



**HALIFAX REGIONAL COUNCIL
MINUTES
November 14, 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
Lisa Blackburn
Paul Russell
Tim Outhit

REGRETS: Councillor Pam Lovelace

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
Elizabeth Macdonald, Legislative Assistant
Catie Campbell, 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 3:20 p.m. and moved into an In Camera (In Private) session at 4:51 p.m. Council adjourned at 5:56 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 – Special Emergency Regional Council September 16 and Regional Council October 17, 2023

MOVED by Councillor Cleary, seconded by Councillor Outhit

THAT the minutes of Special Emergency Regional Council September 16 and Regional Council October 17, 2023 be approved as circulated.

MOTION PUT AND PASSED.

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

Additions: None

Deletions: None

MOVED by Councillor Mason, seconded by Councillor Kent

THAT the agenda be approved as presented.

MOTION PUT AND PASSED.

5. CONSENT AGENDA

As provided for in section 41 (3) of Administrative Order One:

- Item 15.2.1 was removed from the consent agenda at the request of Councillor Mancini

MOVED by Councillor Blackburn, seconded by Councillor Kent

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

- 15.3.1 – School Safe Streets Pilot Program.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Lovelace

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. HERITAGE HEARINGS

12.1 Case H00563: Request to Include 6484 – 6484 ½ Jubilee Road, Halifax in the Registry of Heritage Property for the Halifax Regional Municipality

The following was before Council:

- Heritage Advisory Committee report dated August 23, 2023 with attached staff report dated July 20, 2023
- Extract from the September 12, 2023 Regional Council minutes
- Staff presentation dated November 14, 2023
- Property owner presentation dated November 14, 2023

Carter Beaupre-McPhee, Heritage Planning Researcher gave a presentation.

The hearing opened at 1:22 p.m.

Mayor Savage invited the property owner to come forward and address Council.

John Wesley Chisholm, Halifax noted the application process allowed for further learning of the history of the property and home, acknowledged the work of Halifax Regional Municipality (HRM) staff, a petition that was started in support of the property receiving historic designation, and the recent installation of copper gutters and a cobblestone driveway on the property.

MOVED by Councillor Mason, seconded by Councillor Stoddard

THAT the hearing be closed.

MOTION PUT AND PASSED.

The hearing closed at 1:26 p.m.

MOVED by Councillor Mason, seconded by Councillor Hendsbee

THAT Halifax Regional Council approve the request to include 6484 - 6484 1/2 Jubilee Road, Halifax in the Registry of Heritage Property for the Halifax Regional Municipality, as shown on Map 1 in the staff report dated July 20, 2023 as a municipal heritage property under the Heritage Property Act.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Lovelace

12.2 Case H00564: Request to Include 1741-1743 Henry Street, Halifax in the Registry of Heritage Properties for the Halifax Regional Municipality

The following was before Council:

- Heritage Advisory Committee report dated August 23, 2023 with attached staff report dated August 3, 2023
- Extract from the September 12, 2023 Regional Council minutes
- Staff presentation dated November 14, 2023

Elizabeth Cushing, Planner II, Heritage gave a presentation.

The hearing opened at 1:35 p.m.

Mayor Savage invited the property owner to come forward and address Council.

Marcia Connolly, Halifax expressed gratitude toward HRM staff and the Heritage Advisory Committee for their assistance and support during the application process. Connolly noted they were able to learn a detailed history of the property and home and explained repairs and restorations over the years were undertaken to honor the heritage of the home.

MOVED by Councillor Mason, seconded by Councillor Purdy

THAT the hearing be closed.

MOTION PUT AND PASSED.

The hearing closed at 1:36 p.m.

MOVED by Councillor Mason, seconded by Councillor Stoddard

THAT Halifax Regional Council approve the request to include 1741-1743 Henry Street, Halifax, in the Registry of Heritage Property for the Halifax Regional Municipality, as shown on Map 1 of the staff report dated August 3, 2023 as a municipal heritage property under the Heritage Property Act.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Lovelace

12.3 Case H000565: Request to Include 1745 Henry Street, Halifax in the Registry of Heritage Properties for the Halifax Regional Municipality

The following was before Council:

- Heritage Advisory Committee report dated August 23, 2023 with attached staff report dated July 27, 2023
- Extract from the September 12, 2023 Regional Council minutes
- Staff presentation dated November 14, 2023

Elizabeth Cushing, Planner II, Heritage gave a presentation.

The hearing opened at 1:42 p.m.

Mayor Savage invited the property owner to come forward and address Council.

Aiden Fudge, Halifax noted the home was initially purchased by their family decades ago and looked forward to maintaining the heritage status of the home. Fudge acknowledged the work of staff in the application process.

MOVED by Councillor Kent, seconded by Councillor Blackburn

THAT the hearing be closed.

MOTION PUT AND PASSED.

The hearing closed at 1:44 p.m.

MOVED by Councillor Mason, seconded by Councillor Stoddard

THAT Halifax Regional Council approve the request to include 1745 Henry Street, Halifax, in the Registry of Heritage Property for the Halifax Regional Municipality, as shown on Map 1 in the staff report dated July 27, 2023 as a municipal heritage property under the Heritage Property Act.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Lovelace

12.4 Case H00569: Request to Include 6038 Charles Street, Halifax in the Registry of Heritage Properties for the Halifax Regional Municipality

The following was before Council:

- Heritage Advisory Committee report dated August 23, 2023 with attached staff report dated July 27, 2023
- Extract from the September 12, 2023 Regional Council minutes
- Staff presentation dated November 14, 2023

Elizabeth Cushing, Planner II, Heritage gave a presentation.

The hearing opened at 1:50 p.m.

Mayor Savage noted that the property owner was not present.

MOVED by Councillor Smith, seconded by Councillor Cleary

THAT the hearing be closed.

MOTION PUT AND PASSED.

The hearing closed at 1:50 p.m.

MOVED by Councillor Smith, seconded by Councillor Stoddard

THAT Halifax Regional Council approve the request to include 6038 Charles Street, Halifax, in the Registry of Heritage Property for the Halifax Regional Municipality, as shown on Map 1 in the staff report dated July 27, 2023 as a municipal heritage property under the Heritage Property Act.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Lovelace

13. CORRESPONDENCE, PETITIONS & DELEGATIONS

13.1 Correspondence

Correspondence was received and circulated for item 15.1.2.

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 Formation of Committee of Council on Defunding the Police

The following was before Council:

- Staff report dated October 13, 2023

MOVED by Councillor Kent, seconded by Councillor Blackburn

THAT Halifax Regional Council:

- 1. Direct the Chief Administrative Officer to review areas of alignment and associated recommendations and actions between the Wortley Report, Defund Report, Public Safety Strategy and Mass Casualty Commission Final Report;**
- 2. Direct the Chief Administrative Officer or delegate(s) to meet with provincial representatives, including from the Department of Justice and the Department of Community Services, and community stakeholders to receive input on implementation options for recommendations; and**
- 3. Direct the Chief Administrative Officer to report back to Halifax Regional Council and the Board of Police Commissioners within 6 months.**

John Traves, K.C., CD, Executive Director of Legal & Legislative Services /Municipal Solicitor/Chief Governance Officer responded to questions of clarification from Council regarding renaming the report to remove “defund” from the title. Traves explained the title cannot be renamed as it forms part of the public record and Council cannot direct the Board of Police Commissioners (BoPC) to do so but noted alternative language could be used to reference it in the future.

Cathie O’Toole, Chief Administrative Officer responded to questions of clarification regarding the recommendations outlined in the Wortley Report, Defund Report and Public Safety Strategy and Mass Casualty Final Report and noted several recommendations have either been or are in the process of being implemented. O’Toole also addressed challenges regarding legislative authority in implementing the recommendations.

Joshua Bates, Policing Policy Strategist responded to questions of clarification from Regional Council.

Bill Moore, Executive Director, Community Safety spoke to the department’s creation of a role focused on exploring alternative responses to delivering mental health services. Moore also noted the department is currently engaging with a number of community based groups to explore alternative mental health service providers and plans to return to Regional Council in 2024 with a recommendation.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Lovelace

15.1.2 PLPROJ-2023-01544 - Initiation for Municipal Planning Strategy amendments to restrict water lot infilling on the Northwest Arm

The following was before Council:

- Staff report dated October 31, 2023
- Private and confidential report dated January 18, 2023
- Private and confidential handout dated February 6, 2023
- Correspondence from David Beck, Ingrid Greek, Jo and Michael Smithson, Dusan Soudek, Jean M. Chard, Anthony D. Rosborough, Will Balsler
- Handout dated September 22, 2023

MOVED by Councillor Mason, seconded by Councillor Cuttall

THAT Halifax Regional Council:

- 1. Initiate a process 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 restrict water lot infilling on the Northwest Arm; and**
- 2. Follow Administrative Order 2023-002-ADM, the Public Participation Administrative Order.**

Luc Ouellet, Principal Planner and 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 Deputy Mayor Austin, seconded by Councillor Kent

THAT the motion be amended to include:

- 3. Request that staff engage with the Federal government to explore the Minister's willingness to adopt or otherwise permit further restrictions with respect to infilling in Dartmouth Cove and prepare a supplemental staff report regarding the initiation of by-law amendments to the Regional Centre Secondary Municipal Planning Strategy to restrict water lot in filling in Dartmouth Cove; and**
- 4. Direct the Mayor to write a letter to The Honourable Pablo Rodriguez, Minister of Transport to request that the Federal Government immediately invoke a cessation on all infill application approvals in Dartmouth Cove until such time as appropriate governance can be put in place to prohibit all future infilling Dartmouth Cove.**

Deputy Mayor Austin proposed removing part 4 of the amendment. As provided for in section 53 (2) of Administrative Order One, *Respecting the Procedures of the Council*, the amendment was accepted as friendly.

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

The motion to amend now read:

THAT Halifax Regional Council direct the Chief Administrative Officer to:

- 1. Initiate a process 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 restrict water lot infilling on the Northwest Arm;**
- 2. Follow Administrative Order 2023-002-ADM, the Public Participation Administrative Order; and**
- 3. Request that staff engage with the Federal government to explore the Minister's willingness to adopt or otherwise permit further restrictions with respect to infilling in Dartmouth Cove and prepare a supplemental staff report regarding the initiation of by-law amendments to the Regional Centre Secondary Municipal Planning Strategy to restrict water lot in filling in Dartmouth Cove.**

Mayor Savage resumed the Chair.

MOTION TO AMEND PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Lovelace

The motion as amended now read:

MOVED by Councillor Mason, seconded by Councillor Cuttell

THAT Halifax Regional Council direct the Chief Administrative Officer to:

- 1. Initiate a process 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 restrict water lot infilling on the Northwest Arm;**
- 2. Follow Administrative Order 2023-002-ADM, the Public Participation Administrative Order; and**
- 3. Request that staff engage with the Federal government to explore the Minister's willingness to adopt or otherwise permit further restrictions with respect to infilling in Dartmouth Cove and prepare a supplemental staff report regarding the initiation of by-law amendments to the Regional Centre Secondary Municipal Planning Strategy to restrict water lot in filling in Dartmouth Cove.**

MOTION AS AMENDED PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Lovelace

15.1.3 Proposed Amendments to Administrative Orders 2020-007-ADM, Respecting Incentive or Bonus Zoning Public Benefits and 2020-008-ADM, Respecting Grants for Affordable Housing - Relating to Incentive or Bonus Zoning Public Benefits and the Affordable Housing Grant Program

The following was before Council:

- Staff report dated October 23, 2023
- Extract from the October 17, 2023 Regional Council draft minutes

MOVED by Councillor Cuttell, seconded by Councillor Purdy

THAT Halifax Regional Council:

- 1. Adopt amendments to Administrative Order Number 2020-007-ADM, Incentive or Bonus Zoning Public Benefits Administrative Order, as set out in Attachment C of the staff report dated October 23, 2023;**
- 2. Adopt amendments to Administrative Order Number 2020-008-ADM, Grants for Affordable Housing Administrative Order, as set out in Attachment D of staff report dated October 23, 2023;**
- 3. Request that the Mayor send a letter to the Province of Nova Scotia requesting amendments to the NS Public Utilities Act to waive Regional Development Charges for affordable housing developments;**
- 4. Direct the Chief Administrative Officer to conduct a review of Administrative Order Number 2020-008-ADM, Grants for Affordable Housing Administrative Order and the HRM**

Affordable Housing Grant Program in advance of the 2024/25 Affordable Housing Grant Program grant year;

- 5. Direct the Chief Administrative Officer to allocate \$200,000.00 from the Housing Accelerator Fund to fund affordable housing projects in the Suburban Area outside the Regional Centre but within the Urban Service Boundary; and**
- 6. Delegate to the Chief Administrative Officer, or their delegate, the authority to administer grants to affordable housing projects outside the Regional Centre from the funds allocated in recommendation #5, using the Administrative Order 2020-008-ADM, Respecting Grants for Affordable Housing as the basis for the grants, including:**
 - a. The eligibility considerations, and eligible and ineligible costs;**
 - b. The general requirements;**
 - c. The required and discretionary information for applications;**
 - d. The additional content for applications;**
 - e. Project evaluations and application review; and**
 - f. Conditions of payment and approval of grants; such as the authority to approve grants, determine the amount of such grants, and approve and execute contribution agreements for such grants.**

John Traves, K.C., CD, Executive Director of Legal & Legislative Services/Municipal Solicitor/Chief Governance Officer spoke to the potential implications of Bill 329 and amendments to the Halifax Regional Municipality Charter and Housing in the Halifax Regional Municipality Act. Traves responded to questions of clarification from Regional Council regarding moratoriums on fees and requirements for Ministerial approval.

Jamy-Ellen Proud, Planner III responded to questions of clarification from Regional Council.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Lovelace

15.2 EXECUTIVE STANDING COMMITTEE

15.2.1 2022 District Boundary Review Phase One: Electoral Reforms Requiring Legislative Amendments

The following was before Council:

- Executive Standing Committee report dated October 23, 2023 with attached staff report dated September 8, 2023

MOVED by Councillor Mancini, seconded by Councillor Mason

THAT Halifax Regional Council direct the Mayor and Chief Administrative Officer to request the Province of Nova Scotia revisit allowing Permanent Residents to be allowed to vote, and to give the municipality legislative permission to consider a Mi'kmaw council seat, subject to consultation and agreement with Mi'kmaw representatives.

Iain MacLean, Municipal Clerk responded to questions of clarification from Regional Council regarding composition of Regional Council and designated seats.

As provided for in section 90 of Administrative Order One, *Respecting the Procedures of the Council*, the motion was separated for voting purposes.

MOVED by Councillor Mancini, seconded by Councillor Mason

THAT Halifax Regional Council direct the Mayor and Chief Administrative Officer to request the Province of Nova Scotia revisit:

- 1. Allowing Permanent Residents to be allowed to vote; and**

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

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

Against: Councillors Hendsbee, Purdy

Not present: Councillor Lovelace

MOVED by Councillor Mancini, seconded by Councillor Mason

THAT Halifax Regional Council direct the Mayor and Chief Administrative Officer to request the Province of Nova Scotia revisit:

- 2. Give the municipality legislative permission to consider a Mi'kmaw council seat, subject to consultation and agreement with Mi'kmaw representatives.**

MacLean responded to questions of clarification from Regional Council.

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

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

Against: Councillors Purdy, Russell

Not present: Councillor Lovelace

15.3 TRANSPORTATION STANDING COMMITTEE

15.3.1 School Safe Streets Pilot Program

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

The following was before Council:

- Transportation Standing Committee report dated October 26, 2023 with attached staff report dated September 11, 2023

MOVED by Councillor Blackburn, seconded by Councillor Kent

THAT Halifax Regional Council direct the Chief Administrative Officer to formalize the process for a Safe School Streets Pilot Program within HRM based on the principles outlined in the staff report dated September 11, 2023.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Lovelace

15.4 MEMBERS OF COUNCIL

15.4.1 Councillor Morse – Staff Report on Plan to Protect Eastern Hemlock in HRM

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 on a Management Plan for Hemlock Woolly Adelgid in HRM. Woolly Adelgid is an emerging insect pest that can be fatal to hemlock. The Management Plan should include best practices for treatment, with a special focus on older hemlocks in HRM, and include funding sources to develop and implement the plan.

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

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Lovelace

15.4.2 Councillor Morse – Request for letter to Premier and Nova Scotia Minister and Climate Change Regarding Coastal Protection Act

The following was before Council:

- Request for Consideration form from Councillor Morse

MOVED by Councillor Morse, seconded by Councillor Cuttell

THAT Halifax Regional Council direct the Mayor write a letter to the Premier of Nova Scotia and Minister of Environment and Climate Change requesting an update on the regulations for the Coastal Protection Act and urging action on the regulations and proclamation of the Act.

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

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Lovelace

16. MOTIONS

16.1 Councillor Hendsbee

The following was before Council:

- Extract from the October 17, 2023 Regional Council draft minutes

MOVED by Councillor Hendsbee, seconded by Councillor Kent

THAT Halifax Regional 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.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Lovelace

17. IN CAMERA (IN PRIVATE)

17.1 In Camera (In Private) Minutes – October 17, 2023

MOVED by Councillor Hendsbee, seconded by Councillor Kent

That the In Camera (In Private) minutes of October 17, 2023 be approved as circulated.

MOTION PUT AND PASSED.

17.2 PERSONNEL MATTER – Private and Confidential Report

The following was before Council:

- Private and confidential report dated November 6, 2023

MOVED by Councillor Russell, seconded by Councillor Deagle Gammon

THAT Halifax Regional Council:

- 1. Adopt the recommendations as outlined in the private and confidential report dated November 6, 2023; and**
- 2. Direct that the private and confidential report dated November 6, 2023 be maintained private and confidential.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Lovelace

MOVED by Deputy Mayor Austin, seconded by Councillor Cuttell

That Halifax Regional Council convene to in camera to discuss 17.3 LEGAL ADVICE.

MOTION PUT AND PASSED.

17.3 LEGAL ADVICE – Private and Confidential

This matter was dealt with In Camera (In Private).

Private and Confidential Information Items

1. Private and Confidential In Camera (In Private) Information Report - re: LEGAL MATTER

18. ADDED ITEMS – NONE

19. NOTICES OF MOTION

19.1 Councillor Deagle Gammon

TAKE NOTICE that, a future meeting of Halifax Regional Council, I intend to move a motion to direct the Chief Administrative Officer (CAO) to provide a staff report to identify funding required to increase access to the Recreation Inclusion Support program for consideration in the 2024/25 budget.

19.2 Councillor Smith

TAKE NOTICE that, at a future meeting of Halifax Regional Council, I propose to introduce a Policy pursuant to Section 325 of the Halifax Municipality Charter, *Administrative Order SC-103*, the purpose of which is to permanently close Almon Lane, Halifax, as a street.

19.3 Councillor Mason

TAKE NOTICE that, at a future meeting of Halifax Regional Council, I intend to propose amendments to Administrative Order 15, Respecting License, Permit and Processing Fees, the purpose of which is to clarify that the Business License Fee is \$75 per sign per year and adjust pricing for on-street parking permits in parking zones 8, 9, 11 and 16.

19.4 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, and the Regional Centre Land Use By-law to implement the recommendations of the *Halifax Grain Elevator Land Use Risk Assessment*.

20. ADJOURNMENT

The meeting adjourned at 5:56 p.m.

Iain MacLean
Municipal Clerk