



**HALIFAX REGIONAL COUNCIL
MINUTES
February 15, 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 1:00 p.m., and recessed at 1:59 p.m. Council reconvened in at 3:26 p.m. Council moved into an In Camera (In Private) session at 3:39 p.m. and reconvened at 4:05 p.m. Council recessed at 4:10 p.m. and reconvened in at 6:01 p.m. Council adjourned at 8:04 p.m.

1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT

Mayor Savage called the meeting to order at 1:00 p.m. and acknowledged that the meeting took place in the traditional and ancestral territory of the Mi'kmaq people, and that we are all treaty people.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillors noted special community announcements and acknowledgements.

3. APPROVAL OF MINUTES – January 25, 2022

MOVED by Councillor Blackburn, seconded by Councillor Stoddard.

THAT the minutes of January 25, 2022 be approved as circulated.

MOTION PUT AND PASSED.

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

Additions:

- Item 17.2 LEGAL MATTER - Private and Confidential Report
- Item 17.3 LABOUR RELATIONS MATTER - Private and Confidential Report
- Item 18.1 District Boundary Resident Review Panel – Honorariums – Supplementary Report
- Item 18.2 Ratification from Committee of the Whole on February 15, 2022 – Small Business Definition and Commercial Taxation Options

Deletions: None

MOVED by Councillor Deagle Gammon, seconded by Councillor Kent

THAT the agenda be approved as amended.

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 – NONE

11. NOTICES OF TABLED MATTERS – NONE

12. HEARINGS

12.1 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:

- Report from Design Review Committee with attached staff recommendation report dated December 23, 2021
- Extract from the January 25, 2022 Regional Council Draft Minutes
- Staff Presentation dated February 15, 2022

First Reading was given on January 25, 2022.

Dali Salih, Planner III gave a presentation on Case 23938 and responded to questions of clarification from Regional Council.

The hearing opened at 6:07 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 Mason, seconded by Councillor Russell

THAT the hearing be closed.

The hearing closed at 6:07 p.m.

MOTION PUT AND PASSED.

MOVED by Councillor Mason, seconded by Councillor Kent

THAT Halifax Regional Council adopt 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 Deagle Gammon

12.2 Case 22670 - MPS and LUB Amendments to Allow for Industrial and Highway Commercial Uses on the Conrad Quarry Lands, Montague Gold Mines and Waverley

The following was before Council:

- Report from North West Community Council with attached staff recommendation report dated November 22, 2021
- Memorandum dated February 12, 2022 with Revised Attachment B
- Extract from the January 11, 2022 Regional Council Minutes
- Staff presentation dated February 15, 2022
- Correspondence from Laura White, Ellen MacDonald, E.D. Skinner, Rene Leclerc

First Reading was given on January 11, 2022.

Tyson Simms, Planner III, gave a presentation on Case 22670 and responded to questions of clarification from Regional Council.

The hearing opened at 6:49 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 called for anyone wishing to speak on the matter.

Kim Conrad, Conrad Quarry Property Owner, spoke to the measures that their company has undertaken since 1965 on this site which included a water management plan that is updated to maintain relevancy, public engagement through open houses, and taking weekly water samples.

Greg Zwicker, Zwicker and Zareski Architecture and Planning, spoke to the ongoing conversation between Regional Council and the property owner over the past eight years, and thanked Council for their consideration.

Mayor Savage called three times for any other members of the public wishing to speak on the matter, there were none present.

MOVED by Councillor Mason, seconded by Councillor Russell

THAT the hearing be closed.

The hearing closed at 6:56 p.m.

MOTION PUT AND PASSED.

MOVED by Councillor Deagle Gammon, seconded by Councillor Mancini

THAT Halifax Regional Council adopt the proposed amendments to the Municipal Planning Strategies (MPS) and Land Use By-laws (LUB) for Cole Harbour/Westphal, Dartmouth and Planning Districts 14 and 17, as set out in Attachments A and B of the staff report dated November 22, 2021, to allow industrial and highway commercial uses on the Conrad Quarry Lands.

MOVED by Councillor Deagle Gammon, seconded by Councillor Purdy

THAT the motion be amended to include new ending which reads as follows; “with the following amendments:

- 2. That Cannabis Production Facilities and all Construction and Demolition (C&D) land uses be removed from the proposed CI (Commercial Industrial) and GI (General Industrial) Zones.”**

John Traves, Municipal Solicitor, responded to questions of clarification from Regional Council and noted that this amendment would be considered a substantive amendment. Traves further outlined precedence for previous decisions, potential liabilities, and the process for alternative motions.

Tyson Simms, Planner III, responded to questions of clarification from Regional Council regarding previous conversations with the property owner where they indicated they would be comfortable with this amendment.

MOTION TO AMEND PUT AND DEFEATED. (6 in favour, 11 against)

In favour: Councillors Deagle Gammon, Hendsbee, Purdy, Mancini, Morse, Outhit

Against: Mayor Savage, Deputy Mayor Lovelace, Councillors Kent, Austin, Mason, Smith, Cleary, Cuttell, Stoddard, Blackburn, Russell

MOVED by Councillor Deagle Gammon, seconded by Councillor Russell

THAT the motion be amended to include new ending which reads as follows; “with the following amendments:

1. That Part 2A, Subsection 2A(11), definition of Industrial Use, be amended to include composting operations, as outlined on the attached Revised Attachment B; and
2. That Section 15B(1), titled Permitted Uses, be amended to clarify uses already permitted under the definition of Industrial Use and to delete the words, “except industrial uses” under Subsection 15B(1)(a) to allow all CI permitted uses as outlined on the attached Revised Attachment B.”

MOTION TO AMEND PUT AND PASSED UNANIMOUSLY.

The motion as amended now read:

MOVED by Councillor Deagle Gammon, seconded by Councillor Mancini

THAT Halifax Regional Council adopt the proposed amendments to the Municipal Planning Strategies (MPS) and Land Use By-laws (LUB) for Cole Harbour/Westphal, Dartmouth and Planning Districts 14 and 17, as set out in Attachments A and B of the staff report dated November 22, 2021, to allow industrial and highway commercial uses on the Conrad Quarry Lands, with the following amendments:

1. That Part 2A, Subsection 2A(11), definition of Industrial Use, be amended to include composting operations, as outlined on the attached Revised Attachment B; and
2. That Section 15B(1), titled Permitted Uses, be amended to clarify uses already permitted under the definition of Industrial Use and to delete the words, “except industrial uses” under Subsection 15B(1)(a) to allow all CI permitted uses as outlined on the attached Revised Attachment B.

MOTION AS AMENDED PUT AND PASSED UNANIMOUSLY.

13. CORRESPONDENCE, PETITIONS & DELEGATIONS

13.1 Correspondence

Correspondence was received and circulated for items: 12.2.

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

13.2 Petitions – NONE

13.3 Presentation

13.3.1 Halifax Water 2022/23 Business Plan

The following was before Council:

- Recommendation report dated February 8, 2022
- Presentation dated February 15, 2022

Cathie O’Toole, General Manager & Chief Executive Officer, Halifax Water gave a presentation and responded to questions of clarification from Regional Council.

MOVED by Councillor Kent, seconded by Councillor Blackburn

THAT Halifax Regional Council endorse the 2022/23 Annual Business Plan of Halifax Water as described in the attached document as Appendix A of the report dated February 8, 2022.

Reid Campbell, Director, Engineering & Technology Services, Halifax Water responded to questions of clarification from Regional Council.

MOTION PUT AND PASSED UNANIMOUSLY.

14. INFORMATION ITEMS BROUGHT FORWARD – NONE

15. REPORTS – NONE

16. MOTIONS – NONE

17. IN CAMERA (IN PRIVATE)

MOVED by Councillor Deagle Gammon, seconded by Councillor Cuttell

THAT Halifax Regional Council convene to In Camera (In Private) to discuss Item 17.2 LEGAL MATTER and Item 17.3 LABOUR RELATIONS MATTER.

MOTION PUT AND PASSED.

17.1 PROPERTY MATTER - Private and Confidential Report

The following was before Council:

- Private and confidential report dated February 15, 2022

This matter was dealt with in public.

MOVED by Deputy Mayor Lovelace, seconded by Councillor Hendsbee

THAT Halifax Regional Council:

- 1. Adopt the recommendations as outlined in the private and confidential report dated February 15, 2022; and**
- 2. Direct that the private and confidential report dated February 15, 2022 be maintained private and confidential.**

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

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

Against: Councillor Cleary

17.2 LEGAL MATTER - Private and Confidential Report

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

MOVED by Councillor Kent, seconded by Councillor Stoddard

THAT Halifax Regional Council:

- 1. Adopt the recommendations as outlined in the private and confidential staff report dated February 10, 2022; and**

2. **Direct that the private and confidential staff report dated February 10, 2022 be maintained private and confidential.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Outhit

17.3 LABOUR RELATIONS MATTER - Private and Confidential Report

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

MOVED by Councillor Mason, seconded by Deputy Mayor Lovelace

THAT Halifax Regional Council:

1. **Adopt the recommendations as outlined in the private and confidential staff report dated February 10, 2022; and**
2. **Direct that the private and confidential staff report dated February 10, 2022 be maintained private and confidential.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Outhit

18. ADDED ITEMS

18.1 District Boundary Resident Review Panel – Honorariums – Supplementary Report

The following was before Council:

- Staff supplementary recommendation report dated February 8, 2022
- Extract from the February 8, 2022 Regional Council Draft Minutes

MOVED by Councillor Kent, seconded by Deputy Mayor Lovelace

THAT Halifax Regional Council reimburse the members of the District Boundary Resident Review Panel for local expenses incurred while serving on that Panel as outlined in the discussion section of the staff report dated February 8, 2022.

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

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

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

Against: Councillor Austin, Mason

18.2 Ratification from Committee of the Whole on February 15, 2022 – Small Business Definition and Commercial Taxation Options

MOVED by Councillor Mason, seconded by Councillor Kent

THAT Halifax Regional Council direct the Chief Administrative Officer to:

1. **Draft an administrative order to implement the Tiered Tax Relief for Small Properties (Option 3), as described in the Discussion section of the staff report dated November 16, 2021, effective with the commencement of the 2023/24 fiscal year, and return to Council with the resulting draft for its consideration; and**
2. **Review the program following the 2023 final tax bill and report back to Council.**

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

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

Against: Councillor Hendsbee, Mancini

19. NOTICES OF MOTION

19.1 Councillor Mason

TAKE NOTICE at the next meeting of Halifax Regional Council to be held on March 1, 2022, I intend to move amendments to Administrative Order 15, the License, Permits and Processing Fees Administrative Order, the purpose of which is to waive the fees for sidewalk cafes for the 2022 café season.

19.2 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 8:04 p.m.

Iain MacLean
Municipal Clerk