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 10:01 a.m., and moved into an In Camera (In Private) session at 10:10 a.m. Council recessed In Camera (In Private) at 12:07 p.m. and reconvened In Camera (In Private) at 1:02 p.m. Council reconvened at 2:10 p.m. and recessed at 5:05 p.m. Council reconvened at 6:00 p.m. and adjourned at 8:34 p.m.

1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT

Deputy Mayor Deagle Gammon called the meeting to order at 10:01 a.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 9, 2024

MOVED by Councillor Stoddard, seconded by Councillor Smith

THAT the minutes of January 9, 2024 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 – PUBLIC SECURITY - Private and Confidential Report

Deletions: None

MOVED by Councillor Austin, seconded by Councillor Russell

THAT the agenda be approved as amended.

MOTION PUT AND PASSED.

5. CONSENT AGENDA

MOVED by Councillor Austin, seconded by Councillor Smith

THAT Halifax Regional Council approve recommendations in the following agenda items:
- 15.1.1 – Dartmouth Heritage Museum Society Management Agreement;
- 15.1.3 – Navigator Program | Multi-Year Funding; and
- 15.2.1 – Woodland Avenue Fence.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage, Councillors Kent, Cleary, 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 – January 9, 2024
10.1 Second Reading Proposed By-Law S-452, an Amendment to By-Law S-400 Respecting Charges for Street Improvements - Supplementary Report

The following was before Council:
- Staff report dated August 14, 2023
- Supplementary staff report dated October 6, 2023, revised January 3, 2024 and January 8, 2024
- Extracts from the September 12, 2023, September 26, 2023 and November 28, 2023 Regional Council minutes and January 9, 2024 Regional Council draft minutes

The following motion was on the floor from the January 9, 2024 meeting:

MOVED by Councillor Hendsbee, seconded by Deputy Mayor Deagle Gammon

THAT Halifax Regional Council adopt the revised Amending By-law S-452, Amending By-law S-400, the Street Improvements By-law, as set out in revised Attachment 1 of the supplementary report dated October 6, 2023.

John Traves, K.C., CD, Executive Director of Legal & Legislative Services /Municipal Solicitor/Chief Governance Officer advised Regional Council of the procedure to be followed for Regional Council to proceed with recommendation in the original staff report.

MOTION PUT AND DEFEATED UNANIMously.

Not present: Mayor Savage, Councillors Lovelace, Russell

MOVED by Councillor Hendsbee, seconded by Councillor Stoddard

THAT Halifax Regional Council give First Reading to By-Law S-452, amending By-Law S-400, the Street Improvement By-Law, as set out in Attachment 1 of the staff report dated August 14, 2023.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage, Councillors Lovelace, Russell

11. NOTICES OF TABLED MATTERS – NONE

12. PUBLIC HEARING
12.1 Case 20218: Amendments to the Regional Centre Secondary Municipal Planning Strategy and associated development agreement for lands located at Robie Street Spring Garden Road, and Carlton Street, Halifax (Joint Meeting with Halifax and West Community Council)

The following was before Council:
- Staff report dated November 22, 2023
- Extract from the December 12, 2023 Regional Council minutes
- Correspondence from Marie Welton, Irene Lorch-Wauchope, Crane Stookey, Gisela Steffen, Jean Garvey, Dawn Davis, Lori McCurdy, Rebecca Robertson, Andrew Glencross, Rebecca King, Gwen Davies, Judy Robertson, Suzanne Hastings-James, Susan Crowe, Andrea Arbic, Nancy Covington, Phyllis Cox, Bruce Smith, Claire Dykhuis, Judith Fingard, Dr. Kenna Manos, Cliff White, Denis Ryan, Sandy Greenberg, Leslie Pezzack, Peggy Smith, Sharon Nicolle, Christine Donnelly-Moan, Howard Epstein, Nancy Vanstone, Gail and Ian Logie, Janet M. Stevenson, Julie Post, Peggy Cameron, Sharon D. Brown Ross, Trevor Brumwell, Frances Gregor, Larry Haiven, Peter Glenister, Brian Gifford, Neal Andreino and Dennis P. Phillips
- Staff presentation dated January 23, 2024
Applicant presentation dated January 23, 2024

Luc Ouellet, Principal Planner gave a presentation and responded to questions of clarification from Council.

The hearing opened at 6:13 p.m.

Deputy Mayor Deagle Gammon invited the applicant to come forward and address Council.

Louie Lawen, Applicant gave a presentation and responded to questions from Council.

Deputy Mayor Deagle Gammon reviewed the rules of procedure for public hearings and called for anyone wishing to speak on the matter.

Howard Epstein, Halifax encouraged Regional Council to reject the proposed amendments and noted their background in land use planning law. They suggested staff re-negotiate the development agreement and contended a revised agreement would allow the development to bring public benefit to the community. Epstein asserted the proposed development is problematic as the units would mainly be bachelor and one-bedroom apartments which would result in limited accommodations for families with children and affordable housing would not be provided. Epstein suggested a new development agreement stipulate the inclusion of larger units, on-site childcare, a grocery store, bakery, and greenspace.

Kathrin Winkler, District 8 spoke in opposition to the proposed amendments and noted the legacy of demolition in Halifax Regional Municipality (HRM). Winkler expressed concern that this development and other ones like it, are unsustainable, ignore the advantages of low-rise buildings and provide minimal public benefit. Winkler asserted that HRM is slow to deliver adequate compensation for past misdoings and cited the razing of Africville.

Campbell McClintock, District 8 spoke against the proposed amendments and noted their disapproval for this development and ones similar to it. McClintock stated the development would offer luxury units which would not be affordable for most HRM residents and cited the ongoing housing and homelessness crisis. They asserted these types of developments lack culture and character and do not provide public benefit.

Brian Gifford, Halifax spoke against the proposed amendments. Gifford spoke to HRM’s HalifACT: Acting on Climate Together plan and expressed concern that its construction could result in negative impacts on the climate. Gifford urged Regional Council to reject the development agreement and take measures to provide more affordable housing in the Municipality. They suggested future development proposals be required to include a carbon budget, incentives for developers to preserve existing buildings and include affordable units.

Van Penick, Halifax expressed support for the proposed amendments. Penick spoke to Drexel Developments’ excellent reputation and explained they have completed many noteworthy developments in the city. Penick emphasized the need for HRM to both preserve the city’s architectural heritage but also plan for future growth. Penick also noted concerns surrounding the slow pace of the project.

Cliff White, Halifax spoke against the proposed amendments. White cited concerns that high density housing often leads to adverse socioeconomic effects on city residents. They explained these types of developments do not support the long-term vitality and growth of Halifax. White urged Regional Council to consider alternatives and cited housing developments in European countries where high rise residences are uncommon.
Ray Ritcey, Halifax urged Regional Council to pass the proposed amendments and spoke favourably of the development. Ritcey explained HRM has improved significantly over the past decade and this development would be a positive addition to the city.

Robbie Shaw, Halifax spoke in favour of the proposed amendments and noted his support for high density developments and commended Regional Council for supporting densification. Shaw explained high density in a peninsula city makes the economic sense and noted Dexel Developments’ record of building quality facilities.

Margaret MacNeil, Halifax spoke against the amendments. MacNeil encouraged Regional Council and the developers to consider using an alternate location for the development. They suggested infilling and renovations to existing buildings in the area would be an acceptable alternative as it would be inexpensive, could increase density more quickly and result in more affordable units.

Allen Cullens, Dartmouth urged Regional Council to reject the proposed amendments. Cullens cited the threat of climate change and concerns the development’s construction will leave a sizable carbon footprint which could accelerate climate change. Cullens explained HRM does not require further densification.

Dan Campbell, Summer Street spoke against the proposed amendments and cited concerns the development would negatively impact the aesthetic symmetry of Spring Garden Road. Campbell contended that applicants should be required to demonstrate public benefit when submitting proposals and noted concerns that public benefits were not demonstrated in the development agreement.

Beverly Miller, Halifax encouraged Regional Council to reject the proposed amendments and noted its approval may set a precedent and encourage future developers to request similar amendments. Miller asserted the development is not justified and is contrary to the basic principals of urban planning and the objectives outlined in the Centre Plan for the Regional Centre. Miller further noted this development would not address the housing crisis or the need for affordable housing in HRM and the lot may remain vacant for an extended period of time.

Albert Scott, HRM spoke in opposition to the proposed amendments and explained high-density high-rise buildings often erode local culture and lead to poor socioeconomic outcomes among residents. Scott urged Regional Council to consider an alternate location for the development and suggested efforts be made to preserve the historic downtown.

Fiona McAdam, Halifax urged Regional Council to reject the amendments and stated public benefit should be considered when approving developments. McAdam noted that in the future, they would like to see developers create deeply affordable housing.

Joanne Lawen Mrakic, Halifax spoke in support of the proposed amendments and explained the importance of growth and densification in HRM. They noted the Dexel Developments team included talented architects and staff and developments are undertaken with an appreciation for heritage.

Teal Burns, District 7 spoke against the proposed amendments and explained the demolition of the houses in the area would result in less affordable housing units. Burns noted fixed term leases often benefit landlords and continually increasing rent prices often force residents to dedicate a higher portion of their income toward rent. Burns suggested new developments be required to be part of the solution to the ongoing rental crisis and emphasized the need for more deeply affordable housing in HRM.

Violet Rosengarten, Halifax spoke against the proposed amendments and raised concerns regarding the price of rent in new high-rise developments, the lack of affordable housing, low occupancy rates and suggested an alternate location for the development be considered.

Deputy Mayor Deagle Gammon invited the applicant to respond to questions raised by the public.
Louie Lawen, Applicant responded to questions raised by the public including occupancy rates in units developed by Dexel, affordability, the role of nonprofits in creating affordable housing, fixed term leases and market turnover.

MOVED by Councillor Mason, seconded by Councillor Cleary

THAT the hearing be closed.

MOTION PUT AND PASSED.

The hearing closed at 7:35 p.m.

The Deputy Mayor advised that where this was a joint meeting with Halifax and West Community Council, section 1 of the motion must be considered prior to sections 2 and 3. Consideration of sections 2 and 3 would be done by Halifax and West Community Council members only and the vote would be done by show of hands.

MOVED by Councillor Mason, seconded by Councillor Cleary

THAT Halifax Regional Council:

1. Adopt the proposed amendments to the Regional Centre Secondary Municipal Planning Strategy, as set out in Attachment A of the staff report dated October 18, 2023, to broaden the scope of enabling policies IM-43, IM-44, and IM-46.

Luc Ouellet, Principal Planner responded to questions of clarification from Council regarding unit requirements, the development agreement, tower separation requirements, energy efficiency and wind studies.

Regional Council noted mixed unit requirements in land use by-laws, affordable housing being Provincial jurisdiction, the benefits of high-density housing, difficulties in creating affordable housing at the Municipal level, density bonusing and inclusionary zoning policies, the benefits of population growth in HRM, the importance of adequate tower separation in developments and concerns regarding climate change.

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

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

Against: Councillor Cuttell

Not present: Mayor Savage, Councillors Pam Lovelace, Russell, Stoddard

MOVED by Councillor Mason, seconded by Councillor Smith

THAT Halifax and West Community Council:

2. Provisionally approve the proposed development agreement for a 30-storey mixed-use residential and commercial building on the southeast corner of the Robie Street and Spring Garden Road intersection, while rehabilitating four municipally registered heritage buildings on Carlton Street, which shall be substantially the same form as set out in Attachment B of the staff report dated October 18, 2023; and
3. Require that the development agreement contained in Attachment B of the staff report dated October 18, 2023 be signed by the property owner within 120 days, or any extension thereof granted by Council on request of the property owner, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later, otherwise this approval will be void and obligations arising hereunder shall be at an end.

MOTION PUT AND PASSED.

13. CORRESPONDENCE, PETITIONS & DELEGATIONS
13.1 Correspondence

Correspondence was received and circulated for items: 12.1, 15.1.2 and 15.3.1.

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 Dartmouth Heritage Museum Society Management Agreement

The following was before Council:
- Staff report dated November 10, 2023

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

MOVED by Councillor Austin, seconded by Councillor Smith

THAT Halifax Regional Council authorize the Chief Administrative Officer to execute the five-year Management and Operating Agreement with the Dartmouth Heritage Museum Society substantially in the same form as set out in Attachment 1 of staff report dated November 10, 2023, subject to budgetary approval of annual funding of $200,000.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage, Councillors Kent, Cleary, Lovelace

15.1.2 Halifax Common Master Plan Review and Implementation

The following was before Council:
- Staff report dated October 31, 2023
- Correspondence from William Breckenridge, David Garrett
- Staff presentation dated January 23, 2024

Carolle Koziak Roberts, Landscape Architect, Parks & Recreation gave a presentation and responded to questions of clarification from Regional Council. Nalini Naidoo, Director, Strategic Planning & Design, Parks & Recreation and Cathie O’Toole, Chief Administrative Officer responded to questions of clarification from Regional Council.

MOVED by Councillor Mason, seconded by Councillor Smith

THAT Halifax Regional Council:
1. Adopt the Halifax Common Master Plan as contained in Attachment A of staff report dated October 31, 2023, as a guiding document for open space planning, management, and development within the Halifax Common, except for the Wanderers Grounds Site Plan and its related “description of uses” and “Design and Programming Guidance.”

2. Direct the Chief Administrative Officer to complete detailed planning of the Wanderers Block and return to Regional Council with a staff report and updates to the Halifax Common Master Plan as may be required; and

3. Approve the Implementation Plan as contained in Attachment C of staff report dated October 31, 2023, for consideration and inclusion in future budget and business plans commencing in 2024/25.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage, Councillors Lovelace, Russell

15.1.3 Navigator Program | Multi-Year Funding

The following was before Council:
- Staff report dated November 29, 2023

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

MOVED by Councillor Austin, seconded by Councillor Smith

THAT Halifax Regional Council direct the Chief Administrative Officer to provide, for the fiscal year 2024-2025, in support of the Navigator Street Outreach Program, a total of $345,000 ($115,000 each) to the Downtown Halifax Business Commission, the Downtown Dartmouth Business Commission, and the North End Business Association, contingent on the approval of the 2024/25 Operating Budget. Such financial contribution is to be made using the Municipality’s standard Contribution Agreement which is to include the key terms and conditions identified in Attachment 2 of the staff report dated November 29, 2023.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage, Councillors Kent, Cleary, Lovelace

15.1.4 Level of Service Halifax Regional Municipality Streets, Sidewalks, and Curb Networks

The following was before Council:
- Staff report dated January 15, 2024
- Staff presentation dated January 23, 2024

Colin Burton, Manager, Transportation Infrastructure Management gave a presentation and responded to questions of clarification from Regional Council. Brad Anguish, Executive Director of Public Works/Traffic Authority/Chief Engineer and Ed Surette, Director, Project Planning & Transportation Asset Management responded to questions of clarification from Regional Council.

MOVED by Councillor Cleary, seconded by Councillor Mason

THAT Halifax Regional Council:
1. Approve decreasing the current 67% “Good” target Level of Service (LOS) for Halifax Regional Municipality’s (HRM) street pavement network to achieve a minimum of 60% of the network in “Good” condition;

2. Approve the proposed Budget Based Funding Scenario for the street pavement network described in Table 8 of the staff report dated January 15, 2024, which would result in “60% Good” being the target funding level for the Street Recapitalization Account (CR200006) in future capital plans;

3. Adopt a Level of Service for the existing sidewalk network of less than 1% of the network in Poor Condition (greater than 40% of sidewalk panels defective in a block) and less than 5% of the network in fair condition (greater than 20% to less than 40% defective), which would, in turn, result in the approval of the proposed 10-Year funding scenario to the Sidewalk Renewal Account (CR200002) as described in Table 9 of the staff report dated January 15, 2024, and;

4. Adopt a Level of Service for the existing curb network of less than 0.5% in critical condition.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage, Councillors Lovelace, Russell

15.1.5 First Reading Proposed By-law S-453, an Amendment to By-law S-400, Respecting Charges for Street Improvements - Gravel Road Paving Program – Halifax Regional Municipality Roads

The following was before Council:
- Staff report dated January 10, 2024
- Extract from the January 9, 2024 Regional Council draft minutes
- Staff presentation dated January 23, 2024

Colin Burton, Manager, Transportation Infrastructure Management gave a presentation and responded to questions of clarification from Regional Council. Ed Surette, Director, Project Planning & Transportation Asset Management responded to questions of clarification from Regional Council.

MOVED by Councillor Hendsbee, seconded by Councillor Kent

THAT Halifax Regional Council give First Reading to By-law S-453, amending By-law S-400, the Street Improvements By-law, as set out in Attachment B to the staff report dated January 10, 2024.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage, Councillors Lovelace, Russell

15.1.6 New Sidewalk Level of Service

The following was before Council:
- Staff report dated January 11, 2024
- Staff presentation dated January 23, 2024

David MacIssac, Manager, Active Transportation gave a presentation and responded to questions of clarification from Regional Council. Ed Surette, Director, Project Planning & Transportation Asset Management responded to questions of clarification from Regional Council.

MOVED by Councillor Outhit, seconded by Councillor Cuttell
THAT Halifax Regional Council direct the Chief Administrative Officer to implement those components of the 2022/23 Public Works Business Plan related to the selection of sidewalks for development with the objective of the implementation to be:

1. Constructing approximately 55 kilometres of sidewalk on high need streets within the urban tax boundary before 2034 using funding within the existing budget plan, and other cost-sharing opportunities that may become available;

2. Continuing to use an evaluation tool to identify the highest need segments and to fill those gaps as per the approach presented in the Discussion section of staff report dated January 11, 2024, including a greater focus on stand-alone projects on major roads; and,

3. Exploring options to share the costs of new sidewalks with public and private sector organizations where the need is generated by new development.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage, Councillors Lovelace, Russell

15.2 HARBOUR EAST-MARINE DRIVE COMMUNITY COUNCIL
15.2.1 Woodland Avenue Fence

The following was before Council:
- Harbour East-Marine Drive Community Council report dated December 7, 2023 with attached staff report dated October 10, 2023

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

MOVED by Councillor Austin, seconded by Councillor Smith

THAT Halifax Regional Council do not accept ownership and responsibility for future maintenance and capital enhancements of the Woodland Avenue fence from civic # 13 Kingston Crescent to civic # 61 Kingston Crescent.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage, Councillors Kent, Cleary, Lovelace

15.3 MEMBERS OF COUNCIL
15.3.1 Councillor Austin - Amendments to By-law M-400 Respecting Marketing Levy

The following was before Council:
- Request for Consideration form from Councillor Austin
- Correspondence from T.J. Maguire

MOVED by Councillor Austin, seconded by Councillor Hendsbee

THAT Halifax Regional Council direct the Chief Administrative Officer (CAO) to prepare a staff report on potential amendments to By-law M-400, the Marketing Levy By-law, on options to forgive fines charged under section 14 for non-remittance for operators who had $0 to remit under the levy. The report should include options to retroactively forgive and refund fines already issued and paid.
John Traves, K.C., CD, Executive Director of Legal & Legislative Services /Municipal Solicitor/Chief Governance Officer and Cathie O’Toole, Chief Administrative Officer responded to questions of clarification from Regional Council.

Councillor Smith proposed that staff be directed to cease collection of existing fines until the requested staff report returned to Regional Council. 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 now read:

MOVED by Councillor Austin, seconded by Councillor Hendsbee

THAT Halifax Regional Council direct the Chief Administrative Officer (CAO) to prepare a staff report on potential amendments to By-law M-400, the Marketing Levy By-law, on options to forgive fines charged under section 14 for non-remittance for operators who had $0 to remit under the levy and to cease collection of existing fines until the report returns to Regional Council, where possible. The report should include options to retroactively forgive and refund fines already issued and paid.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage, Councillors Lovelace, Russell

16. MOTIONS – NONE

17. IN CAMERA (IN PRIVATE)

MOVED by Councillor Mancini, seconded by Councillor Blackburn

THAT Regional Council convene to In Camera (In Private) to discuss Item 17.1 INTERGOVERNMENTAL RELATIONS and Item 17.2 PUBLIC SECURITY – Private and Confidential Report.

MOTION PUT AND PASSED.

17.1 INTERGOVERNMENTAL RELATIONS - Private and Confidential

The following was before Council:
- Private and confidential staff presentation dated January 23, 2024

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

17.2 PUBLIC SECURITY - Private and Confidential Report

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

The following was before Council:
- Private and confidential extract from the December 21, 2023 Special Regional Council minutes
- Private and confidential staff report dated December 20, 2023
- Private and confidential staff presentation dated January 23, 2024

MOVED by Councillor Mason, seconded by Councillor Mancini
THAT Halifax Regional Council adopt the recommendations as approved at the In Camera (In Private) meeting.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage, Councillors Lovelace, Russell

18. ADDED ITEMS – NONE

19. NOTICES OF MOTION
19.1 Councillor Outhit

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 Municipal Planning Strategy, the Bedford Municipal Planning Strategy, and the Bedford Land Use By-law to enable a comprehensive mixed-use development of the Bedford Commons Opportunity Site located between Highway 102, Rocky Lake Drive, the Bedford Bypass, and Duke Street, Bedford and surrounding lands.

19.2 Councillor Cleary

TAKE NOTICE that, at a future meeting of Halifax Regional Council, I intend to move that Council consider proposed amendments to the Halifax Regional Municipality Investment Policy, the purpose of which is to incorporate amendments recommended by the Investment Policy Committee as part of their annual review.

20. ADJOURNMENT

The meeting adjourned at 8:34 p.m.

Iain MacLean
Municipal Clerk