



**HALIFAX REGIONAL COUNCIL
MINUTES
February 3, 2015**

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

REGRETS: Councillor Waye Mason
Councillor Gloria McCluskey

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

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

A video recording of this meeting is available: http://archive.isiglobal.ca/vod/halifax/archive_2015-02-03_live.mp4.html

The agenda, supporting documents, and information items circulated to Council are available online: <http://www.halifax.ca/council/agendasc/150203ca-agenda.php>

The meeting was called to order at 1:00 p.m., and recessed at 2:14 p.m. Council reconvened in at 2:33 p.m. and recessed at 5:30 p.m. Council reconvened at 6:00 p.m. Council moved into an In Camera session at 9:45 p.m. and reconvened at 11:14 p.m. Council adjourned at 11:17 p.m.

1. INVOCATION

The Mayor called the meeting to order at 1:00 p.m. with the Invocation being led by Councillor Fisher.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillors noted a number of special community announcements and acknowledgements.

3. APPROVAL OF MINUTES – NONE

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

Additions:

14.1 Case 19148 – Bonus Zoning Agreement – Mixed Use Development at 1583 Hollis Street, Halifax

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

5. BUSINESS ARISING OUT OF THE MINUTES – NONE

6. MOTIONS OF RECONSIDERATION – NONE

7. MOTIONS OF RESCISSION – NONE

8. CONSIDERATION OF DEFERRED BUSINESS – January 28, 2015

8.1 CHIEF ADMINISTRATIVE OFFICER

8.1.1 Designation under the Fences and Detention of Stray Livestock Act

The following was before Council:

- A staff recommendation report dated November 17, 2014.

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

- 1. Direct the Mayor to advise the Province that HRM is not seeking designation as a Municipality for the purposes of the Fences and Detention of Stray Livestock Act (FDSLAA); and**
- 2. Direct staff to add provisions to the Animal Control By-law to deal with stray livestock.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors McCluskey, Mason, and Johns

8.1.2 Cost Sharing Agreement – Nova Scotia Department of Transportation and Infrastructure Renewal – Rehabilitation to Various Bridges

The following was before Council:

- A staff recommendation report dated December 22, 2014.

MOVED by Councillor Watts, seconded by Deputy Mayor Nicoll that Halifax Regional Council authorize the Mayor and Clerk to sign an agreement with the Nova Scotia Department of Transportation and Infrastructure Renewal for \$83,428.80 (net HST included) with funding from Project Account No., CRU01077 Bridge Repair – Various Locations, as outlined in the Budget Implications section of the December 22, 2014 staff report.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors McCluskey, Mason, and Johns

8.1.3 Capital Cost Contributions

The following was before Council:

- A staff recommendation report dated December 23, 2014

MOVED by Councillor Fisher, seconded Councillor Karsten by that Halifax Regional Council direct staff to develop an approach to collect development charges for transportation, transit, parks, playgrounds, trails, bicycle paths, swimming pools, ice arenas, recreation centres, fire departments, and public libraries, including a schedule for implementing the charges.

Councillor Outhit asked staff to respond to a comment he heard from a developer that this would not be implemented for a year due to a downturn in the economy.

The Chief Administrative Officer advised that the report has an implementation plan and indicated that staff is not considering delaying the implementation. He suggested the Councillor provide him the name of the developer and he would follow up to clarify.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors McCluskey and Mason

8.2 HARBOUR EAST AND MARINE DRIVE COMMUNITY COUNCIL

8.2.1 Case 18255 – Dartmouth Municipal Planning Strategy (MPS) Amendments and Amending Development Agreement 530 Portland Street and 104 Green Village Lane, Dartmouth

The following was before Council:

- A recommendation report dated January 12, 2015 from the Chair of Harbour East-Marine Drive Community Council; attached was a staff recommendation report dated December 15, 2014.

MOVED by Councillor Karsten, seconded by Councillor Fisher that Halifax Regional Council give First Reading to consider the proposed Amendments to the Dartmouth Municipal Planning Strategy (MPS) as set out in Attachment A of the December 15, 2014 staff report and schedule a joint Public Hearing with Harbour East-Marine Drive Community Council.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors McCluskey and Mason

8.3 COMMUNITY PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE

8.3.1 Use of the HRM-owned Pavilion

The following was before Council:

- A report dated January 8, 2015 from the Chair of the Community Planning and Economic Development Standing Committee; attached was a staff information report dated December 2, 2014.

MOVED by Councillor Watts, seconded by Deputy Mayor Nicoll that Halifax Regional Council request staff enter into discussion with the Pavilion Youth Association about the possibility of entering into a rental agreement.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors McCluskey and Mason

8.3.2 Parks and Recreation Strategic Policy Framework

The following was before Council:

- A report dated January 13, 2015 from the Chair of the Community Planning and Economic Development Standing Committee; attached was a 'Request for the Committee's Consideration' form.

MOVED by Deputy Mayor Nicoll, seconded by Councillor Craig that Halifax Regional Council direct staff to provide a report regarding the feasibility and best practice approach to establishing a Park and Recreation Strategic Policy Framework that identifies expected outcomes under which:

- **Service delivery is reflective of community interests and needs;**
- **Parks and Recreation finances and assets are managed in a fiscally sustainable, financially responsible manner; and**
- **Parks and Recreation services, programs, fee structure and facilities are accessible and inclusive for all.**

A discussion ensued with several Councillors asking for clarification on the intent of the motion. Subsequently, there was agreement to defer the matter until Councillor Mason could be present to clarify the recommendation and respond to questions.

MOVED by Councillor Dalrymple, seconded by Councillor Watts that the matter be deferred to the next Council meeting.

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

In favour: Mayor Savage; Deputy Mayor Nicoll; and Councillors: Dalrymple, Hendsbee, Karsten, Fisher, Watts, Walker, Adams, Rankin, Whitman, Johns, Craig, and Outhit

Against: Councillor Mosher

Not Present: Councillors McCluskey and Mason

8.4 EXECUTIVE STANDING COMMITTEE

8.4.1 Campaign Finance Reform

The following was before Council:

- A report dated November 24, 2014 from the Chair of the Executive Standing Committee; attached was a 'Request for Executive Committee Consideration' form.
- Correspondence dated January 10, 2015 from Patricia Kidd

Mayor Savage stepped down from the Chair in order that he could speak to this matter. Deputy Mayor Nicoll assumed the Chair.

MOVED by Mayor Savage, seconded by Councillor Craig that Halifax Regional Council request a staff report examining the legislative options and implications of campaign finance reform for municipal government in Halifax, as identified in the discussion section of the November 24, 2014 Executive Standing Committee report.

Mayor Savage addressed the matter advising that campaign disclosure is an important issue and that at the federal and provincial levels of government there has been significant changes in this regard. He suggested that it was time Halifax Regional Council looked at the issue with colleagues at Union of Nova Scotia Municipalities (UNSM) and the Province and put more rigours around campaign financing. Mayor Savage advised that he would like staff to look into what other municipalities are doing and come back with ideas and options for Council's consideration.

Councillor Hendsbee indicated that he fully supports the motion as municipal campaign financing must be more open, transparent, and accountable. He would like staff to explore a revenue source for the Municipality for election financing. He noted that a gift can be made to the Queen through the Municipal Clerk's Office. A flat rate or a ten percent premium could be imposed on those donations to fund elections, and the rest go to the candidate. That way the Clerk's office would be reporting funds as they are received, rather than candidates revealing this information 30 days after the election. He hopes that the issue will be looked at progressively.

Councillor Johns advised that he fully supports this motion and that he would like the report to address contributions from the development industry and whether there should be a cap placed on their contributions.

Councillor Rankin advised that he supported the request and that it would be appropriate to solicit comment from UNSM because it is a Provincial Act that governs this issue and any amendments to the Act will have to be made by the Province.

Councillor Mosher advised that she supported the motion and that in staff's research, she would like staff to include the cities that are used when studying compensation for Councillors. Councillor Mosher wanted it noted for the record that she took issue with comments made in the media that the last election was like the 'wild west' when it came to campaign financing rules. She pointed out that this was not the case and that there are rules and that many candidates had open, transparent, and audited campaigns.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors McCluskey and Mason

Mayor Savage assumed the Chair.

8.5 MEMBERS OF COUNCIL

8.5.1 Councillor Watts – African Nova Scotian Affairs Integration Office

The following was before Council:

- An information report dated January 6, 2015 from the Chair of the Executive Standing Committee; attached was a staff information report dated November 21, 2014

Councillor Watts thanked staff for the detailed report moving forward on this significant work. She advised that she has been receiving feedback that the new structure of the African Nova Scotian Affairs Integration Office does not have the direct reporting relationship to the Chief Administrative Office as was hoped for and as requested by the Community during consultations that occurred. She asked the CAO to comment

The CAO advised that he considered the work of the African Nova Scotia Affairs advisor significant work to the future of Halifax and he will be pleased to meet with the future head of the African Nova Scotia Affairs Integration Office on a semi-annual or quarterly basis. In addition, he noted that as the Senior Management Teams meets he will include the African Nova Scotia Affairs Advisory from time to time where appropriate and where he or she may request.

8.5.2 Councillor Adams – Formation of a Domestic Animal Advisory Committee

The following was before Council:

- A 'Request for Council's Consideration' form.

MOVED by Councillor Adams, seconded by Councillor Fisher that Halifax Regional Council request a staff report regarding HRM assisting in the formation of a Domestic Animal Advisory Committee with membership to include but not be limited to representation from local veterinarians, cat rescue groups, SPCA and a provincial representative from the Department of Natural Resources (Wildlife).

Councillor Adams advised that his motion was a follow up on a commitment that he and others took—the *Tuxedo Stan Pledge*--during the 2012 municipal election campaign.

Councillor Karsten questioned whether staff should have further direction in regard to what Councillor Adams envisions for the Committee, such as terms of reference and reporting relationship.

Councillor Adams indicated that detailed aspects of the Committee such as mandate and reporting structure may become apparent to staff in the research and writing of the report. He suggested that Council wait until staff report back, and then work out the details.

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillors McCluskey and Mason

8.6. MOTIONS – Councillor Watts

MOVED by Councillor Watts, seconded by Councillor Karsten that Halifax Regional Council request staff to submit requests to the Royal Canadian Mint and Canada Post for consideration to produce a Coin and Stamp respectively to commemorate the 100th Anniversary of the Halifax Explosion on December 6, 2017, and that the Mayor provide letters of support for these submissions.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors McCluskey and Mason

9. PUBLIC HEARINGS

9.1 By-law N-200, Respecting Noise – Exemption Application – Rogers Hometown Hockey

This was dealt with later in the meeting. See page 17.

9.2 Proposed By-Law S-609, Respecting the Amendment of By-Law S-600, the Solid Waste Resource Collection and Disposal By-Law

This was dealt with later in the meeting. See page 17.

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.1 Correspondence

The Clerk noted that correspondence was received for items: 9.2, 11.1.3, and 11.5.1. This correspondence was circulated to Council.

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

10.1.1 Fly-past Request – 2014 Scotiabank Hockey Day

The following was before Council:

- Correspondence dated January 27, 2015 from Andrew Cox, Senior Civic Events Coordinator, HRM

MOVED by Deputy Mayor Nicoll, seconded by Councillor Whitman that Halifax Regional Council grant permission for a Sea King helicopter from 12 Wing Shearwater to perform a fly-past at levels as low as 500 feet over the Halifax Waterfront on Thursday February 12, 2015 between 1:00 p.m. and 4:00 p.m. in conjunction with the 2015 Scotiabank Hockey Day in Canada activity.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors McCluskey and Mason

10.2 Petitions - NONE

Council recessed at 2:14 p.m.

Council reconvened at 2:33 p.m. with the Deputy Mayor in the Chair

11. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.1 Award Tender No. 14-186 – Alderney Gate Elevator Modernization

The following was before Council:

- A staff recommendation report dated January 14, 2015.

MOVED by Councillor Karsten, seconded by Councillor Fisher that Halifax Regional Council award Tender No. 14-186, Alderney Gate Elevator Modernization, to the lowest bidder meeting specifications, CKG Elevator Ltd., for a total tender price of \$684,116.16 (net HST included). Funding is available from Project No. CBX01157 – Alderney Gate Recapitalization and Operations Support's Operating Account W203 – Alderney Gate Facility Management, as outlined in the Financial Implications section of the January 14, 2015 staff report.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage; Councillors McCluskey and Mason

11.1.2 Award Purchase of Police Electronic Recording Equipment Upgrade

The following was before Council:

- A staff recommendation report dated January 6, 2015.

MOVED by Councillor Mosher, seconded by Councillor Walker that Halifax Regional Council, in accordance with the Sole Source Policy (Administrative Order 35, Section 8(11)(A) to ensure compatibility with existing products, to recognize exclusive rights, such as exclusive licences, copyright and patent rights, or to maintain specialized products that must be maintained by the manufacturer or its representative) award the Sole Source Purchase of electronic surveillance equipment in the amount of \$123,651.91 (Net HST included) to JSI Telecom for materials and services specified with funding from Operating Account P312-6711 as detailed in the financial implications section of the January 6, 2015 staff report.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage; Councillors McCluskey and Mason

11.1.3 Proposed By-Law S-608, Respecting the Amendment of By-Law S-600, the Solid Waste Resource Collection and Disposal By-Law

The following was before Council:

- A staff recommendation report dated January 13, 2015.
- Correspondence dated January 20, 2015 from Ann-Louise McKinnon, General Manager, Atlantic Regional, Centrecorp Management Services Limited.
- A draft extract of the January 13, 2015 Regional Council minutes.

MOVED by Councillor Dalrymple, seconded by Councillor Watts that Halifax Regional Council adopt proposed By-law S-608, amending By-law S-600, the Solid Waste Resource Collection and Disposal By-law as set out in Attachment B of the staff report dated January 13, 2015.

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

In favour: Deputy Mayor Nicoll; and Councillors: Dalrymple, Karsten, Fisher, Watts, Mosher, Walker, Adams, Rankin, Whitman, Johns, Craig, and Outhit

Against: Councillor Hendsbee

Not present: Mayor Savage; Councillors McCluskey and Mason

11.1.4 Proposed By-law A-600, Respecting Advertisements on Provincial Highways

The following was before Council:

- A staff recommendation report dated December 22, 2014.
- A draft extract of the January 13, 2015 Regional Council minutes.

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

- 1. Adopt proposed By-law A-600, the Advertising on Provincial Highways Bylaw as set out in Attachment A of the staff report dated December 22, 2014 with the amendment to clause e of section 6 as passed at First Reading to add the words “the subject of” at the beginning of clause e of section 6 so it reads: “the subject of the advertisement is located on a portion of an identified highway.”;**
- 2. Direct staff to forward the adopted By-law to the Minister of Transportation and Infrastructure Renewal for approval; and**
- 3. Adopt the proposed amendments to Administrative Order 15, License, Permits and Processing Fees Administrative Order, as set out in Attachment B of the staff report dated December 22, 2014.**

MOTION PUT AND PASSED UNANIMOUSLY

Not present: Mayor Savage; Councillors McCluskey and Mason

11.1.5 Proposed By-law A-103, Respecting the Amendment of By-law A-100, Respecting Appeals Committee

The following was before Council:

- A staff recommendation report dated December 12, 2014.

- A draft extract of the January 13, 2015 Regional Council Minutes.
- Revised Schedule 1 of Attachment 10 of the staff report dated December 12, 2014.

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

- 1. Adopt proposed By-law A-103, amending By-law A-100, the Appeals Committee By-law, as outlined in Attachment 2 of the staff report dated December 12, 2014;**
- 2. Amend the terms of reference for the Appeals Standing Committee, as outlined in Attachment 4, to**
 - a. reduce the composition of the Appeals Standing Committee from eight (8) members to six (6) members; and**
 - b. amend the manner in which the members of the Appeals Standing Committee are appointed by removing the at large appointments and increasing the number of members nominated for appointment by each Community Council from one (1) member to two (2) members;**
- 3. As directed by motion of Regional Council at First Reading allow the Appeals Standing Committee to determine, for this term, which six (6) members will remain to constitute the Appeals Standing Committee for this 2 year term;**
- 4. Adopt the amendments to Administrative Order One, the Procedures of Council Administrative Order to add the terms of reference for the Standing Committees to the Administrative Order, repeal the existing terms of reference, and correct the Appeals Standing Committee Terms of reference (Schedule 1) as attached to reflect compliance with the By-law.**

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

In favour: Deputy Mayor Nicoll; and Councillors: Dalrymple, Hendsbee, Karsten, Fisher, Watts, Mosher, Walker, Adams, Rankin, Whitman, Craig, and Outhit.

Against: Councillor Johns

Not present: Mayor Savage; Councillors McCluskey and Mason

11.1.6 Request for Encroachment – Mason Street, Pleasant Street & Irving Street Dartmouth

The following was before Council:

- A staff recommendation report dated January 22, 2015.

MOVED by Councillor Karsten, seconded by Councillor Fisher that Halifax Regional Council approve the encroachment agreement attached to the January 22, 2015 staff report allowing the construction of additional pipes under Mason Street and Pleasant Street and incorporating existing infrastructure under Mason Street, Pleasant Street and Irving Street within the right of way.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage; Councillors McCluskey and Mason

11.2 NORTH WEST COMMUNITY COUNCIL

11.2.1 Acquisition of Lands – Connector Road

The following was before Council:

- A recommendation report dated January 22, 2015 from the Chair of the North West Community Council

MOVED by Councillor Johns, seconded by Councillor Whitman that Halifax Regional Council request a staff report giving consideration to acquiring the lands of Timber Trail Homes and Annapolis for a connector road.

Councillor Johns explained that this motion is out of concern expressed by the residents of the area that the road may not be built, and they want to know the Municipality's intention in this regard.

Councillor Watts advised that there is sensitivity to opening up new roads and she asked that if the staff report proceeds she would like the report to address the relationship of this request in regard to the direction Council has given in terms of development and growth in the Road Network Functional Plan and the Regional Plan.

Councillor Johns provided background information on this matter, explaining that when the subdivision had been constructed certain easements were acquired to have White Hills Run connect to Lucasville Road. He added that this request doesn't open up new development; this was done in conjunction with a 15 year old development that hasn't occurred yet. Councillor Johns went on to note that he is aware a developer has applied for a development agreement and he and the residents want to ensure that the Municipality has acquired the right-of-way to extend White Hills Run. He asked that, if approved, when the staff report comes back to Council it contain a map illustrating what HRM owns and the area requested to be acquired.

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

In favour: Deputy Mayor Nicoll; and Councillors: Dalrymple, Hendsbee, Karsten, Fisher, Mosher, Walker, Adams, Rankin, Johns, Craig, and Outhit.

Against: Councillor Watts

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

11.2.2 Connector Road – Lucasville Road to Larry Uteck Drive

The following was before Council:

- A recommendation report dated January 28, 2015 from the Chair of North West Community Council; attached was a staff information report dated November 2, 2014.

MOVED by Councillor Johns, seconded by Councillor Whitman that Halifax Regional Council direct staff to investigate the possibility of developing a connector road from Larry Uteck Drive (formerly Kearney Lake Road) along the water/power lines to the Lucasville Road.

Councillor Johns advised that his recommendation is to utilize an existing water/sewer line to alleviate traffic on the Hammonds Plains road and it would connect to a road that is being newly constructed, Margeson Drive. The Councillor added that he recognizes the concerns of Halifax Water outlined in the report, and noted that he was not asking HRM to do anything in the immediate future but to have staff review the matter, and when and if Halifax Water does upgrades to the line, HRM would then be in a position to take advantage of the upgrade and construct this road.

Councillor Karsten advised that the motion doesn't ask for a staff report, it asks for staff to investigate. He indicated he would be more comfortable if the motion were revised to request a staff report.

Councillor Hendsbee asked that the staff report address the connectivity between this item and Councillor John's last item, item 11.2.1; and that staff address the width of the water transmission line easement and if additional land would be required to construct the road.

The CAO pointed out that staff has outlined their reasons in the information report provided for not recommending Council pursue this, and he questioned what other information Council would expect staff to bring forward.

Councillor Watts advised that, as she requested with the previous item, she would like the report to address the relationship of this request in regard to Council's direction in the Road Network Functional Plan and the Regional Plan.

In response to the CAO's question, Councillor Johns explained that he understands the concerns by Halifax Water and he emphasized that he was not asking that this be done in the immediate future. He added that at some point in time, with 40 year old infrastructure, the infrastructure will have to be upgraded and that would be an opportune time for the Municipality to construct a road. Relative to this, Councillor Johns pointed out that the current proposal for Margeson Drive is to redirect traffic from the 101 onto Margeson and then traffic would come out near Cranley Road which is in a residential area. He noted that, with his suggestion, it may provide the opportunity to redirect the traffic away from Cranley Road and have traffic extend to the Hammonds Plains Road from Margeson Drive.

In reference to Councillor Karsten's concern, Councillor Johns advised that he had no difficulty in revising the motion to request a staff report.

The motion now reads:

MOVED by Councillor Johns, seconded by Councillor Whitman that Halifax Regional Council direct staff to investigate the possibility of developing a connector road from Larry Uteck Drive (formerly Kearney Lake Road) along the water/power lines to the Lucasville Road, and report back with a staff report.

MOTION PUT AND PASSED (13 in favour, 1 against)

In favour: Deputy Mayor Nicoll; and Councillors: Dalrymple, Hendsbee, Karsten, Fisher, Mosher, Walker, Adams, Rankin, Whitman, Johns, Craig, and Outhit.

Against: Councillor Watts

Not present: Mayor Savage and Councillors: McCluskey and Mason

11.3 AUDIT AND FINANCE STANDING COMMITTEE

11.3.1 Proposed Administrative Order 2014-018-ADM, Respecting Grants to Volunteer Search and Rescue Organizations

The following was before Council:

- A recommendation report dated January 23, 2015 from the Chair of the Audit and Finance Standing Committee; attached was a staff recommendation report dated December 18, 2014.

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

- 1. Adopt Administrative Order 2014-018-ADM, Volunteer Search and Rescue Grants Program, effective immediately as outlined in Attachment 1 of the staff report dated December 18, 2014; and**

2. Amend the Community Grants Program eligibility criteria to exclude volunteer search and rescue organizations, commencing in fiscal year 2015.

MOTION PUT AND PASSED UNANIMOUSLY

Not present: Mayor Savage; Councillors McCluskey, Mason, and Rankin

11.3.2 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

The following was before Council:

- A recommendation report dated January 23, 2015 from the Chair of the Audit & Finance Standing Committee; attached was a staff recommendation report dated December 5, 2014

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

1. Adopt Administrative Order 2014-020-GOV, *Respecting Marketing Levy Special Event Reserve Grants*, as outlined in Attachment 1 of the staff report dated December 5, 2014 with the following amendment:

That section 17 is amended by deleting the words "as well as its own agencies, such as Greater Halifax Partnership and Destination Halifax," so it reads: "Staff may consult with provincial and federal government funders to thoroughly assess the rights and benefits being offered by the applicant."

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 transfer of oversight for event grants to the Grants Committee from the Special Events Advisory Committee;
5. Approve the Regional Events and Cultural Initiatives Operational Event Programs criteria and realignment; and

It is further recommended by the Audit and Finance Standing Committee that Halifax Regional Council request a staff report which examines expanding the number of Council and Citizen Members who serve on the Grants Committee.

MOVED by Councillor Outhit, seconded by Councillor Karsten that the motion be amended to add item 6 as follows:

"Include the retention of Bedford Days and the Dartmouth Tree Lighting."

Councillor Fisher advised that he supported the amendment and noted that these events are regional events.

A discussion ensued with Mr. Brad Anguish, Director, Parks and Recreation, and Ms. Denise Schofield, Manager, Regional Recreation responding to questions.

In response to a question from Councillor Watts, Ms. Schofield advised that the amendment, if passed, would put those events back under the category of 'HRM Delivered Events'. She added that it would not have a huge impact but it would impact on staff's ability to do other things.

Councillor Johns advised that he supported the amendment, but in his view this item should have had a staff presentation given the broad implications.

Mayor Savage returned to the meeting at 3:22 p.m. and assumed the Chair.

THE AMENDMENT TO THE MOTION WAS PUT AND PASSED UNANIMOUSLY.

Not Present: Councillors McCluskey and Mason

MOVED by Councillor Dalrymple, seconded by Councillor Whitman that the Halifax County Exhibition event be moved into the category of 'HRM Delivered Events'.

Mr. Anguish addressed Council and suggested that the word 'regional' was providing some confusion. He explained that events classified as 'regional' have direct staff support, and they are ongoing events year after year, and do not require the group to re-apply. The category of 'Annual Event Program, of which the Halifax County Exhibition is listed under are events that staff provide facilitation support, but not direct staff support and, essentially, the Municipality gives them a community grant and they host the event on their own.

Mr. Anguish added that, if he understood the spirit of Councillor Dalrymple's amendment, he wants a guarantee that the group will automatically get an annual grant of \$25,000 without having to re-apply each year. He advised that if this is the case, staff will have to come back with a report because it changes the way staff has set up the program.

Councillor Craig indicated that he also wished to have the Sackville Patriot Days event moved to the same category as the Halifax County Exhibition.

The Municipal Solicitor and Mr. Anguish conferred with regard to revised wording to reflect the wishes of Councillor Dalrymple and Councillor Craig to amend the motion. Councillor Dalrymple put forward the following revised amendment:

MOVED by Councillor Dalrymple, seconded by Councillor Whitman that Sackville Patriot Days and the Halifax County Exhibition events continue to receive annual grant funding in the minimum amount of \$20,000 and \$25,000 respectively.

Following further discussion with staff responding to questions, there was general consensus to forward this matter to a Committee of the Whole session, and have staff provide a presentation.

MOVED by Deputy Mayor Nicoll, seconded by Councillor Karsten that this matter be referred to a Committee of the Whole, with staff providing a presentation.

In response to a question the Municipal Solicitor advised that the amended main motion and the current amendment on the floor will be forwarded to the Committee of the Whole on this matter.

THE MOTION TO REFER WAS PUT AND PASSED. (12 in favour, 3 against)

In favour: Deputy Mayor Nicoll; and Councillors: Dalrymple, Hendsbee, Karsten, Fisher, Watts, Adams, Rankin, Whitman, Johns, Craig, and Outhit

Against: Mayor Savage; and Councillors Mosher and Walker

Not Present: Councillors McCluskey and Mason

11.4 ENVIRONMENT AND SUSTAINABILITY STANDING COMMITTEE

11.4.1 100 Resilient Cities Challenge

The following was before Council:

- A recommendation report dated January 19, 2015 from the Chair of the Environment and Sustainability Standing Committee; attached was a staff information report dated December 16, 2014.

MOVED by Councillor Watts, seconded by Councillor Karsten that Halifax Regional Council request staff prepare and submit an application for the third year of the 100 Resilient Cities Challenge.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors: McCluskey, Mason, Mosher, and Outhit

11.5 TRANSPORTATION STANDING COMMITTEE

11.5.1 Parking Roadmap

The following was before Council:

- A recommendation report dated January 26, 2015 from the Chair of the Transportation Standing Committee; attached was a staff recommendation report dated January 12, 2014.
- Correspondence dated January 26, 2015 from Joan Massey, Dartmouth

MOVED by Councillor Rankin, seconded by Councillor Walker that Halifax Regional Council approve:

1. **The approach to parking as outlined in the Parking Roadmap contained in Attachment 1 of the January 12, 2015 staff report.**
 - a. **Identify parking as a defined municipal service operation.**
 - b. **Approve the Phase 1 GIS Mapping Project and the Handheld Device Replacement Project in 2015-16 for an estimated cost of \$80,000 covered by existing operating funds.**
 - c. **Direct staff to commence development of supply demand management policy framework based on active parking management strategies including supply management, pricing, demand management and other supporting strategies to optimize parking.**
 - d. **Direct staff to investigate parking technology options to be presented to Regional Council for consideration and approval.**
2. **Direct staff to return to Regional Council for approval of each of the future year projects contained within the Parking Roadmap prior to project implementation.**

Ms. Jane Fraser, Director of Operations Support responded to questions.

MOTION PUT AND PASSED UNANIMOUSLY

Not present: Councillors McCluskey and Mason

11.5.2 2015-2016 Pedestrian Safety Action Plan

The following was before Council:

- A recommendation report dated January 23, 2015 from the Chair of the Transportation Standing Committee; attached was a staff recommendation report dated December 22, 2014

MOVED by Councillor Craig, seconded by Councillor Johns that Halifax Regional Council approve the 2015-16 Pedestrian Safety Action Plan, included in Attachment 1 of the December 22, 2014 staff report.

Mr. Taso Koutroulakis, Manager, Transportation and Public Works responded to questions.

Councillor Fisher questioned why staff has advised that they will not be pursuing reflective tape on crosswalks, when Regional Council has approved this measure.

In response, Mr. Koutroulakis advised that staff feel that other approaches being taken such as flags at crosswalks, flashing beacons and zebra markings are the best approach, and that staff do not see the value in pursuing additional devices that provide reflectivity.

Councillor Fisher pointed out that Council had provided staff direction in this regard and suggested that it should be pursued.

Mayor Savage advised that the CAO will follow-up with staff on this matter.

MOTION PUT AND PASSED UNANIMOUSLY

Not present: Councillors McCluskey and Mason

11.6 MEMBERS OF COUNCIL

11.6.1 Councillor Adams – Administrative Order 50 – Disposal of Surplus Real Property – Latter Pond Lane

The following was before Council:

- A supplementary staff information report dated January 12, 2015.

MOVED by Councillor Adams, seconded by Councillor Walker that Regional Council declare the building (the former recreation centre) as surplus pursuant to Administrative Order 50 and placed in the community stream.

Councillor Adams explained that the community is well aware that the building is surplus to Municipal purposes, and he added that there won't be a need for the Municipality to be involved in doing anything with this building. Councillor Adams advised that if his motion is approved, the building will revert back to the community centre it was prior to amalgamation. He noted that the fire hall has been declared surplus and unsafe and staff is aware that it has to be demolished. Councillor Adams advised that there is in excess of \$300,000 earmarked for this community which he wants to be put into this building explaining that it is not new money, some of which was destined for this building and other for trails as part of harbour clean-up and that are not going to proceed. Councillor Adams also advised that he would like this matter to include assistance from the Province for the renovations.

Councillor Watts asked for clarification that this was the beginning of the process, and would require further decision making on the part of Council, to which Councillor Adams concurred.

Councillor Whitman advised that he had a couple of similar buildings in his district that he has been trying to have reverted back to the community and he asked staff to comment on the steps in the process that he would have to take in this regard.

Ms. Denise Schofield, Manager, Regional Recreation and Culture explained that the building Councillor Adams is referring to had previously come to Council in a report with a list of other buildings that staff asked Council to declare surplus. The building was deferred pending a supplementary report. She explained that if Council deems a building as surplus and starts the process, then it goes into the community category which Administrative Order 50 outlines involves a community consultation process to see if there are any community groups interested in obtaining the building. Ms. Schofield added that she was aware of a previous motion by Councillor Whitman requesting options for the building in Black Point, and advised that this process is one of the options that would be available if Council deemed it surplus.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors McCluskey and Mason

11.6.2 Councillor Fisher – Request for Letter of Support re: Centre de la Francophonie

The following was before Council:

- A 'Request for Council's Consideration' form

MOVED by Councillor Fisher, seconded by Councillor Hendsbee that Mayor Savage write a letter of support on behalf of Council for the Centre de la Francophonie project.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors McCluskey and Mason

12. MOTIONS

12.1 Councillor Johns

MOVED by Councillor Johns, seconded by Councillor Hendsbee that Halifax Regional Council direct staff to prepare a report for Regional Council recommending whether or not to proceed with the paving of Canavan Drive, Beaver Bank and where the Local Improvement Charges will apply.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors McCluskey, Mason, and Whitman

14.1 Case 19148 – Bonus Zoning Agreement – Mixed Use Development at 1583 Hollis Street, Halifax

The following was before Council:

- A staff report dated January 30, 2015

Ms. Kelly Denty, Manager, Development Approvals advised that the matter was before Council because of a situation that arose with the project in regard to height. She explained that when a building is going to exceed the maximum post-bonus height limitations, the By-law requires that a public benefit has to be provided, and has to be approved by Council. Ms. Denty added that the post bonus benefit with this project is a LEED Gold building. She advised that there was some urgency to the matter because construction has started, and staff has issued a stop work order.

MOVED by Councillor Watts, seconded by Councillor Walker that Halifax Regional Council adopt, by resolution, the bonus zoning agreement as provided in "Attachment A" of the January 30, 2015 staff report for the mixed-used development at 1583 Hollis Street in Halifax and authorize the Mayor and Clerk to enter into and execute an agreement with the property owner regarding exemplary sustainable building practices as a LEED Gold Project.

Councillor Watts indicated that the recommendation the Design Review Committee approved was different from staff's recommendation and she asked for staff to clarify the status of the walk-way.

Ms. Denty advised that the By-law enables the developer to pick a public benefit, and the Committee has to recommend it, but there is nothing that says they have to be done in combination, and the Committee cannot recommend the developer do anything outside the By-law. Ms. Denty pointed out that the

developer plans to do both, the LEED Gold building and the walkway, and this will more than meet the public benefit requirements.

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillors McCluskey and Mason

Due to time constraints, Council agreed to deal with the In Camera items following the public hearings.

Council recessed at 5:30 p.m.

Council reconvened at 6:00 p.m.

9. PUBLIC HEARINGS

9.1 By-law N-200, Respecting Noise – Exemption Application – Rogers Hometown Hockey

The following was before Council:

- A staff recommendation report dated January 12, 2015

Deputy Mayor Nicoll, Chair noted regrets from Mayor Savage, and Councillors McCluskey, Mason, and Mosher.

Deputy Mayor Nicoll invited Ms. Tanya Phillips, Manager, By-law Standards to provide a presentation respecting By-law N-200 - Exemption Application – Rogers Hometown Hockey.

Ms. Phillips provided a brief overview of the Noise Exemption Application for Rogers Hometown Hockey Day and advised that the organizers has decided to relocate the event to the front area of the property which is positive as it moves the activity further away from nearby residential areas.

Deputy Mayor Nicoll thanked Ms. Phillips for her presentation and requested questions of clarification from members of Regional Council. There were no questions of clarification from members of Regional Council.

Deputy Mayor Nicoll invited the applicant to come forward and address Regional Council. The applicant was not present.

Deputy Mayor Nicoll read the rules of procedure respecting public hearings and invited members of the public to come forward and address Regional Council with respect to the Noise Exemption application. She called three times for speakers to come forward to address Regional Council. There were no speakers present.

**MOVED by Councillor Karsten, seconded by Councillor Johns that the public hearing close.
MOTION PUT AND PASSED.**

MOVED by Councillor Hendsbee, seconded by Councillor Fisher that Halifax Regional Council approve the Rogers Hometown Hockey Event application for an exemption from the provisions of the Noise By-Law Pursuant to the content of this report.

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Mayor Savage, Councillors McCluskey; Mason; Mosher.

9.2 Proposed By-law S-609, Respecting the Amendment of By-Law S-600, the Solid Waste Resource Collection and Disposal By-law

The following was before Council:

- A staff recommendation report dated January 13, 2015
- Staff presentation dated February 3, 2015
- Correspondence from: Karla Nicolson, Jeff Traver, Peter Rouvalis, John Wimberly, Peter Tsuluhas, Kevin Lacey, Adam Grant, Steve Mader, Steve Emberly, Jimmy Karountzos, Doug Wasowski, Kelvin Sams, Sean O'Boyle, Ken Donnelly, Jim Kanellakos, Joe Metlege, Doug Hickman, David Wimberly, Jason Timms, Jim Cormier, Ann-Louise McKinnon, Patrick Dovigi, Brad Hartlin, Peter McInroy, and Valerie Payn.
- An Extract of Draft Minutes Regional Council – January 13, 2015

Deputy Mayor Nicoll invited Mr. Matt Keliher, Acting Manager, Solid Waste Resources to provide a presentation respecting Proposed By-law S-609.

Deputy Mayor Nicoll thanked Mr. Keliher for his presentation and requested questions of clarification from members of Regional Council. There were no questions of clarification from Members of Regional Council.

Deputy Mayor Nicoll read the rules of procedure respecting public hearings and invited members of the public to come forward and address Regional Council with respect to Proposed By-law S-609.

Mr. Peter McInroy of Musquodoboit expressed his opinion that staff did not adequately consult with the public before drafting the proposed By-law. He stated that he believes that the public engagement process on this matter was flawed and does not fit in with the previous direction respecting Solid Waste Resource Collection provided by Regional Council. He advised that the proposed amendments betray a core principle of stewardship and will be detrimental to small businesses. He concluded his comments by noting that HRM will need to spend more on education for solid waste diversion practices if the proposed amendments are adopted.

Mr. Denis Goulet, Vice President and General Manager of Miller Waste, Halifax, provided background information pertaining to his business and noted that his company employees 500 individuals across the Maritime Provinces. He stated that waste disposal costs within HRM are three times more than the other jurisdictions in which his company operates. He advised of his company's proposal to construct a Transfer Station which will allow clients large and small to ship solid waste to other facilities outside of the municipality. He commented that he has spoken to other solid waste facilities in neighbouring municipalities who would welcome the additional tonnage.

Mr. Goulet stated that any solid waste hauler would be able to use the transfer facility which would ensure a level and competitive playing field in the market. He advised that the facility would be built on his company's land and would not require the use of public money for construction. He provided commentary on the environmental benefits that a Transfer Station would allow in terms of the consolidation and compaction of waste noting that transfer trailers could be utilized as opposed to smaller garbage trucks, taking many smaller vehicles off the road.

In response to a follow up question from Councillor Whitman, Mr. Goulet commented that Miller Industries would negotiate with selected solid waste facilities in the area and calculate transport costs to determine the most effective rate for the use of the proposed Transfer Station. He commented that the rate would likely be below one hundred dollars per tonne for transfer and disposal.

Mr. Dan Chassie of Halifax Construction & Demolition (C&D) Recycling commented that he started his business in 1995 and built it around HRM's Solid Waste Strategy. He commented that his company is the largest C&D diversion company in North America and noted that in his experience, HRM's waste facility cannot be matched by any of the other municipalities in the province for diversion and sortation services. He expressed his view that the removal of flow control would be detrimental to the C&D industry and the environment and advised that staff need to go back to the drawing board to find a better way to save money and protect the facilities that are currently in place.

Mr. Mark Whittleton, of Halifax commented that he is the Owner and Operator of Gerald's Trucking and has been in the garbage removal business since 1968. He noted that he has witnessed increases in dumping fees in the past and will not be able to drop his rates to his customers if drivers are permitted to haul solid waste outside of HRM. He advised that there are a great deal of costs associated with shipping waste outside of the municipality and suggested that small increases to the fee structure would have been more appropriate than what is being proposed. He expressed his opinion that Businesses will have to pay more for garbage removal and will be unable to afford the proposed changes. He concluded by stating that if the proposed amendments are adopted, his company may go out of business.

Mr. Jeremy Jackson, of Halifax, stated that he is representing the Investment Property Owners of Nova Scotia (IPONS) which represents rental property owners across the province. He noted that his association involves itself in three main areas: advocacy, education/professional training and working with government. He expressed his view that the proposed By-law is discriminatory against apartment building owners and residents and advised that HRM business model with respect to solid waste management is not sustainable given the proposed 36% increase in tipping fees.

Mr. Doug Hickman, of Halifax, stated that he represents the Ecology Action Centre and noted that he submitted correspondence to Council regarding the ending flow control in Halifax. He expressed his opinion that the ending flow control is contrary to provincial and municipal interests from an economic and environmental point of view. He noted that the province and municipality have been very successful with respect to the diversion of solid waste in the past and commented that ending flow control means there will be more waste placed in landfills with no revenue generated. He concluded by advising of the benefits associated with source separation to assist in building a stronger economy.

Mr. Scott Kyle, of Bedford noted his occupation as a Civil Engineer and partner with Dillon Consulting in Halifax. He asked that a chart be displayed on the projector in Council Chambers and provided commentary with respect to the cost savings associated with putting an end to flow control and allowing for Industrial, Commercial and Institutional (IC&I) waste to be shipped out of HRM. He provided commentary on staff's analysis with respect to the ending of flow control and advised that doing so will cost taxpayers more. He noted significant capital cost per tonne savings with vertical expansion solutions and maintaining IC&I tip fee revenue within the municipality.

In response to a question from Councillor Whitman, Mr. Kyle noted that the staff report does not effectively demonstrate savings by shipping out IC&I waste to other municipalities. He advised that he derived his conclusions by examining the implications of losing revenue from tip fees and the removal of flow control.

Mr. Paul Hann, of Lower Sackville, commented that he owns a small garbage hauling business in the municipality which he has operated for the past 28 years. He expressed his displeasure with the proposed By-Law and noted his opinion that the amendments are about obtaining more money from the industry rather than helping the environment. He advised that the proposed fee structure will be passed on to customers which will result in no savings for the tax payer. He advised that the staff report is misleading and encouraged Council to give the matter another look. He further advised that staff should spend more time at the Otter Lake Landfill Facility to ensure that it is being properly managed.

Mr. David Pace, of Halifax, stated that he is the Vice-President of Operations for the Pace Group and noted that he is in attendance to voice his concern regarding the proposed fee schedule. He advised that the proposed amendments represent a staggering increase which will have significant ramifications on small businesses. He advised that businesses already pay three times more than the residential tax rate and will have no other economical options to dispose of solid waste, if the amendments are allowed. He concluded that HRM staff have not done their homework in this regard and have not fully contemplated how businesses will share in the proposed savings. He encouraged Council to carefully consider the proposed amendments.

Mr. Teddy MacLean, of Halifax stated that he is an apartment building owner and advised that the proposed amendments to the By-law will negatively affect his family and his tenants. He stated that he is

in attendance to speak against the proposed increases to the tipping fees on behalf of the people who rent from him. He commented that the rationale advanced by staff is that he, as a business owner and resident, is not paying his fair share of taxation and costs associated for garbage removal. He noted that he disagrees with that rationale and already pays a great deal for solid waste to be collected from his buildings. He advised that staff should go back and reassess the proposed amendments.

Mr. Luc Erjavec, of Halifax commented that he is the Atlantic Canadian Vice President for Restaurants Canada, a national, not-for-profit association representing Canada's restaurant and food service industry. He thanked Council for the opportunity to support the proposed changes to the Solid Waste By-law that will allow restaurants to ship waste outside of Halifax. He stated his opinion that this is the only opportunity to reduce municipal service costs for the food service industry in Halifax. He advised that although competition costs could go down instead of up, the proposed amendments represent a win-win situation for both the food service industry and the municipality. He advised that he is happy to report that the food service industry diverts a majority of waste from the landfill but are still plagued by high operational costs. He advised that the market conditions in Halifax are nearly three times more expensive than that of other jurisdictions with respect to operating a restaurant or small business. He cited recent increases in municipal water rates over the past three year and concluded by noting that Restaurant's Canada does not accept the increase in tip fees given the amount that is paid in commercial taxes.

In response to a follow up question from Councillor Watts, Mr. Erjavec noted that his organization is opposed to the increased tip fees noting the proposed 36 percent increase is incomprehensible for small businesses.

Mr. Jim Cormier, of Dartmouth, noted that he is in attendance on behalf of Retailers Council of Canada and thanked Council for the opportunity to speak on the matter. He noted his support for the recommendation to transport waste to other municipalities but noted that the proposed changes to the fee schedule are excessive, especially for small operators.

Mr. Wendell Thomas, of Halifax urged Council to make an informed decision with respect to the proposed By-law. He expressed his opinion that the staff report is flawed and not worth the paper it is written on. He noted that he had carried out consultations with members of the community and has come to the conclusion that there will be no fiscal saving associated with the proposed amended By-law that would benefit taxpayers or the municipality. He concluded by encouraging Council to request that staff go back to the drawing board on the matter.

Council took a break at 7:22 p.m. and reconvened at 7:28 p.m.

Mr. Peter Lund, of Dartmouth, commented that he does not have a strong position on the matter as he is still trying to get an understanding of the implications that the proposed By-law would have on the waste removal sector, apartment renters and property owners. He advised that he is not sure if he would be supportive of exporting waste outside of the municipality but noted that Council should consider shared service options with other municipalities in this regard. He questioned how cost effective exporting waste will be for residents and whether or not taxes will have to be increased to offset the costs. He concluded by asking Council to consider the impact that the proposed By-law will have on small businesses.

Mr. Gord Helm, of Halifax, stated that he represents Nova Waste Solutions Incorporated and provided commentary on correspondence which he submitted to the attention of Council through the Municipal Clerk's Office. He commented that based on Council reports, landfill operations in HRM are forecasted to cost \$100 million dollars by 2024. He provided commentary with respect to the implementation of a plasma gasification system which currently exists in France and noted that its usage in the municipality could greatly reduce the current operational costs for solid waste. He further advised that the system produces zero waste and eliminates the need for a landfill. He noted that the project implementation timeline to set up the plant would take approximately twenty months and that the current landfill facility could be closed after the plasma gasification facility is operational. He concluded by providing commentary on the potential savings associated with transportation costs and the ability to achieve a 95% percent diversion rate in the municipality if the technology is implemented.

Mr. Robert Richardson, of Halifax, noted that he is the Chief Operating Officer of Killam Properties in Halifax and advised that he has keen insight in to the lives of residential and commercial tenants. He stated that the proposed tipping fee increases are detrimental to his company's commercial and residential tenants. He advised of increased costs for water services and noted that the proposed fee structure for By-law S-609 is not sustainable. He concluded by suggesting that Council reevaluate the proposed By-law before its adoption.

Mr. Steve Mader, of Halifax stated that he is the President of Nova Waste Solutions and stated that most of his points had already been made. He noted that HRM and Nova Scotia have a tremendous reputation around the world with respect to Waste Management and advised that other jurisdictions in other countries are looking at adopting new technologies which are more environmentally friendly and cost effective. He urged Council to look consider other technologies to help achieve those goals in Halifax.

Mr. John Cascadden, of Hatchet Lake questioned whether or not it is right to send IC&I material from HRM to outside municipalities. He commented that if it is right to send IC&I materials outside of HRM it is right to send all solid waste items outside of the municipality. He stated that the public gave the municipality a mandate in 1995 to process waste within HRM, and commented that flow control provisions should remain intact. He suggested that solid waste needs to be subsidized, as it costs what it costs to get the job done right. He noted that he does not support shipping IC&I waste outside of HRM and that the new technologies as referenced at this meeting need to be further examined by Council. He concluded by stating that Council should also consider partnering with other municipalities to assist in solid waste management.

Mr. Michael Faddoul, of Halifax, commented that he is the owner and operator of a small waste removal company in the municipality. He commented that from a small waste hauler's perspective, the proposed fee structure amounts to a very large cost increase which will force a great deal of companies out of business. He advised that many small haulers will not be able to export waste to other municipalities because of the costs associated with transportation. He further remarked that the proposed amendments favour large businesses and questioned whether or not outside municipalities will have the capacity to take on the IC&I waste from HRM.

Mr. Tim White, of Hammonds Plains commented that he is the Director of Solid Waste, Green for Canada Environmental Services. He noted that he is supportive of staff's proposal to remove flow control and commented that many businesses wish to have an option of where they are permitted to transport solid waste. He reiterated his position regarding the removal of flow control and requested that that Council allow the market to determine where the IC&I waste is deposited.

Mr. Steven Taylor, of Lower Sackville provided commentary on the current Solid Waste Strategy noting that when it was formulated, it specifically stipulated that HRM would manage its own waste. He referenced the staff report and expressed his view that exporting waste to other areas is not diversion and that staff's proposal is to shift the environmental burden associated with solid waste management to other municipalities. He remarked that the staff report and proposed amendments are misleading to restaurant and small business owners and suggested that the municipality does not have a plan regarding Solid Waste Management. He concluded by recommending that the Auditor General review the current solid waste strategy to find better efficiencies for the public.

Mr. Steve Davis, of Timberlea advised Council of his employment as a Garbage Sorter at the Otter Lake Facility. He stated that he works three, fourteen hour shifts per week and commented that if the proposed By-law is implemented, it could negatively affect his job as well as the employment of 90 other individuals at the facility. He commented that finding a full time job to support a family is difficult and noted that his job is the only source of income for his family. He further advised that his job is paramount in ensuring that the immigration process is a successful in bringing his husband to Canada. He requested that Council take in to consideration the financial, environmental and job market implications when making its final decision on the matter.

Ms. Kate Gillard, of Halifax expressed her view that the practice of diversion has been diverted with respect to the proposed By-law. She noted that the public engagement process for the proposed By-law was not adequate enough and suggested that staff needs to re-examine the matter.

Mr. Gordon Stewart, of Halifax noted his representation on behalf of the Restaurant Association of Nova Scotia. He advised that the food service sector will be negatively affected by the proposed tipping fees and commented that beyond paying taxes, businesses also pay tipping fees and removal fees associated with the removal of solid waste. He further noted that an average sized restaurant in HRM pays approximately \$675 per month for garbage removal, five to six times per week. He remarked that the industry that he represents diverts almost 100% of fats and oils from the landfill. He concluded by expressing his view that Council must re-evaluate the proposed changes to the fee schedule.

Mr. Scott Guthrie, of Brookside commented that Halifax Regional Council should consider expanding cells at the Otter lake landfill and suggested that the costs for residential garbage pick-up will rise exponentially if the proposed By-law is adopted. He commented that there will be a significant loss of revenue currently generated from the sale of recycled paper and cardboard that is separated at the Otter Lake Landfill, if waste is allowed to be exported. He concluded by noting that HRM should not burden other regions with its own environmental problem.

Ms. Karla Nicholson, General Manager of Quinpool Road Main Street Association expressed her concerns on behalf of her organization for the costs that will be levied against business owners if the proposed By-law is adopted. She read correspondence which was previously submitted to Council by her organization regarding proposed By-law S-609.

Mr. Frank Jackson, commented that he works at the Otter Lake landfill and noted that if the proposed By-law is adopted, it may put his job in jeopardy as well as that of his colleagues. He expressed his opinion that the Otter Lake Landfill facility is currently being managed properly and Council should maintain its position on the matter.

Deputy Mayor Nicoll called for further speakers to come forward and address Regional Council

Mr. Peter Vinyl, of Sustained Technologies commented that he has been working on implementing new technology to increase diversion in areas outside of Halifax. He noted that his company's technology is currently in use in Europe and involves extracting pure materials from waste. He advised that this type of technological solution represents the economy of the future. He expressed his opinion that the current solid waste system that it being used in HRM is too expensive and noted that Council has an opportunity to take a step forward that will deliver a real savings.

Deputy Mayor Nicoll thanked the speakers for their comments and called three times for further speakers to come forward and address Regional Council. No further speakers came forward to address Regional Council.

**MOVED by Councillor Karsten, seconded by Councillor Johns that the public hearing close.
MOTION PUT AND PASSED.**

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

1. **Adopt proposed By-law S-609, amending By-law S-600, the Solid Waste Resource Collection and Disposal By-law, to allow for the export of ICI residual waste (garbage) outside HRM, as set out in Attachment B of the staff report dated January 13, 2015;**
2. **Amend Administrative Order 16, Respecting Fees for the Use of Solid Waste Management Facilities as outlined in Attachment E of the staff report dated January 13, 2015 to:**
 - a. **Increase the fee in clause (a) from \$12.50 per 100 kg (220lbs) to \$ 17.00 per 100 kg (220 lbs);**

- b. Increase the fee in clause (b) from \$21.30 per cubic meter for more than 0.5 cubic meter (0.65 cu. yd.) to \$30.00 per cubic meter for more than 0.5 cubic meter (0.65 cu. yd.).**

Councillor Rankin suggested that the staff recommendation not be approved by his colleagues. He commented that he was disappointed that the notice for the Public Hearing spoke strictly to the exportation of material rather than the proposed increase in fees. He noted that if the proposed amendments were to be approved, HRM would still have to cover the fixed cost related to solid waste removal, which are significant. He advised that he will not support staff's recommendation.

Councillor Fisher inquired if it is possible to split the vote on recommendations one and two. He commented that he would support recommendation one but does not support recommendation two to increase fees.

Councillor Hendsbee stated that he believes that exporting waste would be beneficial only if there is a new process to modify waste to obtain other material such as gas or minerals. He commented that he believes that HRM should keep its own solid waste within its borders and expressed his view that the provincial government should establish regional waste facilities in which municipalities could implement shared-services to achieve environmental targets.

Councillor Walker inquired if the figures within the staff report and presentation are correct. He further inquired if the \$170 fee referenced in the staff report is for IC&I waste only. He questioned how much a resident would be charged if they were to haul their own solid waste to the Otter Lake facility.

Mr. Keliher responded that the figures referenced in the staff report are correct and responded that the fee a resident hauling their own solid waste would be prorated on the proposed \$170 per tonne figure depending on the amount of waste that is brought to the facility.

Councillor Walker stated that it is not only small businesses and the waste industry that will be affected by the proposed fee structure but every person within the municipality that wishes to dispose of solid waste. He advised that HRM currently ships garbage on a daily basis to the Municipality of Chester and expressed his view that the waste management industry will be negatively impacted if the fees are increased. He further advised that HRM has the best waste management facility in the province which means that the costs associated with maintaining the best facility will need to be incurred.

Councillor Karsten inquired if staff is considering the usage of new technologies in relation to waste management. He commented on his intention to support the first staff recommendation and noted that it is a strong signal to small businesses in HRM that need help controlling costs associated with waste removal. He remarked that he is not supportive of the proposed fee increases as they are too high and not sustainable. He provided commentary on the core principle of the solid waste strategy to adopt new and creative ways to improve the system, which he believes is not happening. He expressed his opinion that the status quo respecting solid waste is not sustainable and that the municipality will not be able to continue it in the same way for much longer.

Councillor Adams expressed his opinion that Council has an ethical obligation to ensure that HRM takes care of its own waste. He commented that he does not support allowing the exportation of waste to other municipalities which was challenged in court in 2007 whereby the decision of HRM to not export waste to other municipalities was upheld. He stated that there is great deal of uncertainty in dealing with solid waste and advised that exporting waste to other municipalities will likely be detrimental to the environment. He concluded by noting that he will not support the staff recommendation.

Councillor Craig thanked members of the public for their comments and noted that up until the present time there was not a great deal of discussion from the IC&I sector relating to solid waste management. He advised that costs are always a factor in every decision of Council and stated that he supports the exportation of solid waste to other municipalities as it provides options for business owners that were not there in the past. He commented that he would like more information pertaining to other technologies that

can be utilized as the current system is expensive. He further noted that Council has the authority and responsibility to ensure that waste is reduced and diverted in an environmentally sound manner. He concluded by noting that he will not support recommendation two regarding tipping fees, at this point, as he requires more information to make an informed decision in that regard.

Councillor Watts stated that she would have preferred that a discussion on this matter take place in a Committee of the Whole format prior to a public hearing as it would have provided Council with more time to review and ask questions of staff. She noted that she is not supportive of the current recommendation or the status quo and feels that there is likely a position in the middle which would be more beneficial with regard to solid waste management. She inquired as to the overall environmental and financial impact if Council were to approve the proposed By-law. She further inquired about future plans for composting and recycling and the role of provincial government in terms of the regulation and monitoring of landfill sites across the province, particularly those that are privately owned.

Mr. Keliher noted that the current cost to the municipality to process solid waste is approximately \$170 dollars per tonne, while the tipping fees are \$125 per tonne. He noted that staff has proposed a compost and recycling plan in the Transportation and Public Works Business Plan for 2015-16 as well as a review of the compost and recycling tip fees. With respect to the environmental impact, he noted that staff has drafted a greenhouse gas study regarding the exportation of waste and noted that the estimated greenhouse gas emissions from the removal of flow control is between five and ten percent. He advised that staff is currently not considering building a transfer station and commented that all landfills must comply with provincial regulations.

Councillor Dalrymple agreed with Councillor Walker's assessment and noted that the price for solid waste removal will increase for every person in the municipality if the proposed by-law is approved. He expressed his displeasure with staff's recommendation as well as his view that residents and business owners pay their fair share of taxes for solid waste removal. He noted his intention not to support either recommendation.

Councillor Whitman noted that he would support the first recommendation in the staff report if he was given assurance from staff that new technologies for solid waste management are being studied and considered for adoption in HRM in the near future.

Mr. Keliher stated that staff is open to the usage of new technologies but advised that additional resources and funding may be required to investigate the potential implementation of new technologies as the field of work is often quite specialized. He commented that he is currently drafting a report for the consideration of Council which examines staffing levels and external resources currently required for solid waste management.

Councillor Outhit commented that he is not yet ready to make a decision on this matter and will likely support the status quo. He advised that he is usually quite vocal about helping small businesses but noted that he is not entirely convinced that allowing the exportation of solid waste to other municipalities will help in the long run.

Councillor Rankin noted that the current system for waste removal, as expensive as it may be, is supported by residents and members of the waste removal industry. He advised that the staff recommendation constitutes a policy change and change in philosophy with respect to solid waste management which should be examined carefully by Council.

Councillor Watts inquired as to when the next cycle of contract discussions will take place with the current operators of the Otter Lake Facility.

Mr. Keliher noted that the last contract year is 2015-16 and advised that in 2016 staff will begin assessing the contract process.

In response to a follow up question from Councillor Outhit, Mr. Keliher stated that he had only recently heard about the proposal to build a transfer station by Miller Waste. He advised that HRM is not currently looking at a transfer station.

Further discussion ensued with Deputy Mayor Nicoll reminding Council that the vote on the main motion would be split as previously requested.

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

- 1. Adopt proposed By-law S-609, amending By-law S-600, the Solid Waste Resource Collection and Disposal By-law, to allow for the export of ICI residual waste (garbage) outside HRM, as set out in Attachment B of the staff report dated January 13, 2015**

MOTION PUT AND PASSED. (7 in favour; 6 against)

In favour: Deputy Mayor Nicoll; Councillors Karsten; Fisher; Walker; Johns; Craig; Outhit

Against: Councillors Dalrymple; Hendsbee; Watts; Adams; Rankin; Whitman

Not present: Mayor Savage; Councillors McCluskey; Mason; Mosher.

- 2. Amend Administrative Order 16, Respecting Fees for the Use of Solid Waste Management Facilities Outlined in Attachment E of the staff report dated January 13, 2015 to:**
 - a. Increase the fee in clause (a) from \$12.50 per 100 kg (220lbs) to \$ 17.00 per 100 kg (220 lbs);**
 - b. Increase the fee in clause (b) from \$21.30 per cubic meter for more than 0.5 cubic meter (0.65 cu. yd.) to \$30.00 per cubic meter for more than 0.5 cubic meter (0.65 cu. yd.).**

MOTION PUT AND DEFEATED UNANIMOUSLY.

Not present: Mayor Savage; Councillors McCluskey; Mason; Mosher.

MOVED by Councillor Adams, seconded by Councillor Whitman that Halifax Regional Council extend the meeting time beyond 10:00 p.m. MOTION PUT AND PASSED.

Council convened to an in camera session at 9:45 p.m. and reconvened at 11:14 p.m. to ratify the following motions:

13. IN CAMERA

13.1 Legal Advice

13.1.1 Legal Advice – *Private and Confidential Report* – Deferred from January 28, 2015

This matter was dealt with during an In Camera session. No further action required.

13.2 Legal Matter

A matter pertaining to litigation or potential litigation in regard to an identifiable person and information whose disclosure could reasonably be expected to prejudice the interests of the Municipality.

13.2.1 Partnership with Dalhousie University – Protected Bike Lane – *Private and Confidential Report*

MOVED by Councillor Watts, seconded by Councillor Karsten that Halifax Regional Council waive notice of motion for a motion of rescission and rescind resolution 11.4.1 passed at the September 23, 2014 Regional Council meeting, and refer the matter back to staff to conduct further public engagement on the proposed construction and operation of a protected bike lane on University Avenue, with a staff report incorporating the results being brought back to Council by March 10, 2015.

It is further recommended that this report not be released to the public.

MOTION PUT AND PASSED. (Two-Third Majority Vote Required) **(11 in favour; 1 against)**

Those in favour: Deputy Mayor Nicoll; Councillors Dalrymple; Hendsbee; Karsten; Fisher; Watts; Walker; Adams; Rankin; Craig; Outhit.

Those Against: Councillor Whitman.

Not Present: Mayor Savage; Councillors McCluskey; Mason; Mosher; Johns

13.3 Contract Negotiations

A matter pertaining to contract negotiations and legal advice.

13.3.1 Open Data Council Memorandum of Understanding – *Private and Confidential Report*

MOVED by Councillor Watts, seconded by Councillor Walker that Halifax Regional Council authorize staff to work with the Province of Nova Scotia (PNS), the Property Valuation Services Corporation (PVSC) and the Union of Nova Scotia Municipalities (UNSM) to negotiate and develop a Memorandum of Understanding (MOU) for the creation of the Nova Scotia Open Data Council as described in Attachment 1 of the private and confidential staff report dated January 6, 2015. Council approval of the MOU shall be required prior to its execution by the Municipality.

It is further recommended that the private and confidential staff report dated January 6, 2015 be released to the public when the MOU is approved and signed.

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Mayor Savage; Councillor McCluskey; Mason; Mosher; Johns

16. ADJOURNMENT

The meeting adjourned at 11:17 p.m.

Cathy J. Mellett
Municipal Clerk