

HALIFAX REGIONAL COUNCIL MINUTES April 24, 2018

PRESENT: Mayor Mike Savage

Deputy Mayor Waye Mason Councillors: Steve Streatch

> David Hendsbee Bill Karsten Lorelei Nicoll Sam Austin Tony Mancini Lindell Smith Shawn Cleary Russell Walker Stephen Adams

> Stephen Adams
> Richard Zurawski
> Matt Whitman
> Lisa Blackburn
> Steve Craig
> Tim Outhit

STAFF: Jacques Dubé, Chief Administrative Officer

John Traves, Municipal Solicitor Kevin Arjoon, Municipal Clerk

David Perusse, Legislative Assistant Sharon Chase, Legislative Assistant

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

The meeting was called to order at 2:00 p.m., Council moved into an In Camera (In Private) session at 2:20 p.m. and reconvened at 3:59 p.m., Council recessed at 5:15 p.m. and reconvened in at 6:00 p.m., Council adjourned at 7:48 p.m.

1. CALL TO ORDER

The Mayor called the meeting to order at 2:00 p.m.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillors noted a number of special community announcements and acknowledgements.

3. APPROVAL OF MINUTES - March 20th and March 27, 2018

MOVED by Councillor Whitman, seconded by Councillor Karsten

THAT the minutes of March 20th and March 27, 2018 be approved as presented.

MOTION PUT AND PASSED.

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

Additions:

- 17.1 Councillor Cleary Developing a Municipal Framework for Legalizing Cannabis
- 17.2 Ratification from Committee of the Whole Proposed 2018/2019 Budget and Business Plan

Information Item 6. Proclamation – National Organ and Issue Donation Awareness Week – April 22-28, 2018

Regional Council agreed to change the order of business to have item 17.2 dealt with first, followed by items 14.1.3 Local Improvement Charges – 51 Sandy Point Road and 14.1.2 Dartmouth Sportsplex Naming Right to be discussed In Camera (In Private).

MOVED by Councillor Nicoll, seconded by Councillor Whitman

THAT the agenda be approved as amended.

Two-thirds vote required.

MOTION PUT AND PASSED.

- 5. BUSINESS ARISING OUT OF THE MINUTES NONE
- 6. CALL FOR DECLARATION OF CONFLICT OF INTERESTS NONE
- 7. MOTIONS OF RECONSIDERATION NONE
- 8. MOTIONS OF RESCISSION NONE
- 9. CONSIDERATION OF DEFERRED BUSINESS NONE
- 10. NOTICES OF TABLED MATTERS NONE
- 11. PUBLIC HEARINGS 6:00 P.M.
- 11.1 By-law N-200 Noise Exemption Request Glen Arbour Golf Club

The following was before Council:

Staff recommendation report dated March 29, 2018

Tanya Philips, Program Manager By-law Standards, reviewed the Glen Arbour Golf Club's application for exemption from the provisions of By-law N-200, Respecting Noise for the period of May 18th to October 31, 2018. Philips noted that last year there was a similar exemption for the subject property, and staff did not receive any noise complaints.

Mayor Savage noted that the applicant was not in attendance to address Council.

Mayor Savage reviewed the rules of procedure and opened the public hearing calling three times for anyone wishing to speak on the matter, there were none.

MOVED by Councillor Karsten, seconded by Councillor Cleary

THAT the public hearing be closed.

MOTION PUT AND PASSED.

MOVED by Councillor Whitman, seconded by Councillor Karsten

THAT Halifax Regional Council approve the Glen Arbour Golf Club's application for an exemption from the provisions of the Noise By-law pursuant to the contents of the staff report dated March 29, 2018 and any matters raised at the public hearing.

MOTION PUT AND PASSED UNANIMOUSLY.

11.2 Case 21281 - Amendments to the Regional Municipal Planning Strategy and the Eastern Shore (West) Land Use By-law for lands on the east side of Scots Lake, Musquodoboit Harbour

The following was before Council:

- Recommendation report from Harbour East-Marine Drive Community Council, dated March 2, 2018, with attached staff recommendation report dated January 24, 2018
- Extract of the draft minutes from the March 20, 2018 meeting of Regional Council
- Correspondence submitted by Val Conrad, and Ron and Wendy Stever

Thea Langille, Major Projects Planner, presented the application by Scott Rowlings on behalf of 3224570 Nova Scotia Limited to enable development permits to be issued to ten existing 10 hectare (25 acre) lots located on the east side of Scots Lake, Musquodoboit Harbour. Langille provided background on rural housing development and provisions in the Halifax Charter as well as any exemptions and how they are being used. They reviewed the development history of both the east and west sides of Scots Lake, highlighting the subdivision approval for the east side. It is proposed that the east side of Scots Lake receive the same one-time exception as the west side of Scots Lake under a special provision in the Regional Municipal Planning Strategy and add the east side of Scots Lake to Schedule D of the Eastern Shore (West) Land Use By-law.

Thea Langille clarified that this had previously been brought to Regional Council and was defeated as staff had recommended that the lots could be reconfigured through the as-of-right process which was not the case. Since then the application has been re-submitted for consideration. They confirmed that the Musquodoboit Community Development Plan will not be impacted.

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

Mike Williams presented on behalf of the applicant. Williams, a licensed land surveyor, noted that the access road appears to be an area of concern and shared that is was designed in consultation with land engineers confirming that it can deal with storm water and that all ground to lake surveys and assessments were completed.

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

John Verlinden, Musquodoboit Harbour, noted that rural areas struggle with an aging population. The business base needs new people to come and live in the area and ensure a future for these communities.

Brian Staple, community resident, noted that they are a third generation business owner. This would bring commerce and help the community grow. They expressed that changing rules on the fly was difficult for people who are trying to develop the area.

Mike Young, Musquodoboit Harbour, wanted to see the land developed and the area revitalized.

Val Conrad, Scots Lake, expressed concerns with changes and road issues. Based on their experience on the west side, they suggested that it was important to ensure there is an engineer certificate for the road along with a strategy to get all of the road approved.

The Mayor called three times for any other members of the public wishing to speak on the matter, there were none.

MOVED by Councillor Cleary, seconded by Deputy Mayor Mason

THAT the public hearing be closed.

MOTION PUT AND PASSED.

MOVED by Councillor Hendsbee, seconded by Councillor Streatch

THAT Halifax Regional Council approve the proposed amendments to the Regional Municipal Planning Strategy (RMPS) and the Land Use By-law for the Eastern Shore (West) as set out in Attachments A and B of the staff report dated January 24, 2018.

MOTION PUT AND PASSED UNAMINOUSLY

12. CORRESPONDENCE, PETITIONS & DELEGATIONS

12.1 Correspondence

The Clerk noted that correspondence was received for items 11.2, 14.1.2, 14.1.4 and 17.2. This correspondence was circulated to members of Regional Council.

12.2 Petitions

The Clerk submitted a petition from Halifax taxi drivers containing 156 signatures requesting an evaluation of the existing fare structure in HRM.

13. INFORMATION ITEMS BROUGHT FORWARD - NONE

14. REPORTS

14.1 CHIEF ADMINISTRATIVE OFFICER

14.1.1 First Reading Proposed By-law E-205, an Amendment to By-Law E-200, Respecting Encroachments Upon, Under or Over a Street - Red Tape Reduction

The following was before Council:

• Staff recommendation report dated March 1, 2018

MOVED by Deputy Mayor Mason, seconded by Councillor Whitman

THAT Halifax Regional Council give First Reading to proposed By-law E-205, an amendment to By-law E-200, Respecting Encroachments Upon, Under, or Over a Street, as set out in Attachment 2 of the staff report dated March 1, 2018.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Hendsbee and Craig

14.1.2 Dartmouth Sportsplex Naming Rights

The following was before Council:

- Staff recommendation report dated March 20, 2018
- Correspondence submitted by Trevor Arnason and Holly Gillis, Nova Scotia Health Authority, dated April 23, 2018

MOVED by Councillor Austin, seconded by Deputy Mayor Mason

THAT Halifax Regional Council:

- 1. Award the naming rights opportunity for the Dartmouth Sportsplex to the recommended naming partner as outlined in the in-camera report, subject to the negotiation and execution of a contract which, in the determination of the Chief Administrative Officer, (i) complies with Administrative Order 56, and (ii) achieves "HRM's Objectives" as outlined in Table 1 of the private and confidential in camera report dated March 20, 2018;
- 2. Authorize and direct staff to work with the Dartmouth Sportsplex Community Association to negotiate a contract for naming rights with the naming partner that complies with Administrative Order 56 and achieves HRM's Objectives;
- 3. Authorize and direct the Mayor and Clerk to execute a contract for naming rights on behalf of the Municipality with the naming partner, once the Chief Administrative Officer advises the Mayor and Clerk that the contract complies with Administrative Order 56 and achieves HRM's Objectives;
- 4. Direct staff not to release details about the proposal, or the contract being negotiated for naming rights, until execution of the contract by the parties; and
- 5. Not release the private and confidential in camera report dated March 20, 2018, unless and until (and only to the extent) required by law.

MOVED by Councillor Austin, seconded by Councillor Zurawski

THAT Item 14.1.2 Dartmouth Sportsplex Naming Rights be deferred for a supplemental staff report, as per the instruction provided by Regional Council at its In-Camera meeting of April 24, 2018.

MOTION TO DEFER PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Craig

14.1.3 Local Improvement Charges - 51 Sandy Point Road

The following was before Council:

• Staff recommendation report dated March 13, 2018

MOVED by Councillor Hendsbee, seconded by Councillor Whitman

THAT Halifax Regional Council continue to charge the Local Improvement Charge for civic 51 Sandy Point Road for the reasons outlined in the staff report dated March 13, 2018.

Councillor Hendsbee asked that Council defeat this motion and consider the alternative recommendation from the March 13, 2018 staff report.

MOTION PUT AND DEFEATED. (6 in favour, 10 against)

In favour: Deputy Mayor Mason and Councillors Karsten, Nicoll, Austin, Cleary and Walker

Against: Mayor Savage and Councillors Streatch, Hendsbee, Mancini, Smith, Adams, Zurawski, Whitman, Blackburn and Outhit

Not present: Councillor Craig

MOVED by Councillor Hendsbee, seconded by Councillor Streatch

THAT Halifax Regional Council:

- 1. Direct staff to prepare amendments to By-law A-400, the Streets Improvement By-law to exempt 51 Sandy Point Road from any further charges arising from Schedule Q of the By-law and return to Council for consideration of the resulting amendments; and
- 2. Fund the remaining balance of the charge for 51 Sandy Point Road arising from Schedule Q of the By-law from the paving of the HRM owned Subdivision Streets Account CR000002.

Jerry Blackwood, Acting Chief Financial Officer, confirmed that local improvement charges for 2018-2021 would be relieved.

MOTION PUT AND PASSED. (13 in favour, 3 against)

In favour: Mayor Savage, Deputy Mayor Mason, and Councillors Streatch, Hendsbee, Mancini, Smith, Cleary, Walker, Adams, Zurawski, Whitman, Blackburn and Outhit

Against: Councillors Karsten, Nicoll and Austin

Not present: Councillor Craig

14.1.4 Wanderer's Grounds and Sports & Entertainment Atlantic

The following was before Council:

- Staff recommendation report dated April 13, 2018
- Correspondence submitted by Peggy Cameron and Beverly Miller, Friends of Halifax Common Co-Chairs

MOVED by Deputy Mayor Mason, seconded by Councillor Mancini

THAT Halifax Regional Council:

- 1. Waive the rules of order, with respect to Administrative Order, section 63 (3) regarding notice of rescission; and
- 2. Rescind resolution 14.1.13 from the June 20 and 21, 2017 Regional Council meeting.

Two thirds vote required.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Craig

MOVED by Deputy Mayor Mason, seconded by Councillor Mancini

THAT Halifax Regional Council:

- 1. Direct and authorize the Chief Administrative Officer, or delegate, to negotiate and execute a one-year rental agreement with Sports & Entertainment Atlantic (SEA) for use of the Wanderers Grounds for 2018 as per Attachment 1 of the staff report dated April 13, 2018; and
- 2. Direct and authorize the Chief Administrative Officer, or delegate, to negotiate and execute a three-year rental agreement with SEA for use of the Wanderers Grounds for Canadian Premier League soccer games in 2019, 2020 and 2021, based on the Key Terms and Conditions outlined in Table 1 of the staff report dated April 13, 2018 which are consistent with Regional Council's previous direction with only a change to the number of games and with such changes or conditions as may be deemed by the Chief Administrative Officer to be in the best interest of the Municipality. This will be subject to the consideration of any management issues with the sporting event(s) scheduled for 2018.

Denise Schofield, Manager Regional Recreation and Culture, clarified that there has been a delay in the team's timeline and that the first year would be a test year and once the team was announced a three (3) year agreement would be signed.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Craig

14.2 ENVIRONMENT AND SUSTAINABILITY STANDING COMMITTEE

14.2.1 Subscription Only Flyer Delivery in HRM

The following was before Council:

• Recommendation report from the Environment and Sustainability Standing Committee dated April 6, 2018, with attached staff recommendation report dated January 16, 2018

MOVED by Councillor Blackburn, seconded by Councillor Nicoll

THAT Halifax Regional Council:

1. Direct staff to draft a by-law to regulate flyer delivery, including delivery standards and a requirement to not deliver flyers to properties that have a 'No Flyers' sign posted. It is further recommended that a mandatory 'opt-in' only delivery option <u>not</u> be part of a by-law; and 2. Direct staff to work with the flyer distributors and publishers to implement and evaluate a pilot project of flyer boxes to replace end of driveway delivery in rural areas.

Councillor Whitman requested that the motion be split.

Council discussed the use of flyer boxes located at community mailboxes and working with Canada Post and vendors, waiving the vending fee as incentive for companies to conform. Council emphasized that addressing litter was the focus in creating a by-law, by giving clear direction and standards for delivery. There was discussion on the use of a consistent no flyer sign throughout the municipality, looking to what is being done in Ottawa and Calgary.

The motion was split and a vote taken.

MOVED by Councillor Blackburn, seconded by Councillor Nicoll

THAT Halifax Regional Council:

1. Direct staff to draft a by-law to regulate flyer delivery, including delivery standards and a requirement to not deliver flyers to properties that have a 'No Flyers' sign posted. It is further recommended that a mandatory 'opt-in' only delivery option not be part of a by-law;

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

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

Against: Councillor Whitman

Not present: Mayor Savage

MOVED by Councillor Blackburn, seconded by Councillor Nicoll

THAT Halifax Regional Council:

2. Direct staff to work with the flyer distributors and publishers to implement and evaluate a pilot project of flyer boxes to replace end of driveway delivery in rural areas.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage

14.3 NORTH WEST COMMUNITY COUNCIL

14.3.1 LWF Ratepayers Association Community Grant Program

The following was before Council:

 Recommendation report from North West Community Council dated April 10, 2018, with attached request for Council consideration form from Councillor Streatch

MOVED by Councillor Streatch, seconded by Councillor Karsten

THAT Halifax Regional Council authorize the following one-time Community Grants to be funded from the LWF Ratepayers Association Common Area Rate:

1. \$30,000.00 to the Shubenacadie Watershed Environmental Protection Society for the construction of the Holland Coach Trail, Sports Park Connector, and Portobello Connector; 2. \$5,000.00 to the Riverlake Scout Group to install replacement windows and vandalism deterrents, complete a fire inspection and repair the roof and soffits for a watertight cabin; and 3. \$15,000.00 to the LWF Minor Baseball to cover the cost of replacement baseball lights at the Dan Franklin Memorial Field.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage

14.4 GRANTS COMMITTEE

14.4.1 Less than Market Value Lease: Orenda Canoe Club, 3170 Highway No. 7, Lake Echo

The following was before Council:

 Recommendation report from the Grants Committee dated April 9, 2018, with attached staff recommendation report dated January 25, 2018

MOVED by Councillor Hendsbee, seconded by Councillor Steatch

THAT Halifax Regional Council authorize the Mayor and Municipal Clerk to enter into a less than market value lease agreement with the Orenda Canoe Club for the premises at 3170 Highway No.

7, Lake Echo, Nova Scotia, being a portion of PID #40164345, as per the key terms and conditions set out in Table 1 in the discussion section of the January 25, 2018 staff report.

MOTION PUT AND PASSED UNANIMOUSLY.

14.4.2 Less than Market Value Lease: Kinap Athletic Club, 181 Greenough Drive, West Porters Lake

The following was before Council:

 Recommendation report from the Grants Committee dated April 9, 2018, with attached staff recommendation report dated February 5, 2018

MOVED by Councillor Hendsbee, seconded by Councillor Whitman

THAT Halifax Regional Council authorize the Mayor and Municipal Clerk to enter into a less than market value lease agreement with the Kinap Athletic Club for the leased premises at 181 Greenough Drive, West Porters Lake, a portion of PID #40469884, as per the key terms and conditions set out in Table 1 in the discussion section of the February 5, 2018 staff report.

MOTION PUT AND PASSED UNANIMOUSLY.

14.4.3 Less than Market Value Lease: The North Star Rowing Club, 20 Boathouse Lane and 24 Boathouse Lane, Dartmouth

The follow was before Council:

 Recommendation report from the Grants Committee dated April 9, 2018 with attached staff recommendation report dated March 5, 2018

MOVED by Councillor Austin, seconded by Councillor Mancini

THAT Halifax Regional Council:

- 1. Recognize The North Star Rowing Club to be a non-profit organization that Council considers to be carrying on an activity which is beneficial to the Municipality; and
- 2. Authorize the Mayor and Municipal Clerk to enter into a less than market value lease agreement with The North Star Rowing Club on behalf of the Municipality for the premises at 20 Boathouse Lane and 24 Boathouse Lane, Dartmouth (being a portion of PID #00094573 that includes the Oakwood House and Boathouse) where, in the determination of HRM staff, the lease agreement complies with the Recommended Key Terms & Conditions set out in Table 1 in the Discussion section of the March 5, 2018 staff report.

MOTION PUT AND PASSED UNANIMOUSLY.

14.5 MEMBERS OF COUNCIL

14.5.1 Councillor Adams – Recently Announced 828 Million Bilateral Infrastructure Program

The following was before Council:

• Request for Council's Consideration form from Councillor Adams

MOVED by Councillor Adams, seconded by Councillor Whitman

THAT Halifax Regional Council request a staff report with respect to the extension of municipal services to the community of Harrietsfield be extended to the 1400 block as part of the recently announced infrastructure program.

Council discussed how to initiate a list of new infrastructure projects for consideration. Jacques Dubé, Chief Administrative Officer, responded that staff are prioritizing and creating a list ensuring sufficient lead time. Once further information and deadlines for applications are known the intent is to apply under both Federal and Provincial funds. There will be a report for Council to consider as applications for funding are submitted.

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

In favour: Deputy Mayor Mason and Councillors Steatch, Hendsbee, Karsten, Austin, Mancini, Smith, Cleary, Walker, Adams, Zurawski, Whitman, Blackburn and Outhit

Against: Councillor Nicoll

Not present: Mayor Savage and Councillor Craig

15. MOTIONS - NONE

16. IN CAMERA (IN PRIVATE)

Council may rise and go into a private In Camera session, in accordance with Section 19 of the Halifax Regional Municipality Charter, for the purpose of dealing with the following:

16.1 In Camera (In Private) Minutes – March 20, 2018 Regional Council and March 28, 2018 Budget Committee

This matter was addressed in public.

MOVED by Councillor Nicoll, seconded by Councillor Blackburn

THAT the In Camera (In Private) minutes of March 20, 2018 Regional Council and March 28, 2018 Budget Committee be approved as circulated.

MOTION PUT AND PASSED.

16.2 Personnel Matter

A matter pertaining to an identifiable individual or group.

16.2.1 Personnel Matter – Private and Confidential Report

This matter was addressed In Camera (In Private) and ratified in public as follows:

MOVED by Deputy Mayor Mason, seconded Councillor Craig

THAT Halifax Regional Council ratify the recommendations of the private and confidential report dates April 16, 2018 and April 24, 2018.

It is further recommended that the private and confidential staff reports dated April 16, 2018 and April 24, 2018 not be released to the public.

MOTION PUT AND PASSED UNANIMOUSLY.

Private and Confidential Information Items

1. Private and Confidential In Camera (In Private) Information Report - re: Dartmouth Sportsplex Naming Rights

17. ADDED ITEMS

17.1 Councillor Cleary – Developing a Municipal Framework for Legalizing Cannabis

The following was before Council:

A request for Council consideration form from Councillor Cleary

MOVED by Councillor Cleary, seconded by Councillor Blackburn

THAT Halifax Regional Council direct staff to prepare a report and recommendations with respect to a municipal framework in light of the upcoming legalization of cannabis including, but not limited to, creating new or updating existing bylaws and administrative orders related to:

- Commercial and personal cultivation;
- Consumption in public spaces;
- Authority and effective tools for enforcing federal and provincial rules for retailing;
- Advertising, sponsorship, and signage; and
- Other areas requiring regulation

The Chief Administrative Officer addressed questions around timing noting that the draft by-law is in the works and staff are actively working with a UNSM committee. Zoning, education and HRM workplace rules are all being reviewed. The matter will be before Council in June.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage and Councillors Streatch, Whitman and Craig

17.2 Ratification from Committee of the Whole - Proposed 2018/2019 Budget and Business Plan

This matter was dealt with during a Committee of the Whole session and was before Council for ratification.

MOVED by Deputy Mayor Mason, seconded by Councillor Whitman

THAT Halifax Regional Council:

- 1. Adopt the Resolution for Approval of Operating and Capital Budgets and Tax Rates for Fiscal 2018/19 as set out in schedule 1 of the staff report dated April 10, 2018; and
- 2. Direct staff to develop and return with a two year business and capital plan for 2019/20 and 2020/21 in accordance with the multi-year financial strategy for 2017-2021.

MOTION PUT AND PASSED. (15 in favour, 2 against)

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

Against: Councillors Cleary and Outhit

18. NOTICES OF MOTION

18.1 Councillor Walker

"TAKE NOTICE that, at the next meeting of Halifax Regional Council to be held on May 8, 2018, I intend to introduce proposed amendments to Administrative Order One, Respecting the Procedures of the Council, the purpose of which is to consider potential changes to the member composition of the Audit and Finance Standing Committee to include one or two members of the public."

18.2 Councillor Outhit

"TAKE NOTICE that at the next meeting of Halifax Regional Council to be held on May 8, 2018, I intend to introduce proposed amendments to Administrative Order 2015-004-OP, respecting Traffic Calming, the purpose of which is to remove the requirement for resident polling from the Administrative Order."

19. ADJOURNMENT

The meeting adjourned at 7:48 p.m.

Kevin Arjoon Municipal Clerk