previously circulated to Council and expressed concern that conditions will further deteriorate if the development approved.

The Mayor called three times for any other members of the public wishing to speak on the matter. There were no further speakers. Mayor Savage invited the applicant to respond to points raised by the public.

Tom Swanson, on behalf of the applicant, noted the following in relation to points raised by the public:

- The stormwater infrastructure located under the 107 interchange years has not been updated in many years.
- The applicants have submitted an application to the Province two years ago to clean, maintain and enhance the infrastructure. The application was refused.
- Stormwater run-off from other developments near Spider Lake are also contributing to siltation entering the lake.

- Any development approved under the proposed I-4 zoning stipulates that run-off from development will have to be contained by systems that meet water quality and volume specifications established by the provincial Department of the Environment.
- Run-off caused by the building of roads or the subdivision of lots will have to be contained by on sight systems and treated to the requirements of the Department of Environment.
- If the development is approved under the industrial zone, it will mitigate the volume of water and the potential of pollutants from run-off water entering the lakes.
- The applicants have engaged Stantec Consulting to design run off controls from their quarry compliant with current regulations.

In response to questions from Regional Council, Swanson clarified the following:

- If I-4 zoning is permitted for the subject property, the run-off and stormwater controls will be more stringent than what is currently in place.
- The applicant is not aware of any work taking place by the Department of Transportation and Infrastructure renewal with respect to upgrading stormwater infrastructure on Highway 7 and the Waverly Road.

MOVED by Councillor Nicoll, seconded by Councillor Karsten

THAT the public hearing be closed.

MOTION PUT AND PASSED.

MOVED by Councillor Streach, seconded by Councillor Mancini

THAT Halifax Regional Council adopt the proposed amendments to the Municipal Planning Strategies (MPS) and Land Use By-laws (LUB) for Cole Harbour/Westphal, Dartmouth and Planning Districts 14 and 17, as set out in Attachments A and B of the staff report dated November 21, 2017, to allow industrial and highway commercial uses on the Conrad quarry lands.

In response to a question of clarification from Council, Jacques Dubé, Chief Administrative Officer noted that there are instances of erosion taking place on the subject property. Dubé noted that municipal staff will engage with colleagues at the Department of Environment to find a solution to protect nearby watercourses near the subject property.

In response to questions of clarification from Halifax Regional Council, Sivak noted the following:

- Staff are currently considering extending municipal services on a 242-acre portion of the Conrad Quarry Lands through the Port Wallis Secondary Planning process.
- If Council were to consider alternative recommendation 3 of the November 21, 2017 staff report, the consideration of Industrial and Highway Commercial Zoning would be added to Port Wallis Secondary Planning process for the areas currently outside of the Municipal Service Boundary.
- If the staff recommendation is approved by Council, the I-4 industrial zoning would be applied to the subject property which would allow for the construction of buildings and roads in a short amount of time.
- If the matter in its entirety is referred to the Port Wallis Secondary Planning Process, there would be more opportunity for public participation on the future development of the Conrad Quarry lands and adjacent lands, south of Highway 107 which owned by other property owners.
- Staff are not in support of general purpose office space or retail use on the subject property.
- There are some landscaping requirements included in the proposed zoning.

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

In Favour: Mayor Savage and Councillors Hendsbee and Karsten

Against: Deputy Mayor Mason and Councillors Streach, Nicoll, Austin, Mancini, Smith, Cleary, Walker, Adams, Zurawski, Whitman, Blackburn and Craig

Not present: Councillor Outhit

The following alternative recommendation was proposed:

MOVED by Councillor Streach, seconded by Councillor Zurawski

THAT Halifax Regional Council refer further consideration of the request for industrial and highway commercial uses on the entire Conrad Quarry lands in Waverly to the Port Wallace Secondary Planning process.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Outhit

11.2 Case 21209 – Amendments to the Regional Municipal Planning Strategy (RMPS), Halifax Municipal Planning Strategy (MPS) and Halifax Mainland Land Use By-law (LUB) for 61 Evergreen Place, Ragged Lake Compost Facility

The following was before Council:

- A recommendation report dated February 21, 2018 from the Chair of Halifax and West Community Council
- A staff recommendation report dated January 12, 2018
- A draft extract of the March 6, 2018 Regional Council minutes

Maria Jacobs, Planner provided a presentation on Case 21209 to enable the replacement and expansion of the Municipal composting facility at 61 Evergreen Place, Halifax.

Mayor Savage opened the public hearing and invited the applicant to address Halifax Council on Case 20800.

Matt Keliher, Manager of Solid Waste, noted the following in response to questions of clarification from members of Halifax Regional:

- The current composting facility site located at 61 Evergreen Place was chosen through an Request for Proposal (RFP) process conducted in the early 1990's.
- There was a recommendation from the Department of the Environment when the composting facility was established that the composting facility should not be co-located with the Otter Lake Landfill facility.
- There are updated technologies that are designed to be water neutral or water negative with respect to treating leachate they may be produced by the facility.
- There have been advances in odor control and odor management technologies since the facility was repurposed. Staff will be recommending conditions within the RFP for Council's consideration to mitigate odor problems.
- The public notification distance was expanded from 250 meters to 1500 meters from the subject property for this matter.
- The intent of the expansion of the facility is to provide a buffer around the perimeter of the facility to meet Department of Environment guidelines.
- The Request for Quotations (RFQ) will include provisions to allow operators to use the subject property or the Burnside site as transfer stations to have compost treated outside of HRM.
- Staff have determined that the Waste Stabilization Facility at Otter Lake would not be financially viable to retrofit as a Composting facility.
- Staff have received bids for Anaerobic Digestion, Regular Composting and a mixture of both.
- The trail located near the subject property will not be impacted as part of the proposal.

- There will be no open wind rowing at the facility.
- Stantec Consulting provided a water quality review in 2014, where no significant issues with respect to surface or well water were identified.

Mayor Savage reviewed the rules of procedure for public hearings for anyone wishing to speak on the matter.

John Cascadden, Chair of the Halifax Waste Resource Society and resident of Lewis Lake provided background information on the mandate of the Halifax Waste Resource Society and expressed concerns with respect to ground water contamination, environmental risks, and odors emanating from the subject property. Cascadden noted a need for further consultation with the community and an environmental assessment to be conducted to ensure safety for neighbouring communities and the environment.

Maureen Yeadon of Brookside and member of the Community Liaison Committee for Ragged Lake expressed opposition to the expansion of the facility, noting that it would be more appropriate in a rural setting. Yeadon expressed concern with the odors emanating from the facility which can travel a great distance on windy days. Yeadon advised that the smell of the facility has a negative impact on tourism and local businesses.

Carolyn Cherry, of Brookside expressed concern with the expansion of the facility advising that odors can travel as far as Exhibition Park, several kilometers away. Cherry advised that the facility is located in the wrong area and urged Council to explore alternative locations. Cherry concluded by noting concerns relating to ground water contamination, construction traffic, and risk to future land community developments in the area.

Scott Guthrie, Vice Chair of Otter Lake Community Monitoring Committee and resident of Brookside noted opposition to the proposed expansion of the subject property. Guthrie commended staff for their work in seeking advanced technology to mitigate the impact on residents. Guthrie advised that staff should consider an alternative location for the facility. Guthrie concluded by noting that better communications with the residents and Community stakeholders is needed with respect to the proposal.

The Mayor called three times for any other members of the public wishing to speak on the matter. There were no further speakers. Mayor Savage invited Solid Waste staff to respond to points raised by the public.

In response to points raised during the public hearing, Matt Kelihier clarified the following:

- The key message relayed to staff over the three month long public consultation process is that residents are willing to spend money on a facility that will reduce odor.
- The technology aspect of the RFP and RFQ processes are heavily weighted on odor management, odor control, and requiring that proponents have a proven technology and experience managing at least three composting sites with the current tonnage of the existing facility.
- The RFP process will build in odor management steps and infrastructure, ensuring the covering of biofilters, a stack that extends into the air to mitigate odor, and an airlock system where the trucks will unload the compost that is to be processed.
- Water quality assessment on the subject property were completed in 2014 by Stantec Consulting.
- A well located in the middle of the processing area was contaminated with higher levels of sodium and chloride, staff have instituted protocols to ensure that further contamination is mitigated.
- Surface water tests of a nearby watercourse have concluded that the water is relatively the same up stream as down stream.
- The capacity of the facility is 50,000 to 75,000 tonnes of compost. The operators will be tasked with marketing the processed compost.
- Staff have completed a wetland assessment. There is a wetland at the facility located on the western which is required to be protected by a 200-foot buffer. These wetlands would not be impacted by the proposed expansion.

MOVED by Councillor Nicoll, seconded by Councillor Karsten

THAT the public hearing be closed.

MOTION PUT AND PASSED.

MOVED by Councillor Adams, seconded by Councillor Zurawski

That Halifax Regional Council adopt the proposed amendments to the Halifax Regional Municipal Planning Strategy (RMPS), Halifax Municipal Planning Strategy (MPS) and Halifax Mainland Land Use By-law (LUB), as set out in Attachments A, B and C of the January 12, 2018 staff report, to enable the replacement and expansion of the Municipal composting facility located at 61 Evergreen Place, Halifax.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Outhit

12. CORRESPONDENCE, PETITIONS & DELEGATIONS

12.1 Correspondence

The Clerk noted that correspondence was received for items: 9.2, 11.1, 11.2, 14.1.6, and 15.1. This correspondence was circulated to Council.

Councillor Streach submitted a letter signed by various trucking and construction associations expressing concern about sideguards being required on HRM owned vehicles and HRM contracted vehicles over 4500 kilograms, and requested that the letter be forwarded to the Transportation Standing Committee. The Municipal Clerk clarified that Council had passed a motion, previously, relating to this matter. The Clerk will follow-up with staff and report back to the Councillor. The Municipal Clerk also noted that the same associations had submitted a petition on this matter.

12.2 Petitions

12.2.1 Councillor Blackburn

Councillor Blackburn submitted a petition with 19 signatures requesting that Halifax transit service running from Beaver Bank Kinsac to the Beaver Bank Villa be maintained. The Councillor asked that the petition be forwarded to staff.

12.2.2 Councillor Austin

Councillor Austin submitted a petition from the Downtown Dartmouth Business Commission with 1,219 names requesting Regional Council maintain the current ferry schedule on weekdays and Sunday.

13. INFORMATION ITEMS BROUGHT FORWARD – NONE

14. REPORTS

14.1 CHIEF ADMINISTRATIVE OFFICER

14.1.1 Proposed Amendments to Administrative Order 50 Disposal of Surplus Real Property – Community Interest Category

The following was before Council:

- A staff recommendation report dated January 24, 2018

MOVED by Deputy Mayor Mason, seconded by Councillor Cleary

THAT Halifax Regional Council:

- 1. Adopt the amendments to *Administrative Order 50*, the Disposal of Surplus Real Property Administrative Order, as set out in Attachment 4 of the staff report dated January 24, 2018; and**
- 2. If the proposed amendments are adopted, Regional Council direct the Chief Administrative Officer to direct staff to develop a guidebook and new templates for prospective applicants and staff.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Outhit

14.1.2 Second Reading Proposed By-law U-103, Amending By-law U-100, the User Charges By-law – “Welcomed in Halifax” Program Criteria

The following was before Council:

- A staff recommendation report dated January 31, 2018.
- A draft extract of the March 6, 2018 Regional Council minutes.

MOVED by Councillor Smith, seconded by Deputy Mayor Mason

THAT Halifax Regional Council adopt By-law U-103, further amending By-law U-100, the User Charges By-law as set out in Attachment C of the staff report dated January 31, 2018.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Outhit

14.1.3 Afghanistan Conflict Dates on Halifax Cenotaph

The following was before Council:

- A staff recommendation report dated March 6, 2018.

MOVED by Deputy Mayor Mason, seconded by Councillor Cleary

THAT Halifax Regional Council:

- 1. Decline to add new dates to the front of the Cenotaph in order to protect the heritage value of the memorial;**
- 2. Direct that any future war commemorations be incised at the rear of the Cenotaph in keeping with the status quo protocol established with the World War II and Korea inscriptions and continued in 2015 with the Afghanistan inscription; and**
- 3. Acknowledge that the commemorative bronze text on the front of the Cenotaph, “In Honour of those who served. In memory of those who fell”, honours all those who serve in any capacity and at any time.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Outhit

14.1.4 Case 21284 - Discharge of Covenant - 90 Sunnybrae Avenue, Halifax

The following was before Council:

- A staff recommendation report dated February 16, 2018

MOVED by Councillor Walker, seconded by Councillor Adams

THAT Halifax Regional Council:

1. Approve the discharge of a restrictive covenant in favour of the Municipality from the title of the property at 90 Sunnybrae Avenue, Halifax, as shown in Attachment A of the staff report dated February 16, 2018; and

2. Authorize the Mayor and Clerk to execute the relevant discharge documents on behalf of the Municipality.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Streach and Outhit

14.1.5 Appointment of Building Officials

The following was before Council:

- A staff recommendation report dated March 5, 2018.

MOVED by Councillor Karsten, seconded by Councillor Nicoll

THAT Halifax Regional Council appoint Paul Guest and Jason Thibeau as Building Officials, pursuant to Section 5(2) of the Nova Scotia Building Code Act. This appointment is effective for the duration of their current conditions of employment with Halifax Regional Municipality.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Outhit

14.1.6 Port Wallace Master Infrastructure Study, Urban Service Area Expansion, and Plan Amendment Request (Case 21601)

The following was before Council:

- A staff recommendation report dated March 21, 2018
- A copy of the staff presentation
- Correspondence was submitted from Abel Lazarus, Adam Flick, Kelli and Derrick Matthews, David Cheeseman, Danielle Skinner, Natasha MacLellan, Alaine Crowell-Hamming, Tara Barnett, Ed Thornhill and Angela Smith, Greg Girard, Christina Girard, Kristen Hemming, Tim Evers, Neil Armstrong, Susan Delaney, Lesley MacLeod, Jim Geddes, Barry Flick, Charmaine Lever, Robert Covert, and Lynn Cashen

MOVED by Councillor Mancini, seconded by Councillor Streach

Councillor Streach requested separate votes on the motion.

THAT Halifax Regional Council:

1. Direct staff to:

(a) prepare a capital cost contribution study for transportation-related costs;

(b) proceed with preparing the Port Wallace Secondary Plan based on the preferred concept plan as set out in Attachment A of the staff report dated March 21, 2018;

(c) report back to Council with further information from Nova Scotia Environment regarding development activity in the vicinity of Barry's Run.

2. Refuse to initiate the process to amend the Regional Subdivision By-law, Secondary Municipal Planning Strategy and the Land Use By-law for Dartmouth to enable the development of 40 single unit dwelling lots in Port Wallace, as shown on Map 3 of the staff report dated March 21, 2018, and continue to consider those lots as part of the Port Wallace Secondary Planning study area.

Kate Greene, Program Manager and Paul Burgess, Program Manager provided a staff presentation.

Councillor Mancini asked that Council vote down recommendation 1, and put forward a recommendation to approve alternative 1 in the staff report. The Councillor indicated the reason for this was that the Port Wallace Public Participation Committee has not been consulted properly on this process.

Councillor Streach expressed concern, asking that Council support recommendation 1 and to defeat recommendation 2. Further, if recommendation 2 were defeated, they were prepared to put forward a motion to enable Clayton Developments to start the process, as requested.

The Mayor advised that the recommendations would be voted on separately.

MOVED by Councillor Mancini, seconded by Councillor Streach

1. THAT Regional Council direct staff to:

(a) prepare a capital cost contribution study for transportation-related costs;

(b) proceed with preparing the Port Wallace Secondary Plan based on the preferred concept plan as set out in Attachment A of the staff report dated March 21, 2018;

(c) report back to Council with further information from Nova Scotia Environment regarding development activity in the vicinity of Barry's Run.

MOTION PUT AND PASSED. (12 in favour, 4 against)

In favour: Mayor Savage, Deputy Mayor Mason, and Councillors Streach, Hendsbee, Smith, Cleary, Walker, Adams, Zurawski, Whitman, Blackburn and Craig

Against: Councillors Karsten, Nicoll, Austin and Mancini

Not present: Councillor Outhit

MOVED by Councillor Mancini, seconded by Councillor Streach

2. THAT Regional Council refuse to initiate the process to amend the Regional Subdivision By-law, Secondary Municipal Planning Strategy and the Land Use By-law for Dartmouth to enable the development of 40 single unit dwelling lots in Port Wallace, as shown on Map 3 of the staff report dated March 21, 2018, and continue to consider those lots as part of the Port Wallace Secondary Planning study area.

MOTION PUT AND DEFEATED. (8 in favour, 8 against)

In favour: Mayor Savage, Deputy Mayor Mason and Councillors Nicoll, Austin, Mancini, Smith, Cleary and Zurawski

Against: Councillors Streach, Hendsbee, Karsten, Walker, Adams, Whitman, Blackburn, and Craig

Not Present: Councillor Outhit

MOVED by Councillor Streach, seconded by Councillor Hendsbee

THAT Regional Council initiate the process to change the Port Wallace Secondary planning study area, and consider amendments to the Regional Subdivision By-law and the Secondary Municipal Planning Strategy for Dartmouth to enable the development of 40 single unit dwelling lots, and direct staff to consult with Nova Scotia Environment regarding Barry's Run and to follow the public participation program for municipal planning strategy amendments as approved by Regional Council on February 27, 1997.

MOTION PUT AND DEFEATED. (8 in favour, 8 against)

In favour: Councillors Streach, Hendsbee, Karsten, Walker, Adams, Whitman, Blackburn and Craig

Against: Mayor Savage, Deputy Mayor Mason and Councillors Nicoll, Austin, Mancini, Smith, Cleary and Zurawski

Not Present: Councillor Outhit

14.2.1 Award – Tender 18-150 Ice Slab Replacement s – Scotia 1 – Cole Harbour Place

The following was before Council:

- A recommendation report dated March 21, 2018 from the Chair of the Audit and Finance Standing Committee, with an attached staff report dated February 19, 2018

MOVED by Councillor Nicoll, seconded by Councillor Smith

THAT Halifax Regional Council

- 1. Approve an unbudgeted withdrawal in the amount of \$200,000 net HST included, from the Capital Fund Reserve, Q526;**
- 2. Increase 2017/18 Capital Budget, Project Number CB000045 – Cole Harbour Place (CHP) by \$200,000, net HST Included, as outlined in the Financial section of the staff report dated February 19, 2018;**
- 3. Approve advanced capital, for the purpose of tendering and awarding, in the amount of \$150,000, from the 2018/19 proposed capital budget for Project Number CB000045 as part of the December 14, 2016 approved Multi-year project list;**
- 4. Award Tender 18-150 Ice Slab Replacements- Scotia 1 - Cole Harbour Place to the lowest bidder meeting specification, Bird Construction Group, for a total price of \$1,437,228 (net HST included) with funding from CB000045 – Cole Harbour Place, as outlined in the Financial Implications section of the staff report dated February 19, 2018.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Outhit

14.3.1 Councillor Mancini – Code of Conduct – External Consultant

The following was before Council:

- A 'Request for Council's Consideration' form submitted by Councillor Mancini

MOVED by Councillor Mancini, seconded by Deputy Mayor Mason

That Halifax Regional Council request a staff report and recommendations with respect to HRM entering into a retainer agreement with an External Consultant as set out in s. 19 of the Code of Conduct to:

1. Review and investigate, where an investigation is necessary, reported violations of the Code of Conduct;
2. Attempt to resolve reported violations with the parties involved where possible;
3. Where, after an investigation, the Consultant is of the view there is further action required provide a confidential report and recommendation to Council in respect of the matter; and
4. Maintain confidentiality with respect to the parties and issues raised in the reported violation.

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

In favour: Mayor Savage, Deputy Mayor Mason and Councillors: Streach, Hendsbee, Karsten, Nicoll, Austin, Mancini, Smith, Cleary, Walker, Zurawski, Blackburn and Craig

Against: Councillors Adams and Whitman

Not Present: Councillor Outhit

15. MOTIONS

15.1 Councillor Walker

The following was before Council:

- Correspondence dated February 1, 2018 from John Mabley, Director, The Campaign for Hospice Halifax
- A presentation entitled, *Hospice Halifax, A Place Like Home*

MOVED by Councillor Walker, seconded by Deputy Mayor Mason

THAT Halifax Regional Council direct staff to provide for possible consideration of the Capital request for the Hospice Centre as outlined in the presentation to the Audit and Finance Standing Committee on February 21, 2018 with recommendations for future budgets.

Councillor Walker suggested that the motion be amended to read “**and report back to the Audit and Finance Standing Committee with recommendations for future budgets**”.

The amendment was deemed friendly by Halifax Regional Council:

The motion before Council now reads:

MOVED by Councillor Walker, seconded by Deputy Mayor Mason

THAT Halifax Regional Council direct staff to provide a staff report to consider the Capital request for the Hospice Centre as outlined in the presentation to the Audit and Finance Standing Committee on February 21, 2018 with recommendations for future budgets, and report back to the Audit and Finance Standing Committee.

In response to a question of clarification, Jacques Dubé, Chief Administrative Officer advised that that the request from Hospice Halifax should be considered by the Audit & Finance Standing Committee as the requested funds are not budgeted.

MOTION PUT AND PASSED. (10 in favour, 6 against)

In Favour: Mayor Savage, Deputy Mayor Mason and Councillors Streach, Smith, Cleary, Walker, Adams, Zurawski, Blackburn and Craig

Against: Councillors Hendsbee, Karsten, Nicoll, Austin, Mancini and Whitman

Not present: Councillor Outhit

15.2 Councillor Walker

The following was before Council:

- A presentation entitled, *Building a Healthier Halifax Together: The New John W. Lindsay YMCA*

MOVED by Councillor Walker, seconded by Deputy Mayor Mason

THAT Halifax Regional Council direct staff to provide a staff report to consider the Capital request for the YMCA as outlined in the presentation to the Audit and Finance Standing Committee on February 21, 2018 with recommendations for future budgets

Councillor Walker suggested that the motion be amended to read “**and report back to the Audit and Finance Standing Committee with recommendations for future budgets**”.

This amendment was deemed friendly by Halifax Regional Council. The motion before Council now reads:

MOVED by Councillor Walker, seconded by Deputy Mayor Mason

THAT Halifax Regional Council direct staff to provide a staff report to consider the Capital request for the YMCA as outlined in the presentation to the Audit and Finance Standing Committee on February 21, 2018 with recommendations for future budgets, and report back to the Audit and Finance Standing Committee.

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

In Favour: Mayor Savage, Deputy Mayor Mason and Councillor Streach, Hendsbee, Karsten, Nicoll, Austin, Mancini, Smith, Cleary, Walker, Adams, Zurawski, Blackburn and Craig

Against: Councillor Whitman

Not present: Councillor Outhit

16. IN CAMERA (IN PRIVATE)

16.1 In Camera (In Private) Minutes – February 27 and March 6, 2018

MOVED by Councillor Karsten, seconded by Councillor Hendsbee

That the In Camera (In Private) minutes of February 27 and March 6, 2018 be approved as circulated.

MOTION PUT AND PASSED.

16.2 Legal Advice

16.2.1 Administrative Order 10, Partial Tax Exemption Administrative Order and Land Titles Clarification Act Tax Relief – *Private and Confidential Report*

The following motion was approved in public session:

MOVED by Councillor Hendsbee, seconded by Councillor Cleary

THAT Halifax Regional Council:

1. Discharge the property taxes owed as outlined in the private and confidential staff report dated February 2, 2018; and
2. Authorize and direct staff to explore partnering with the Province of Nova Scotia in the “Land Titles Clarification Project” with the view of providing greater support to project applicants or programming generally, and to provide an update and/or further recommendation to Regional Council.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Outhit

16.3 Property Matter

16.3.1 Councillor Hendsbee - Parkland Acquisition East Preston – *Private and Confidential Report*

The following motion was approved in public session:

MOVED by Councillor Hendsbee, seconded by Councillor Streach

THAT Halifax Regional Council request staff prepare a report on the possible acquisition in East Preston as outlined in the private and confidential Councillor request for consideration form.

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

In favour: Mayor Savage, Deputy Mayor Mason and Councillors Streach, Hendsbee, Karsten, Nicoll, Mancini, Austin and Smith

Against: Councillor Cleary

Not present: Councillor Outhit

17. ADDED ITEMS – NONE

18. NOTICES OF MOTION

18.1 Deputy Mayor Mason

“TAKE NOTICE that, at the next regular Regional Council meeting, to be held on Tuesday, April 10, 2018, I propose to move a Motion of Rescission of the Regional Council Motion of March 21, 2017, that Regional Council direct staff to identify options and financial considerations for accommodating the loading and staging of Harbour Hopper vehicles within the public right-of-way for the consideration of Council.”

19. ADJOURNMENT

The meeting adjourned at 9:14 p.m.

Kevin Arjoon
Municipal Clerk