



**HALIFAX REGIONAL COUNCIL
MINUTES
September 19, 2017**

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

REGRETS: Councillor: Matt Whitman

STAFF: Jacques Dubé, Chief Administrative Officer
John Traves, Municipal Solicitor
Kevin Arjoon, Municipal Clerk
Krista Vining, Legislative Assistant
Phoebe Rai, 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 1:00 p.m., recessed at 3:35 p.m. and reconvened at 3:50 p.m. Council recessed again at 5:05 p.m. and reconvened at 6:00 p.m. Council adjourned at 8:07 p.m.

1. CALL TO ORDER

Deputy Mayor called the meeting to order at 1:00 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 – August 15, 2017

MOVED by Councillor Nicoll, seconded by Councillor Zurawski

THAT the minutes of August 15, 2017 be approved as presented.

MOTION PUT AND PASSED.

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

Additions:

17.1 Councillor Mancini – Multilingual Service Available Policy

17.2 AUDIT AND FINANCE STANDING COMMITTEE - Request for Financial Assistance and to enter into a Heritage Agreement with St. Paul's Church, 1749 Argyle Street, Halifax

Item 9.2 (i) Supplementary Report, Council approval is required for the circulation of late reports, as per Section 24 of Administrative Order One, Respecting the Procedures of Council.

MOVED by Councillor Cleary, seconded by Councillor Blackburn

THAT the agenda be approved as amended.

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

Item 11.1 Heritage Hearing was addressed at this time.

11.1 Case H00450 - A Request to Register 33 and 35 Pleasant Street, Dartmouth as a Municipal Heritage Property

The following was before Council:

- A recommendation report submitted by the Vice Chair of the Heritage Advisory Committee dated June 28, 2017; attached was a staff report dated June 15, 2017
- An extract of Regional Council July 18, 2017 minutes
- Staff presentation

Kathleen Fralic, Planner II presented the application of Jason Van Meer and Deborah Dobbin to include 33 and 35 Pleasant Street, Dartmouth in the Registry of Heritage Property for the Halifax Regional Municipality, as shown on Map 1 of the staff report dated June 15, 2017.

Deputy Mayor Craig reviewed the rules of procedure and opened the hearing. The applicants were invited to address Council but did not wish speak.

Deputy Mayor Craig called three times for anyone wishing to speak on the matter. There being none, it was MOVED by Councillor Walker, seconded by Councillor Austin

THAT the heritage hearing be closed.

MOTION PUT AND PASSED.

MOVED by Councillor Austin, seconded by Councillor Nicoll

THAT Halifax Regional Council approve the request to include 33 and 35 Pleasant Street, Dartmouth in the Registry of Heritage Property for the Halifax Regional Municipality, as shown on Map 1 of the staff report dated June 15, 2017, as a municipal heritage property.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage and Councillor Whitman

9. CONSIDERATION OF DEFERRED BUSINESS – September 5 and July 18, 2017

9.1 Administrative Order 2017-004-ADM, Respecting Spaying and Neutering of Cats Grant Program

The following was before Council:

- A staff recommendation report dated June 20, 2017
- An extract of Regional Council September 5, 2017 draft minutes

The following motion was put forward with a friendly amendment to include the words *a contribution agreement satisfactory to the Chief Administrative Officer.*

MOVED by Councillor Adams, seconded by Councillor Karsten

THAT Halifax Regional Municipality (HRM) continue the 2016 feral cat TNR pilot project, a contribution agreement satisfactory to the Chief Administrative Officer, and provide funding for five years, commencing effective April 1, 2017 in order to continue the effective partnerships that have developed between the Nova Scotia SPCA, the Spay Day HRM Society, and HRM and that any additional funds be subject to annual budget considerations.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage and Councillor Whitman

9.2 Award – Province of Nova Scotia Request for Proposal (RFP) WS49662970 for Heating Fuel/Propane/Jet Fuel/Diesel/Gasoline

The following was before the

- A supplementary information report dated September 14, 2017
- A staff report dated August 4, 2017
- An extract of Regional Council September 5, 2017 draft minutes

MOVED by Councillor Nicoll, seconded by Councillor Karsten

THAT Halifax Regional Council:

a) Approve the standing offer agreement related to Province of Nova Scotia RFP WS49662970 for Heating Fuel/Propane/Jet Fuel/ Diesel/Gasoline, to Highland Fuel Delivery G.P./ Irving Oil Commercial G.P o/a Irving Energy for the furnace oil, diesel fuel and propane portions of the solicitation, for a period ending June 2020 with the option to renew annually for two (2) additional one year terms for the approximate amount of \$10,000,000 per year with funding as outlined in the Financial Implications section of the staff report dated August 4, 2017.

b) Approve the standing offer agreement related to Province of Nova Scotia RFP WS49662970 for Heating Fuel/Propane/Jet Fuel/Diesel/Gasoline to Bluewave Energy for the gasoline portion of the solicitation, for a period ending June 2020 with the option to renew annually for two (2) additional one year terms for the approximate amount of \$1,650,000 per year with funding as outlined in the Financial Implications section of the staff report dated August 4, 2017.

c) Direct the Chief Administrative Officer (CAO) to execute the services contracts with each contractor with terms and conditions acceptable to the CAO and subject to review and approval as to form and authority by Legal Services.

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Mayor Savage and Councillor Whitman

10. NOTICES OF TABLED MATTERS – NONE

11. HERITAGE HEARING – 1:00 P.M.

11.1 Case H00450 - A Request to Register 33 and 35 Pleasant Street, Dartmouth as a Municipal Heritage Property

This matter was addressed earlier in the meeting, see page 2.

PUBLIC HEARINGS – 6:00 P.M.

11.2 Case 19535 – Amendments to the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) for Timberlea/Lakeside/Beechville – 1831 St. Margarets Bay Road, Timberlea

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

11.3 Case 19722 – Amendments to the Halifax Municipal Planning Strategy (MPS) and Halifax Mainland Land Use By-Law (LUB) and Amending Development Agreement for 15 Shoreham Lane, Halifax (Joint Public Hearing with Halifax and West Community Council)

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

12. CORRESPONDENCE, PETITIONS & DELEGATIONS

12.1 Correspondence

The Clerk noted that correspondence was received for items 14.1.5, 14.3.3 and 14.3.4. This correspondence was circulated to Council.

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

12.1.1 Fly-Past Request – Remembrance Day Ceremony

The following was before Council:

- A letter of request dated August 23, 2017

MOVED by Councillor Mason, seconded by Councillor Mancini

THAT Halifax Regional Council grant permission for a flypast of a Sea King helicopter from 12 Wing Shearwater at levels as low as 500 feet above the highest obstacle on Saturday November 11, 2017 at 11:02 a.m. over the Halifax Grand Parade, as part of the Remembrance Day Ceremony.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage and Councillor Whitman

12.2 Petitions

12.2.1 Municipal Clerk's Office

Petition submitted from eight (8) organizations requesting that Halifax Regional Council reconsider the June 21, 2016 motion directing staff to include specifications requiring side guards on all "contracted service provider vehicles over 4,500 kg on contracts awarded after April 1, 2017."

12.2.2 Councillor Blackburn

Petition submitted containing 108 signatures from residents of Middle Sackville and the surrounding area asking the Halifax Regional Municipality for a crosswalk at the intersection of Old Sackville Road and Lucasville Road to allow for the safer passage of students to Sackville Heights Elementary School.

13. INFORMATION ITEMS BROUGHT FORWARD – NONE

14. REPORTS

14.1 CHIEF ADMINISTRATIVE OFFICER

14.1.1 Pride Rainbow Art Crosswalks

The following was before Council:

- A staff recommendation report dated August 1, 2017

MOVED by Councillor Karsten, seconded by Councillor Mason

THAT Halifax Regional Council:

- 1. Direct staff to continue to include funding for the Pride Crosswalk Program as part of Transportation and Public Works (TPW)'s operational budget which would include the installation and maintenance of rainbow art at four signalized locations to be determined by the Director of TPW; and**
- 2. Authorize the Director of TPW to approve requests for rainbow crosswalk art at additional locations only if sufficient funds are provided from an external source and the design is approved by the Traffic Authority.**

Members discussed the motion with staff responding to questions.

Staff explained that four (4) rainbow art crosswalks at signalized intersections can be accommodated within Transportation and Public Works (TPW) operating budget, but this does not preclude Council from increasing funding and the number of rainbow art crosswalks in future budgets.

Members spoke to the community's response and support for the program and opportunities to expand the program. Concerns were expressed with paint application and safety, along with its durability and longevity. Suggestions were made on having a more permanent solution, such as incorporating the pigment into the asphalt. Staff explained that rainbow painted crosswalks are not part of the "Red Book"

guidelines but is supported by Transportation and Public Works. Safety was paramount and staff chose a rainbow design centered in the intersection with sections of asphalt separating the colours to reduce friction and risk of slipping. They noted that Council would need to provide direction to alter the design.

Examples were provided where district capital funds could and have been used to install a rainbow painted crosswalk outside of the program funding and how community groups may want to sponsor a crosswalk.

Councillor Smith requested a friendly amendment to include the word *unbudgeted* in the second recommendation, to which Council agreed.

MOVED by Councillor Smith, seconded by Councillor Mason

THAT the motion be amended include a request for a staff report to explore an option for safe paint applications and explore design guidelines for future instances.

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

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

Against: Councillor Karsten

Not present: Mayor Savage and Councillor Whitman

The motion before Council now reads:

MOVED by Councillor Karsten, seconded by Councillor Mason

THAT Halifax Regional Council:

- 1. Direct staff to continue to include funding for the Pride Crosswalk Program as part of Transportation and Public Works (TPW)'s operational budget which would include the installation and maintenance of rainbow art at four signalized locations to be determined by the Director of TPW;**
- 2. Authorize the Director of TPW to approve unbudgeted requests for rainbow crosswalk art at additional locations only if sufficient funds are provided from an external source and the design is approved by the Traffic Authority; and**
- 3. Request a staff report to explore an option for safe paint applications and explore design guidelines for future instances.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage and Councillor Whitman

14.1.2 Halifax Explosion 100th Anniversary Grants Program, Request for Amendment to Award – Symphony Nova Scotia

The following was before Council:

- A staff recommendation report dated August 28, 2017

MOVED by Councillor Smith, seconded by Councillor Nicoll

THAT Halifax Regional Council:

- 1. Approve the amended use of the \$10,000 grant by Symphony Nova Scotia to include expenditures in addition to commissioning an original music composition, as set out in the Discussion section of the staff report dated August 28, 2017; and**
- 2. Extend the deadline for the final report to March 31, 2018 from March 31, 2017.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage and Councillors Streach and Whitman

14.1.3 Second Reading Proposed By-Law S-445, an Amendment to By-Law S-400, Respecting Charges for Street Improvements - New Paving Projects outside the Core Area – 2016

The following was before Council:

- A staff recommendation report dated June 22, 2017
- An extract of Regional Council August 15, 2017 draft minutes

MOVED by Councillor Smith, seconded by Councillor Cleary

THAT Halifax Regional Council:

- 1. approve the 2016 Local Improvement Charges as outlined in Attachment 2 of the staff report dated June 22, 2017; and**
- 2. adopt By-Law S-445, amending By-Law S-400, the Street Improvement By-law, as set out in Attachment 1 to the staff report dated June 22, 2017.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage and Councillors Streach, Mason and Whitman

14.1.4 Joint Use Agreement – Cole Harbour District and Charles P. Allen High Schools

The following was before Council:

- A staff recommendation report dated August 31, 2017

MOVED by Councillor Nicoll, seconded by Councillor Mancini

THAT Halifax Regional Council authorize the Mayor and Municipal Clerk to enter into a Joint Use Agreement with Halifax Regional School Board regarding the Cole Harbour High School and the Charles P. Allen High School, respectively, as per the agreements attached to the staff report dated August 31, 2017.

Members spoke to communication and reporting mechanisms between the Municipality and the Halifax Regional School Board through the facility operating committee, which has representatives from the school board and Municipality to work out management and operation matters for the school's gymnasium.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage and Councillors Streach and Whitman

Mayor Savage entered the meeting and assumed the Chair. Deputy Mayor Craig took their seat.

14.1.5 Motorized Bicycles

The following was before Council:

- A staff recommendation report dated August 30, 2017
- Correspondence from lola doucet and Susanna Fuller

MOVED by Councillor Cleary, seconded by Councillor Smith

THAT Halifax Regional Council direct staff to amend By-law P-600 respecting Municipal Parks to add a definition for bicycles as defined in the Nova Scotia Motor Vehicle Act, R.S.N.S 1989.

Members were interested in how By-law P-600 would define the use of motorized bicycles, such as electric assist bicycles (e-bikes) in parks and trails, and addressed concerns with speed. A comment was made on taking into consideration the increased size of mobility scooters and motorized wheelchairs. Staff explained that the adoption of the definition for bicycles will enable the use of electric-assist bicycles of a modest size and power, but will not allow the use of gas-powered bicycles. In response to a question, staff indicated that licensing is not proposed, but in other municipalities stickers are used to identify motorized bicycles, and the Municipality could do this or something similar.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Streach and Whitman

14.1.6 First Reading Proposed By-Law T-1002 – an Amendment to By-Law T-1000, Respecting the Regulation of Taxis, Accessible Taxis and Limousines, and Proposed Amendment Administrative Order 39, Respecting Taxi and Limousine Regulation – Requiring Licensing Decals be Displayed in All Vehicles for Hire

The following was before Council:

- A staff recommendation report dated July 27, 2017

MOVED by Councillor Outhit, seconded by Councillor Blackburn

THAT Halifax Regional Council give First Reading to By-law T-1002, the purpose of which is to amend By-law T-1000, Respecting the Regulation of Taxis, Accessible Taxis and Limousines, as set out in Attachment B to the staff report dated July 27, 2017.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Streach and Whitman

Second Reading October 17, 2017.

14.1.7 Amendments to By-law P-1000 to Allow Back Window Permit Display

The following was before Council:

- A staff recommendation report dated August 16, 2017

MOVED by Councillor Austin, seconded by Councillor Nicoll

THAT Halifax Regional Council direct the Chief Administrative Officer (CAO) to confirm the practice of not permitting the placement of Residential Parking Exemptions and On-Street Parking Permits in the rear window of the vehicle in amendments to By-Law P-1000.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Streach and Whitman

14.2 TRANSPORTATION STANDING COMMITTEE

14.2.1 Access-A-Bus Service Strategic Review

The following was before Council:

- A supplementary information report dated September 12, 2017
- A recommendation report submitted by the Chair of the Transportation Standing Committee dated June 26, 2017; attached was a staff report dated April 13, 2017

MOVED by Councillor Mason, seconded by Councillor Outhit

THAT Halifax Regional Council:

1. Direct the Chief Administrative Officer to instruct staff to:

a. Continue to provide paratransit service to clients currently in receipt of the service effective the date of the April 13, 2017 staff report.

b. Prepare a staff report regarding the cost and operational impacts of extending Access-A-Bus service to the full service day, regardless of hours of operation of conventional service in the area.

2. Direct Halifax Transit to propose revisions to the current set of Eligibility Criteria for use of the Access-A-Bus service with the aim of restricting eligibility to those who cannot use the conventional transit service.

3. Direct Halifax Transit to continue charging registered Access-A-Bus users standard rates to ride the conventional transit system; and

4. Request a staff report to the Transportation Standing Committee that will, after consultation with the Taxi & Limousine Liaison Group, taxi operators, dispatch companies, present options for the development of a service delivery contract or other arrangements with taxi operators and dispatch companies that will support a sustainable framework to ensure the 24 hour provision of an accessible taxi service.

Discussion was held with Council supporting two friendly amendments as follows:

- to explore the provision of transportation support for those traveling to assist an Access-A-Bus user
- include accessibility groups and the Accessibility Advisory Committee in the consultation process

The motion before Council now reads:

MOVED by Councillor Mason, seconded by Councillor Outhit

THAT Halifax Regional Council:

1. Direct the Chief Administrative Officer to instruct staff to:

a. Continue to provide paratransit service to clients currently in receipt of the service effective the date of the April 13, 2017 staff report.

b. Prepare a staff report regarding the cost and operational impacts of extending Access-A-Bus service to the full service day, regardless of hours of operation of conventional service in the area and to explore the provision of transportation support for those traveling to assist an Access-A-Bus user.

2. Direct Halifax Transit to propose revisions to the current set of Eligibility Criteria for use of the Access-A-Bus service with the aim of restricting eligibility to those who cannot use the conventional transit service.

3. Direct Halifax Transit to continue charging registered Access-A-Bus users standard rates to ride the conventional transit system; and

4. Request a staff report to the Transportation Standing Committee that will, after consultation with the Taxi & Limousine Liaison Group, taxi operators, dispatch companies, accessibility groups, and the Accessibility Advisory Committee to present options for the development of a

service delivery contract or other arrangements with taxi operators and dispatch companies that will support a sustainable framework to ensure the 24 hour provision of an accessible taxi service.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Whitman

Council recessed at 3:35 p.m. and reconvened at 3:50 p.m.

At this time, Mayor Savage acknowledged Commissionaire Harry Carrigan who was celebrating their 77th birthday and a round of applause was given.

14.3 MEMBERS OF COUNCIL

14.3.1 Councillor Mancini – Enforcement of By-law C-300 regarding Posting of Civic Addresses

The following was before Council:

- A request for Council's consideration form from Councillor Mancini

MOVED by Councillor Mancini, seconded by Deputy Mayor Craig

THAT Halifax Regional Council request a staff report on methods to ensure civic address numbers are visible at all times on all properties either by enforcing the posting of the blue/white civic number signage and/or enforcing Sections 5, 7, 11 and 12 of By-Law C-300.

Council discussed the importance of visible civic addressing numbers for not only emergency services and the need for greater education rather than enforcement. In consultation with Councillor Mancini a friendly amendment was made to the motion to read as follows:

MOVED by Councillor Mancini, seconded by Deputy Mayor Craig

THAT Halifax Regional Council request a staff information report on an education campaign to ensure that civic address numbers are visible at all times.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Whitman

14.3.2 Councillor Zurawski – Name Change for Industrial Park located in Beechville

The following was before Council:

- A request for Council's consideration form from Councillor Zurawski

MOVED by Councillor Zurawski, seconded by Councillor Hendsbee

THAT Halifax Regional Council request a staff report to consider renaming the 'Lakeside Industrial Park' to the Beechville Industrial Park. The report should also include consideration to be given to renaming Lakeside Park Drive to Beechville Park Drive.

Staff was asked that the report include the cost and impacts to property owners/tenants in the industrial parks. As well, that a community identification review be done prior to undertaking the civic addressing.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Whitman

14.3.3 Councillor Mancini – Regional Mountain Bike Strategy

The following was before Council:

- A request for Council's consideration form from Councillor Mancini
- Correspondence from lola doucet, Susanna Fuller, Lawrence Plug, and Russ Deveau

MOVED by Councillor Mancini, seconded by Councillor Hendsbee

THAT Halifax Regional Council request a staff report on developing a Regional Mountain Bike Strategy similar to that of Western Australia and British Columbia, including:

- 1) The formation of a Regional Mountain Bike Advisory Committee comprised of key stakeholders (such as Mountain Bike Halifax) to help guide the Strategy.**
- 2) Identifying and strategic planning of sustainable Mountain Bike Trails / infrastructure in HRM**
- 3) Identify funding sources.**

A combined initiative from a Recreation, Ecotourism (similar to the British Columbia Mountain Bike Tourism initiative), Health & Wellness perspective to develop and market Mountain Biking in HRM to become a world-class destination.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Whitman

14.3.4 Councillor Austin – Pollution Control Study for Lake Banook

The following was before Council:

- A request for Council's consideration form from Councillor Austin
- Correspondence from Terry Rowell

MOVED by Councillor Austin, seconded by Councillor Hendsbee

THAT Halifax Regional Council request a staff report for a pollution control study of Lake Banook and Lake Micmac.

Discussion was held with members interested in expanding the study to look at all Municipal lakes and waterways or even the designated supervised lakes and waterways with similar issues and closure frequencies.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Whitman

Council recessed at 5:05 p.m. and reconvened at 6:00 p.m. Councillor Mason was not present.

PUBLIC HEARINGS – 6:00 P.M.

11.2 Case 19535 – Amendments to the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) for Timberlea/Lakeside/Beechville – 1831 St. Margarets Bay Road, Timberlea

The following was before Council:

- A recommendation report submitted by the Chair of Halifax and West Community Council dated July 26, 2017; attached was a staff report dated June 27, 2017
- A draft Extract of Minutes from the Regional Council meeting held on August 15, 2017
- A staff presentation dated September 19, 2017

Sean Gillis, Planner II presented the application of Shining Waters Marine Ltd. to amend the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) for Timberlea/Lakeside/Beechville, to permit commercial development at 1831 St. Margarets Bay Road, Timberlea. The applicant sought to develop a commercial building, which would include a restaurant with a drive thru, general retail and office uses. Gillis advised that if the zoning is changed, the applicant would be able to use the commercial building for any uses permitted under the C-2 Zone.

Gillis responded to questions of clarification, noting:

- Hard surfaces such as paved parking lots create more storm water run off;
- There is no significant public access to the nearby lake; and
- A fence would be required along the property line shared with any residential-zoned properties to provide a buffer.

Mayor Savage invited the applicant to come forward and address Council.

Ross Moore representing Shining Waters Ltd. addressed Council on behalf of the applicant. Moore advised that the proposal represents what Shining Waters intends to achieve, and thanked Council for their consideration.

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

Tristan Costello, Timberlea spoke in support of the application, indicating that the community would be improved by having more businesses in the area. Costello expressed support for increased commercial development that supports a vibrant community.

The Mayor called three times for any other members of the public wishing to speak on the matter. There being none, it was MOVED by Councillor Outhit, seconded by Councillor Karsten

THAT the public hearing be closed.

MOTION PUT AND PASSED.

MOVED by Councillor Zurawski, seconded by Councillor Walker

THAT Halifax Regional Council adopt the proposed amendments to the Municipal Planning Strategy and the Land Use By-law for Timberlea/ Lakeside/ Beechville, as set out in Attachments A and B of the June 27, 2017 staff report, that would:

- re-designate 1831 St. Margarets Bay Road to the Commercial Core Designation;
- rezone 1831 St. Margarets Bay Road to the C-2 (General Business) Zone to enable a proposed development with restaurant, retail uses and office uses;
- reduce parking standards for restaurants;
- require new or expanded commercial parking in the C-2 Zone to be visually screened from abutting properties zoned or used for residential or community uses;
- require landscaping in the front yard of new or expanded commercial developments in the C-2 Zone.

Miles Agar, Principal Planner responded to questions regarding the adjacent site owned by the same developer, noting that it would not be affected by the motion on the floor. Agar advised that it is private land, and current zoning would allow for a public park in the future.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Mason and Whitman

11.3 Case 19722 – Amendments to the Halifax Municipal Planning Strategy (MPS) and Halifax Mainland Land Use By-Law (LUB) and Amending Development Agreement for 15 Shoreham Lane, Halifax (Joint Public Hearing with Halifax and West Community Council)

The following was before Council:

- A recommendation report submitted by the Chair of Halifax and West Community Council dated July 26, 2017; attached was a staff report dated June 28, 2017
- A draft Extract of Minutes from the Regional Council meeting held on August 15, 2017
- A staff presentation dated September 19, 2017

Sean Gillis, Planner II presented the application of Gem Health Care Group Limited to allow additional commercial land uses, including a restaurant, in an existing commercial building located at 15 Shoreham Lane, Halifax. The subject property is part of the Melville Heights Residential Development District (RDD) and an existing development agreement is in place. Gillis noted that although the address is on Shoreham Lane, there is significant frontage on Herring Cove Road.

Mayor Savage invited the applicant to come forward and address Council, and the applicant declined.

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

Ross Quackenbush, Armdale noted that the nature of the existing development was as a senior's complex. Quackenbush expressed concern regarding the possibility of a drive thru restaurant, the building's proximity to the property line, and the placement of the mechanical room.

Bruce Holland, Spryfield advised that having attended the public meeting on the matter, it would appear that many of the issues raised have been addressed. Holland advised that a drug store had once been on the site, and that the Spryfield Business Commission supports the application.

The Mayor called three times for any other members of the public wishing to speak on the matter. There being none, it was MOVED by Councillor Outhit, seconded by Councillor Karsten

THAT the public hearing be closed.

MOTION PUT AND PASSED.

MOVED by Councillor Cleary, seconded by Councillor Adams

THAT Halifax Regional Council adopt the proposed amendments to the Municipal Planning Strategy for Halifax (MPS) and to the Land Use By-law for Halifax Mainland (LUB), as set out in Attachments A and B of the June 28, 2017 staff report, to enable additional commercial land uses, including a restaurant, in an existing commercial/office building located at 15 Shoreham Lane, Halifax.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Mason and Whitman

14.3.5 Councillor Blackburn – HRM Children's Charter of Rights

The following was before Council:

- A request for Council's consideration form from Councillor Blackburn

MOVED by Councillor Blackburn, seconded by Councillor Zurawski

THAT Regional Council request a staff report on creating an HRM Children’s Charter of Rights guided by the belief that “all children deserve basic rights and freedoms and that all levels of government, in partnership with communities, have a duty to support families by putting the health and well-being of children first.”¹ The HRM Children’s Charter of Rights is to include areas under the municipal mandate as outlined in the MGA and Halifax Charter and should include consideration of:

1. **The Right to Affordable Housing:** enforce minimum standards in dwellings with young children and ensure affordable housing is considered with every new development and/or renovation project
2. **The Right to Affordable Child Care:** consideration of permitting more “home-based” or neighbourhood day care centres in Municipal Planning Strategies and Land Use By-Laws.
3. **The Right to Access Healthy Food:** Encourage more community gardens, Mobile Food Markets.
4. **The Right to Safety:** ensure the Integrated Halifax Regional Police / RCMP continue Community Officers presence in the schools / communities and the School Crossing Guard Program; Traffic: ensure pedestrian infrastructure (sidewalk/crosswalk) is adequate especially in elementary school districts.
5. **The Right to Safe Potable Water:** work with Halifax Regional Water Commission by developing options to assist families in danger of having water services cut.
6. **The Right to Recreation and Healthy Lifestyle:** continue to offer affordable recreation activities for all; consider expanding the Inclusion Program as required; ensure Community Space is included in all developments; Continue Active Transportation and Integrated Mobility Plan and trail development to ensure healthy/active living options for families.

The Chief Administrative Officer, advised that there may be parts of the motion that are outside of municipal control. Staff can provide a report, but it will be a significant amount of work given the breadth and scope of the motion.

A brief discussion ensued with Councillors raising concerns regarding the legal ramifications and the possibility that the motion could provide false hope considering the jurisdictional issues. Members of Council also pointed out that the motion does fit within the Social Development and Healthy, Liveable Communities priorities passed by Regional Council December 2016.

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

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

Against: Councillor Adams

Not present: Councillors Mason and Whitman

15. MOTIONS – NONE

Council agreed to consider added items next.

17. ADDED ITEMS

17.1 Councillor Mancini – Multilingual Service Available Policy

The following was before Council:

- A request for Council’s consideration form from Councillor Mancini

MOVED by Councillor Mancini, seconded by Councillor Zurawski

THAT Halifax Regional Council request a staff report on the implementation of an HRM-wide Multilingual Service Available Policy that would request all HRM facilities providing customer

service (Access Centres, Arenas, Libraries, Pools, Recreation Centres, etc.) to advise in what language service can be provided at that location.

Council entered into a discussion noting that it could be difficult to implement such a policy, given that some language services may be provided by a single staff member who is not always present at the facility.

The Chief Administrative Officer, advised that such direction could be integrated into the customer service strategy, but it would be difficult in facilities not operated by the municipality.

Based on the discussion, Councillor Nicoll suggested the motion be amended to reflect that the staff report would be an information report. The amendment was accepted as friendly.

Mayor Savage clarified that the intent of the motion is to inform the public of capacity that already exists, and does not involve increasing multi-lingual service provision.

The question was called on the motion as follows:

THAT Halifax Regional Council request a staff information report on the implementation of an HRM-wide Multilingual Service Available Policy that would request all HRM facilities providing customer service (Access Centres, Arenas, Libraries, Pools, Recreation Centres, etc.) to advise in what languages service can be provided at that location.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Mason and Whitman

Councillor Streach left the meeting at 7:52 p.m.

17.2 AUDIT AND FINANCE STANDING COMMITTEE - Request for Financial Assistance and to enter into a Heritage Agreement with St. Paul's Church, 1749 Argyle Street, Halifax

The following was before Council:

- A recommendation report submitted by the Chair of Audit and Finance Standing Committee dated September 19, 2017; attached staff report dated August 17, 2017
- A recommendation report submitted by the Chair of the Heritage Advisory Committee dated September 13, 2017; attached staff report dated August 17, 2017

MOVED by Councillor Karsten, seconded by Councillor Nicoll

THAT Halifax Regional Council approve the following, conditional upon i) the execution of the Heritage Agreement as found at Attachment A of the staff report dated August 17, 2017 with the Parish of St. Paul's and its registration at the Land Registry Office, and ii) the execution of a Contribution Agreement with the Government of Canada:

- 1. the provision of in-kind financial assistance of a value up to but not exceeding \$500,000, with a net municipal project cost up to but not exceeding \$250,000, to the Parish of St. Paul's for the restoration of a portion of the perimeter ironstone wall and cast iron fencing surrounding St. Paul's Church in accordance with the Heritage Agreement as found at Attachment A, with funding as outlined in the Financial Implications section of the staff report dated August 17, 2017;**
- 2. an unbudgeted withdrawal of \$250,000 from the General Contingency Reserve (Q421) to the project budget to fund the net municipal cost of the financial assistance; and**
- 3. the expansion of the scope of work, in the 2017-18 fiscal year, as found in the Heritage Agreement as found at Attachment A of the staff report dated August 17, 2017 to allow for the restoration of additional portions of the ironstone wall and cast iron fencing, providing that the net municipal project cost does not exceed \$250,000, and to authorize any necessary amendments to the Heritage Agreement to reflect the expanded scope of work.**

4. Approve the proposed Heritage Agreement as found at Attachment A of the staff report dated August 17, 2017 with the owner of the municipal heritage property located at 1749 Argyle Street, to restore a portion of the perimeter ironstone wall and cast iron fencing in accordance with the terms contained therein; and
5. Authorize the Mayor and Municipal Clerk to execute the Heritage Agreement as found as Attachment A of the staff report dated August 17, 2017 within 120 days, or any extension thereof granted by Council on the request of the applicant, from the date of this approval by Halifax Regional Council and any other bodies as necessary whichever approval is later, including any applicable appeal periods; otherwise this approval will be void and obligations arising hereunder shall be at an end.
6. Direct the Chief Administrative Officer (CAO) to direct staff to negotiate, and authorize the CAO to execute, a Contribution Agreement with the Government of Canada for the restoration of a portion of the perimeter ironstone wall and cast iron fencing surrounding St. Paul's Church, for a contribution by HRM not to exceed \$250,000, subject to Regional Council's approval of the provision of financial assistance and the Heritage Agreement as set out in the staff report dated August 17, 2017.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Mason, Whitman, and Streach

16. IN CAMERA (IN PRIVATE)

The following matters were considered in public session. No In Camera (In Private) session held.

16.1 In Camera (In Private) Minutes – August 15, 2017

MOVED by Councillor Nicoll, seconded by Councillor Karsten

THAT the In Camera (In Private) minutes of August 15, 2017 be approved as circulated.

MOTION PUT AND PASSED.

16.2 Legal Advice

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

16.2.1 In-Camera Minutes – Private and Confidential Report

MOVED by Councillor Cleary, seconded by Councillor Deputy Mayor Craig

THAT Halifax Regional Council authorize the release of a copy of the in-camera minutes with redactions as shown in Attachment 1 and in accordance with the discussion section of the private and confidential staff report dated August 22, 2017.

It is further recommended that the private and confidential staff report dated August 22, 2017 not be released to the public.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Mason, Whitman, and Streach

16.3 Property Matter

A matter relating to providing instruction and direction to officers and employees of the Municipality pertaining to the acquisition / sale of land in regard to:

16.3.1 Councillor Austin – Land Acquisition – Private and Confidential Report

MOVED by Councillor Austin, seconded by Councillor Zurawski

THAT Halifax Regional Council request a staff report on possible acquisition of lands or, an easement, as outlined in the private and confidential Councillor request for consideration form.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Mason, Whitman, and Streach

17. ADDED ITEMS

17.1 Councillor Mancini – Multilingual Service Available Policy

This matter was addressed earlier in the meeting, see pages 14 and 15 for details.

17.2 AUDIT AND FINANCE STANDING COMMITTEE - Request for Financial Assistance and to enter into a Heritage Agreement with St. Paul's Church, 1749 Argyle Street, Halifax

This matter was addressed earlier in the meeting, see page 15 for details.

18. NOTICES OF MOTION

18.1 Councillor Cleary

“TAKE NOTICE that at the next meeting of Halifax Regional Council to be held on October 3, 2017, I intend to introduce Proposed Administrative Order 2017-012-GOV, Respecting the Commemoration of Edward Cornwallis and the Recognition and Commemoration of Indigenous History Special Advisory Committee, the purpose of which is to set the terms of reference for the Special Advisory Committee.”

18.2 Councillor Smith (on behalf of Councillor Mason)

“TAKE NOTICE that at the next meeting of Halifax Regional Council to be held on October 3, 2017, I will move the following motion: That Regional Council request a staff report regarding feasibility and options, in consultation with the Canadian Legion, Canadian Forces and Veterans Affairs, for placing the dates for the Afghanistan conflict on the front of the Halifax Cenotaph, including the potential to allow space for additional dates should circumstances require it in the future.”

19. ADJOURNMENT

The meeting adjourned at 8:07 p.m.

Kevin Arjoon
Municipal Clerk