



**HALIFAX REGIONAL COUNCIL
MINUTES
December 8, 2015**

PRESENT: Mayor Mike Savage
Deputy Mayor Councillor Whitman
Councillors: Barry Dalrymple
David Hendsbee
Bill Karsten
Lorelei Nicoll
Councillor McCluskey
Waye Mason
Jennifer Watts
Linda Mosher
Russell Walker
Stephen Adams
Reg Rankin
Steve Craig
Tim Outhit

REGRETS: Councillor Brad Johns

STAFF: Mr. Richard Butts, Chief Administrative Officer
Mr. John Traves, Municipal Solicitor
Ms. Cathy Mellett, Municipal Clerk
Mr. Liam MacSween, Legislative Assistant

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

http://archive.isiglobal.ca/vod/halifax/archive_2015-12-08_live.mp4.html

The agenda, supporting documents, and information items circulated to Council are available online:
<http://www.halifax.ca/council/agendasc/151208rc-agenda.php>

The meeting was called to order at 10:01 a.m. and moved into an In Camera (In Private) session at 10:18 a.m. Council reconvened to public session at 12:11 p.m. and took a break at 12:17 p.m. Council reconvened at 1:05 p.m. and adjourned at 3:16 p.m.

1. CALL TO ORDER

Mayor Savage called the meeting to order at 10:01 a.m. and Council stood for a moment of reflection.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillors noted a number of special community announcements and acknowledgements.

3. APPROVAL OF MINUTES – Committee of the Whole October 27 & November 10, 2015 and Regional Council October 27 & November 10, 2015

MOVED by Councillor McCluskey, seconded by Councillor Watts

THAT the minutes of Committee of the Whole October 27 & November 10, 2015 and Regional Council October 27 & November 10, 2015 be approved as circulated.

MOTION PUT AND PASSED.

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

Additions:

16.4.2 In Camera – (In Private) Councillors Rankin and Adams – Proposed Contract for the extension of the Otter Lake Landfill

17.1 Encroachment Agreement – Proposed Pedway over Lower Water St. between 1223 Lower Water St. & 5151 Terminal Rd., Halifax

Deputy Mayor Whitman suggested that the In Camera items be moved to the first order of business on the agenda. He further suggested that Item No. 14.4.2 be moved on the agenda to take place after Item No. 14.1.1.

MOVED by Councillor Nicoll, seconded by Councillor Karsten

THAT the agenda be approved as amended.

Two-third majority vote required.

MOTION PUT AND PASSED.

Halifax Regional Council moved in to an In Camera (In Private) session.

16.4 Contract Negotiations

16.4.1 MIRROR NS Amending Agreement – Private and Confidential Report

This matter was dealt with In Camera (In Private). The following motion was ratified in public session:

MOVED by Councillor Rankin, seconded by Councillor Adams

THAT Halifax Regional Council:

1. Authorize and direct the CAO or his delegate to negotiate and execute the Agreement on behalf of Halifax Regional Council which achieves the key business terms set out in Attachment A to the September 14, 2015 staff report to the satisfaction of CAO or his delegate, subject to review by Legal Services;
2. Direct staff, upon the effective date of the Agreement, to rescind the permit application submitted to Nova Scotia Environment for the 140,000 tonne contingency vertical expansion plan for Cell 6 and further direct staff to defer proceeding with any vertical expansion and return to Council with solid waste management options no less than 10 years prior to the projected point in time that the Otter Lake Facility will reach capacity as a landfill such that no further waste will be permitted to be disposed of at the Facilities;
3. As per the Financial Implications section of the September 14, 2015 staff report, approve a withdrawal from Otter Lake Landfill Reserve Q120 to fund Operating Account R326 in order to fulfill the requirements of the contract related to Halifax's obligation to provide funding for condition assessment deficiencies;
4. As per the Financial Implications section of the September 14, 2015 staff report, approve a budget increase to Project Account No. CWU01358 Half Closure Cell 6 Otter Lake with funding from Otter Lake Landfill Reserve Q120 in order to fulfill the requirement of the contract related to Halifax's obligation to cost share the closure of Cell 6 which has been utilized prior to the effective date of the Agreement; and
5. That the September 14, 2015 staff report remain confidential and not be released to the public until the effective date of the Agreement

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillor Johns

16.4.2 In Camera – (In Private) Councillors Rankin and Adams – Proposed Contract for the extension of the Site A Landfill

This matter was dealt with In Camera (In Private). The following motion was ratified in public session:

MOVED by Councillor Rankin, seconded by Councillor Adams

THAT Halifax Regional Council:

1. Give consideration to a Community Integration Fund, as outlined in the Private and Confidential Request for Council Consideration form submitted by Councillors Adams and Rankin, in consideration of the proposed extension to the Otter lake Landfill, pending receipt of the staff report requested In Camera October 6, 2015.
2. Request a staff report considering adjustments to HRM 's yearly allocation to the effective working of the Community Monitoring Committee associated with its increased activities attendant to the monitoring of the proposed Operator contract for Otter Lake as outlined on Page 2 of the Councillor request form dated December 8, 2015 commencing in fiscal 2016/17 onward.

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillors Johns and Mosher

5. BUSINESS ARISING OUT OF THE MINUTES

6. CALL FOR DECLARATION OF CONFLICT OF INTERESTS

Councillor Watts noted a potential conflict of interest with respect to In Camera Item no. 16.1.1 with respect to appointments to the Metropolitan Housing Authority. She advised that she had removed herself from the conversation and vote on the matter when it was dealt with during the In Camera session.

7. MOTIONS OF RECONSIDERATION – NONE

8. MOTIONS OF RESCISSION – NONE

9. CONSIDERATION OF DEFERRED BUSINESS

9.1 Case 01192 – Halifax Stanfield International Airport – Regulation of Adjacent Development (Supplementary Staff Report)

The following documentation was before Regional Council:

- A supplementary staff report dated November 25, 2015
- A report from North West Community Council dated July 24, 2015
- Correspondence from Mr. Eric Thomson, Quackenbush Thomson Law dated December 4, 2015
- Correspondence from Joyce F. Carter, President and CEO Halifax International Airport Authority dated December 7, 2015

MOVED by Councillor Dalrymple, seconded by Councillor Craig

That Halifax Regional Council:

1. Defeat the following motion on the floor from the Sept. 8, 2015 meeting:

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

- A. Adopt the amendments to the Planning Districts 14 and 17 Municipal Planning Strategy and Land Use By-law, to amend the Transportation Map and Zoning Map as set out in Attachments A and B of the staff report dated May 11, 2015;**
- B. Adopt the amendments to the Planning Districts 14 and 17 Municipal Planning Strategy and Land Use By-law, and the Regional Subdivision By-law to restrict the establishment of new noise sensitive developments located in the NEF 30 (Noise Exposure Forecast) Contour around the Halifax Stanfield International Airport, Enfield as set out in Attachments C, D, and E of the staff report dated May 11, 2015 with the following amendments:**
 - i. Policy P-111D of Attachment C is amended by deleting the word “on” and adding the following words after the word “Policy”: “or the proposed subdivision is in accordance with section 288 of the HRM Charter.”**
 - ii. Section 1 of Attachment E is amended by adding the following words after the word “to”: “or the proposed subdivision is in accordance with section 288 of the HRM Charter.”**
- C. And further, that the proposed amendments to the Planning Districts 14 and 17 Municipal Planning Strategy and Land Use By-law include conditions which reduce minimum frontage requirements from 300 feet to 200 feet including in sections 2, 4, 6, 8, 11 and 14 of Attachment D of the staff report dated May 11, 2015.”**

2. **Give First Reading to the amendments to the Planning Districts 14 and 17 Municipal Planning Strategy and Land Use By-law, to amend the Transportation Map and Zoning Map as set out in Attachments A-1 and B-1 of the supplementary staff report dated November 25, 2015;**
3. **Give First Reading to the amendments to the Planning Districts 14 and 17 Municipal Planning Strategy and Land Use By-law, and the Regional Subdivision By-law to restrict the establishment of new noise sensitive residential developments located in the NEF 30 (Noise Exposure Forecast) Contour around the Halifax Stanfield International Airport, Enfield as set out in Attachments C-1, and E-1 of the supplementary staff report dated November 25, 2015 and Attachment D-1 of the supplementary staff report dated November 25, 2015 with the following staff amendment in sections 10(1) and 14(1) to replace the words “front or flankage yard” with the words “lot frontage” so these sections read:**

“Notwithstanding the “minimum lot frontage” 200 feet (60.9m) for the zone and subject to subsection 2, for the lands of Oakfield Estate Limited shown as PIDs 41189077, 41189085, and 41189093 on the approved tentative plans of subdivision dated June 13, 2014 and June 25, 2014, on file with the Municipality as File #18634 and #19193, the minimum lot frontage shall be 100 feet.”
4. **Schedule a public hearing for consideration of the amendments, as set out in Attachments A-1, B-1, C-1, D-1 as amended, and E-1 of the supplementary staff report dated November 25, 2015.**

In response to a question of clarification, Mr. John Traves, Solicitor clarified that as per staff’s recommendation Council will vote on defeating Item Number One of the main motion before considering recommendations two, three, and four.

In response to a follow up question from Councillor Darlymple, Mr. Traves advised that an amended motion can be considered by Council to direct staff to prepare the necessary amendments to reflect a ten year time frame to allow for the grandfathering of development rights.

In response to a follow up question from Councillor Adams, Mr. David Lane, Planner noted that the proposed amendments pertain to the lots within the Noise Exposure Forecast (NEF) contour. He advised that approximately 75 potential lots will be negatively affected by the proposed contour.

For the purpose of clarification, Mr. Traves suggested that the staff recommendation be withdrawn from the floor and the recommendation of September 8, 2015 be dealt as a separate motion before proceeding with recommendations two, three and four.

MOVED by Councillor Dalrymple, seconded by Councillor Watts

THAT the motion be withdrawn.

MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillor Dalrymple, seconded by Councillor Craig

THAT Halifax Regional Council:

- A. **Adopt the amendments to the Planning Districts 14 and 17 Municipal Planning Strategy and Land Use By-law, to amend the Transportation Map and Zoning Map as set out in Attachments A and B of the staff report dated May 11, 2015;**

- B. Adopt the amendments to the Planning Districts 14 and 17 Municipal Planning Strategy and Land Use By-law, and the Regional Subdivision By-law to restrict the establishment of new noise sensitive developments located in the NEF 30 (Noise Exposure Forecast) Contour around the Halifax Stanfield International Airport, Enfield as set out in Attachments C, D, and E of the staff report dated May 11, 2015 with the following amendments:**
- i. Policy P-111D of Attachment C is amended by deleting the word “on” and adding the following words after the word “Policy”: “or the proposed subdivision is in accordance with section 288 of the HRM Charter.”**
 - ii. Section 1 of Attachment E is amended by adding the following words after the word “to”: “or the proposed subdivision is in accordance with section 288 of the HRM Charter.”**
- C. And further, that the proposed amendments to the Planning Districts 14 and 17 Municipal Planning Strategy and Land Use By-law include conditions which reduce minimum frontage requirements from 300 feet to 200 feet including in sections 2, 4, 6, 8, 11 and 14 of Attachment D of the staff report dated May 11, 2015.”**

MOTION PUT AND DEFEATED (2 in favour; 13 against).

In favour: Mayor Savage, Councillor McCluskey

Against: Deputy Mayor Whitman, Councillors Dalrymple, Hendsbee, Karsten, Nicoll, Mason, Watts, Mosher, Walker, Adams, Rankin, Craig, Outhit

Not Present: Councillor Johns

MOVED by Councillor Dalrymple, seconded by Councillor Craig

THAT Halifax Regional Council:

- 1. Give First Reading to the amendments to the Planning Districts 14 and 17 Municipal Planning Strategy and Land Use By-law, to amend the Transportation Map and Zoning Map as set out in Attachments A-1 and B-1 of the supplementary staff report dated November 25, 2015;**
- 2. Give First Reading to the amendments to the Planning Districts 14 and 17 Municipal Planning Strategy and Land Use By-law, and the Regional Subdivision By-law to restrict the establishment of new noise sensitive residential developments located in the NEF 30 (Noise Exposure Forecast) Contour around the Halifax Stanfield International Airport, Enfield as set out in Attachments C-1, D-1, and E-1 of the supplementary staff report dated November 25, 2015 and Attachment D-1 of the supplementary staff report dated November 25, 2015 with the following staff amendment in sections 10(1) and 14(1) to replace the words “front or flankage yard” with the words “lot frontage” so these sections read: “Notwithstanding the “minimum lot frontage” 200 feet (60.9m) for the zone and subject to subsection 2, for the lands of Oakfield Estate Limited shown as PIDs 41189077, 41189085, and 41189093 on the approved tentative plans of subdivision dated June 13, 2014 and June 25, 2014, on file with the Municipality as File #18634 and #19193, the minimum lot frontage shall be 100 feet.”**
- 3. Schedule a public hearing for consideration of the amendments, as set out in Attachments A-1, B-1, C-1, D-1 as amended, and E-1 of the supplementary staff report dated November 25, 2015.**

Councillor Dalrymple suggested the following amendment:

MOVED by Councillor Dalrymple, seconded by Deputy Mayor Whitman

THAT Halifax Regional Council direct that the necessary amendments be included to reflect a 10 year time frame for grandfathering of development rights.

MOTION TO AMEND PUT AND PASSED. (10 in favour; 5 against).

In Favour: Deputy Mayor Whitman, Councillors Dalrymple, Hendsbee, Karsten, Mosher, Walker, Adams, Rankin, Craig, Outhit

Against: Mayor Savage, Councillors Nicoll, McCluskey, Mason, Watts

Not Present: Councillor Johns

The Motion before Council now reads:

MOVED by Councillor Dalrymple, seconded by Councillor Craig

THAT Halifax Regional Council:

- 1. Give first reading to the amendments to the Planning Districts 14 and 17 Municipal Planning Strategy and Land Use By-law, to amend the Transportation Map and Zoning Map as set out in Attachments A-1 and B-1 of the supplementary staff report dated November 25, 2015;**
- 2. Give first reading to the amendments to the Planning Districts 14 and 17 Municipal Planning Strategy and Land Use By-law, and the Regional Subdivision By-law to restrict the establishment of new noise sensitive residential developments located in the NEF 30 (Noise Exposure Forecast) Contour around the Halifax Stanfield International Airport, Enfield as set out in Attachments C-1, D-1, and E-1 of the supplementary staff report dated November 25, 2015 and Attachment D-1 of the supplementary staff report dated November 25, 2015 with the following staff amendment in sections 10(1) and 14(1) to replace the words "front or flankage yard" with the words "lot frontage" so these sections read: "Notwithstanding the "minimum lot frontage" 200 feet (60.9m) for the zone and subject to subsection 2, for the lands of Oakfield Estate Limited shown as PIDs 41189077, 41189085, and 41189093 on the approved tentative plans of subdivision dated June 13, 2014 and June 25, 2014, on file with the Municipality as File #18634 and #19193, the minimum lot frontage shall be 100 feet."**
- 3. Schedule a public hearing for consideration of the amendments, as set out in Attachments A-1, B-1, C-1, D-1 as amended, and E-1 of the supplementary staff report dated November 25, 2015.**
- 4. That Halifax Regional Council direct that the necessary amendments be included to reflect a 10 year time frame for grandfathering of development rights.**

AMENDED MOTION PUT AND PASSED (12 in favour;3 against).

In Favour: Deputy Mayor Whitman, Councillors Dalrymple, Hendsbee, Karsten, Nicoll, Mason, Mosher, Walker, Adams, Rankin, Craig, Outhit

Against: Mayor Savage, Councillors McCluskey, Watts

Not Present: Councillor Johns

10. NOTICES OF TABLED MATTERS – NONE

11. PUBLIC HEARINGS

11.1 Proposed By-laws S-610 and S-611, Solid Waste Collection and Disposal

The following was before Council:

- A staff recommendation report dated October 28, 2015
- An extract of Draft Minutes – Regional Council – November 10, 2015
- Correspondence from Steve Mader, President and CEO of Fourth State Energy dated December 8, 2015

MOVED by Councillor Adams, seconded by Councillor Rankin

Based on direction provided by motion of Regional Council this date December 8, 2015 in regard to negotiations regarding an Extension Agreement between Mirror NS and the Halifax Regional Municipality

It is recommended that Halifax Regional Council:

- 1. Table, pending the issuance of an approval for a transfer station at Otter Lake, matters in regard to adoption of By-Law S-610 amending By-Law S-600 the Solid Waste Resource Collection and Disposal By-law as set out in Attachment 2 of the Staff report dated October 28, 2015, and**
- 2. Table, pending the issuance of an approval for a transfer station at Otter Lake, matters in regard to adoption of By-Law S-611 amending By-law S-600, as set out in Attachment 3 of the staff report dated October 28, 2015**
- 3. Cancel the public hearing scheduled for 6pm on December 8, 2015, City Hall, 1841 Argyle Street, Halifax in regard to these matters.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillor Johns

12. CORRESPONDENCE, PETITIONS & DELEGATIONS

12.1 Correspondence

The Clerk noted that correspondence was received for items: 9.1., 11.1.1, 16.4., 16.4.2 and 17.1 all of which were previously distributed to members of Regional Council.

12.2 Petitions – NONE

12.3 Presentation – NONE

13. INFORMATION ITEMS BROUGHT FORWARD – NONE

14. REPORTS

14.1 CHIEF ADMINISTRATIVE OFFICER

14.1.1 Donair – Official Food

The following was before Council:

- A staff recommendation report dated November 20, 2015

MOVED by Councillor Mosher, seconded by Councillor Hendsbee

THAT Halifax Regional Council authorize and direct the Mayor make a proclamation declaring the donair the official food of Halifax.

In response to a follow up question, Mr. John Traves, Municipal Solicitor noted that once the Mayor signs a proclamation it is accurate to say that the Donair is the food of the municipality.

MOTION PUT AND PASSED (8 in favour; 7 against)

In favour: Mayor Savage, Deputy Mayor Whitman, Councillors Dalrymple, Hendsbee, Mosher, Walker, Adams, Rankin,

Against: Councillors Karsten, Nicoll, McCluskey, Mason, Watts, Craig, Outhit

Not present: Councillor Johns

14.4.1 Mayor Savage – Councillor Appointments to Boards and Committees

The following was before Council:

- A recommendation report from Mayor Savage on behalf of Standing Committees dated November 26, 2015

Mayor Savage noted that the recommendations will be voted on separately.

MOVED by Councillor Watts, seconded by Councillor Mason

THAT Halifax Regional Council:

- 1.) Adopt the recommendation of the Standing Committees regarding the Councillor Appointments as outlined in Attachment 1 of the staff report dated November 26, 2015.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillor Johns

MOVED by Councillor Watts, seconded by Councillor Mason

THAT Halifax Regional Council:

- 2.) Appoint one Member of Council to the Board of Police Commissions for a term to October 31, 2016 as outlined in Attachment #2 of the staff report dated November 26, 2015.**

Councillor Outhit stated that he would like to withdraw his name from the nominations to the Board of Police Commissioners.

Mayor Savage clarified that Councillors Mosher and Craig are the remaining members of Council to be considered for appointment to the Board of Police Commissioners.

Mayor Savage asked three times for further nominations to the Board of Police Commissioners. There were no further nominations.

MOVED by Councillor Mosher, seconded by Councillor Mason

THAT nominations cease.

MOTION PUT AND PASSED.

Ms. Cathy Mellett, Municipal Clerk distributed ballots to members of Halifax Regional Council and provided completed ballots to the Municipal Solicitor.

Mr. John Traves, Municipal Solicitor named Councillor Steve Craig as the elected representative to the Board of Police Commissioners.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Johns

14.1.2 Second Reading, Proposed By-law A-403, Proposed Amendments to By-law A-400, Respecting Alternative Voting for Ordinary Municipal Elections

The following was before Council:

- A staff recommendation report October 23, 2015
- A draft minute extract from November 10, 2015

MOVED by Councillor Watts, seconded by Councillor Nicoll

THAT Halifax Regional Council adopt By-law A-403, further amending By-law A-400 the Alternative Voting By-law, as set out in Attachment 2 of the staff report dated October 23, 2015.

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillor Johns

14.1.3 AN100: HRM Asset Names, May 1, 2015 to August 10, 2015

The following was before Council:

- A staff recommendation report dated October 19, 2015

MOVED by Councillor Hendsbee, seconded by Councillor Watts

THAT Halifax Regional Council approve:

1. **The addition of the name Walter E. Nolan and Dugger MacNeil to the existing commemorative Names List as shown on Attachments A & B dated October 19, 2015; and**
2. **The naming of the loop road located in the vicinity of 1828 Highway 7 to Old Preston Road as shown on Attachment C of the staff report dated October 19, 2015**

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillor Johns

14.1.4 Award – Tender No. 15-192 – Alderney Gate CRA/VAC Fit-up

The following was before Council:

- A staff recommendation report dated November 30, 2015

MOVED by Councillor McCluskey, seconded by Councillor Nicoll

THAT Halifax Regional Council award Tender No.15-192, Alderney Gate CRA/VAC Fit-up, to the lowest bidder meeting requirements, RCS Construction Inc. for a Total Price of \$1,142,976 including net HST, with funding from Project No. CB000066 – Alderney Gate VAC and CRA Renovations, as outlined in the Financial Implications section of the staff report dated November 30, 2015. This award is subject to approval by Public Works and Government Services Canada (PWGSC).

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillor Johns

14.1.5 Cessation of Train Whistle – King Street Railway Crossing, Dartmouth

The following was before Council:

- A staff recommendation report dated November 19, 2015

MOVED by Councillor McCluskey, seconded by Deputy Mayor Whitman

THAT Halifax Regional Council:

- 1. Authorize a budget increase of \$25,000 net HST included to project account CP000004 – Parks, Sports Courts & Fields – Service Improvement. There will be no change to the net budget to reflect costs that will be recovered as cost sharing is received from CN; and**
- 2. Authorize the expenditure of \$50,000 net HST as a one-time, without prejudice contribution included from project account CP000004 for the installation of 475 meters of standard 6 foot black chain link fence on the common boundary of the CN Right of Way and HRM property as shown on the plan attached to the staff report dated November 19, 2015.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillors Johns and Mosher

14.1.6 Councillor Appointment to National Zero Waste Council

The following was before Council:

- A staff recommendation report dated November 27, 2015

MOVED by Councillor Karsten, seconded by Councillor Nicoll

THAT Halifax Regional Council appoint Councillor Jennifer Watts to the National Zero Waste Council for a term to October 31, 2016.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Johns and Mosher

14.2 TRANSPORTATION STANDING COMMITTEE

14.2.1 ATAC – Amendment to Terms of Reference

The following was before Council:

- A Transportation Standing Committee recommendation report dated November 27, 2015

MOVED by Councillor Rankin, seconded by Councillor Outhit

THAT Halifax Regional Council amend the Active Transportation Advisory Committee's Terms of Reference, as outlined in Attachment A of the report dated November 26, 2015, to:

- 1. Alter the Committee's mandate to broaden its role beyond Bike Week to more broadly "provide support to HRM staff regarding education and promotion of active transportation".**
- 2. Alter the Committee's mandate to provide a means for the Committee to provide advice, feedback and guidance on matters related to active transportation to HRM staff when requested to do so by HRM staff.**
- 3. Alter the Committee's mandate to require the Committee to provide an annual report to the Transportation Standing Committee, outlining the Committee's activities and achievements that year.**
- 4. Alter the Committee's Terms of Reference to include a representative that promotes walkability in HRM, which would be filled through an expression of interest and appointed as outlined under the Public Appointment Policy adopted by Regional Council.**
- 5. Alter reference in 4.2 of the Active Transportation Advisory Committee's Terms of Reference from "Traffic and Right-of-Way Services, Regional Transportation Planning, Construction and Design and Regional Trails" to "Traffic Management, and Project Planning & Design" to reflect current departmental names.**
- 6. Alter 2.1 of the Active Transportation Advisory Committee's Terms of Reference to clarify and correct original document.**
- 7. Alter 5.2 of the Active Transportation Advisory Committee's Terms of Reference to remove reference to Bike Week Sub-Committee's Terms of Reference (Appendix A) as this document does not exist**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Johns and Mosher

14.3 HERITAGE ADVISORY COMMITTEE

14.3.1 Case H00406 – Substantial Alteration to St. David's Church, 1544 Grafton Street, Halifax, a Municipally Registered Heritage Property

The following was before Council:

- A recommendation report from the Heritage Advisory Committee dated October 5, 2015

MOVED by Councillor Mason, seconded by Councillor Hendsbee

THAT Halifax Regional Council approve the substantial alternation to St. David's Church, 1544 Grafton Street, Halifax including the updated drawings circulated at the September 23, 2015 Heritage Advisory Committee meeting.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Johns and Mosher

14.4 MEMBERS OF COUNCIL

14.4.1 Mayor Savage – Councillor Appointments to Boards and Committees

This matter was dealt with earlier in the meeting. Please see page 9.

14.4.2 Mayor Savage – Statement of Reconciliation from Halifax Regional Council

The following was before Council:

- A Request for Council consideration form dated December 8, 2015

Deputy Mayor Whitman assumed the position of Chair.

MOVED by Mayor Savage, seconded by Councillor Watts

THAT Halifax Regional Council:

recognizes the significance of the undertaking of the Truth and Reconciliation Commission (TRC) with the release of the TRC's final report and its recommendations. It took many decades of advocacy by residential school survivors to establish the Commission, and the several years of gathering testimony, evidence and developing recommendations have been a difficult and exhausting process for survivors and Commissioners alike.

We recognize the deep and lasting traumatic impact that Canada's Indian Residential Schools had on individuals, their families, and communities both Aboriginal and non-Aboriginal. The history of these schools is one of pain and gross injustice that requires us all to make ongoing and concerted efforts to learn the truth about residential schools, acknowledge this history and its modern legacies in our cities and begin a shared journey of reconciliation.

Many Aboriginal people now living in Canada's largest cities continue to grapple with the most severe consequences of the intergenerational trauma caused by residential schools – but we are committed to supporting and delivering real change, working together with Aboriginal leaders. Today we declare that we stand with Canada's big city mayors and with the Federation of Canadian Municipalities, and commit ourselves to learning from the lessons of the Truth and Reconciliation Commission, and taking action to ensure the needs and aspirations of Aboriginal people are fully acknowledged in the great cities we seek to build.

We stand together today in committing to a new equal partnership with Aboriginal people in Canada; one based on truth, dignity, and mutual respect.

Mayor Savage provided background information respecting the Statement of Reconciliation.

Councillors Mason and Hendsbee expressed their support for the motion and advised of the significant impact of aboriginal people to the Halifax Regional Municipality.

Councillor Watts expressed her support for the motion and advised she will remember it as the most important vote that she has undertaken as a member of Halifax Regional Council. She recognized Ms. Pam Glode-Desrochers of the Mi'kmaq Friendship Centre who was in attendance for the meeting.

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillor Johns.

15. MOTIONS

15.1 Ratification from Committee of the Whole December 2, 2015 – 2016-17 Advanced Capital Funding

The following was before Council:

- Revised Attachment B entitled “2016/17 Advanced Capital Funding” from the staff report dated November 23, 2015

MOVED by Councillor Craig, seconded by Councillor Outhit

THAT Halifax Regional Council approve the list of advanced capital funding as per revised Attachment B to the staff report dated November 23, 2015.

MOTION PUT AND PASSED UNANIMIOUSLY.

Not Present: Councillors Johns and Mosher.

15.2 Councillor Nicoll

Notice of Motion was given for this item at the December 1, 2015 Council meeting.

MOVED by Councillor Nicoll, seconded by Councillor Hendsbee

THAT Halifax Regional Council request a staff report on implementing an education campaign with regard to By-Law A-700 Respecting Animals and Responsible Pet Ownership and the propose Off-Leash Dog Parks Administrative Order.

MOTION PUT AND PASSED UNANIMIOUSLY.

Not present: Councillor Johns and Mosher

16. IN CAMERA (IN PRIVATE) – NONE (or list the items)

16.1 Personnel Matter

16.1.1 Citizen Appointments to Boards and Committees – Private and Confidential Report

This matter was dealt with In Camera (In Private). The following motion was ratified in public session:

MOVED by Councillor Karsten, seconded by Deputy Mayor Whitman

That Halifax Regional Council:

- 1. Adopt the recommendations of the Standing Committees regarding the citizen Appointments as outlined in Attachment #1 of the Private and Confidential Staff Report dated December 2, 2015, with the exception of the Metropolitan Housing Authority.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillors Johns and Mosher.

Councillor Watts previously declared a Conflict of Interest relative to the citizen appointment to the Metropolitan Housing Authority.

2. **Adopt the recommendations of the Standing Committees regarding the citizen Appointment to the Metropolitan Housing Authority as outlined in Attachment #1 of the Private and Confidential staff report dated December 2, 2015,**

It is further recommended that the citizen appointments be released to the public following ratification and notification of the successful candidates.

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillor Johns, Mosher,
Councillor Watts declared a conflict of interest.

16.2 Legal Advice

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

16.2.1 Mount Hermon Cemetery – Private and Confidential Report

This matter was dealt with In Camera (In Private). The following motion was ratified in public session:

Councillor Hendsbee requested that a split vote take place on this matter.

MOVED by Councillor McCluskey, seconded by Deputy Mayor Whitman

THAT Halifax Regional Council:

1. **Refuse the request to consent to the assignment.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Johns and Mosher

2. **Seek legislative amendments as set out in the Private and Confidential Staff Report dated November 2, 2015.**

It is further recommended that the Private and Confidential Staff Report dated November 2, 2015 not be released to the public.

MOTION PUT AND PASSED (13 in favour; 1 against).

In favour: Mayor Savage, Deputy Mayor Whitman, Councillors Dalrymple, Karsten, Nicoll, McCluskey, Mason, Watts, Walker, Adams, Rankin, Craig, Outhit

Against: Councillor Hendsbee

Not Present: Councillors Johns and Mosher.

16.3 Property Matter

16.3.1 Lease Agreement, Soil Sisters Foods Inc., operating as The Wooden Monkey, Alderney Ferry Terminal, 88 Alderney Drive – Private and Confidential Report

This matter was dealt with In Camera (In Private). The following motion was ratified in public session:

MOVED by Councillor McCluskey, seconded by Deputy Mayor Whitman

THAT Halifax Regional Council authorize the Mayor and Municipal Clerk to execute a new lease agreement between the Halifax Regional Municipality (Landlord) and Soil Sisters Foods Inc., o/a The Wooden Monkey (Tenant) for the premises at 88 Alderney Drive, as per the terms and conditions outlined in Table 1 of the private and confidential staff report dated November 9, 2015.

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillors Johns and Mosher

16.4 Contract Negotiations

16.4.1 MIRROR NS Amending Agreement – Private and Confidential Report

This matter was dealt with In Camera (In Private) and ratified in public session earlier in the meeting. Please see page 2-3.

16.4.2 In Camera – (In Private) Councillors Rankin and Adams – Proposed Contract for the extension of the Site A Landfill

This matter was dealt with In Camera (In Private) and ratified in public session earlier in the meeting. Please see page 3.

17. ADDED ITEMS

17.1 Encroachment Permit Application for a Pedway at Emera Inc.'s Headquarters, 5151 Terminal Road

The following documentation was before Council:

- A staff recommendation report dated December 7, 2015
- Correspondence from Chris Huskison, President & CEO, Emera Inc dated December 4, 2015

MOVED by Councillor Mason, seconded by Deputy Mayor Whitman

THAT Halifax Regional Council refuse to approve an Encroachment Agreement to permit the construction of a pedway across Lower Water Street, Halifax as shown on Attachment A of the December 7, 2015 staff report.

Councillor Mason requested that Council consider defeating the staff motion in favour of the alternative recommendation. He advised that the proposed pedway would be a significant investment for the downtown area.

In response to a follow up question from Councillor Watts, Mr. Richard Harvey, Major Project Planner advised that staff had expressed concern that the pedway is not part of the current pedway system. He advised that the staff report pertains primarily to the request for an encroachment.

MOTION PUT AND DEFEATED (1 if favour; 13 against).

In Favour: Councillor Watts

Against: Mayor Savage, Deputy Mayor Whitman, Councillors Dalrymple, Hendsbee, Karsten, Nicoll, McCluskey, Mason, Walker, Adams, Rankin, Craig, Outhit.

Not Present: Councillors Johns and Mosher.

MOVED by Councillor Mason, seconded by Councillor Rankin

THAT Halifax Regional Council allow for the proposed pedway and approve the Encroachment Agreement, as provided in Attachment A of the staff report dated December 7, 2015, to permit the construction of a Pedway across Lower Water Street, Halifax.

MOTION PUT AND PASSED (13 in favour; 1 against).

In favour: Mayor Savage, Deputy Mayor Whitman, Councillors Dalrymple, Hendsbee, Karsten, Nicoll, McCluskey, Mason, Walker, Adams, Rankin, Craig, Outhit

Against: Councillor Watts

Not Present: Councillor Johns and Mosher

18. NOTICES OF MOTION

18.1 Councillor Dalrymple

"Take notice that at the next meeting of Halifax Regional Council to be held on January 12, 2016, I propose to introduce amendments to Administrative Order Number 2014-001-ADM, Respecting Tax Relief to Non-Profit Organizations, the purpose of which is to repeal and replace schedules 26, 28, 29 and 30".

19. ADJOURNMENT

The meeting adjourned at 3:16 p.m.

Kevin Arjoon
Municipal Clerk