



**HALIFAX REGIONAL COUNCIL
MINUTES
October 17, 2023**

PRESENT: Mayor Mike Savage
Deputy Mayor Sam Austin
Councillors: Cathy Deagle Gammon
David Hendsbee
Becky Kent
Trish Purdy
Tony Mancini
Waye Mason
Lindell Smith
Shawn Cleary
Kathryn Morse
Patty Cuttell
Iona Stoddard
Pam Lovelace
Lisa Blackburn
Paul Russell
Tim Outhit

STAFF: Cathie O'Toole, Chief Administrative Officer
John Traves, K.C., CD, Executive Director of Legal & Legislative Services
/Municipal Solicitor/Chief Governance Officer
Krista Vining, Acting Municipal Clerk
Dorothy Maponga, 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 1:03 p.m., and recessed at 3:00 p.m. Council reconvened at 3:26 p.m. and recessed at 5:12 p.m. Council reconvened at 6:00 p.m. Council moved into an In Camera (In Private) session at 6:59 p.m. and reconvened at 8:28 p.m. Council adjourned at 8:46 p.m.

1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT

Mayor Savage called the meeting to order at 1:03 p.m. and acknowledged that the meeting took place in the traditional and ancestral territory of the Mi'kmaq people, and that we are all treaty people.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillors noted special community announcements and acknowledgements.

3. APPROVAL OF MINUTES – September 26 and October 3, 2023

MOVED by Councillor Hendsbee, seconded by Councillor Mason

THAT the minutes of September 26 and October 3, 2023 be approved as circulated.

MOTION PUT AND PASSED.

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

Additions:

- Information Item 6 – Memorandum from the Chief Administrative Officer dated October 16, 2023, re: Legislative Update - 2023 Fall Sitting and Bill No. 329

Deletions: None

John Traves, K.C., CD, Executive Director of Legal & Legislative Services /Municipal Solicitor/Chief Governance Officer advised that a motion, notwithstanding the rules, was required to bring an information item forward and be approved by all members of Council to discuss at today's meeting.

MOVED by Councillor Mason, seconded by Councillor Outhit

THAT Halifax Regional Council waive the rules of order for sections 4(2) and 12(5) of Administrative Order One, *Respecting the Procedures of the Council*, to discuss Information Item 6 - Memorandum from the Chief Administrative Officer dated October 16, 2023, re: Legislative Update - 2023 Fall Sitting and Bill No. 329 at the October 17, 2023 Halifax Regional Council meeting as Item 18.1.

MOTION PUT AND PASSED.

As provided for in section 37 (1) of Administrative Order One, *Respecting the Procedures of the Council*, Councillor Mason requested that Item 18.1 Memorandum from the Chief Administrative Officer dated October 16, 2023, re: Legislative Update - 2023 Fall Sitting and Bill No. 329 be considered prior to item 14.1.

MOVED by Councillor Lovelace, seconded by Councillor Hendsbee

THAT Halifax Regional Council refer information item 5 - Memorandum from the Chief Administrative Officer dated July 10, 2023, re: Upper Tantallon Wildfire Lessons Learned to a future Committee of the Whole meeting.

MOTION TO REFER PUT AND PASSED.

MOVED by Councillor Lovelace, seconded by Councillor Stoddard

THAT the agenda be approved as amended.

MOTION PUT AND PASSED.

5. CONSENT AGENDA

MOVED by Councillor Deagle Gammon, seconded by Councillor Kent

THAT Halifax Regional Council approve recommendations in the following agenda items:

- 13.1.1 – Fly-past Request – Remembrance Day Service;
- 15.1.2 – AN114 – HRM Asset Names – July 1, 2022 – July 1, 2023; and
- 15.1.3 – Federation of Canadian Municipalities – Annual Conference & Trade Show bid.

MOTION PUT AND PASSED UNANIMOUSLY.

6. BUSINESS ARISING OUT OF THE MINUTES – NONE

7. CALL FOR DECLARATION OF CONFLICT OF INTERESTS – NONE

8. MOTIONS OF RECONSIDERATION – NONE

9. MOTIONS OF RESCISSION – NONE

10. CONSIDERATION OF DEFERRED BUSINESS – NONE

11. NOTICES OF TABLED MATTERS – NONE

12. PUBLIC HEARINGS – 6:00 P.M.

12.1 Proposed Administrative Order SC-102, Respecting Closure of a Portion of Windmill Road, Dartmouth – Partial Street Right-of-Way Closure

The following was before Council:

- Staff report dated July 24, 2023
- Extract from the August 22, 2023 Regional Council minutes
- Staff presentation dated October 17, 2023

Deputy Mayor Austin stepped down from the Chair and Councillor Lovelace assumed the Chair.

John Dalton, Senior Real Estate Officer gave a presentation and responded to questions of clarification from Regional Council.

The hearing opened at 6:04 p.m.

The Chair invited the applicant to come forward to address Council and respond to questions. The applicant chose not to come forward.

The Chair reviewed the rules of procedure for public hearings. The Chair noted there were no registered speakers and called three times for any other members of the public wishing to speak; there were none.

MOVED by Deputy Mayor Austin, seconded by Councillor Stoddard

THAT the hearing be closed.

MOTION PUT AND PASSED.

The hearing closed at 6:05 p.m.

MOVED by Councillor Mancini, seconded by Deputy Mayor Austin

THAT Halifax Regional Council approve Administrative Order SC-102, as set out in Attachment “B” of the staff report dated July 24, 2023, to officially close a portion of the surplus Windmill Road Street right-of-way shown as Parcel B-2B.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage, Councillors Kent, Mason

Deputy Mayor Austin resumed the Chair.

13. CORRESPONDENCE, PETITIONS & DELEGATIONS

13.1 Correspondence

Correspondence was received and circulated for items: 13.1.1, 15.1.5, information items 3 and 5.

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

13.1.1 Fly-past Request – Remembrance Day Service

The following was before Council:

- Correspondence from A.W. MacKenzie

The following motion was approved as part of the Consent Agenda:

MOVED by Councillor Deagle Gammon, seconded by Councillor Kent

THAT Halifax Regional Council grant permission for the Canadian Armed Forces to fly a Cyclone helicopter over Halifax Grand Parade at a height of 500 feet above the highest obstacle at approximately 11:02 a.m. on November 11, 2023, as part of Remembrance Day service.

MOTION PUT AND PASSED UNANIMOUSLY.

13.2 Petitions - None

14. INFORMATION ITEMS BROUGHT FORWARD

14.1 Councillor Russell - Annual Workforce Report 2022-23

The following was before Council:

- Staff report dated March 6, 2023
- Staff presentation dated October 17, 2023

Britt Wilson, Executive Director, Human Resources and Cathie O'Toole, Chief Administrative Officer responded to questions of clarification from Regional Council.

15. REPORTS

15.1 CHIEF ADMINISTRATIVE OFFICER

15.1.1 Second Reading Proposed By-law V-201, an Amendment to By-law V-200, Respecting Immobilization of Vehicles on Private Property

The following was before Council:

- Staff report dated September 19, 2023

- Extract from the September 26, 2023 Regional Council draft minutes

MOVED by Councillor Blackburn, seconded by Councillor Russell

THAT Halifax Regional Council adopt By-Law V-201, amending By-law V-200, Respecting Immobilization of Vehicles on Private Property, as set out in revised Attachment B to the revised staff report dated September 19, 2023.

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

In favour: Mayor Savage, Deputy Mayor Austin, Councillors Deagle Gammon, Hendsbee, Purdy, Mancini, Smith, Cleary, Morse, Cuttall, Stoddard, Blackburn, Russell, Outhit

Against: Councillor Lovelace

Not present: Councillors Kent, Mason

15.1.2 AN114 – HRM Asset Names – July 1, 2022 – July 1, 2023

The following was before Council:

- Staff report dated September 10, 2023

The following motion was approved as part of the Consent Agenda:

MOVED by Councillor Deagle Gammon, seconded by Councillor Kent

THAT Halifax Regional Council:

- 1. Approve the addition of Bill Withers and Myles Goodwyn to the existing Commemorative Names List as shown in Attachment A of the staff report dated September 10, 2023.**
- 2. Approve the renaming of:**
 - a) Dartmouth Harbour East Recreation Campus Volleyball Courts to Pemamkiaq Beach Volleyball Courts as shown in Attachment B of the staff report September 10, 2023; and**
 - b) Morash Park Pickleball Courts to Ginny Conrad Pickleball Courts as shown in Attachment B of the staff report September 10, 2023.**
- 3. Approve the administrative park names as outlined in Attachment C of the staff report dated September 10, 2023.**

MOTION PUT AND PASSED UNANIMOUSLY.

15.1.3 Federation of Canadian Municipalities – Annual Conference & Trade Show bid

The following was before Council:

- Staff report dated October 10, 2023

The following motion was approved as part of the Consent Agenda:

MOVED by Councillor Deagle Gammon, seconded by Councillor Kent

THAT Halifax Regional Council submit a request to the Federation of Canadian Municipalities (FCM) for the Halifax Regional Municipality to host the annual conference in 2027.

MOTION PUT AND PASSED UNANIMOUSLY.

15.1.4 Proposed Amendments to Administrative Order 10, Respecting Partial Tax Exemption – Partial Tax Exemption to Apply to Commercial Properties

The following was before Council:

- Staff report dated September 14, 2023

MOVED by Councillor Lovelace, seconded by Councillor Blackburn

THAT Halifax Regional Council refuse to adopt the amendments to Administrative Order 10, the Partial Tax Exemption Administrative Order.

Cathie O'Toole, Chief Administrative Officer responded to questions of clarification from Regional Council.

As provided for in section 103 of Administrative Order One, *Respecting the Procedures of the Council*, a motion was made as follows:

MOVED by Deputy Mayor Austin, seconded by Councillor Hendsbee

THAT Halifax Regional Council convene to In Camera (In Private) re: LEGAL ADVICE.

MOTION PUT AND PASSED.

John Traves, K.C., CD, Executive Director of Legal & Legislative Services /Municipal Solicitor/Chief Governance Officer responded to questions of clarification from Regional Council.

MOVED by Councillor Lovelace, seconded by Councillor Blackburn

THAT the motion be amended to direct the Mayor to write a letter requesting the Province amend section 87 of the *Halifax Regional Municipal Charter* to specifically permit the extension of tax concessions with respect to commercial properties.

Traves advised that section 87 enables the Municipality to create a tax reduction policy respecting destroyed buildings.

MOTION TO AMEND PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage, Councillors Kent, Mason

The motion as amended now read:

MOVED by Councillor Lovelace, seconded by Councillor Blackburn

THAT Halifax Regional Council:

- 1. Refuse to adopt the amendments to Administrative Order 10, the Partial Tax Exemption Administrative Order.**

- 2. Direct the Mayor to write a letter requesting the Province amend section 87 of the Halifax Regional Municipal Charter to specifically permit the extension of tax concessions with respect to commercial properties.**

O'Toole responded to questions of clarification from Regional Council. Traves noted that the Municipality has authority to assist with payment terms for the commercial property owners in addition to the provincial programs available to assist businesses financially.

MOTION AS AMENDED PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage, Councillors Kent, Mason

15.1.5 Homelessness Update October 2023

The following was before Council:

- Staff report dated October 17, 2023
- Correspondence from Kelly Fowler
- Staff presentation dated October 17, 2023

Max Chauvin, Director, Housing and Homelessness gave a presentation and responded to questions of clarification from Regional Council.

MOVED by Councillor Russell, seconded by Councillor Lovelace

THAT Halifax Regional Council endorse the approaches contained in the staff report dated October 17, 2023.

Bill Moore, Executive Director, Community Safety and Cathie O'Toole, Chief Administrative Officer responded to questions of clarification from Regional Council.

MOVED by Councillor Russell, seconded by Councillor Hendsbee

THAT the motion be amended to remove Grand Parade and Victoria Park from the inventory of outdoor sites available for overnight sheltering.

O'Toole noted that if the two locations were removed from the inventory, alternate locations would be needed to accommodate people currently in these locations.

Mayor Savage stepped down from the Chair and Deputy Mayor Austin assumed the Chair.

O'Toole noted that that there was operational and financial limitations with providing water and portable toilets at every location and that designating specific sites limits those.

MOTION TO AMEND PUT AND DEFEATED. (3 in favour, 11 against)

In favour: Councillors Hendsbee, Purdy, Russell

Against: Deputy Mayor Austin, Councillors Deagle Gammon, Mancini, Smith, Cleary, Morse, Cuttell, Stoddard, Lovelace, Blackburn, Outhit

Not present: Mayor Savage, Councillors Kent, Mason

The question was called on the main motion:

MOVED by Councillor Russell, seconded by Councillor Lovelace

THAT Halifax Regional Council endorse the approaches contained in the staff report dated October 17, 2023.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage, Councillors Kent, Mason

15.2 MEMBERS OF COUNCIL

15.2.1 Councillor Morse - Collection of Construction-Related Fines

The following was before Council:

- Request for Consideration form from Councillor Morse

MOVED by Councillor Morse, seconded by Councillor Stoddard

THAT Halifax Regional Council direct the Chief Administrative Officer (CAO) to provide a staff report recommending options with respect to by-law and legislative changes which enable HRM to withhold permits and planning approvals related to construction and development for companies with unpaid fines owing to HRM.

John Traves, K.C., CD, Executive Director of Legal & Legislative Services /Municipal Solicitor/Chief Governance Officer responded to questions of clarification from Regional Council.

Councillor Morse proposed to remove 'owing to HRM' from the motion. As provided for in section 53 (2) of Administrative Order One, *Respecting the Procedures of the Council*, the amendment was accepted as friendly.

The motion now read:

MOVED by Councillor Morse, seconded by Councillor Stoddard

THAT Halifax Regional Council direct the Chief Administrative Officer (CAO) to provide a staff report recommending options with respect to by-law and legislative changes which enable HRM to withhold permits and planning approvals related to construction and development for companies with unpaid fines.

Traves and Jerry Blackwood, Executive Director of Finance and Asset Management/Chief Financial Officer responded to questions of clarification from Regional Council.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage, Councillors Kent, Mason

15.2.2 Councillor Mancini - 2023-24 Affordable Housing Grant Program Funding

The following was before Council:

- Request for Consideration form from Councillor Mancini

MOVED by Councillor Mancini, seconded by Councillor Cuttall

THAT Halifax Regional Council request a staff report directing the Chief Administrative Officer (CAO) to allocate a portion of the funds received as part of the Housing Accelerator Fund toward the Affordable Housing Grant Program (AHGP) in time for the 2023/24 grant year, with the intent to expand the AHGP to eligible proposals in suburban and rural parts of the municipality.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage, Councillors Kent, Mason

16. MOTIONS - NONE

17. IN CAMERA (IN PRIVATE)

17.1 In Camera (In Private) Minutes – September 26 and October 3, 2023

This matter was dealt with in public.

MOVED by Councillor Lovelace, seconded by Councillor Outhit

THAT the In Camera (In Private) minutes of September 26 and October 3, 2023 be approved as circulated.

MOTION PUT AND PASSED.

17.2 CONTRACT NEGOTIATIONS - Private and Confidential Report – Deferred from September 26, 2023

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

The following was before Council:

- Private and confidential staff report dated August 29, 2023
- Private and confidential supplementary staff report dated October 5, 2023

MOVED by Councillor Cleary, seconded by Councillor Lovelace

THAT Halifax Regional Council:

- 1. Adopt the direction provided in-camera.**
- 2. Direct that the private and confidential staff report dated August 29, 2023 be maintained private and confidential.**

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

In favour: Councillors Deagle Gammon, Hendsbee, Purdy, Mancini, Smith, Cleary, Morse, Cuttall, Stoddard, Lovelace, Blackburn, Russell, Outhit

Against: Deputy Mayor Austin

Not present: Mayor Savage, Councillors Kent, Mason

18. ADDED ITEMS

18.1 Memorandum from the Chief Administrative Officer dated October 16, 2023, re: Legislative Update - 2023 Fall Sitting and Bill No. 329

The following was before Council:

- Staff report dated October 16, 2023

Cathie O'Toole, Chief Administrative Officer provided an update to Regional Council. O'Toole, Kate Greene, Director, Regional and Community Planning, Jaqueline Hamilton, Executive Director, Planning

and Development and Kenda MacKenzie, Halifax Water responded to questions of clarification from Regional Council. O'Toole highlighted that if the Minister of Municipal Affairs and Housing Nova Scotia approves any development agreement rejected by Regional Council, Halifax Regional Municipality is obliged to provide municipal services in that area, which may result in additional costs. John Traves, K.C., CD, Executive Director of Legal & Legislative Services /Municipal Solicitor/Chief Governance Officer added that once a development agreement is issued by the Minister it will not relieve the developer from the obligation to the regular procedural inspections. Traves highlighted that a review into the proposed amendments is underway to explore the implications on the Municipality.

19. NOTICES OF MOTION

19.1 Councillor Mason

TAKE NOTICE that at a future meeting of Halifax Regional Council, I intend to move that Council consider adopting, by policy, a Public Participation Program, the purpose of which is to consider amendments to the Regional Centre Secondary Municipal Planning Strategy, the Halifax Municipal Planning Strategy, the Regional Centre Land Use By-law, and the Halifax Mainland Land Use By-law to further regulate water lot infilling on the Northwest Arm in Halifax.

19.2 Councillor Smith

TAKE NOTICE that at a future meeting of Halifax Regional Council, I intend to move that Council consider adopting, by policy, a Public Participation Program, the purpose of which is to support a comprehensive neighbourhood planning process for the Young Street Lands Future Growth Node, as well as key surrounding lands

19.3 Councillor Morse

TAKE NOTICE that at a future meeting of Halifax Regional Council, I intend to propose amendments to Administrative Order 2020-007-ADM, Incentive or Bonus Zoning Public Benefits and Administrative Order Number 2020-008-ADM, Grants for Affordable Housing the purpose of which is to:

1. allow money collected from the Interim Density Bonus Program to be used to fund eligible public benefits, including affordable housing outside of the Regional Centre; and
2. broaden the circumstances under which an eligible Non-Profit Organization can partner with private business and retain eligibility for Affordable Housing Grant Program funding.

19.4 Councillor Hendsbee

TAKE NOTICE that at a future meeting of Halifax Regional Council, I intend to move that Council direct the Chief Administrative Officer to provide a staff report exploring the possible transfer of responsibilities for the Sheet Harbour Streetscaping Program area rate from the Sheet Harbour and Area Development Corporation to the Sheet Harbour and Area Chamber of Commerce.

20. ADJOURNMENT

The meeting adjourned at 8:46 p.m.

Iain MacLean
Municipal Clerk