



**HALIFAX REGIONAL COUNCIL
MINUTES
February 13, 2018**

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

REGRETS: Councillor Sam Austin

STAFF: Jacques Dubé, Chief Administrative Officer
John Traves, Municipal Solicitor
Kevin Arjoon, Municipal Clerk
Sharon Chase, Legislative Assistant

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

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

The meeting was called to order at 10:00 a.m. and Council adjourned at 11:40 a.m.

1. CALL TO ORDER

The Mayor called the meeting to order at 10:00 a.m.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillors noted a number of special community announcements and acknowledgements.

3. APPROVAL OF MINUTES – Special Committee of the Whole January 10, 2018

MOVED by Councillor Nicoll, seconded by Councillor Smith

THAT the minutes be approved as presented.

MOTION PUT AND PASSED.

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

MOVED by Councillor Mancini, seconded by Deputy Mayor Mason

THAT Item 14.3.1 Pollution Control Study for Lake Banook be deferred to the next scheduled meeting of Halifax Regional Council.

MOTION PUT AND PASSED

MOVED by Councillor Nicoll, seconded by Councillor Whitman

THAT the agenda be approved as amended.

Two-third majority vote required.

MOTION PUT AND PASSED.

5. BUSINESS ARISING OUT OF THE MINUTES- NONE

6. CALL FOR DECLARATION OF CONFLICT OF INTERESTS

7. MOTIONS OF RECONSIDERATION - NONE

8. MOTIONS OF RESCISSION - NONE

9. CONSIDERATION OF DEFERRED BUSINESS – NONE

10. NOTICES OF TABLED MATTERS – NONE

11. PUBLIC HEARINGS – 6:00 P.M. - NONE

12. CORRESPONDENCE, PETITIONS & DELEGATIONS

12.1 Correspondence

The Clerk noted that correspondence was received for item 14.2.1. This correspondence was circulated to Council.

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

12.1.1 Fly-Past Request – 2018 Battle of the Atlantic Ceremony

The following was before Council:

- Correspondence dated January 17, 2018

MOVED by Deputy Mayor Mason, seconded by Councillor Hendsbee

THAT Halifax Regional Council grant permission for the Canadian Armed Forces to fly Royal Canadian Air Force aircrafts in formation over Point Pleasant Park as per the diagrams attached to the correspondence dated January 17, 2018 at an altitude of 500 feet above the highest obstacles on Sunday May 6, 2018 at 10:58 AM in conjunction with the 2018 Battle of the Atlantic Ceremony.

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillor Austin

12.2 Petitions- None

13. INFORMATION ITEMS BROUGHT FORWARD – January 30, 2018

13.1 Councillor Smith – Bloomfield Property Process Update

The following was before Council:

- Information report dated January 16, 2018.

Staff responded to questions, reviewing the status of each building and confirming that the Bloomfield Master Plan is being honoured. Jacques Dubé, Chief Administrative Officer, explained the Province's position on the site being used as a school.

14. REPORTS

14.1 CHIEF ADMINISTRATIVE OFFICER

14.1.1 Case 21379 – Municipal Planning Strategy (MPS) and Land Use By-Law (LUB) Amendments for Planning District 4 (Prospect) to allow a church at 797 Prospect Road, Goodwood

The following was before Council:

- Staff report dated January 23, 2018.

MOVED by Councillor Adams, seconded by Councillor Whitman

THAT Halifax Regional Council direct staff to:

- 1. Initiate a process to consider amendments to the Municipal Planning Strategy for Planning District 4 (Prospect) to allow a church at 797 Prospect Road, Goodwood; and**
- 2. Follow the public participation program for municipal planning strategy amendments as approved by Regional Council on February 27, 1997.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillor Austin

14.1.2 Train Whistle – Oakfield Park Road, Fall River

The following was before Council:

- Staff report dated January 11, 2018.

MOVED by Councillor Streach, seconded by Deputy Mayor Mason

THAT Halifax Regional Council direct staff to take no further action at this time.

Staff confirmed that there was a safety issue involved. CN is reviewing the matter and staff will advise further once the review is complete.

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillor Austin

14.1.3 Options to Protect Properties at 75, 79, and 85 Sackville Cross Road from Further Erosion by the Little Sackville River

The following was before Council:

- Staff report dated January 11, 2018.

MOVED by Councillor Craig, seconded by Deputy Mayor Mason

THAT Halifax Regional Council direct staff to share the report dated January 11, 2018 with affected property owners to provide guidance and awareness of options and responsibilities for erosion control measures on their properties.

Staff responded to questions about at-risk properties and what the municipality should be doing such as: reviewing flood plain zones, references in development agreements, public education. Staff confirmed that the Province has overriding requirements for septic permits.

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillor Austin

14.1.4 Award – Tender 17-199 Scotiabank Centre Ice Slab Replacement

The following was before Council:

- Staff report dated February 2, 2018.

MOVED by Deputy Mayor Mason, seconded by Councillor Karsten

THAT Halifax Regional Council Award Tender 17-199, Scotiabank Centre Ice Slab Replacement to the lowest bidder meeting specification, EllisDon Corporation, for a total price of \$1,309,645 (HST fully refundable) with funding from CB000028 – Scotiabank Centre, as outlined in the Financial Implications section of the staff report dated February 2, 2018.

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillor Austin

14.1.5 Halifax Mainland Land Use By-law Amendments for Signage

The following was before Council:

- Staff report dated December 1, 2017

MOVED by Councillor Walker, seconded by Councillor Cleary

THAT Halifax Regional Council refer the proposed amendment to the Halifax Mainland Land Use By-law to increase the number of signs permitted on corner lots in C-2 Zone, as set out in Attachment B of the staff report dated December 1, 2017, to the Halifax and West Community Council to consider through the standard Land Use By-law amendment process.

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillor Austin

14.1.6 Case 20936 – Municipal Planning Strategy (MPS) and Land Use By-law (LUB) Amendments and Development Agreement for Long Lake Village, at Cowie Hill Road and Northwest Arm Drive, Halifax

The following was before Council:

- Staff report dated January 23, 2018

MOVED by Councillor Adams, seconded by Councillor Whitman

THAT Halifax Regional Council:

- 1. Initiate a process to consider amendments to the Halifax Municipal Planning Strategy and Halifax Mainland Land Use By-law to allow changes to the required amount of land area and unit mix for certain apartment sites within the Long Lake Village development, at Cowie Hill Road and Northwest Arm Drive, Halifax by development agreement; and**
- 2. Follow the public participation program for municipal planning strategy amendments as approved by Regional Council on February 27, 1997.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Karsten and Austin

14.2 COMMUNITY PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE

14.2.1 ArtsHalifax Advisory Committee Recommendations – Successor Committee and Awards Program

The following was before Council:

- Report dated January 19, 2018
- Correspondence dated February 12, 2018 from Symphony Nova Scotia
- Handout from Deputy Mayor Mason

MOVED by Deputy Mayor Mason, seconded by Councillor Outhit

THAT Halifax Regional Council waive the rules for Section 83 of Administrative Order One, to remove the limit on the number of times a member can speak, in order to discuss the recommendations as outlined in the Community Planning and Economic Development Standing Committee report dated January 19, 2018.

Two-third majority vote required.

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

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

Against: Councillor Walker

Not present: Councillors Karsten and Austin

MOVED by Deputy Mayor Mason, seconded by Councillor Hendsbee

THAT Halifax Regional Council:

- 1. Consider the inclusion of up to \$500,000 in the Parks & Recreation 2018-19 operating budget process for the Grants to Professional Arts Organizations Program;**

2. Direct the Chief Administrative Officer to prepare amendments to Administrative Order 2014-007-ADM, the Grants to Professional Arts Organizations Program, prior to the call for applicants for the 2018-19 fiscal year and return to Council for approval, as follows:
 - a. delegate the approval of grant awards to the Chief Administrative Officer;
 - b. revise the process for selecting a peer jury to be a procurement to permit payment for the services of the peer jurists; and
 - c. amend the financial levels of the professional arts grants;
3. Request legislative amendments to the HRM Charter to allow the Municipality to incorporate a society under the Societies Act in order to advance the governance and operational model described as 'Option C' - External Board, Structured as Arm's Length Body; and
4. Repeal Administrative Order 2014-019-GOV.

MOVED by Deputy Mayor Mason, seconded by Councillor Smith

THAT the motion be amended as follows:

1. Consider the inclusion of an additional \$100,000 in 2018-19, \$150,000 in 2019-20, and \$250,000 in 2020-21 to the grants operating budget process for the Grants to Professional Arts Organizations Program;

Council considered how this might now be included in budget discussions. Jacques Dubé, Chief Administrative Officer, confirmed that this funding is in the budget parking lot.

MOTION PUT AND PASSED. (13 in favour, 2 against)

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

Against: Councillors Walker and Whitman

Not present: Councillors Karsten and Austin

MOVED by Deputy Mayor Mason, seconded by Councillor Cleary

THAT the motion be amended as follows:

3. Request a staff report regarding potential legislative amendments to the HRM Charter to allow the Municipality to allow a specific set of arts grants to individuals and business to be governed by by-law, overseen by an arm's length citizen-only advisory committee that shall report annually to Council;

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

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

Against: Councillor Whitman

Not present: Councillors Karsten and Austin

The question was called on the amended motion as follows.

THAT Halifax Regional Council:

1. Consider the inclusion of an additional \$100,000 in 2018-19 \$150,000 in 2019-20 and \$250,000 in 2020-21 to the grants operating budget process for the Grants to Professional Arts Organizations Program;

2. Direct the Chief Administrative Officer to prepare amendments to Administrative Order 2014-007-ADM, the Grants to Professional Arts Organizations Program, prior to the call for applicants for the 2018-19 fiscal year and return to Council for approval, as follows:
 - a. delegate the approval of grant awards to the Chief Administrative Officer;
 - b. revise the process for selecting a peer jury to be a procurement to permit payment for the services of the peer jurists; and
 - c. amend the financial levels of the professional arts grants;
3. Request a staff report regarding potential legislative amendments to the HRM Charter to allow the Municipality to allow a specific set of arts grants to individuals and business to be governed by by-law, overseen by an arm's length citizen only advisory committee that shall report annually to Council.
4. Repeal Administrative Order 2014-019-GOV

THE MOTION, AS AMENDED, WAS PUT AND PASSED. (13 in favour, 2 against)

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

Against: Councillors Walker and Whitman

Not present: Councillors Karsten and Austin

14.3 ENVIRONMENT AND SUSTAINABILITY STANDING COMMITTEE

14.3.1 Pollution Control Study for Lake Banook

The following was before Council:

- Report dated February 2, 2018
- Draft Extract from Budget Committee meeting January 19, 2018

During the approval of the agenda this item was deferred to the next scheduled meeting of Halifax Regional Council.

14.4 TRANSPORTATION STANDING COMMITTEE

14.4.1 Transit Priority Corridors – Bayers Road

The following was before Council:

- Report dated February 2, 2018

MOVED by Councillor Nicoll, seconded by Councillor Outhit

THAT Halifax Regional Council proceed with detailed design of dedicated bus lanes in both directions on the Bayers Road corridor, including reconfiguration of the Halifax Shopping Centre intersection.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Karsten and Austin

14.4.2 Councillor Nomination to the Halifax-Dartmouth Bridge Commission

The following was before Council:

- Report dated February 2, 2018

MOVED by Councillor Nicoll, seconded by Councillor Whitman

THAT Halifax Regional Council appoint Councillor Shawn Cleary to fill an unexpired term to November 30, 2018.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Karsten and Austin

14.5 BUDGET COMMITTEE

14.5.1 Adjusting Local Transit and Regional Transportation Rates

The following was before Council:

- Report dated February 1, 2018

MOVED by Councillor Nicoll, seconded by Councillor Whitman

THAT Halifax Regional Council maintain the current approach to transit taxation and fares during the 2018-19 fiscal year.

Staff responded to questions around fares: balance between fares and taxes, across country comparisons, rapid transit and zone premiums and potential opportunities with the introduction of new technologies.

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

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

Against: Councillors Adams and Hendsbee

Not Present: Councillor Austin

14.6 MEMBERS OF COUNCIL

14.6.1 Councillor Hendsbee – Area Rate for Sheet Harbour Streetscape Project

The following was before Council:

- A revised Request for Council Consideration, dated February 13, 2018

MOVED by Councillor Hendsbee, seconded by Councillor Streach

THAT Halifax Regional Council request a staff report providing information considering area rate scenario for District 2 (see attached map) based upon rate and community:

\$5.00 for the community areas of Mooseland, River Lake, Jacket Lake, Third Lake, Spry Harbour, Popes Harbour, East Ship Harbour, Pleasant Harbour, Tangier, Murphy Cove, Lochaber Mines, Moser River, West Quoddy, East Quoddy, Harrigan Cove, Moosehead, Necum Teuch, Ecum Secum West, Ecum Secum, Pace Settlement, Liscomb Sanctuary

\$15.00 for the community areas of Marinette, Malay Falls, Port Dufferin, Beaver Harbour, Sheet Harbour Passage, Sober Island, Mushaboom, Spry Bay; and

\$25.00 for the community areas of Sheet Harbour, Watt Section.

Rates to be based upon residential and commercial properties. Resource properties are exempt from the rate.

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillor Austin

15. MOTIONS - NONE

16. IN CAMERA (IN PRIVATE)

No In Camera (In Private) session was held.

16.1 In Camera (In Private) Minutes – Special Committee of the Whole January 10, 2018

This matter was dealt with in public.

MOVED by Deputy Mayor Mason, seconded by Councillor Karsten

THAT the In Camera (In Private) minutes of the Special Committee of the Whole on January 10, 2018 be approved as circulated.

MOTION PUT AND PASSED.

16.2 Property Matter

16.2.1 Redactions to the June 16, 2017 In Camera Staff Report – Private and Confidential Report

The following was before Council:

- Private and confidential report dated January 26, 2018

This matter was dealt with in public.

MOVED by Councillor Mancini, seconded by Deputy Mayor Mason

THAT Halifax Regional Council:

- 1. Authorize and direct staff to release immediately a copy of the private and confidential June 16, 2017 and June 21, 2017 staff reports, with the exception of redactions to text shown in yellow and orange highlights in Attachment 1 of the private and confidential report dated January 26, 2018;**
- 2. Authorize and direct staff to release a copy of the private and confidential June 16, 2017 and June 21, 2017 staff reports that includes text shown in orange highlight in Attachment 1, as per the terms and conditions outlined in the private and confidential report dated January 26, 2018.**
- 3. Not release the private and confidential report dated January 26, 2018 to the public on the basis of solicitor-client privilege.**

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

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

Against: Councillor Cleary

Not Present: Councillor Austin

16.2.2 HRM-CMHC Land Ownership exchange at Maitland Street and the Historic Properties – Private and Confidential Report

The following was before Council:

- Private and confidential report dated January 2, 2018

This matter was dealt with in public.

MOVED by Deputy Mayor Mason, seconded by Councillor Nicoll

THAT Halifax Regional Council:

1. approve the land exchange transaction and required agreements between CMHC and HRM for ownership interest at Maitland Street (PID 40623910, 40270183 and 40270191) and the Historic Properties (PID 00003459, 40267734) as set out in table 1 of the private and confidential report dated January 2, 2018; 2. Approve the sale of jointly owned HRM-CMHC land (PID 40623902 Maitland Street Parking Structure) as outlined in the private and confidential report dated January 2, 2018. The proceeds of the Parking Structure sale will flow to CMHC to equalize the valuation for the land holding interests at Maitland Street and Historic Properties; and
3. That the private and confidential report dated January 2, 2018 not be released to the public until the transaction has been completed.

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillor Austin

16.3 Personnel Matter

Citizen and Councillor appointments to boards and committees in keeping with the Public Appointment Policy adopted by Regional Council in August 2011, to be found at <https://www.halifax.ca/city-hall/boards-committees-commissions/volunteer-boards-committees/public-appointment-policy>

16.3.1 Citizen Appointment to the Halifax Regional Water Commission Board – Private and Confidential Report

The following was before Council:

- Private and confidential report dated February 2, 2018

This matter was dealt with in public.

MOVED by Councillor Nicoll, seconded by Councillor Mancini

THAT Halifax Regional Council:

1. Appoint the applicant as outlined in the discussion section of the private and confidential report dated January 12, 2018, to the Halifax Regional Water Commission Board and that the identity of the appointee be released to the public following ratification and notification of the successful candidate.
2. Not release the private and confidential Environment and Suitability Standing Committee report dated February 2, 2018 to the public.

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillor Austin

17. ADDED ITEMS- NONE

18. NOTICES OF MOTION

18.1 Councillor Hendsbee

Councillor Hendsbee gave notice that, at the next meeting of Halifax Regional Council to be held on February 27, 2018 I propose to: 1. Move First Reading of proposed By-Law C-1000, Respecting Financing and Charges for Homeowners to Resolve Inadequate On-Site Water Supply; and 2. Introduce proposed amendments to Administrative Order 15 Respecting License, Permit and Processing Fees. The purpose of which is to create a program that would provide financing to homeowners to resolve inadequate on-site water supply.

18.2 Deputy Mayor Mason

Deputy Mayor Mason gave notice that, at the next meeting of Halifax Regional Council to be held on February 27, 2018, I propose to move amendments to Administrative Order 53, the Municipal Alcohol Policy, the purpose of which is to amend schedule A to add Argyle Street between Duke Street and Blowers Street, and Grafton Street, between Carmichael Street and Prince Street, to a new category titled "HRM Streets Where Alcohol is Permitted When a Temporary Street Closure has been Approved".

18.3 Councillor Nicoll

Councillor Nicoll gave notice that, at the next meeting of Halifax Regional Council to be held on February 27, 2018, I propose to introduce proposed Administrative Order 2018-001-ADM, the Accountability Framework for Halifax Water (HRWC), the purpose of which is to outline:

- The process for appointments to the Board of Directors;
- Required annual performance metrics as agreed between HRWC Board and HRM Council; and
- The process for review of the annual business plan, annual financial statements, HRWC Employees Pension Plan Financial Statements, and other matters as required or allowed by the Halifax Water Commission Act.

18.4 Councillor Walker

Councillor Walker gave notice that, at the next meeting of Halifax Regional Council to be held on February 27, 2018 I propose to move amendments to Administrative Order 2014-001-ADM, Respecting Tax Relief to Non-Profit Organizations, the purpose of which is to repeal and replace schedule 26 and to amend schedule 29.

19. ADJOURNMENT

The meeting adjourned at 11:40 am.

Kevin Arjoon
Municipal Clerk