



**HALIFAX REGIONAL COUNCIL
MINUTES
March 26, 2019**

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

REGRETS: Councillor Waye Mason

STAFF: Jacques Dubé, Chief Administrative Officer
John Traves, Municipal Solicitor
Kevin Arjoon, Municipal Clerk
Phoebe Rai, Legislative Assistant
Liam MacSween, 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 moved into an In Camera (In Private) session at 10:21 a.m. Council reconvened at 1:00 p.m. and recessed at 3:08 p.m. Council reconvened at 3:25 p.m. and moved into an In Camera (In Private) session at 4:34 p.m. Council reconvened to public session at 9:03 p.m. and adjourned at 9:10 p.m.

1. CALL TO ORDER

The Mayor called the meeting to order at 10:00 a.m. and Council stood for a moment of reflection.

The Mayor recognized International Epilepsy Day on March 26 and World Down Syndrome Day March 21, 2019.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillors noted a number of special community announcements and acknowledgements.

3. APPROVAL OF MINUTES – February 12 and 26, 2019

MOVED by Councillor Walker, seconded by Councillor Nicoll

THAT the minutes of February 12 and 26, 2019 be approved as circulated. MOTION PUT AND PASSED.

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

Additions:

17.5 INTERGOVERNMENTAL RELATIONS – Board of Police Commissioners – Review of Intergovernmental Report – Verbal Update – *Private and Confidential Report*

Regional Council agreed to amend the Order of Business so that the In Camera (In Private) items are considered just after item 14, and item 10.1 considered just prior to item 15.

MOVED by Councillor Nicoll, seconded by Councillor Hendsbee

THAT the agenda be approved as amended.

Two-third majority vote required.

MOTION PUT AND PASSED.

5. CONSENT AGENDA – NONE

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 – March 5, 2019

10.1 Update on HRM's 2008 Vehicle Anti-Idling Policy

The following was before Council:

- A Transportation Standing Committee report dated February 25, 2019 with attached staff report dated October 31, 2018

MOVED by Councillor Nicoll, seconded by Councillor Karsten

THAT Halifax Regional Council direct the Chief Administrative Officer to:

- 1. Update the 2008 HRM Vehicle Anti-Idling Policy, and consolidate related policies into that update, based on the findings of the staff report dated October 31, 2018 and ongoing monitoring of fleet vehicle idling activity;**
- 2. Evaluate the impact of the new consolidated Policy on fleet vehicle and equipment idling, fuel consumption and greenhouse gas emissions after two years, and return to the Transportation Standing Committee with a report documenting progress; and**
- 3. Develop business unit-specific greenhouse gas emission targets to reduce idling and fuel consumption, coupled with employee coaching and feedback on idling behaviour and fuel consumption.**

Alex MacDonald, Climate Change Specialist, Planning and Development responded to questions of clarification, noting that at present staff are not recommending installation of Automatic Vehicle Location (AVL) "harness" equipment as more information is required to understand necessary versus unnecessary idling.

Jacques Dubé, Chief Administrative Officer indicated that staff would be returning with additional information regarding this technology, noting that further consideration is required before staff can provide a recommendation on the matter.

MacDonald noted further that staff will be differentiating the metrics between diesel and gas consumption and considering where electric vehicle use would be appropriate.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Mason

11. NOTICES OF TABLED MATTERS – NONE

12. PUBLIC HEARINGS – NONE

13. CORRESPONDENCE, PETITIONS & DELEGATIONS

13.1 Correspondence

The Clerk noted that correspondence was received for item 17.4. This correspondence was circulated to Council.

13.2 Petitions

13.2.1 Councillor Hendsbee

Councillor Hendsbee presented a letter signed by the eight (8) members of the steering committee for the proposed Porters Lake Business Improvement District requesting that the Chief Administrative Officer direct staff to hold a Business Improvement District area rate vote and public meeting to consider a new Business Improvement District for Porters Lake.

13.2.2 Councillor Cleary

Councillor Cleary presented a petition with 1,181 signatures and a significant number of online supporters requesting that the Halifax Regional Municipality purchase the historical Loop Road near Sir Sandford Fleming Park for parkland use.

13.2.3 Councillor Austin

Councillor Austin presented a petition with 119 signatures from the Dartmouth Dragon Boat Association supporting the proposal from the Kiwanis Club of Dartmouth for a new building in Graham's Grove, item 15.1.2.

14. INFORMATION ITEMS BROUGHT FORWARD – NONE

15. REPORTS

15.1 CHIEF ADMINISTRATIVE OFFICER

15.1.1 Direction to Amend By-law S-801 and Administrative Order 15, Respecting Licensing of Temporary Signs

The following was before Council:

- A staff recommendation report dated January 25, 2019
- A staff presentation dated March 26, 2019

Sally Christie, Supervisor for Regional Licensing, Planning and Development provided the presentation regarding proposed modifications to the licensing of temporary signs.

MOVED by Deputy Mayor Mancini, seconded by Councillor Whitman

THAT Halifax Regional Council direct staff to draft amendments for Council's consideration to By-law S-801, Temporary Signs and Administrative Order Number 15, the License, Permits and Processing Fees Administrative Order, as identified in Attachment A of the report dated January 25, 2019.

Sally Christie and Andrea MacDonald, Manager License Standards, Planning and Development responded to questions of clarification, including:

- The amendments would place "box signs" in the category for permanent signs, to keep clear distinctions between permanent and temporary signage;
- Licences are required for temporary signs; permits are required for permanent signs;
- Enforcement of the by-law is complaint-driven;
- The proposal to restrict electric Variable Messaging Mobile Signs to only allow illumination when the business is open was a recommendation from traffic management.

MOVED by Deputy Mayor Mancini, seconded by Councillor Whitman

THAT the matter be deferred pending a supplemental report with additional consultation from the sign and automobile industry.

Jacques Dubé, Chief Administrative Officer noted that significant stakeholder consultation had already been undertaken in preparing the report before Council.

Council briefly discussed whether the motion to defer should be withdrawn in favour of an amendment that would direct staff to proceed with drafting the by-law amendments. It was determined to proceed with the motion of deferral.

The following amendment was accepted as friendly:

THAT the motion be amended to replace "sign and automobile industry" with "stakeholders."

Council requested that the supplementary report include additional consideration to the following policy elements:

- Maximum size and timeframe for banners;
- Maximum size and timeframe for signs and banners on multiple-resident buildings with 50+ units;
- Free standing signs limit taking into account road frontage and/or total property size;
- Whether option k) Light Standard Signs/Poles would include traffic lights;
- Requirement for permission from property owners in option a) i; and
- Allowing signs within the right of way versus restricting to private property.

The question was called on the motion as follows:

MOVED by Deputy Mayor Mancini, seconded by Councillor Whitman

THAT the matter be deferred pending a supplemental report with additional consultation from stakeholders.

MOTION TO DEFER PUT AND PASSED. (10 in favour, 6 against)

In favour: Mayor Savage, Deputy Mayor Mancini, Councillors: Hendsbee, Karsten, Austin, Smith, Adams, Zurawski, Whitman and Blackburn

Against: Councillors: Streach, Nicoll, Cleary, Walker, Craig and Outhit

Not present: Councillor Mason

15.1.2 Kiwanis Club of Dartmouth Building Proposal, Grahams Grove

The following was before Council:

- A staff recommendation report dated March 6, 2019

MOVED by Councillor Austin, seconded by Councillor Nicoll

THAT Halifax Regional Council approve the Kiwanis Grahams Grove Park building as a multi-year capital project for consideration in the 2022/2023 Capital Budget, as per the scope of the staff report dated March 6, 2019 and as outlined in Attachment 1 of the staff report dated March 6, 2019.

MOVED by Councillor Austin, seconded by Councillor Hendsbee

THAT the motion be amended to include the project for consideration in the 2021/2022 Capital Budget.

MOTION TO AMEND PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Mason

The question was called on the motion as follows:

MOVED by Councillor Austin, seconded by Councillor Nicoll

THAT Halifax Regional Council approve the Kiwanis Grahams Grove Park building as a multi-year capital project for consideration in the 2021/2022 Capital Budget, as per the scope of the staff report dated March 6, 2019 and as outlined in Attachment 1 of the staff report dated March 6, 2019.
MOTION AS AMENDED PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Mason

15.1.3 Proposed Amendments to Administrative Order 2018-003-ADM, Respecting Private Road Maintenance - Road Maintenance Fee for BV Homeowners Society

The following was before Council:

- A staff recommendation report dated December 12, 2018

MOVED by Councillor Whitman, seconded by Councillor Adams

THAT Halifax Regional Council

- 1. Approve an annual uniform charge of no more than \$600.00 per property, to be applied against properties abutting Bayview Drive, Head of St. Margaret's Bay as depicted in the map shown in Attachment A of the staff report dated December 12, 2018, effective with the 2019-20 fiscal year for funding the road maintenance activities of the BV Homeowners Society.**
- 2. Adopt the amendments to Administrative Order 2018-003-ADM, Respecting Private Road Maintenance, by adding Schedule 17, respecting a Uniform Charge for the BV Homeowners Society, as set out in Attachment C of the staff report dated December 12, 2018.**
- 3. Subject to the adoption of the amendments to Administrative Order 2018-003-ADM, authorize the Mayor and Clerk to sign on behalf of HRM, an Agreement between HRM and the Association in the form approved by Regional Council on February 11, 2014.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Mason

15.1.4 Proposed Amendments to Administrative Order 2018-003-ADM, Respecting Private Road Maintenance - Road Maintenance Fee for St. Margaret's Bay Heights Subdivision Resident's Association

The following was before Council:

- A staff recommendation report dated January 24, 2019

MOVED by Councillor Whitman, seconded by Councillor Walker

THAT Halifax Regional Council adopt the amendments to Schedule 13 of Administrative Order 2018-003-ADM, Respecting Private Road Maintenance, as set out in Attachment A of the staff report dated January 24, 2019, to replace the uniform charge of no more than \$240.00 annually, with a uniform charge of no more than \$280.00 annually for the subject properties located within the St. Margaret's Bay Heights sub-division.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Mason

15.1.5 Rural Transit Funding Program – Funding Deficit 2018-19

The following was before Council:

- A staff recommendation report dated February 18, 2019

MOVED by Councillor Hendsbee, seconded by Councillor Whitman

THAT Halifax Regional Council authorize the Chief Administrative Officer to pay the balance of the funds remaining in the Rural Transit Grant Program for the 2018-2019 period to the service providers in accordance with the Rural Transit Grants Administrative Order (2014-012-ADM).

In response to questions from Council, Patricia Hughes, Manager of Planning provided clarification on the rural transit budget projections and kilometer rates for 2019/2020.

MOTION PUT AND DEFEATED UNANIMOUSLY.

Not present: Councillor Mason

The following alternative motion was suggested (alternative recommendation # 1 of the February 18, 2019 staff report):

MOVED by Councillor Hendsbee, seconded by Councillor Austin

THAT Halifax Regional Council approve increased funding of \$40,000 to the 2018-19 Rural Transit Grant Program, to pay out at the \$0.43 per kilometre rate.

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillor Mason

15.2 NORTH WEST COMMUNITY COUNCIL

15.2.1 Case 21812 – Municipal Planning Strategy Amendment to Enable Non-Substantive Amendments to the Existing Development Agreement for St. Margarets Square, Upper Tantallon

The following was before Council:

- A North West Community Council report dated March 12, 2019 with attached staff recommendation report dated January 7, 2019

MOVED by Councillor Whitman, seconded by Councillor Blackburn

THAT Halifax Regional Council give First Reading to consider the proposed amendments to the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) for Planning Districts 1 & 3 (St. Margarets Bay) as set out in Attachments A and B of the staff report dated January 7, 2019, to enable non-substantive amendments to the existing Development Agreement for St. Margarets Square, Upper Tantallon and to include Map 3 – East River in the MPS as a housekeeping amendment; and hold a Public Hearing.

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

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

Against: Councillors Cleary; Zurawski

Not present: Councillor Mason

15.3 MEMBERS OF COUNCIL

15.3.1 Councillor Streach - Waverley Community Association Agreement Request

The following was before Council:

- A Request for Council Consideration Form from Councillor Streach

MOVED by Councillor Streach, seconded by Councillor Blackburn

THAT Halifax Regional Council direct the Chief Administrative Officer to prepare a report to respond to a request from the Waverley Community Association dated January 24, 2019 for HRM to negotiate a Contribution and Service agreement to provide annual funding of \$20,000.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present Councillor Mason

15.3.2 Councillor Karsten - District Capital Funds Request – Island View High School Enhancement Committee

The following was before Council:

- A Request for Council Consideration Form from Councillor Karsten

MOVED by Councillor Karsten, seconded by Councillor Nicoll

THAT Halifax Regional Council approve a one-time exemption to grant a request for \$10,000.00 to the Island View High School Enhancement Committee for the purchase of a gymnasium scoreboard from District 3 Capital Funds

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Mason

15.3.3 Councillor Nicoll - District 4 Aquatics

The following was before Council:

- A Request for Council Consideration Form from Councillor Nicoll

MOVED by Councillor Nicoll, seconded by Councillor Austin

THAT Halifax Regional Council request a staff report to identify a location for a public lifeguarded beach and/or aquatic feature.

Council discussed possible locations for a publicly lifeguarded beach or aquatic feature such as Bisset and Cranberry Lake in Cole Harbour as well as the potential to align the report request with the HRM's Aquatic Strategy.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Mason

15.3.4 Councillor Adams – Ketch Harbour Area Residents Association (KHARA) Capital Request Repair of Breakwater Structure

The following was before Council:

- A Request for Council Consideration Form from Councillor Adams

MOVED by Councillor Adams, seconded by Councillor Walker

THAT Halifax Regional Council approve a one-time exemption to grant a request from the District 11 District Capital Fund to the Ketch Harbour Area Residents Association for \$4,000 to repair breakwater structure which protects the Wharf and land owned by KHARA

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Mason

15.3.5 Councillor Austin - Addition of Park Avenue Community Oven to Administrative Order 53

The following was before Council:

- A Request for Council Consideration Form from Councillor Austin

MOVED by Councillor Austin, seconded by Deputy Mayor Mancini

THAT Halifax Regional Council request a staff report on amending Administrative Order 53 Respecting Alcohol in Municipally Owned and Operated Facilities and at Municipal Events to allow for special occasion licenses at the Park Avenue Community Oven on the Dartmouth Common.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Mason

15.3.6 Deputy Mayor Mancini - Reducing or eliminating municipal construction related fees for Non-profit Development

The following was before Council:

- A Request for Council Consideration Form from Deputy Mayor Mancini

MOVED by Deputy Mayor Mancini, seconded by Councillor Cleary

THAT Halifax Regional Council direct the Chief Administrative Officer to amend the relevant municipal legislation to waive municipal construction related fees for non-profit agencies to reduce barriers for these organizations when they are engaged in development of such things as affordable accessible housing or similar public benefits and report back to Regional Council.

The following amendment was proposed:

MOVED by Councillor Cleary, seconded by Councillor Zurawski

THAT the proposed waiver of municipal construction related fees apply only to non-profit organizations that provide affordable and accessible housing and apply only for projects on existing transit routes.

MOTION TO AMEND PUT AND DEFEATED. (2 In favour; 14 against)

In favour: Councillors Cleary, Zurawski

Against: Mayor Savage, Deputy Mayor Mancini, Councillors Streach, Hendsbee, Karsten, Nicoll, Austin, Smith, Walker, Adams, Whitman, Blackburn, Craig, Outhit

Not present: Councillor Mason

The following amendment was proposed:

THAT the motion be amended to request a report and recommendations to amend the relevant municipal legislation to waive construction related fees for non-profit agencies that deliver housing.

The amendment was deemed friendly by Halifax Regional Council.

The motion before Council now reads:

MOVED by Deputy Mayor Mancini, seconded by Councillor Cleary

THAT Halifax Regional Council direct the Chief Administrative Officer to amend the relevant municipal legislation to waive municipal construction related fees for non-profit agencies to reduce barriers for these organizations when they are engaged in development of such things as affordable accessible housing or similar public benefits and report back to Regional Council.

AMENDED MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Mason

16. MOTIONS – NONE

17. IN CAMERA (IN PRIVATE)

17.1 PROPERTY MATTER – Acquisition – *Private and Confidential Report*

The following was before Council:

- A private and confidential staff report dated January 9, 2019

This matter was discussed In Camera (In Private). The following motion was ratified in public session:

MOVED by Councillor Outhit, seconded by Councillor Nicoll

THAT Halifax Regional Council:

- 1. Authorize the Mayor and Clerk to enter into an Agreement of Purchase for the acquisition as outlined in the Private and Confidential staff report dated January 9, 2019, subject to the terms and conditions contained in Table 1 of the Private and Confidential staff report dated January 9, 2019; and**
- 2. Not to release the Private and Confidential staff report dated January 9, 2019 to the public until the transaction has closed.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage, Councillors Streach, Mason, Adams

17.2 PROPERTY MATTER – Acquisition – *Private and Confidential Report*

The following was before Council:

- A private and confidential staff report dated January 15, 2019

This matter was discussed In Camera (In Private). The following motion was ratified in public session:

MOVED by Councillor Austin, seconded by Councillor Karsten

THAT Halifax Regional Council:

- 1. Not pursue the possible acquisition of the subject property for the reason outlined in the revised private and confidential staff report dated January 15, 2019; and**
- 2. Not release the revised private and confidential staff report dated January 15, 2019 to the public.**

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

In favour: Deputy Mayor Mancini, Councillors Karsten, Nicoll, Austin, Smith, Cleary, Walker, Zurawski, Whitman, Blackburn, Craig, Outhit

Against: Councillor Hendsbee

Not present: Mayor Savage, Councillors Streach, Mason, Adams

17.3 CONTRACT NEGOTIATIONS – Intergovernmental Affairs – *Private and Confidential Report*

The following was before Council:

- A private and confidential staff report dated January 11, 2019

This matter was discussed In Camera (In Private). The following motion was ratified in public session:

MOVED by Councillor Nicoll, seconded by Councillor Karsten

THAT Halifax Regional Council:

- 1. direct the Chief Administrative Officer to enter into contract negotiations as outlined in the private and confidential report dated January 11, 2019; and**
- 2. that the private and confidential report dated January 11, 2019 not be released to the public.**

MOTION PUT AND PASSED. (10 in favour, 3 against)

In favour: Deputy Mayor Mancini, Councillors Hendsbee, Karsten, Nicoll, Smith, Walker, Zurawski, Whitman, Blackburn, Craig

Against: Councillors Austin, Cleary, Outhit

Not present: Mayor Savage, Councillors Streach, Mason, Adams

17.4 PROPERTY MATTER – Councillor Cleary – Parkland Acquisition – *Private and Confidential Report*

The following was before Council:

- A private and confidential Councillor Request for consideration form dated March 26, 2019 from Councillor Cleary

This matter was discussed In Camera (In Private). There was no further action taken.

17.5 INTERGOVERNMENTAL RELATIONS – Board of Police Commissioners – Review of Intergovernmental Report – Verbal Update – Private and Confidential Report

This matter was discussed In Camera (In Private). There was no further action taken.

Private and Confidential Information Items

1. Private and Confidential In Camera (In Private) Information Report – re: Property Disposal Process Update

2. Private and Confidential In Camera (In Private) Information Report – re: Land Acquisition

18. ADDED ITEMS - NONE

19. NOTICES OF MOTION – NONE

20. ADJOURNMENT

The meeting adjourned at 9:10 p.m.

Kevin Arjoon
Municipal Clerk