



**HALIFAX REGIONAL COUNCIL
MINUTES
March 21, 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
Iain MacLean, Municipal Clerk
Krista Vining, Deputy Clerk
Catie Campbell, Legislative Assistant
Elizabeth Macdonald, 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 1:00 p.m., and recessed at 3:00 p.m. Council reconvened into an In Camera (In Private) session at 3:20 p.m. and recessed at 5:00 p.m. Council reconvened in public at 6:00 p.m. and moved into an In Camera session at 7:58 p.m. Council reconvened in public at 10:30 p.m. and adjourned at 11:06 p.m.

1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT

Mayor Savage called the meeting to order at 1:00 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 – March 7, 2023

MOVED by Councillor Kent, seconded by Councillor Mason

THAT the minutes of March 7, 2023 be approved as circulated.

MOTION PUT AND PASSED.

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

Additions:

- Item 17.6 – INTERGOVERNMENTAL RELATIONS – Private and Confidential Report
- Item 18.1 – Information Item 6 – Mill Cove Library and West Bedford Area Fire Station

Deletions: None

MOVED by Councillor Deagle Gammon, seconded by Councillor Purdy

THAT the agenda be approved as amended.

MOTION PUT AND PASSED.

5. CONSENT AGENDA

MOVED by Councillor Mason, seconded by Councillor Cleary

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

- 15.1.1 – Appointment of Development Officers;
- 15.1.2 – 31 Lister Drive, Bedford - Declaration of Surplus Real Property - Administrative Order 50 -Supplementary Report (Supplementary Report); and
- 15.2.1 – Funding Request – Banook Canoe Club.

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 HEARING

12.1 Case 24063: Interim Incentive or Bonus Zoning Program outside of the Regional Centre

The following was before Council:

- Staff report dated February 10, 2023
- Extract from the February 21 & 22, 2023 Regional Council minutes
- Staff presentation dated March 21, 2023
- Correspondence from Miia Suokonautio, Andrew Bone, Jason Brunt, Kevin Neatt, Larry Thomas

Kasia Tota, Manager, Community Planning and Kate Greene, Director, Regional and Community Planning gave a presentation and responded to questions of clarification from Council.

The hearing opened at 6:49 p.m.

Mayor Savage noted that the municipality was the applicant for this matter.

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

Andrew Bone, Halifax, Director of Planning and Development, Clayton Developments and Kevin Neatt, Vice President, Planning and Development, Clayton Developments spoke to concerns regarding the implementation, engagement process, potential impact on site development, the rights within a development agreement and the longevity of the proposed interim bonusing. Bone and Neatt encouraged further conversations with other levels of government to maximize public benefit and strengthen affordable housing programs. Bones and Neatt responded to questions of clarification from Regional Council regarding the multi-phase process in development agreements and noted the proposed changes could impact flexibility to develop on sites and result in high-cost appraisals. As well, highlighted concerns with how the proposal would work with the Master Plan.

Stephan Adams, Middle Sackville, Executive Director of Urban Development Institute of Nova Scotia (UDINS) encouraged development stakeholders to engage with UDINS and suggested deferring the proposal to allow for further feedback.

Mayor Savage 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 Councillor Lovelace

THAT the hearing be closed.

MOTION PUT AND PASSED.

The hearing closed at 7:11 p.m.

MOVED by Councillor Morse, seconded by Councillor Stoddard

THAT Halifax Regional Council:

1. **Adopt the proposed amendments to the Regional Municipal Planning Strategy and applicable Land Use By-laws, as set out in Attachments A and B of the staff report dated February 10, 2023;**

2. **Direct the Chief Administrative Officer to:**
 - a. **Draft amendments to Administrative Order 2020-007-ADM, the Incentive or Bonus Zoning Public Benefits Administrative Order, and Administrative Order 2020-008-ADM, Grants for Affordable Housing Administrative Order, to update the permitted use of money-in-lieu funds as outlined in the Discussion section of the staff report dated February 10, 2023 to all areas of the Municipality; and**
 - b. **Return to Council for consideration of these amendments upon provincial approval of the amendments set out in Attachments A and B of the staff report dated February 10, 2023.**

Tota and Greene responded to questions of clarification from Regional Council regarding implementation, payment processes, appraisal permitting, phasing of development agreements, inclusionary zoning timelines, conversations with other levels of government and non-governmental organizations and affordable housing. Greene highlighted significant challenges could be addressed during Regional Plan discussions in June 2023 and clarified that the proposal would only impact the urban service boundary.

MOVED by Councillor Morse, seconded by Councillor Mason

THAT the motion be amended to direct the Chief Administrative Officer (CAO) to provide a staff report that considers and provides advice on the following changes to the interim bonus zoning program as part of the Regional Plan review and adoption:

1. **Consider revising the 60% public benefits for affordable housing to 100% of payable benefit for at least five years;**
2. **Consider suburban sites of more than 100 housing units to be independently appraised using the same method sites of 10 hectares or larger, and;**
3. **Recommendation for a market review of density bonus square foot amounts every 5 or 10 years, with CPI adjustments in between market reviews.**

Councillor Morse proposed 'to direct to the Regional Plan Review'. 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 Mason

THAT the motion be amended to direct the Chief Administrative Officer (CAO) to provide advice as part of the Regional Plan Review on the following changes to the interim bonus zoning program as part of the Regional Plan review and adoption:

1. **Consider revising the 60% public benefits for affordable housing to 100% of payable benefit for at least five years;**
2. **Consider suburban sites of more than 100 housing units to be independently appraised using the same method sites of 10 hectares or larger, and;**
3. **Recommendation for a market review of density bonus square foot amounts every 5 or 10 years, with CPI adjustments in between market reviews.**

MOTION TO AMEND PUT AND PASSED UNANIMOUSLY.

The motion as amended now read:

MOVED by Councillor Morse, seconded by Councillor Stoddard

THAT Halifax Regional Council:

1. **Adopt the proposed amendments to the Regional Municipal Planning Strategy and applicable Land Use By-laws, as set out in Attachments A and B of the staff report dated February 10, 2023;**
2. **Direct the Chief Administrative Officer (CAO) to:**
 - a. **Draft amendments to Administrative Order 2020-007-ADM, the Incentive or Bonus Zoning Public Benefits Administrative Order, and Administrative Order 2020-008-ADM, Grants for Affordable Housing Administrative Order, to update the permitted use of money-in-lieu funds as outlined in the Discussion section of the staff report dated February 10, 2023 to all areas of the Municipality; and**
 - b. **Return to Council for consideration of these amendments upon provincial approval of the amendments set out in Attachments A and B of the staff report dated February 10, 2023.**
3. **Direct the Chief Administrative Officer (CAO) to provide advice as part of the Regional Plan Review on the following changes to the interim bonus zoning program as part of the Regional Plan review and adoption:**
 - a. **Consider revising the 60% public benefits for affordable housing to 100% of payable benefit for at least five years;**
 - b. **Consider suburban sites of more than 100 housing units to be independently appraised using the same method sites of 10 hectares or larger, and;**
 - c. **Recommendation for a market review of density bonus square foot amounts every 5 or 10 years, with CPI adjustments in between market reviews.**

Greene responded to questions of clarification from Regional Council.

MOTION AS AMENDED PUT AND PASSED UNANIMOUSLY.

13. CORRESPONDENCE, PETITIONS & DELEGATIONS

13.1 Correspondence

Correspondence was received and circulated for items: 12.1, 15.1.5.

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

13.2 Petitions - None

14. INFORMATION ITEMS BROUGHT FORWARD – NONE

15. REPORTS

15.1 CHIEF ADMINISTRATIVE OFFICER

15.1.1 Appointment of Development Officers

The following was before Council:

- Staff report dated March 10, 2023

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

MOVED by Councillor Mason, seconded by Councillor Cleary

THAT Halifax Regional Council appoint Victoria Evans and Christopher Rennehan as Development Officers, pursuant to Subsection 258(1) of the Halifax Regional Municipality Charter, and that these appointments be effective for the duration of their current conditions of employment with the Halifax Regional Municipality.

MOTION PUT AND PASSED UNANIMOUSLY.

15.1.2 31 Lister Drive, Bedford - Declaration of Surplus Real Property - Administrative Order 50 - Supplementary Report (Supplementary Report)

The following was before Council:

- Staff report dated March 10, 2023

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

MOVED by Councillor Mason, seconded by Councillor Cleary

THAT Halifax Regional Council:

- 1. Declare 31 Lister Drive, Bedford, as identified in Attachment A of the staff report dated March 10, 2023, as surplus to municipal requirements; and**
- 2. Categorize 31 Lister Drive, Bedford, as Affordable Housing, as identified in Attachment A of the staff report dated March 10, 2023, pursuant to Administrative Order Number 50 Respecting the Disposal of Surplus Real Property.**

MOTION PUT AND PASSED UNANIMOUSLY.

15.1.3 Provincial-Municipal Memoranda of Understanding (MOU) Concerning Homelessness

The following was before Council:

- Staff report dated March 15, 2023

MOVED by Councillor Lovelace, seconded by Councillor Blackburn

THAT Halifax Regional Council:

- 1. Direct the Chief Administrative Officer (CAO) to explore on behalf of the municipality, bilateral or multilateral Memoranda of Understanding (MOUs), to support homeless and precariously housed individuals and increase housing supply; and**
- 2. Direct the CAO to return to Council with a MOU-negotiation-report outlining the nature of the proposed collaboration, what the parties hope to achieve, and how desired results are to be reached.**

MOTION PUT AND PASSED UNANIMOUSLY.

15.1.4 Skilled Talent Recruitment and Retention Strategy

The following was before Council:

- Staff report dated February 10, 2023

Wendy Luther, President & CEO, Halifax Partnership and Robyn Webb, Director, Labour Market Development & Executive Director, National Connector Program, Halifax Partnership responded to questions of clarification from Regional Council.

MOVED by Councillor Mason, seconded by Councillor Kent

That Halifax Regional Council:

- 1. Disburse \$208,572 (net HST incl.) to the Halifax Partnership in 2022/23 with funding from Fiscal Services to undertake enhanced and targeted international recruitment of skilled tradespeople and labourers needed by the construction industry to build housing, and to identify how local employers can help address the housing needs of its employees; and,**
- 2. Report back to Council in 2023/24.**

MOTION PUT AND PASSED UNANIMOUSLY.

15.1.5 Halifax International Airport Authority (HIAA) Tax Agreement Direction to Terminate and Renegotiate

The following was before Council:

- Staff report dated March 17, 2023
- Correspondence from Joyce Carter, Nadia MacDonald, Lisa Dahr, Wes Surrect, Patrick Sullivan

MOVED by Councillor Mancini, seconded by Councillor Kent

THAT Halifax Regional Council direct staff to:

- 1. Provide 365 days notice of termination to HIAA as per section 2.3 of the existing taxation agreement and;**
- 2. Enter into negotiations with HIAA with the intent to have a new taxation agreement in place effective March 31, 2024 for the fiscal 2024/25 year.**

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

MOVED by Councillor Mancini, seconded by Councillor Deagle Gammon

THAT Halifax Regional Council defer Item 15.1.5 – Halifax International Airport Authority (HIAA) Tax Agreement Direction to Terminate to March 2024.

MOTION TO DEFER PUT AND PASSED. (10 in favour, 7 against)

In favour: Mayor Savage, Deputy Mayor Austin, Councillors Deagle Gammon, Hendsbee, Purdy, Mancini, Mason, Stoddard, Russell, Outhit

Against: Councillors Kent, Smith, Cleary, Morse, Cuttell, Lovelace, Blackburn

15.2 AUDIT AND FINANCE STANDING COMMITTEE

15.2.1 Funding Request – Banook Canoe Club

The following was before Council:

- Audit and Finance Standing Committee report dated March 9, 2023 with attached staff report dated February 7, 2023

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

MOVED by Councillor Mason, seconded by Councillor Cleary

THAT Halifax Regional Council award a grant to the Banook Canoe Club in the amount of up to \$267,500 to be funded from the Option Reserve Q421, conditional on a signed Contribution Agreement and the conditions as set out in the alternatives section of the staff report dated February 7, 2023.

MOTION PUT AND PASSED UNANIMOUSLY.

15.3 GRANTS COMMITTEE

15.3.1 Less than Market Value Lease: Homes for Independent Living (Nova Scotia)

The following was before Council:

- Grants Committee report dated March 14, 2023 with attached staff report dated February 10, 2023

MOVED by Councillor Deagle Gammon, seconded by Councillor Purdy

THAT Halifax Regional Council approve and authorize the Chief Administrative Officer to negotiate and finalize a less than market value lease agreement with Homes for Independent Living (Nova Scotia) located at 2505 Oxford Street, Halifax, as per the key terms and conditions set out in Table 1 of the staff report dated February 10, 2023 and direct the Mayor and Municipal Clerk to execute the necessary agreements.

MOTION PUT AND PASSED UNANIMOUSLY.

15.4 MEMBERS OF COUNCIL

15.4.1 Provincial Emergency Shelters

The following was before Council:

- Request for Council Consideration form from Deputy Mayor Austin

MOVED by Deputy Mayor Austin, seconded by Councillor Kent

THAT Halifax Regional Council direct the Mayor to write a letter to the Provincial government asking that the Province keep the shelter operating at 61 Dundas Street, Dartmouth open, or provide alternate space, and that the Province adopt the same approach of maintaining capacity for the other emergency shelters that it is funding in HRM.

Denise Schofield, Deputy Chief Administrative Officer, Citizen Services responded to questions of clarification from Regional Council.

MOTION PUT AND PASSED UNANIMOUSLY.

16. MOTIONS – NONE

17. IN CAMERA (IN PRIVATE)

17.1 In Camera (In Private) Minutes – March 7, 2023

This matter was dealt with in public.

MOVED by Councillor Mason, seconded by Councillor Cleary

THAT the In Camera (In Private) minutes of March 7, 2023 be approved as circulated.

MOTION PUT AND PASSED.

MOVED by Councillor Kent, seconded by Councillor Lovelace

THAT Halifax Regional Council convene to In Camera (In Private) to discuss Item 17.2 LABOUR RELATIONS – *Private and Confidential Report*, Item 17.3 PUBLIC SECURITY – *Private and Confidential Report* and Item 17.6 INTERGOVERNMENTAL RELATIONS – *Private and Confidential Report*.

MOTION PUT AND PASSED.

17.2 PERSONNEL MATTER – Deferred from March 7, 2023 – *Private and Confidential Report*

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

The following was before Regional Council:

- Private and confidential staff report dated February 14, 2022

MOVED by Councillor Lovelace, seconded by Councillor Stoddard

THAT Halifax Regional Council:

- 1. Adopt the recommendations as outlined in the private and confidential report dated February 14, 2023; and**
- 2. Direct that the private and confidential report dated February 14, 2023 be maintained private and confidential.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Smith

17.3 PUBLIC SECURITY – Deferred from March 7, 2023 – *Private and Confidential Report*

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

The following was before Regional Council:

- Private and confidential staff report dated March 3, 2023

MOVED by Councillor Kent, seconded by Councillor Mason

THAT Halifax Regional Council approve the direction given during in the in camera in private March 21, 2023 session:

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

In favour: Deputy Mayor Austin, Councillors Deagle Gammon, Hendsbee, Kent, Mancini, Mason, Cleary, Morse, Cuttell, Stoddard, Lovelace, Blackburn, Russell, Outhit

Against: Mayor Savage, Councillor Purdy

Not present: Councillor Smith

MOVED by Councillor Lovelace, seconded by Councillor Russell

THAT Halifax Regional Council convene to In Camera (In Private) to discuss Item 17.4 LABOUR RELATIONS – *Private and Confidential Report* and Item 17.5 LABOUR RELATIONS – *Private and Confidential Report*.

MOTION PUT AND PASSED.

17.4 LABOUR RELATIONS – *Private and Confidential Report*

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

The following was before Regional Council:

- Private and confidential report dated March 10, 2023

MOVED by Councillor Mason, seconded by Councillor Mancini

THAT Halifax Regional Council:

1. **Adopt the recommendations as outlined in the private and confidential report dated March 10, 2023; and**
2. **Direct that the private and confidential report dated March 10, 2023 be maintained private and confidential.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Smith

17.5 LABOUR RELATIONS – *Private and Confidential Report*

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

The following was before Regional Council:

- Private and confidential staff report dated March 13, 2023

MOVED by Councillor Mason, seconded by Councillor Stoddard

THAT Halifax Regional Council:

1. **Adopt the recommendations as outlined in the private and confidential report dated March 13, 2023 as amended; and**
2. **Direct that the private and confidential report dated March 13, 2023 be maintained private and confidential.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Smith

17.6 INTERGOVERNMENTAL RELATIONS – *Private and Confidential*

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

The following was before Regional Council:

- Private and confidential staff report dated March 21, 2023

MOVED by Councillor Morse, seconded by Councillor Lovelace

THAT Halifax Regional Council:

1. **Adopt the recommendations as outlined in the private and confidential report dated March 21, 2023; and**
2. **Direct that the private and confidential report dated March 21, 2023 be maintained private and confidential.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Smith

Private and Confidential Information Items

1. Private and Confidential In Camera (In Private) Information Report - re: Personnel Matter
2. Private and Confidential In Camera (In Private) Information Report - re: Personnel Matter

18. ADDED ITEMS

18.1 Councillor Outhit – Information Item 6 – Mill Cove Library and West Bedford Area Fire Station

The following was before Council:

- Staff report dated March 15, 2023

MOVED by Councillor Outhit, seconded by Councillor Mancini

THAT Halifax Regional Council direct the Chief Administrative Officer to prepare a staff report investigating options for the size of the Bedford waterfront library prior to proceeding with the Mill Cove Ferry Terminal.

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

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Smith

19. NOTICES OF MOTION

19.1 Councillor Lovelace

TAKE NOTICE that, at a future meeting of Halifax Regional Council, I intend to move the proposed amendments to Administrative Order 58, *Respecting the Delegation of Certain Authorities*, the purpose of which is to modify the process for approval of non-disclosure agreements.

19.2 Councillor Cuttell

TAKE NOTICE that, at a future meeting of Halifax Regional Council, I intend to move:

1. First Reading of proposed By-law F-203, *Respecting Fees for Permits and Licenses*; and
2. First Reading of proposed By-law B-206, *Respecting the Building Code*,

the purpose of which is to implement a revenue increase through adjusting the Building Permit Fees.

20. ADJOURNMENT

The meeting adjourned at 11:06 p.m.

Iain MacLean
Municipal Clerk