



**HALIFAX REGIONAL COUNCIL
MINUTES
May 26, 2015
REVISED**

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

REGRETS: Councillors: Linda Mosher
Tim Outhit

STAFF: Mr. Richard Butts, Chief Administrative Officer
Mr. John Traves, Municipal Solicitor
Ms. Cathy Mellett, Municipal Clerk
Ms. Sheilagh Edmonds, Legislative Assistant
Ms. Jennifer Weagle, 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_2015-05-26_live.mp4.html

The agenda, supporting documents, and information items circulated to Council are available online:
<http://www.halifax.ca/council/agendasc/150526rc-agenda.php>

The meeting was called to order at 2:16 p.m. and recessed at 4:02 p.m. Council reconvened at 4:14 p.m. Council recessed at 5:16 p.m. and reconvened at 6:00 p.m. Council moved into an In Camera session at 6:14 p.m. and reconvened at 7:18 p.m. Council adjourned at 7:20 p.m.

1. INVOCATION

The Mayor called the meeting to order with members of Council standing for a moment of reflection.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillors noted a number of special community announcements and acknowledgements.

3. APPROVAL OF MINUTES – April 28, 2015

MOVED by Councillor Rankin, seconded by Councillor Watts that the minutes of April 28, 2015 be approved. MOTION PUT AND PASSED.

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

Additions:

- 13.2 IN CAMERA - Private and Confidential Information Report re: Personnel Matter - Councillor Fisher
- 14.1 Ratification of Motion of Committee of the Whole – Proposed Administrative Order 2014-020-GOV Respecting Marketing Levy Special Event Reserve Grants and Proposed Administrative Order 2014-021-GOV, Respecting Regional special events grants.
- 14.2 Daylighting of Sawmill River – Councillor McCluskey

The following information items were added to the next Regional Council agenda for discussion:

Information Item No. 8 – Memorandum from the Director of Parks and Recreation and the Fire Chief dated May 6, 2015 re: Black Point Community Fire Hall - Councillor Whitman (with the requirement that the Councillor provide the Clerk's Office, in advance, the motion for Council's consideration).

Information Item No. 7 – Memorandum from the Director of Finance & ICT, CFO dated May 6, 2015 re: Managing Risk - Councillor Adams (on behalf of Councillor Mosher) (with the requirement that the Councillor provide the Clerk's Office, in advance, the motion for Council's consideration).

MOVED by Councillor McCluskey, seconded by Councillor Fisher that the agenda, as amended be approved.

2/3 majority vote required.

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 By-law N-200, Respecting Noise – Exemption Application – Canadian Cancer Society’s 2015 Relay for Life

This matter was dealt with later in the meeting. See page 14.

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.1 Correspondence - None

10.2 Petitions - None

11. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.1 Award – Unit Price Tender No. 15-207, Asphalt Overlays Phase 1 and Sidewalk Renewals – Various Locations

The following was before Council:

- A staff recommendation report dated April 23, 2015.

MOVED by Councillor Mason, seconded by Councillor Watts that Regional Council:

- 1. Approve a budget increase of \$110,953.00 (net HST included) to Project Account No. CR000005 – Street Recapitalization, funded through cost sharing with Halifax Water.**
- 2. Award Tender No. 15-207, Asphalt Overlays Phase 1 and Sidewalk Renewals – Various Locations, to the lowest bidder meeting specification, Dexter Construction Company Limited for a Total Tender Price of \$1,334,224.66 (net HST included) with funding from Project Account Nos. CR000005- Street Recapitalization and CKU01084 – Sidewalk Renewal, as outlined in the Financial Implications section of the April 23, 2015 staff report.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Deputy Mayor Nicoll; Councillors Mosher, and Outhit.

11.1.2 Award – Unit Price Tender No. 15-208, Crack Sealing – Various Locations

The following was before Council:

- A staff recommendation report dated April 23, 2015.

MOVED by Councillor Rankin, seconded by Councillor Adams that Halifax Regional Council award Tender No. 15-208, Crack Sealing – Various Location, to the lowest bidder meeting specifications, Road Savers Maritime Limited for a Total Tender Price of \$559,494.39 (net HST included) with funding from Project Account No. CR000005 – Street Recapitalization, as outlined in the Financial Implications section of the April 23, 2015 staff report.

MOTION PUT AND PASSED.

Due to technical difficulties, no vote details are available.

11.1.3 Award Unit Price Tender No. 15-204, Pavement Renewal and Water Main – Richmond St., and Pavement Renewal – Hanover St.

The following was before Council:

- A staff recommendation report dated April 30, 2015.

MOVED by Councillor Watts, seconded by Councillor Whitman that Halifax Regional Council:

1. Approve a budget increase of \$342,724.73 (net HST included) to Project Account No. CR000005 – Street Recapitalization, funded through cost sharing with the Halifax Water.
2. Award Tender No. 15-204, Pavement Renewal and Water Main – Richmond St., and Pavement Renewal – Hanover St. – West Region, to the lowest bidder meeting specifications, Cumberland Paving and Contracting Limited for a Total Tender Price of \$565,353.18 (net HST included) with funding from Project Account No. CR000005 – Street Recapitalization, as outlined in the Financial Implications section of the April 30, 2015 staff report.

MOTION PUT AND PASSED.

Due to technical difficulties, no vote details are available.

11.1.4 Award – Unit Price Tender No. 15209, Micro Surfacing Phase 1 – Various Locations

The following was before Council:

- A staff recommendation report dated April 30, 2015.

MOVED by Councillor Johns, seconded by Councillor Karsten that Halifax Regional Council:

1. Approve a budget increase of \$128,828.67 (net HST included) to Project Account No. CR000005 – Street Recapitalization, funded through cost sharing with Halifax Water.
2. Award Tender No. 15-209, Micro Surfacing Phase 1 – Various Locations, to the lowest bidder meeting specifications, Dexter Construction Company Limited for a Total Tender Price of \$1,744,167.71 (net HST included) with funding from Project Account No.(s) CR000005 – Street Recapitalization, CKU01084 – Sidewalk Renewal and CTU00419 – Traffic Signal Rehabilitation as outlined in the Financial Implications section of the April 30, 2015 staff report.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Deputy Mayor Nicoll; Councillors Mosher and Outhit.

11.1.5 Award – Unit Price Tender No. 15-210, Street Recapitalization and Watermain Renewal – Pepperell St. (Birch St. to Vernon St.) – West Region

The following was before Council:

- A staff recommendation report dated April 30, 2015.

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

1. Approve a budget increase of \$333,616.75 (net HST included) to Project Account No. CR000005 – Street Recapitalization, funded through cost sharing with the Halifax Water.
2. Award Tender No. 15-210, Street Recapitalization and Watermain Renewal – West Region, to the lowest bidder meeting specification, Dexter Construction Company Limited for a Total Tender Price of \$912,210.50 (net HST included) with funding from Project Account No. CR000005 – Street Recapitalization and CKU01084 – Sidewalk Renewal, as outlined in the Financial Implications section of the April 30, 2015 staff report.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Deputy Mayor Nicoll; Councillors Mosher and Outhit.

11.1.6 Award – Unit Price Tender No. 15-229, Micro Surfacing Phase 2 – Various Locations

The following was before Council:

- A staff recommendation report dated April 30, 2015.

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

1. Approve a budget increase of \$127,410.38 (net HST Included) to Project Account No. CR000005 – Street Recapitalization, funded through cost sharing with Halifax Water.
2. Award Tender No. 15-229, Micro Surfacing Phase 2 – Various Locations, to the lowest bidder meeting specifications, Industrial Cold Milling Limited for a Total Tender Price of \$1,727,794.81 (net HST included) with funding from Project Account No(s) CR000005 – Street Recapitalization, CKU01084 – Sidewalk Renewal and CTU00419 – Traffic Signal Rehabilitation as outlined in the Financial implications section of the April 30, 2015 staff report.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Deputy Mayor Nicoll; Councillors Mosher and Outhit.

11.1.7 Award – Unit Price Tender No. 15-230, Asphalt Overlays Phase 2 and Sidewalk Renewal – Various Locations

The following was before Council:

- A staff recommendation report dated April 29, 2015

MOVED by Councillor Whitman, seconded by Councillor Walker that Halifax Regional Council:

1. Approve a budget increase of \$81,277.38 (net HST included) to Project Account No. CR000005 – Street Recapitalization, funded through cost sharing with Halifax Water.
2. Award Tender No. 15-230, Asphalt Overlays Phase 2 and Sidewalk Renewal – Various Locations, to the lowest bidder meeting specification, Dexter Construction Company Limited for a Total Tender Price of \$1,430,918.63 (net HST included) with funding from Project Account Nos. CR000005 – Street Recapitalization and CKU01084 – Sidewalk Renewal, as outlined in the Financial Implications section of the April 29, 2015 staff report.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Deputy Mayor Nicoll; Councillors Mosher and Outhit.

11.1.8 Award – Unit Price Tender No. 15-205, Resurfacing and New Concrete Curb & Gutter, Various Locations – East Region

The following was before Council:

- A staff recommendation report dated April 21, 2015.

MOVED by Councillor Karsten, seconded by Councillor McCluskey that Halifax Regional Council:

1. Approve a budget increase of \$470,150.46 (net HST included) to Project Account No. CR000005, Street Recapitalization, funded through cost sharing with Halifax Water.
2. Award Tender No. 15-205, Resurfacing and New Concrete Curb and Gutter, Various Locations – East Region, to the lowest bidder meeting specifications, Cumberland Paving and Contracting Limited for a Total Tender Price of \$1,306,762.22 (net HST included) with funding from Project Account Nos. CR000005 – Street Recapitalization and CRU01079 – Other Road Related Works, as outlined in the Financial Implications section of the April 21, 2015 staff report.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Deputy Mayor Nicoll; Councillors Mosher and Outhit.

11.1.9 Award – Unit Tender No. 15-213, Streets and Services, Burnside Business Park Phase 12-5 – East Region

The following was before Council:

- A staff recommendation report dated April 30, 2015.

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

- 1. Award Tender No. 15-213, Streets and Services, Burnside Business Park Phase 12-5 – East Region to the lowest bidder meeting specifications, Brycon Construction Limited for a Total Tender Price of \$2,037,000.00 (no HST included, 100% recoverable) with funding from Project Account No. CQ000008 – Burnside and City of Lakes Development, as outlined in the Financial Implications section of the April 30, 2015 staff report.**
- 2. Approve an increase in the Gross budget of Project CQ000008 – Burnside and City of Lakes Development – in the amount of \$64,135.00 to reflect the cost sharing of the installation of a natural gas pipeline from Heritage Gas;**
- 3. Authorize, as per the Financial Implications section of the April 30, 2015 staff report, the appointment of CBCL Ltd. for construction inspection services, in the amount of \$143,545.00 (no HST included, 100% recoverable); payment to Nova Scotia Power Inc. for the extension of electrical transmission lines, in the amount of \$34,531.20 (no HST Included, 100% recoverable); and payment to the Halifax Water (HW) for water system inspection, in the amount of \$19,224.56 (no HST Included, 100% recoverable).**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Deputy Mayor Nicoll; Councillors Mosher and Outhit.

11.1.10 In-kind Contribution of Clear Bags

The following was before Council:

- A staff recommendation report dated May 14, 2015.

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

- 1. Accept the contribution of clear and blue bag sample packs and future resupplies from GLAD Canada;**
- 2. Direct staff to provide for distribution of the branded clear and blue bag sample packs and authorize a website link on Solid Waste's website to GLAD's website.**

Councillor Rankin questioned how the public education piece will be communicated. In response, Mr. Matt Keliher, Manager, Solid Waste Resources, advised that staff have several strategies, including the delivery of clear bags to residents by affixing them to their green bins; providing a clear bag along with an information sticker on bags that are left behind due to noncompliance; and by distributing clear bags and information at community events. He also noted that staff is working on a marketing campaign with some of the large box stores by handing out stickers at cash registers informing the public that the new regulations will be in effect as of August 1, 2015.

Councillor Watts questioned if staff have a time limit in which the company will have its web-link on HRM's website, expressing concern that this could potentially open the door to other sponsored products on the Municipality's website. In response, Mr. Keliher advised that staff do not have a definitive end date in mind, but it would be no more than a year.

Councillor Adams suggested that the Mayor, on behalf of Council, send a letter of appreciation to Glad® Canada. He noted that when the City of Halifax began its recycling program in 1992, the company provided a similar offer to the City.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Deputy Mayor Nicoll; Councillors Mosher and Outhit.

11.1.11 Surplus Property – Administrative Order 50 Land Disposal for Provincial Right-of-Way Requirements

The following was before Council:

- A staff recommendation report dated April 10, 2015

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

- 1. Declare a portion of HRM property, PID 585448 and PID 585455, in Sheet Harbour, shown as Parcel N and Parcel M, respectively, in Attachment 'C', surplus to municipal requirements;**
- 2. Categorize both Parcel N and Parcel M in Sheet Harbour, as 'Intergovernmental Transfer', as per Administrative order 50;**
- 3. Authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale with the Province of Nova Scotia for Parcel N and Parcel M, as per the terms and conditions outlined in Table 1 of the April 10, 2015 staff report.**

Councillor Adams advised that a number of properties were planned to come forward to Council under Administrative Order 50, one of which is the Terrance Bay Fire Hall. The Councillor pointed out that this was supposed to come to Council last year for disposal. He added that the residents are anxious to move ahead with this matter, and he asked if staff would provide him information on when this item will be coming to Council.

The CAO indicated that staff would follow up with Councillor Adams.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Mosher and Outhit.

11.1.12 First Reading, Proposed By-law T-1100, Respecting Taxation Agreements

The following was before Council:

- A staff recommendation report dated May 5, 2015.

MOVED by Councillor Rankin, seconded by Councillor McCluskey that Halifax Regional Council give First Reading to proposed By-law T-1100, the Taxation Agreement By-law, as set out in Attachment B of the declassified private and confidential staff report dated May 5, 2015.

Mr. John Traves, Municipal Solicitor, responded to questions.

Councillor Adams spoke against the motion and cited the Citadel Hill court decision which favoured the Municipality as rationale for the Municipality to challenge the company on the tax agreement.

In response, the Municipal Solicitor pointed out that the decision on Citadel Hill is not yet final, and that the final decision rests with the Federal Minister in charge of Citadel Hill. He also noted that the legal issues around the Citadel Hill case were different from this situation.

Councillor Hendsbee noted that other similar tax agreements did not go through the same public scrutiny as this agreement and he questioned why this agreement was dealt with differently.

The Municipal Solicitor responded that recent provincial legislation requires that eligible industrial properties that are being dealt with in this manner, are required to be dealt with through a by-law.

MOTION PUT AND PASSED. (11 in favour, 4 against)

In favour: Mayor Savage; Deputy Mayor Nicoll; and Councillors Dalrymple, Hendsbee, Karsten, McCluskey, Fisher, Mason, Walker, Rankin, and Craig.

Against: Councillors Watts, Adams, Whitman, and Johns.

Not present: Councillors Mosher and Outhit.

Council recessed at 4:02 p.m.

Council reconvened at 4:14 p.m.

11.1.13 Case 19627 – Amendment to the Hammonds Plains, Beaver Bank and Upper Sackville Municipal Planning Strategy (MPS) and Land Use By-law (LUB), 1345 & 1355 Hammonds Plains Road, Hammonds Plains

The following was before Council:

- A staff recommendation report dated May 20, 2015.

MOVED by Councillor Whitman, seconded by Councillor Mason that Halifax Regional Council direct staff to:

- 1. Initiate the process to consider amendments to the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) for Beaver Bank, Hammonds Plains and Upper Sackville to enable commercial entertainment uses in association, but subordinate to restaurants; and**
- 2. Follow the Public Participation Program for the MPS amendment process as approved by Council in February 1997.**

Councillor Whitman advised that he was opposed to staff's recommendation and was requesting Council defeat the motion. He explained that the applicant wants to put an addition of a pub on a currently established bakery and restaurant. Councillor Whitman added that 1500 people signed a petition in favour of the pub, and he has heard no complaints against the idea. He indicated that the process of considering amendments to the Municipal Planning Strategy and Land Use By-law would be very time consuming and that the application should proceed as a site specific amendment and include the public participation program as approved by Council in 1997.

Mr. Bob Bjerke, Director of Planning and Development clarified that the timeframe for site specific versus Plan-wide amendment would be the same. He added that staff's recommendation to consider a plan wide review is what staff consider most appropriate in this situation and staff are not supportive of a site specific proposal.

Councillor Watts noted that she has had similar issues come up in her district and in her experience, residents prefer and will support a site specific amendment.

In response to a question, Mr. Bjerke advised that staff is recommending a Plan-wide review for consistency of uses. He explained that the process would determine if there are other areas where it would also be appropriate, adding that staff believe this site is not unique and there could be other appropriate sites.

MOTION PUT AND DEFEATED. (5 in favour, 8 against)

In favour: Deputy Mayor Nicoll; and Councillors Hendsbee, Karsten, McCluskey and Craig.

Against: Mayor Savage; and Councillors Dalrymple, Fisher, Mason, Watts, Walker, Adams, and Whitman.

Not present: Councillors Mosher, Rankin, Johns, and Outhit.

MOVED by Councillor Whitman, seconded by Councillor Walker that Halifax Regional Council:

- 1. Initiate the process to consider a site specific plan amendment for 1345 & 1355 Hammonds Plains, Road, Hammonds Plains also known as Case 19627 (Edible Matters Restaurant properties) to enable a neighbourhood pub as a commercial entertainment use subordinate to their existing licensed restaurant, and**
- 2. Follow the Public Participation Program for the MPS amendment process as approved by Council in February 1997.**

MOTION PUT AND PASSED. (12 in favour, 1 against)

In favour: Mayor Savage; and Councillors Dalrymple, Hendsbee, Karsten, McCluskey, Fisher, Mason, Watts, Adams, Walker, Whitman, and Craig.

Against: Deputy Mayor Nicoll

Not Present: Councillors Mosher, Rankin, Johns, and Outhit.

11.1.14 Declaration of Surplus Property Lot AA-5 & Lot AA-8 – Lyle Street, Dartmouth – Administrative Order No. 50

The following was before Council:

- A staff recommendation report dated April 24, 2015.

MOVED Councillor McCluskey, seconded by Councillor Karsten that Halifax Regional Council:

- 1. Declare HRM properties PID No. 41407164 and PID No. 41407172, Lyle Street, Dartmouth, shown as Lot AA-5 and Lot AA-8 respectively in Attachment “A” – Site Plan, surplus to Municipal requirements; and**
- 2. Categorize both Lot AA-5 and Lot AA-8, in Dartmouth, as ‘Intergovernmental Transfer’, as per Administrative Order 50.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Mosher, Rankin, Johns, and Outhit.

11.1.15 Dartmouth 4-Pad Process

The Chief Administrative Officer declared a conflict of interest and left the Council Chamber.

The following was before Council:

- A staff recommendation report dated May 11, 2015.
- A handout with proposed additions to the recommendation

MOVED by Councillor Fisher, seconded by Councillor McCluskey that Halifax Regional Council direct staff to:

- 1. Proceed with a Request for Proposals (RFP) for the Design, Build and Operation (DBO) of the new Dartmouth 4-Pad with components as outlined under the summary of RFP requirements in Table 1 and return to Regional Council for contract award;**
- 2. Include the potential for provision of space requested by private sector and provincial sport organizations on a cost recovery basis in the RFP; and**

3. **Continue to explore potential partnership opportunities with private sector and provincial sport organizations.**

MOVED by Councillor Fisher, seconded by Councillor McCluskey that the motion be amended to include:

4. **That the RFP include a provision that the proponent must include energy modelling for heat and water recovery and that the RFP evaluation criteria include a category for energy performance of the design solution indicative of its importance to the Project.**
5. **Begin immediately to investigate all naming rights opportunities including building individual Ice Pads, and individual meeting rooms.**

In response to questions, Mr. Terry Gallagher, Manager, Operations Support advised that he had no difficulty with the proposed amendment in regard to heat and water recovery and that it would usually be part of the Request for Proposals (RFP). He also noted that he did not see any reason it would delay the project.

Councillor Watts asked that the report be clear about the opportunities HRM sees in terms of sustainable efficiencies and how the proponents responded to this.

In response, Mr. Gallagher explained that, in the detail of the RFP staff will identify the various components they see as opportunities for energy performance.

The Mayor advised that Council would vote on amendment 4, as follows:

That the RFP include a provision that the proponent must include energy modelling for heat and water recovery and that the RFP evaluation criteria include a category for energy performance of the design solution indicative of its importance to the Project.

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillors Mosher, Rankin, Johns, and Outhit.

The Mayor advised that Council would vote on amendment 5, as follows:

Begin immediately to investigate all naming rights opportunities including the building (facility), individual ice pads, and individual meeting rooms.

Mr. Brad Anguish, Director, Parks and Recreation addressed Council on the amendment advising that he was providing some caution because this matter will involve an evaluation process and, as well, staff are looking for partnership opportunities. He noted that these are complex matters with interrelationships between the various naming components that would be brought forward for Council's consideration.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Mosher, Rankin, Johns, and Outhit.

Councillor Karsten noted that the revised Halifax Transit Plan would be coming forward soon to Council and that he hoped staff would give consideration of a transit depot at this site.

Ms. Denise Schofield noted for the record two typographical errors in the report—page 2, the date when Council directed staff should read July 29, 2015; and on page 5, Table 1, item 2, should read 280 square metres.

THE MOTION, AS AMENDED, WAS PUT AND PASSED UNANIMOUSLY.

Not present: Councillors: Mosher, Rankin, Johns, and Outhit.

11.2 HALIFAX AND WEST COMMUNITY COUNCIL

11.2.1 Case 18510 – Municipal Planning Strategy (MPS) /Land Use By-law (LUB) Amendments and Development Agreement, 3400 Dutch Village Road and 3343 Westerwald Street, Halifax

The following was before Council:

- A recommendation report dated May 15, 2015 from the Chair of Halifax and West Community Council; with a staff report dated April 10, 2015 attached.

MOVED by Councillor Walker, seconded by Councillor Adams that Halifax Regional Council give First Reading to consider the proposed amendments to the Halifax Municipal Planning Strategy (MPS) and Halifax Peninsula Land Use By-law (LUB) as set out in Attachments A and B of the staff report dated April 10, 2015 and schedule a joint public Hearing with Halifax and West Community Council.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Mosher, Rankin, Johns, and Outhit.

The Chief Administrative Officer returned to the Chamber and took his seat in Council.

11.3 GRANTS COMMITTEE

11.3.1 Community Grants Program 2015-2016: Recommended Awards

The following was before Council:

- A recommendation report dated May 4, 2015 from the Chair of the Grants Committee, with a staff reports dated April 20, 2015 and April 21, 2015 attached.

MOVED by Councillor Dalrymple, seconded by Councillor Whitman that Halifax Regional Council:

- 1. Approve 57 (fifty-seven) awards for a combined total of \$374,387, as detailed in Attachment 1 of the April 20, 2015 staff recommendation report, from operating account M311-8004 Community Grants Program; and**
- 2. Refer the application from the Preston Area Housing Fund to staff for further review.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Mosher, Rankin, Johns, and Outhit.

12. MOTIONS - NONE

13. IN CAMERA

13.1 In Camera Minutes – April 28, 2015

This was dealt with later in the meeting. See page 14.

14. ADDED ITEMS

14.1 Ratification of Motion of Committee of the Whole – Proposed Administrative Order 2014-020-GOV Respecting Marketing Levy Special Event Reserve Grants and Proposed Administrative Order 2014-021-GOV, Respecting Regional special events grants

MOVED by Councillor Fisher, seconded by Councillor Whitman that Halifax Regional Council:

1. Defer a decision on Recommendation 1 and direct staff to prepare a report and recommendation regarding necessary amendments to Recommendation 1 that would address the deletion of Recommendation 4 and maintaining SEAC to provide oversight of event grants which are funded through MLSER.
2. Adopt Administrative Order 2014-021-GOV, *Respecting Regional Special Events Grants*, as outlined in Attachment 2 of the staff report dated December 5, 2014.
3. Approve the revised Marketing Levy Special Event Reserve Business Case as outlined in Attachment 5 of the staff report dated December 5, 2014;
4. Approve the Regional Events and Cultural Initiatives Operational Event Programs criteria and realignment;
5. Retain Bedford Days and the Dartmouth Tree Lighting as HRM delivered events
6. Approve the wording of Administrative Order 2014-021-GOV, *Respecting Regional Special Events Grants*, Recommendation #2 so that clause d of section 4 b3 amended by:
 - a) Adding the word “annual” after the word “maximum” and before the word “Grant” and
 - b) Adding the words “and up to a three (3) year sustainable funding commitment” after the number \$60,000.00” and before the word “to”
7. Request a staff report which examines expanding the number of Council and Citizen Members who serve on the Grants Committee.

The Municipal Solicitor pointed out that recommendation 3 of the motion should be deferred, as a result of recommendation 1, i.e. maintaining SEAC.

MOVED by Councillor Watts, seconded by Councillor Mason that recommendation 3 be deferred pending a staff report.

MOTION PUT AND PASSED. (12 in favour, 1 against)

In favour: Mayor Savage, Deputy Mayor Nicoll; and Councillors Hendsbee, Karsten, McCluskey, Fisher, Mason, Watts, Walker, Adams, Whitman, and Craig.

Against: Councillor Dalrymple

Not present: Councillors Mosher, Rankin, Johns, and Outhit.

The Mayor called for the vote on the main motion, as amended, as follows:

MOVED by Councillor Fisher, seconded by Councillor Whitman that Halifax Regional Council:

1. Defer a decision on Recommendation 1 and direct staff to prepare a report and recommendation regarding necessary amendments to Recommendation 1 that would address the deletion of Recommendation 4 and maintaining SEAC to provide oversight of event grants which are funded through MLSER.
2. Adopt Administrative Order 2014-021-GOV, *Respecting Regional Special Events Grants*, as outlined in Attachment 2 of the staff report dated December 5, 2014.
3. Approve the Regional Events and Cultural Initiatives Operational Event Programs criteria and realignment;

4. **Retain Bedford Days and the Dartmouth Tree Lighting as HRM delivered events**
5. **Approve the wording of Administrative Order 2014-021-GOV, Respecting Regional Special Events Grants, Recommendation #2 so that clause d of section 4 b3 amended by:**
 - a) **Adding the word “annual” after the word “maximum” and before the word “Grant” and**
 - b) **Adding the words “and up to a three (3) year sustainable funding commitment” after the number \$60,000.00” and before the word “to”**
- 6 **Request a staff report which examines expanding the number of Council and Citizen Members who serve on the Grants Committee.**

THE MOTION AS AMENDED WAS PUT AND PASSED. (12 in favour, 1 against)

In favour: Mayor Savage, Deputy Mayor Nicoll; and Councillors Hendsbee, Karsten, McCluskey, Fisher, Mason, Watts, Walker, Adams, Whitman, and Craig.

Against: Councillor Dalrymple

Not present: Councillors Mosher, Rankin, Johns, and Outhit.

14.2 Councillor McCluskey – Staff report on daylighting of Sawmill River.

The following was before Council:

- A Request for Council’s Consideration form submitted by Councillor McCluskey.

MOVED by Councillor McCluskey, seconded by Councillor Fisher that Halifax Regional Council Request a supplementary staff report including a full investigation on the costing of the potential for Daylighting the Sawmill River in Dartmouth. This request to include consideration of the expenditure of unbudgeted funds, to be reviewed by the Audit and Finance Standing Committee for possible funding source, to engage external consultants to assist in obtaining the pertinent data outside the resources of the municipality in order to provide sufficient data for an informed and educated decision by Regional Council on the issue of daylighting Sawmill River.

Councillor McCluskey explained that the reason for her request is to provide Council with all the pertinent data in order to make an informed decision on the matter of daylighting the Sawmill River in Dartmouth.

In response to a question of clarification on the motion, the CAO advised that a report on the scope and costs associated with daylighting the Sawmill River will require engineering work and hiring a consultant. He further explained that, if the motion is approved, staff will prepare a report and proposal in regard to the scope of work to be conducted by the consultant, bring it forward to the Audit and Finance Standing Committee as an unbudgeted item, and then on to Council for consideration of funding the study.

Due to time constraints, the Mayor noted that Council would now recess, and reconvene this discussion after the public hearing this evening.

Council recessed at 5:16 p.m.

The meeting resumed at 6:00 p.m.

9. PUBLIC HEARINGS

- 9.1 **By-law N-200, Respecting Noise – Exemption Application – Canadian Cancer Society’s 2015 Relay for Life**

The following was before Council:

- A staff recommendation report dated April 30, 2015.

Ms. Tanya Phillips, Manager, By-Law Standards, Planning and Development, presented the application for an exemption from By-Law N-200, Respecting Noise, by the Canadian Cancer Society for Relay for Life events in the Municipality in June 2015, as outlined in the April 30, 2015 staff report.

The Mayor called 3 times for any speakers. Hearing none it was **MOVED by Councillor McCluskey, seconded by Councillor Watts, that the public hearing close. MOTION PUT AND PASSED.**

MOVED by Councillor Mason, seconded by Deputy Mayor Nicoll, that Halifax Regional Council approve the Canadian Cancer Society Relay for Life's application for an exemption from the provisions of the Noise By-Law pursuant to the contents of the staff report dated April 30, 2015.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Mosher, Rankin, Johns, and Outhit.

12. MOTIONS - NONE

13. IN CAMERA

13.1 In Camera Minutes – April 28, 2015

MOVED by Deputy Mayor Nicoll, seconded by Councillor McCluskey, that the In Camera minutes of April 28, 2015 be approved as circulated. MOTION PUT AND PASSED.

The In Camera minutes of April 28, 2015 were approved during the public session.

Council moved to an In Camera session later in the meeting. Refer to page 16.

14. ADDED ITEMS

14.2 Councillor McCluskey – Daylighting of Sawmill River

The following information was before Council:

- Request for Council's Consideration form from Councillor McCluskey

This item was deferred from a discussion earlier in the meeting. Refer to page 13.

The motion on the floor was amended as follows:

MOVED by Councillor McCluskey, seconded by Councillor Fisher, that Halifax Regional Council request a supplementary staff report including a full investigation on the costing of the potential for daylighting of the Sawmill River in Dartmouth. This request is to include consideration of the expenditure of unbudgeted funds, to be reviewed by the Audit and Finance Standing Committee for possible funding source, to engage external consultants to assist in obtaining the pertinent data outside the resources of the municipality in order to provide sufficient data for an informed and educated decision by Regional Council on the issue of daylighting Sawmill River.

With the agreement of the seconder, Councillor McCluskey clarified the motion as follows, to which Council agreed:

MOVED by Councillor McCluskey, seconded by Councillor Fisher, that Halifax Regional Council request a supplementary staff report to *determine the cost, timeline and scope in regard to*

undertaking a full investigation of costing of the potential of daylighting of the Sawmill River in Dartmouth, including consideration of the expenditure of unbudgeted funds, to be reviewed by the Audit and Finance Standing Committee for possible funding source, to engage external consultants to assist in obtaining the pertinent data outside the resources of the municipality in order to provide sufficient data for an informed decision of Regional Council on the issue of daylighting Sawmill River.

Councillor Hendsbee noted that Halifax Water has a report on the site, which is being finalized, and suggested that HRM as sole shareholder of Halifax Water request a copy of the report when it is complete. He indicated he will discuss this with the Halifax Water Commission Board later this week.

Councillor Craig noted that he understood the Sawmill River was put underground because of a flood in the area in 1971. He questioned what the risks to area residents and business would be if the river were to be daylighted, and whether those residents and business owners would be willing to accept those risks. Councillor Craig further questioned what the cost of remediation would be if the river were daylighted and then the area flooded.

MOVED by Councillor Craig, seconded by Councillor Whitman, that the motion be amended to include “and that any potential for floodwater damage to surrounding businesses and residents and risks related be included in the scoping of the report.”

AMENDMENT PUT AND PASSED (12 in favour, 1 against).

In favour: Mayor Savage, Deputy Mayor Nicoll, and Councillors Hendsbee, Karsten, McCluskey, Fisher, Mason, Watts, Walker, Adams, Whitman, and Craig.

Against: Councillor Dalrymple

Not present: Councillors Mosher, Rankin, Johns, and Outhit.

Councillor McCluskey commented that a development proposal approved for Irishtown Road was to contribute \$400,000 toward the daylighting of a portion of Sawmill River, although the development has not moved forward.

MOVED by Councillor McCluskey, seconded by Councillor Fisher, that Halifax Regional Council request a supplementary staff report to determine the cost, timeline and scope in regard to undertaking a full investigation of costing of the potential of daylighting of the Sawmill River in Dartmouth, including:

- 1. Consideration of the expenditure of unbudgeted funds, to be reviewed by the Audit and Finance Standing Committee for possible funding source, to engage external consultants to assist in obtaining the pertinent data outside the resources of the municipality in order to provide sufficient data for an informed decision of Regional Council on the issue of daylighting Sawmill River; and**
- 2. That any potential for floodwater damage to surrounding businesses and residents and risks related be included in the scoping of the report.**

AMENDED MOTION PUT AND PASSED (12 in favour, 1 against).

In favour: Mayor Savage, Deputy Mayor Nicoll, and Councillors Dalrymple, Hendsbee, Karsten, McCluskey, Fisher, Mason, Watts, Adams, Whitman, and Craig.

Against: Councillor Walker

Not present: Councillors Mosher, Rankin, Johns, and Outhit.

15. NOTICES OF MOTION

15.1 Councillor Fisher

Take notice that at the next regularly scheduled Council meeting, I intend to bring forward a motion to request a staff report outlining the implications of updating the HRM Gateway signs located on the 100 series highways. Branding, multi-lingual messaging and financial implications should be addressed in the staff report. The current signs were installed in 2003 and do not reflect the multicultural nature of our communities or the recent brand implementation.

15.2 Councillor Fisher

Take notice that at the next regular scheduled meeting of the Halifax Regional Council I will move the following: That Halifax Regional Council request a staff report regarding the potential for providing a consistent rental fee structure for ice usage across all HRM owned ice surfaces, including HRM operated, community operated, and contracted-out facilities.

15.3 Councillor Craig and Councillor Johns

Take notice that, at the next regular Regional Council meeting, to be held on the 2nd day of June 2015, I propose to move a motion that Regional Council request the Province to amend the Community of Sackville Landfill Compensation Act to ratify and confirm the authority for the Sackville Community Bursary Awards program.

15.4 Councillor Watts – Notice of Motion of Rescission

Take notice that at the next meeting of Regional Council to be held on June 2, 2015 I intend to move a motion to rescind the August 5, 2014 resolution to approve that Regional Council:

1. Decline the Shambhala School's request for a second postponement of the Buy-Back Agreement registered against 5450 Russell Street, Halifax (the "Property"), in favour of a postponement as outlined in the private and confidential staff report dated July 16, 2014; and
2. Approve a second postponement of the Buy-Back Agreement as outlined in the private and confidential staff report dated July 16, 2014 subject to the terms and conditions set out in Table 1 of the staff report.

13. IN CAMERA

At 6:14 p.m. Council adjourned to an In Camera session, in accordance with Section 19 of the Halifax Municipality Charter, for the purpose of dealing with the following:

13.2 Private and Confidential Information Report re: Personnel Matter - Councillor Fisher

The public meeting resumed at 7:18 p.m.

16. ADJOURNMENT

The meeting adjourned at 7:20 p.m.

Cathy J. Mellett
Municipal Clerk