



**HALIFAX REGIONAL COUNCIL
MINUTES
January 25, 2022**

PRESENT:

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

STAFF:

Jacques Dubé, Chief Administrative Officer
John Traves, Municipal Solicitor
Iain MacLean, Municipal Clerk
Andrea Lovasi-Wood, Legislative Assistant
Annie Sherry, 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 2:00 p.m., and recessed at 5:05 p.m. Council reconvened at 6:01 p.m., and adjourned at 6:48 p.m.

1. CALL TO ORDER

Mayor Savage called the meeting to order at 2:00 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 – January 11, 2022

MOVED by Councillor Blackburn, seconded by Councillor Russell

THAT the minutes of January 11, 2022 be approved as circulated.

MOTION PUT AND PASSED.

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

Additions:

- Item 18.1 Ratification from Committee of the Whole on January 21, 2022 - HalifACT – Acting on Climate Together: 2020-2021 Annual Report
- Item 18.2 Ratification from Committee of the Whole on January 21, 2022 - HalifACT – Acting on Climate Together: 2020-2021 Annual Report
- Item 18.3 Ratification from Committee of the Whole on January 25, 2022 - Case 22257 – Regional Plan Review – Themes and Directions What We Heard
- Item 18.4 Ratification from Committee of the Whole on January 25, 2022 - Case 22257 – Regional Plan Review – Themes and Directions What We Heard
- Item 18.5 Ratification from Committee of the Whole on January 25, 2022 - Case 22257 – Regional Plan Review – Themes and Directions What We Heard
- Item 18.6 Ratification from Committee of the Whole on January 25, 2022 - Case 22257 – Regional Plan Review – Themes and Directions What We Heard
- Item 18.7 Ratification from Committee of the Whole on January 25, 2022 - Case 22257 – Regional Plan Review – Themes and Directions What We Heard

Deletions:

- Item 16.2 Councillor Deagle Gammon

Deferred to a future meeting of Regional Council:

- Item 14.1 Deputy Mayor Lovelace - Public Safety Strategy Annual Update

As provided for in section 12 (5) of Administrative Order One, Councillor Hendsbee requested that Private and Confidential In Camera (In Private) Information Report 1 – re: Property Matter be brought forward to the next Regional Council Meeting.

MOVED by Deputy Mayor Lovelace, seconded by Councillor Purdy

THAT the agenda be approved as amended.

MOTION PUT AND PASSED UNANIMOUSLY.

5. CONSENT AGENDA

MOVED by Councillor Kent, seconded by Councillor Mason

THAT Halifax Regional Council approve recommendations in the following items:

- 15.1.2 – Appointment of Development Officers;
- 15.1.3 – Increase to Contract - PO 2070802671 Consulting Services for Woodside Ferry Terminal Recapitalization Phase 1 and Phase 2; and
- 15.2.1 – Case 23938 – Downtown Halifax Land Use By-Law Amendments to Revise the Definition of Adult Entertainment Uses and Housekeeping Amendment to Map 1.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Stoddard

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. HEARINGS

12.1 Proposed Amendments to the Design Review Committee Terms of Reference - Section 4 of the Downtown Halifax Land Use Bylaw

The following was before Council:

- Executive Standing Committee report dated December 6, 2021
- Design Review Committee report dated December 3, 2021
- Staff recommendation report dated October 19, 2021
- Extract from the December 14, 2021 Regional Council Minutes

First Reading was given on December 14, 2021.

Iain MacLean, Municipal Clerk responded to questions of clarification from Regional Council.

The hearing opened at 6:03 p.m.

Mayor Savage reviewed the rules of procedure for public hearings and noted that the Halifax Regional Municipality was the applicant for this hearing.

Mayor Savage opened the public hearing and advised that there were no registered speakers.

MOVED by Councillor Russell, seconded by Councillor Stoddard

THAT the hearing be closed.

The hearing closed at 6:04 p.m.

MOTION PUT AND PASSED.

MOVED by Councillor Russell, seconded by Councillor Mason

THAT Halifax Regional Council adopt the amendments to the Land Use By-law for Downtown Halifax as set out in Attachment 2 of the staff report dated October 19, 2021.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Kent

12.2 Case H00520 – Amendment to the Bonus Zoning Provisions for Heritage Buildings within the Downtown Halifax Land Use By-law

The following was before Council:

- Heritage Advisory Committee report dated November 12, 2021
- Design Review Committee report dated December 3, 2021
- Staff recommendation report dated October 28, 2021
- Extract from the December 14, 2021 Regional Council Minutes
- Staff presentation dated January 25, 2022

Notice of Motion was given on December 7, 2021.

First Reading was given on December 14, 2021.

Seamus McGreal, Planner III, Regional Planning gave a presentation and responded to questions of clarification from Regional Council.

The hearing opened at 6:10 p.m.

Mayor Savage noted that the Halifax Regional Municipality was the applicant for this hearing.

Mayor Savage opened the public hearing and advised that there were no registered speakers.

MOVED by Councillor Mason, seconded by Councillor Russell

THAT the hearing be closed.

The hearing closed at 6:10 p.m.

MOTION PUT AND PASSED.

MOVED by Councillor Mason, seconded by Councillor Stoddard

THAT Halifax Regional Council adopt the amendment to the Land Use By-law for Downtown Halifax as set out in Attachment A of the October 28, 2021 staff report.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Kent

13. CORRESPONDENCE, PETITIONS & DELEGATIONS

13.1 Correspondence

Correspondence was received and circulated for items: 15.1.4.

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

13.2 Petitions – None

13.3 Presentation – None

14. INFORMATION ITEMS BROUGHT FORWARD – NONE

15. REPORTS

15.1 CHIEF ADMINISTRATIVE OFFICER

15.1.1 Facility Operating Agreement – North Woodside Community Centre

The following was before Council:

- Staff recommendation report dated November 18, 2021

MOVED by Councillor Austin, seconded by Councillor Mancini

THAT Halifax Regional Council authorize the Chief Administrative Officer (CAO) to:

1. **Execute a Facility Operating Agreement with the North Woodside Community Association substantially in the same form as set out in Attachment 1 of the staff report dated November 18, 2021;**
2. **Negotiate and execute, an Assignment and Assumption Agreement with the North Woodside Community Association for the existing sublease with the Growing Place: Early Education Centre Limited consistent with the key terms and conditions outlined in Table 2 of the staff report dated November 18, 2021; and**
3. **Negotiate and execute a Less than Market Value Lease agreement with the City of Lakes Amateur Boxing Club for the existing occupied space with the key terms and conditions outlined in Table 3 of the staff report dated November 18, 2021.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Stoddard

15.1.2 Appointment of Development Officers

The following was before Council:

- Staff recommendation report dated January 7, 2022
- Private and Confidential memorandum dated January 17, 2022 – Personnel Matter

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

MOVED by Councillor Kent, seconded by Councillor Mason

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

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Stoddard

15.1.3 Increase to Contract - PO 2070802671 Consulting Services for Woodside Ferry Terminal Recapitalization Phase 1 and Phase 2

The following was before Council:

- Staff recommendation report dated November 12, 2021

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

MOVED by Councillor Kent, seconded by Councillor Mason

THAT Halifax Regional Council approve an increase of \$112,228 (net HST included) to PO 2070802671, Consulting Services for Woodside Ferry Terminal, Phase 1 and 2, to Abbott Brown Architects, from Project No. CB000042 – Woodside Ferry Terminal Upgrades as outlined in the Financial Implications section of the staff report dated November 12, 2021.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Stoddard

15.1.4 Implications of HRM Opposing Quebec's Bill 21

The following was before Council:

- Staff recommendation report dated January 17, 2022
- Correspondence from Gwen Davies

MOVED by Councillor Mancini, seconded by Councillor Cleary

THAT Halifax Regional Council adopt the Resolution as set out in Attachment 1 of the staff report dated January 17, 2022.

Councillor Mancini proposed the motion be amended to include the following: send a copy of the Resolution to the Canadian Big City Mayors, the Federation of Canadian Municipalities (FCM) and the Nova Scotia Federation of Municipalities (NSFM). 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 as amended now read:

MOVED by Councillor Mancini, seconded by Councillor Cleary

THAT Halifax Regional Council adopt the Resolution as set out in Attachment 1 of the staff report dated January 17, 2022; and send a copy of the Resolution to the Canadian Big City Mayors, the Federation of Canadian Municipalities (FCM) and the Nova Scotia Federation of Municipalities (NSFM).

MOTION AS AMENDED PUT AND PASSED. (15 in favour, 1 against)

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

Against: Councillor Russell

Not present: Councillor Stoddard

15.1.5 Recommendation on Level of Service (LOS) for the HRM Street Network

The following was before Council:

- Staff recommendation report dated January 4, 2022
- Staff presentation dated January 25, 2022

MOVED by Councillor Russell, seconded by Councillor Blackburn

THAT Halifax Regional Council:

1. Approve the Pavement Quality Index (PQI) Condition Categories as described in Table 4 of the staff report dated January 4, 2022;
2. Approve a target Level of Service (LOS) for the HRM road pavement network as outlined in the Discussion section of the staff report dated January 4, 2022 to maintain a minimum of 67% of the network in “Good” condition with PQI for each functional class of road greater or equal to the number shown in Table 4 of the staff report dated January 4, 2022 for the “Good” category”;
3. Approve the proposed Budget Based Funding Scenario described in Table 10 of the staff report dated January 4, 2022 as the target funding level for the Street Recapitalization Account in future capital plans; and refer to the 2022/23 Budget process for the initial 22/23 funding level;
4. Approve the continued use of District allocation for Capital program selection as described in the Discussion section of the staff report dated January 4, 2022; and
5. Approve a biennial reporting period, whereby staff will conduct similar analyses and report back to Council every two years with pavement condition, as described in the Discussion section of the staff report dated January 4, 2022.

Ed Surette, Manager, Transportation Infrastructure Management, Project Planning and Design Services gave a presentation and responded to questions of clarification from Regional Council.

Brad Anguish, Executive Director of Transportation & Public Works responded to questions of clarification from Regional Council.

Dave Hubley, Manager Design & Construction, Project Planning & Design responded to questions of clarification from Regional Council.

MOTION PUT AND PASSED UNANIMOUSLY.

15.2 DESIGN REVIEW COMMITTEE

15.2.1 Case 23938 – Downtown Halifax Land Use By-Law Amendments to Revise the Definition of Adult Entertainment Uses and Housekeeping Amendment to Map 1

The following was before Council:

- Design Review Committee report dated January 14, 2022 with attached staff recommendation report dated December 23, 2021

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

MOVED by Councillor Kent, seconded by Councillor Mason

THAT Halifax Regional Council give First Reading and schedule a public hearing to consider the proposed amendments to the Downtown Halifax Land Use By-law as set out in Attachment A of the staff report dated December 23, 2021.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Stoddard

15.3 MEMBERS OF COUNCIL

15.3.1 Deputy Mayor Lovelace - Rural Action Committee

The following was before Council:

- Revised request for Council's consideration form submitted by Deputy Mayor Lovelace dated January 21, 2022
- Request for Council's consideration form submitted by Deputy Mayor Lovelace

MOVED by Deputy Mayor Lovelace, seconded by Councillor Hendsbee

THAT Halifax Regional Council direct the Chief Administrative Officer (CAO) to develop a staff report and recommendations with respect to the establishment of a "Rural Action Committee." The report should include recommendations for consultations with residents in rural communities that would include HRM and neighbouring Councillors, municipal staff, and representatives of rural areas.

MOTION PUT AND PASSED. (15 in favour, 2 against)

In favour: Mayor Savage, Deputy Mayor Lovelace, Councillors Hendsbee, Purdy, Austin, Mancini, Mason, Smith, Cleary, Morse, Cuttell, Stoddard, Blackburn, Russell, Outhit

Against: Councillors Deagle Gammon, Kent

15.3.2 Councillor Morse - Construction Projects on Private Property

The following was before Council:

- Request for Council's consideration form submitted by Councillor Morse

MOVED by Councillor Morse, seconded by Councillor Russell

THAT Halifax Regional Council direct the Chief Administrative Officer (CAO) to provide a staff report on options for requiring large construction projects to be contained on private property rather than being permitted to close sections of public roads and sidewalks.

MOTION PUT AND PASSED. (16 in favour, 1 against)

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

Against: Mayor Savage

16. MOTIONS

16.1 Councillor Russell

MOVED by Councillor Russell, seconded by Councillor Cleary

THAT Halifax Regional Council direct the Chief Administrative Officer to prepare a staff report that:

- 1. Reviews the service boundaries within HRM;**
- 2. Identifies the types and levels of service that have been committed within each of the boundaries, and their corresponding costs;**
- 3. Reviews the taxation boundaries within HRM, and the amount of tax that is generated within each boundary.**

MOTION PUT AND PASSED. (11 in favour, 5 against)

In favour: Deputy Mayor Lovelace, Councillors Deagle Gammon, Hendsbee, Purdy, Mason, Cleary, Cuttall, Stoddard, Blackburn, Russell, Outhit

Against: Mayor Savage, Councillors Austin, Mancini, Smith, Morse

Not present: Councillor Kent

17. IN CAMERA (IN PRIVATE)

Private and Confidential Information Items

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

18. ADDED ITEMS

18.1 Ratification from Committee of the Whole on January 21, 2022 - HalifACT – Acting on Climate Together: 2020-2021 Annual Report

MOVED by Councillor Mason, seconded by Councillor Mancini

THAT Halifax Regional Council recommend that the Chief Administrative Officer be directed to prepare a staff report on the implications of establishing an HRM corporate carbon budget in line with the modeling in HalifACT 2050, and require future municipal reporting for all business units to demonstrate how all activities meet or exceed the carbon budget goals.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Kent

18.2 Ratification from Committee of the Whole on January 21, 2022 - HalifACT – Acting on Climate Together: 2020-2021 Annual Report

MOVED by Councillor Austin, seconded by Deputy Mayor Lovelace

THAT Halifax Regional Council recommend that the Chief Administrative Officer be directed to include the actions business units plan to undertake on HalifACT and what gaps might still exist within their area of responsibility.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Kent

18.3 Ratification from Committee of the Whole on January 25, 2022 - Case 22257 – Regional Plan Review – Themes and Directions What We Heard

MOVED by Councillor Blackburn, seconded by Councillor Mason

THAT Halifax Regional Council:

- 1. Suspend Schedule 3 (Community Planning and Economic Development Standing Committee Terms of Reference) of Administrative Order One, the Procedures of Council Administrative Order;**

2. **Adopt the amendments in Attachment F of the staff report dated December 7, 2021 and direct the Chief Administrative Officer to follow the revised Public Participation Program for the Regional Plan Review as generally set out in Attachment A of the staff report dated December 7, 2021 and as outlined in the Community Engagement section of the staff report dated December 7, 2021 report; and**
3. **Direct the Chief Administrative Officer to follow the revised work plan schedule as generally outlined in Attachment B – Regional Plan Work Plan of the staff report dated December 7, 2021 and Attachment C – Site-Specific Requests of the staff report dated December 7, 2021.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Kent

18.4 Ratification from Committee of the Whole on January 25, 2022 - Case 22257 – Regional Plan Review – Themes and Directions What We Heard

MOVED by Deputy Mayor Lovelace, seconded by Councillor Purdy

THAT Halifax Regional Council recommend that the Chief Administrative Officer be directed to prepare a staff report on the process and implications of including industrial and waterfront lands in Eastern Passage (known as former Texaco Refinery/Valero Lands) for future growth and municipal interest areas.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Kent

18.5 Ratification from Committee of the Whole on January 25, 2022 - Case 22257 – Regional Plan Review – Themes and Directions What We Heard

MOVED by Councillor Morse, seconded by Councillor Mason

THAT Halifax Regional Council recommend that the Chief Administrative Officer be directed to prepare a staff report outlining an overall policy and process to coordinate the work of the departments of Planning and Development and Parks and Recreation. The aim is to ensure council can effectively implement HalifACT, IMP and the Green Network Plan. The staff report should consider the need for a coordinator to lead the Green Network Plan and an updated parks strategy, in light of the following:

1. **The current Parks Canada urban park planning process for Blue Mountain-Birch Cove Lakes,**
2. **The pending Sandy Lake study,**
3. **Recently identified key wildlife corridors,**
4. **HRM's natural asset inventory, and**
5. **Housing development pressures.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Kent

18.6 Ratification from Committee of the Whole on January 25, 2022 - Case 22257 – Regional Plan Review – Themes and Directions What We Heard

MOVED by Councillor Cuttell, seconded by Councillor Morse

THAT Halifax Regional Council recommend that the Chief Administrative Officer be directed to continue to assess request C027 (1246 Ketch Harbour Rd) as part of the ongoing Regional Plan Review.

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

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

Against: Councillors Austin, Smith

Not present: Councillor Kent

18.7 Ratification from Committee of the Whole on January 25, 2022 - Case 22257 – Regional Plan Review – Themes and Directions What We Heard

MOVED by Councillor Cuttell, seconded by Deputy Mayor Lovelace

THAT Halifax Regional Council recommend that the Chief Administrative Officer be directed to prepare a staff report outlining the process to initiate updated secondary plans for the areas identified as BRT Walkshed in Scenario C, Infill Areas map in the Regional Plan Review, which should consider:

- 1. Prioritizing BRT Corridors for rezoning that supports transit oriented complete communities,**
- 2. Identifying boundaries for the secondary plan updates,**
- 3. The process and timeline required for completing the secondary plans, and;**
- 4. The financial resources and budget required to do the work.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Kent

19. NOTICES OF MOTION

19.1 Deputy Mayor Pam Lovelace

TAKE NOTICE that, at a future meeting of Halifax Regional Council, I intend to propose adopting Administrative Order 2022-001-GOV, Respecting the Special Advisory Committee for the 2022 Halifax Regional Municipality District Boundary Review, the purpose of which is to establish a District Boundary Resident Review Panel reporting to Regional Council through the Executive Standing Committee to conduct Phase Two of the 2022 Municipal District Boundary Review process.

19.2 Deputy Mayor Pam Lovelace

TAKE NOTICE that, at a future meeting of Halifax Regional Council, I intend to propose that the Chief Administrative Officer (CAO) prepare a staff report the purpose of which is to request the Province of

Nova Scotia consider the protection of the 27 acres of French Village Conservation Woodland (PID 00506428) from St. Paul's Anglican Church, 71 St. Pauls Lane, French Village to the wetlands east of Brine Lake and include it in the registry of Nova Scotia Protected Areas.

19.3 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 establish a program to consider amendments to the Regional Centre Secondary Municipal Planning Strategy and Land Use By-law, and the Downtown Halifax Secondary Municipal Planning Strategy and Land Use By-law to address various housekeeping matters.

19.4 Councillor Mason

TAKE NOTICE that, at a future meeting of Halifax Regional Council, I propose to move amendments to Administrative Order 1, the Procedure of the Council Administrative Order, the purpose of which is include a land acknowledgement statement to the Order of Business for the Halifax Regional Council and its committees.

19.5 Councillor Austin

TAKE NOTICE that, at a future meeting of Halifax Regional Council, I intend to move First Reading of proposed By-law D-600, Respecting Development Charges for Dartmouth Cove, the purpose of which is to apply development charges to property owners benefitting from the Dundas Street Bridge and Extension project in the Dartmouth Cove area.

20. ADJOURNMENT

The meeting adjourned at 6:48 p.m.

Iain MacLean
Municipal Clerk