



**HALIFAX REGIONAL COUNCIL
MINUTES
March 7, 2017**

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

STAFF: Mr. John Traves, Acting Chief Administrative Officer
Ms. Jane Fraser, Acting Deputy Chief Administrative Officer
Ms. Karen Brown, Acting Municipal Solicitor
Mr. Kevin Arjoon, Municipal Clerk
Ms. Phoebe Rai, Legislative Assistant
Ms. Krista Vining, Legislative Assistant

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

A video recording of this meeting is available: http://archive.isiglobal.ca/vod/halifax/archive_2017-03-07_live.mp4.html

The agenda, supporting documents, and information items circulated to Council are available online: <http://www.halifax.ca/council/agendasc/170307rc-agenda.php>

The meeting was called to order at 11:47 a.m., and Council recessed at 12:01 p.m. and reconvened at 1:00 p.m. Council recessed at 2:28 p.m. to convene to In Camera (In Private) and reconvened in public at 5:30 p.m. Council adjourned at 5:33 p.m.

1. CALL TO ORDER

The Deputy Mayor called the meeting to order at 11:46 a.m. and Council stood for a moment of reflection. Mayor Savage and Councillor Streach were not present.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillors noted a number of special community announcements and acknowledgements.

3. APPROVAL OF MINUTES – January 10 and 24, 2017

MOVED by Councillor Mancini, seconded by Councillor Whitman

THAT the minutes of January 10 and 24, 2017 be approved as circulated.

MOTION PUT AND PASSED.

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

Additions:

16.3 IN CAMERA (IN PRIVATE)

16.3.1 Personnel Matter – Private and Confidential Report

From the floor Councillor Mason requested an item be added re: Taxis, Licensing and Appeals

Two-third majority vote required.

MOTION PUT AND PASSED.

17.1 Councillor Mason - Taxis, Licensing and Appeals

Council agreed to address In Camera (In Private) Item 16.2.1 follow Item 14.1.1.

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 – 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. – NONE**

- 12. CORRESPONDENCE, PETITIONS & DELEGATIONS**

12.1 Correspondence

The Clerk noted that correspondence was received for items 14.3.1 and 14.5.1. 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 – Deadman’s Island Remembrance Event

The following was before Council:

- A letter of request from D. S. Deese, Lieutenant Commander (U.S. Navy) Senior Base Chaplain dated February 21, 2017

MOVED by Councillor Cleary, seconded by Councillor Walker

THAT Halifax Regional Council grant permission for a CH-124 Sea King or CH-148 Cyclone to perform a fly-past at levels as low as 500 feet over Deadman’s Island Park, Halifax on Monday, May 29, 2017 at 11:10 a.m. in conjunction with the Deadman’s Island Remembrance Event.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage and Councillor Streach

12.1.2 Fly-Past Request – 2017 Battle of the Atlantic Ceremony

The following was before Council:

- A letter of request from C.F. Sutherland, Captain(N) Base Commander, Canadian Forces Base Halifax dated February 21, 2017

MOVED by Councillor Mason, seconded by Councillor Whitman

THAT Halifax Regional Council grant permission for the Canadian Armed Forces to fly Sea King Helicopter(s) in formation over Point Pleasant Park as per the diagrams attached to the correspondence dated February 20, 2017 at an altitude of 500 feet above the highest obstacles on Sunday May 7, 2017 at 10:58 AM in conjunction with the 2017 Battle of the Atlantic Ceremony.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage and Councillor Streach

12.2 Petitions – NONE

13. INFORMATION ITEMS BROUGHT FORWARD – NONE

14. REPORTS

14.1 CHIEF ADMINISTRATIVE OFFICER

14.1.1 First Reading Proposed By-Law L-401 – an Amendment to By-Law L-400, Respecting Lot Grading

The following was before Council:

- A staff recommendation report dated October 3, 2016

Notice of Motion was given February 21, 2017.

MOVED by Councillor Hendsbee, seconded by Councillor Nicoll

THAT Halifax Regional Council give First reading to Proposed By-law L-401, the purpose of which is to amend By-law L-400, Respecting Lot Grading, to exclude areas that are not connected to a central wastewater system.

Second reading to be held March 28, 2017.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage and Councillor Streach

Council recessed at 12:01 p.m.

Council reconvened at 1:00 p.m. with Mayor Savage and Councillor Streach in attendance.

14.1.2 Proposed Administrative Order SC-84, Respecting Closure of a Portion of Lower Water Street, Halifax

The following was before Council:

- A staff recommendation report dated February 21, 2017

Notice of Motion was given February 21, 2017.

MOVED by Councillor Mason, seconded by Deputy Mayor Craig

THAT Halifax Regional Council:

- 1. Declare Parcel WD-2 as shown on Attachment "A" of the staff report dated February 21, 2017 as no longer required for the purposes of the Municipality and surplus to municipal requirements, and categorize it as 'Remnant', as per Administrative Order 50;**
- 2. Declare the portion of the Lower Water Street Right-of-Way in front of PID 00003509, Lower Water Street, as shown on Attachment "A" of the staff report dated February 21, 2017 in yellow, as no longer required for the purposes of the Municipality and surplus to municipal requirements, and categorize it as 'Extraordinary', as per Administrative Order 50.**
- 3. Set a date for a public hearing to consider adopting the proposed Administrative Order SC-84, as contained in Attachment "B" of the staff report dated February 21, 2017, to close a portion of Lower Water Street.**

Public Hearing to be held March 21, 2017.

MOTION PUT AND PASSED UNANIMOUSLY.

In Camera (In Private) Item 16.2.1 was addressed at this time.

16.2 Legal Matter

A matter pertaining to litigation or potential litigation in regard to an identifiable person and information whose disclosure could reasonably be expected to prejudice the interests of the Municipality.

16.2.1 Settlement of Ownership of Certain Lands Respecting Lower Water Street – *Private and Confidential Report*

The following was before Council:

- A private and confidential staff recommendation report dated February 17, 2017

MOVED by Deputy Mayor Craig, seconded by Councillor Whitman

THAT Halifax Regional Council approve the staff recommendation as outlined in the private & confidential staff report dated February 17, 2017 and that the report not be released to the public.

MOTION PUT AND PASSED UNANIMOUSLY.

14.2 EXECUTIVE STANDING COMMITTEE

14.2.1 Public Consultation – Campaign Finance Reform

The following was before Council:

- A report from Mayor Savage, Chair and Members of the Executive Standing Committee dated February 27, 2017, with attached staff report dated January 25, 2017

MOVED by Deputy Mayor Craig, seconded by Councillor Nicoll

THAT Halifax Regional Council direct staff to use the public consultation and communications strategy set out in the discussion section of the staff report dated January 25, 2017 to facilitate a public consultation process on campaign finance reform, as described in the staff report dated January 25, 2017, prior to the preparation of a Campaign Finance By-law.

In response to questions raised, the following clarification was provided by staff:

- various conversation guides and information is being prepared for the Shape Your City Halifax webpage and for use at public consultation meetings; feedback from the 2016 Municipal Election will also be sought out
- data respecting campaign contributions from the 2016 Municipal Election is available on the Municipality's Accountability and Transparency webpage through www.halifax.ca
- The Municipality is consulting with the Department of Education and two school boards to build the scope of the public consultation process

MOTION PUT AND PASSED UNANIMOUSLY.

14.3 COMMUNITY PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE

14.3.1 Creation of a Funding Program for Heritage Organizations

The following was before Council:

- A report from the Chair of the Community Planning and Economic Development Standing Committee dated February 28, 2017, with attached staff report dated February 1, 2017
- Correspondence from Elizabeth Corser dated March 5, 2017, and Nora Gross dated March 6, 2017

MOVED by Councillor Hendsbee, seconded by Councillor Mason

THAT Halifax Regional Council request a staff report to:

- 1. Develop an Administrative Order for an interim funding program for community museums, consistent with the request received from the ad-hoc community museum committee as outlined in attachment C of the staff report dated February 1, 2017 and return it to Council for consideration; and**

2. It is further recommended that prior to the Administrative Order returning to Council for consideration, staff prepare a supplementary report outlining funding source in order to consider \$220,000 of annual funding for the interim funding program commencing in 2017/18 and that this report be provided to Audit and Finance Standing Committee prior to returning to Regional Council.

MOTION PUT AND PASSED UNANIMOUSLY.

14.4 HALIFAX AND WEST COMMUNITY COUNCIL

14.4.1 Case 20405 – Amendments to the Halifax Municipal Planning Strategy (MPS) and Halifax Peninsula Land Use By-law (LUB) for Halifax Grammar School, 915, 921, 945, and 967 Tower Road, Halifax

The following was before Council:

- A report from the Chair of the Halifax and West Community Council dated March 1, 2017, with attached Heritage Advisory Committee report dated February 6, 2017 and staff report dated January 3, 2017

MOVED by Councillor Mason, seconded by Councillor Karsten

THAT Halifax Regional Council give First Reading to consider the proposed amendments to the Municipal Planning Strategy for Halifax (MPS) and Land Use By-law for Halifax Peninsula (LUB), as set out in Attachments A and B of the January 3, 2017 report, to enable a proposed expansion of the Halifax Grammar School, and schedule a public hearing.

Public Hearing to be held March 28, 2017.

MOTION PUT AND PASSED UNANIMOUSLY.

14.5 MEMBERS OF COUNCIL

14.5.1 Councillor Mason – Support for Housing Trust Project

The following was before Council:

- A request for Council consideration form dated March 7, 2017
- Correspondence from Ross Cantwell, President of The Housing Trust of Nova Scotia dated March 1, 2017

MOVED by Councillor Mason, seconded by Councillor Mancini

THAT Halifax Regional Council request a staff report regarding opportunities, best practices and financial implications of considering:

1. Full or partial waiver of HRM permits and fees related to construction of affordable housing projects;
2. Entering into multi-year tax relief that aligns with the life of the affordable housing component of a fully affordable or mixed market/affordable housing project subject to Section 73 of the Halifax Charter; and
3. Exploring with Halifax Water alignment of their capital fee contributions with municipal and provincial housing goals to develop a full or partial reduction for affordable housing projects.

MOTION PUT AND PASSED UNANIMOUSLY.

15. MOTIONS – NONE

16. IN CAMERA (IN PRIVATE)

In Camera (In Private) items were dealt with at different times throughout the meeting, see pages 4, 8 and 9.

17. ADDED ITEMS

17.1 Councillor Mason – Taxis, Licensing and Appeals

The following was before Council:

- A request for Council consideration form dated March 7, 2017

MOVED by Councillor Mason, seconded by Councillor Mancini

THAT Regional Council request a staff report by way of Transportation Standing Committee which contains options, recommendations and best practices regarding:

- 1. amending the means by which Council manages appeals of licensing decisions, including but not limited to considering:**
 - a. changing in scope of responsibility of the Appeals Committee, to be clarified and possibly reduced to a strict reviews of process,**
 - b. transferring license review responsibility to a new tribunal for license appeals composed of lawyers and those with licensing experience,**
 - c. transferring license review responsibility to the UARB.**
- 2. Strengthening standards of conduct in the Taxi By Law and clarifying the requirement for interim and permanent suspensions of licenses if these standards are not met.**

Request the Mayor write a letter to the Minister of Justice requesting clarity regarding whether the UARB could be responsible for license review.

Discussion was held on reviewing the process for licensing and for managing appeals of staff decisions. Members commented on citizens in HRM valuing a taxi system that is safe. Taxi drivers have a duty of care, and must conduct themselves at all times in a manner which will maintain a good reputation of the taxi system and its ability to serve the public interest.

A friendly amendment was sought and agreed to by the mover to remove the request to have the Mayor write a letter to the Minister of Justice and allow staff to report back, and if needed a letter could be requested at a later time.

The motion before Council now reads:

MOVED by Councillor Mason, seconded by Councillor Mancini

THAT Regional Council request a staff report by way of Transportation Standing Committee which contains options, recommendations and best practices regarding:

- 1. amending the means by which Council manages appeals of decisions by staff related to licensing, including but not limited to considering:**
 - a. changing the scope of responsibility of the Appeals Committee, to be clarified and possibly reduced to a strict reviews of process,**
 - b. transferring license review responsibility to a new tribunal for license appeals composed of lawyers and those with licensing experience,**
 - c. transferring license review responsibility to the UARB.**

2. Strengthening standards of conduct in the Taxi By Law and clarifying the requirement for interim and permanent suspensions of licenses if these standards are not met.

Discussion continued regarding the possibility of reviewing the Taxi By-law and the scope of responsibility for the Appeals Standing Committee. Ms. Karen Brown, Acting Municipal Solicitor advised that options would be outlined in the staff report.

MOVED by Councillor Walker, seconded by Councillor Streach

THAT the motion be amended to refer the staff report directly to Regional Council.

In consultation with staff and in agreement with the mover the motion was determined to be a friendly amendment.

The motion before Council now reads:

MOVED by Councillor Mason, seconded by Councillor Mancini

THAT Regional Council request a staff report to be presented to Regional Council which contains options, recommendations and best practices regarding:

- 1. amending the means by which Council manages appeals of licensing decisions, including but not limited to considering:**
 - a. changing in scope of responsibility of the Appeals Committee, to be clarified and possibly reduced to a strict reviews of process,**
 - b. transferring license review responsibility to a new tribunal for license appeals composed of lawyers and those with licensing experience,**
 - c. transferring license review responsibility to the UARB;**
- 2. Strengthening standards of conduct in the Taxi By Law and clarifying the requirement for interim and permanent suspensions of licenses if these standards are not met.**

Further discussion was held on what could be done differently to better serve the public.

MOTION PUT AND PASSED UNANIMOUSLY.

18. NOTICES OF MOTION

18.1 Councillor Cleary

“TAKE NOTICE that, at the next meeting of Halifax Regional Council to be held on March 21, 2017, I propose to move amendments to restrict any further increases to Council remuneration until the earlier of: (a) the staff report is received by Regional Council respecting its November 22, 2016 motion; or (b) November 1, 2017.”

18.2 Councillor Streach

“TAKE NOTICE that, at the next meeting of Halifax Regional Council to be held on March 21, 2017, I propose to move amendments to Administrative Order 45, Respecting Private Road Maintenance, the purpose of which is to repeal schedule 4 and add Schedule 4A, in order to increase the total budget for the South West Grand Lake Property Owners Association and amend the private road maintenance fee structure for all properties which must be accessed via Kings Road in Wellington.”

18.3 Councillor Hendsbee

“TAKE NOTICE that, at the next meeting of Halifax Regional Council to be held on March 21, 2017, I propose to move amendments to Administrative Order 29, Respecting Civic Addressing Policies, the purpose of which is to approve the naming of one new public street and three new private lanes, and the renaming of one street.”

The remaining In Camera (In Private) matters were dealt with at this time.

16. IN CAMERA (IN PRIVATE)

The following matters were considered in public session.

16.1 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 <http://www.halifax.ca/boardscom/documents/Citizenrecruitmentpolicy.pdf>

16.1.1 Ratification of Citizen Appointments to Boards and Committees – *Private and Confidential Report*

The following was before Council:

- A private and confidential staff recommendation report dated February 24, 2017

MOVED by Councillor Mason, seconded by Councillor Mancini

THAT Halifax Regional Council:

1. **Adopt the recommendation of the Standing Committees regarding Citizen Appointments as outlined in Attachment 1 of the private and confidential report dated February 24, 2017.**
2. **It is further recommended that the Citizen Appointments be released to the public following ratification and notification of successful candidates.**

MOTION PUT AND PASSED UNANIMOUSLY.

16.3 Personnel Matter

A matter pertaining to an identifiable individual or group.

MOVED by Councillor Hendsbee, seconded by Councillor Karsten

THAT Halifax Regional Council convene to an In Camera (In Private) session to consider agenda item 16.3.1 respecting a personnel matter.

MOTION PUT AND PASSED.

Council recessed at 2:28 p.m. to convene to In Camera (In Private).

Council reconvened at 5:30 p.m. to ratify the following motion.

16.3.1 Personnel matter – Private and Confidential Report

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

MOVED by Deputy Mayor Craig, seconded by Councillor Zurawski

THAT Halifax Regional Municipality Council ratify the In Camera motion of March 7, 2017.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Adams and Whitman

19. ADJOURNMENT

The meeting adjourned at 5:33 p.m.

Kevin Arjoon
Municipal Clerk