



**HALIFAX REGIONAL COUNCIL
MINUTES
September 11, 2018**

PRESENT: Mayor Mike Savage
Deputy Mayor Wayne Mason
Councillors: Steve Streach
David Hendsbee
Lorelei Nicoll
Sam Austin
Lindell Smith
Shawn Cleary
Stephen Adams
Richard Zurawski
Matt Whitman
Lisa Blackburn
Steve Craig
Tim Outhit

REGRETS: Councillors: Bill Karsten
Tony Mancini
Russell Walker

STAFF: Kelly Denty, Acting Chief Administrative Officer
John Traves, Municipal Solicitor
Sherryl Murphy, Deputy Clerk
Krista Vining, 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 Council recessed at 2:29 p.m. and reconvened at 3:20 p.m. Council adjourned at 4:33 p.m.

1. CALL TO ORDER

The Mayor called the meeting to order at 1:00 p.m. and Council stood for a moment of reflection.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillors noted a number of special community announcements and acknowledgements.

Councillor Adams asked the Mayor to send a letter of condolence to the family of the late Vince Norris.

Councillor Hendsbee asked the Mayor to send a letter of condolence to the family of the late Thomas MacRoberts.

3. APPROVAL OF MINUTES – July 17, July 31 and August 14, 2018

MOVED by Councillor Smith, seconded by Councillor Whitman

THAT the minutes of July 17, July 31 and August 14, 2018 be approved as circulated.

MOTION PUT AND PASSED.

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

Councillor Nicoll requested Information Item 6 from the Director of Planning and Development and Acting Chief Administrative Officer dated June 20, 2018 re: Commercial Policy Considerations for Development Proposals be added to the October 2, 2018 agenda for discussion, which Council agreed.

Deputy Mayor Mason asked that Item 9.1 2018-2019 Events East Business Plan/Budget be deferred to September 18, 2018, to which Council agreed.

Deputy Mayor Mason asked that Item 14.1.9 First Reading Proposed By-law N-304 Respecting Smoking, an Amendment to By-law N-300, Respecting Nuisances be deferred to September 18, 2018. Council did not wish to defer this matter.

MOVED by Councillor Nicoll, seconded by Deputy Mayor Mason

THAT the agenda be approved as amended.

Two-third majority vote required.

MOTION PUT AND PASSED.

5. BUSINESS ARISING OUT OF THE MINUTES – NONE

6. CALL FOR DECLARATION OF CONFLICT OF INTERESTS – NONE

7. MOTIONS OF RECONSIDERATION – NONE

8. MOTIONS OF RESCISSION – NONE

9. CONSIDERATION OF DEFERRED BUSINESS – July 31, 2018 and August 14, 2018

9.1 2018-2019 Events East Business Plan/Budget

The following was before Council:

- A draft extract from the July 31, 2018 meeting

- A staff report dated June 25, 2018
- A handout entitled “Events East Background”

This matter was deferred during the approval of the Order of Business, see page 2.

9.2 Councillor Whitman – Information Report from the Chair of Halifax Water Board dated July 16, 2018 re: Halifax Water 2017/18 Accountability/Financial Results Report

The following was before Council:

- The Halifax Water 2017/18 Accountability/Financial Results Report dated July 16, 2018

Carl Yates, Halifax Water and Ray Ritcey, Chair, Halifax Regional Water Commission Board, responded to questions on Halifax Water’s Annual General Meeting held July 18, 2018. The speakers provided an overview of the score card, which Halifax Water viewed as a more meaningful way to measure their performance. It was noted that Halifax Water has asked HRM’s Chief Administrative Officer to consider a governance review.

9.3 Councillor Whitman – Information Report from the Director of Human Resources and the Office of Diversity and Inclusion dated July 19, 2018 re: Employment Systems Review

The following was before Council:

- A staff information report dated July 19, 2018

Cathi Mullally, Director of Human Resources and Tracey Jones-Grant, Manager of Diversity and Inclusion, responded to questions on the Municipality’s Employment Systems Review (ESR). They spoke to HRM’s commitment to create a respectful and diverse work environment, and their engagement with senior staff to complete a cross-business unit review of priorities and deliverables. Staff is also working with the Chief Administrative Officer (CAO) to develop an employment equity policy and the CAO recently launched a designated Cohort for African Nova Scotians and people of African Descent of the Foundations of Aspiring Leaders Program. It was also noted that Mullally will provide Council with information on the ESR report costs and timeline.

10. NOTICES OF TABLED MATTERS – NONE

11. PUBLIC HEARINGS – NONE

12. CORRESPONDENCE, PETITIONS & DELEGATIONS

12.1 Correspondence

The Clerk noted that correspondence was received for item 14.1.9. This correspondence was circulated to Council.

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

12.2 Petitions – None

13. INFORMATION ITEMS BROUGHT FORWARD – NONE

14. REPORTS

14.1 CHIEF ADMINISTRATIVE OFFICER

14.1.1 Appointment of Building Official

The following was before Council:

- A staff recommendation report dated August 20, 2018
- A private and confidential memorandum from the Chief Administrative Officer dated September 6, 2018

MOVED by Deputy Mayor Mason, seconded by Councillor Nicoll

THAT Halifax Regional Council appoint Gregory Henwood as a Building Official, pursuant to Section 5(2) of the *Nova Scotia Building Code Act*. This appointment is effective for the duration of their assignment to the duties of a Building Official with Halifax Regional Municipality.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Karsten, Mancini and Walker

14.1.2 Temporary Borrowing Resolution

The following was before Council:

- A staff recommendation report dated August 16, 2018

MOVED by Councillor Nicoll, seconded by Councillor Cleary

THAT Halifax Regional Council approve a Temporary Borrowing Resolution of \$172,673,900 for financing of the debt funded projects from the 2018/2019 capital budget and previous years' debt funded capital projects.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Karsten, Mancini and Walker

14.1.3 First Reading of Proposed By-Law P-1200, Respecting On-Street Parking Permits, repealing and replacing By-law P-1000, Respecting On-Street Parking Exemptions and Permits and First Reading of Proposed By-law P-506, Amending By-law P-500, Respecting Parking Meters for the Regulation of Parking of Vehicles Left Standing in the Halifax Regional Municipality

The following was before Council:

- A staff recommendation report dated August 1, 2018

Notice of Motion was given August 14, 2018.

MOVED by Deputy Mayor Mason, seconded by Councillor Cleary

THAT Halifax Regional Council:

- 1. Move First Reading of proposed By-law P-1200, Respecting On-Street Parking Permits, repealing and replacing By-law P-1000, Respecting On-Street Parking Exemptions and Permits as set out in Attachment 1 of the staff report dated August 1, 2018; and,**
- 2. Move First Reading of proposed By-law P-506, Amending By-law P-500, Respecting Parking Meters for the Regulation of Parking of Vehicles Left Standing in the Halifax Regional Municipality as set out in Attachment 4 of the staff report dated August 1, 2018.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Karsten, Mancini and Walker

14.1.4 Repeal of Administrative Orders 2014-005-GOV and 2015-003-ADM Halifax Explosion 100th Anniversary

The following was before Council:

- A staff recommendation report dated July 12, 2018

Notice of Motion was given August 14, 2018.

MOVED by Councillor Smith, seconded by Deputy Mayor Mason

THAT Halifax Regional Council:

- 1. Repeal Administrative Order 2014-005-GOV, Respecting the Special Advisory Committee on the 100th Anniversary of the Halifax Explosion; and**
- 2. Repeal Administrative Order 2015-003-ADM, Respecting the Halifax Explosion 100th Anniversary Grants Program.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Karsten, Mancini and Walker

14.1.5 Proposed Amendments to Administrative Order 29, Respecting HRM Civic Addressing Policies – Case CA0121 Street Naming from April 1, 2018 – May 31, 2018

The following was before Council:

- A staff recommendation report dated August 9, 2018

Notice of Motion was given August 14, 2018.

MOVED by Councillor Austin, seconded by Councillor Blackburn

THAT Halifax Regional Council adopt the proposed amendments to Administrative Order 29, Respecting Civic Addressing Policies in order to approve:

- 1. the names Mabel Hubbard and Walter Peters as approved heritage names as shown on Attachment A and B of the staff report dated August 9, 2018.**
- 2. the naming of six new private lanes as identified in Attachment B and Maps 1,2,3,4 and 5 of the staff report dated August 9, 2018; and**
- 3. the renaming of a portion of the public street, Sylvia Avenue, to Enid Avenue, Halifax as identified in Attachment B and Maps 6 and 7 of the staff report dated August 9, 2018; and**
- 4. the retirement of the street name Loop Road, Halifax as identified in Attachment B and Map 8 of the staff report dated August 9, 2018.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Karsten, Mancini and Walker

14.1.6 Case 21812 – Municipal Planning Strategy (MPS) Amendment to Enable Non-Substantive Amendments to the Existing Development Agreement for St. Margaret’s Square (PID’s 41410010, and 40897118), Upper Tantallon

The following was before Council:

- A staff recommendation report dated July 16, 2018

MOVED by Councillor Whitman, seconded by Councillor Nicoll

THAT Halifax Regional Council:

- 1. Initiate a process to consider amendments to the Planning Districts 1 & 3 (St. Margaret’s Bay) Municipal Planning Strategy pertaining to the development lands commonly known as ‘St. Margaret’s Square’, to enable the consideration of non-substantive development agreement amendments in accordance with the policies in effect at the time the development agreement was approved; and**

2. Follow the public participation program outlined in the Community Engagement section of the staff report dated July 16, 2018

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Karsten, Mancini and Walker

14.1.7 Halifax Transit Technical Services Advisor - Sole Source TransitMaster Upgrade

The following was before Council:

- A revised staff recommendation report dated August 1, 2018

MOVED by Councillor Outhit, seconded by Councillor Nicoll

THAT Halifax Regional Council approve a sole source award to Trapeze Software Group in the amount of \$171,413 (including net HST) to implement the upgrade of the TransitMaster Software to version 17 as described in the revised staff report dated August 1, 2018.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Karsten, Mancini and Walker

14.1.8 Second Reading Proposed By-law C-1001, amending By-law C-1000, Respecting Financing and Charges for Homeowners to Resolve Inadequate On-Site Water Supply (Supplementary Report)

The following was before Council:

- A supplementary staff report dated April 18, 2018
- An extract of draft Regional Council minutes dated August 14, 2018

Notice of Motion was given July 31, 2018 and First Reading was given August 14, 2018.

MOVED by Councillor Hendsbee, seconded by Councillor Whitman

THAT Halifax Regional Council give second reading and adopt By-law C-1001, amending By-Law C-1000 *Respecting Charges for the Resolution of Inadequate Water Supply* as set out in Attachment 3 of the staff report dated April 18, 2018 to ensure that any lien resulting from the financing of the costs of repairing or replacing private on-site water supply systems does not exceed 75% of the assessed property value as determined by the Property Valuation Services Corporation.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Karsten, Mancini and Walker

14.1.9 First Reading Proposed By-law N-304 Respecting Smoking, an Amendment to By-law N-300, Respecting Nuisances

The following was before Council:

- A staff recommendation report dated August 23, 2018
- Correspondence from Dr. Robert Strang

Notice of Motion was given August 14, 2018.

MOVED by Councillor Cleary, seconded by Councillor Nicoll

THAT Halifax Regional Council give First Reading to By-law N-304, the purpose of which is to amend By-law N-300, Respecting Nuisances to rename the By-law and to clarify Part 4 as set out in Attachment 2 of the staff report dated August 23, 2018.

During Council's discussion of the motion staff responded to questions regarding the Province's *Smoke Free Places Act* and how the Municipality would be able to enforce By-law N-304. In response to concerns raised, the Municipal Solicitor clarified that it is the opinion of Legal Services that the By-law would be enforceable but could be of more challenge, should Council deal separately with cannabis and tobacco in the By-law.

Council recessed at 2:59 p.m. and reconvened at 3:20 p.m.

The discussion ensued with the Municipal Solicitor responding to questions.

MOVED by Councillor Austin, seconded by Councillor Whitman

THAT the motion be amended to add "and further amend" after the word clarify and before the word "part" and adding "and Attachment 8" after the number "2" and before the word "of".

Members continued to discuss the treatment and possible separation of cannabis and tobacco in the By-law. Some members suggested that cannabis should be treated with the same rules as alcohol. Other members wanted to wait to put rules and restrictions in place, as needed.

MOTION TO AMEND PUT AND DEFEATED. (6 in favour, 8 against)

In favour: Mayor Savage and Councillors Streach, Austin, Adams, Whitman and Outhit

Against: Deputy Mayor Mason and Councillors Hendsbee, Nicoll, Smith, Cleary, Zurawski, Blackburn and Craig

Not present: Councillors Karsten, Mancini and Walker

The motion before Council reads:

MOVED by Councillor Cleary, seconded by Councillor Nicoll

THAT Halifax Regional Council give First Reading to By-law N-304, the purpose of which is to amend By-law N-300, Respecting Nuisances to rename the By-law and to clarify Part 4 as set out in Attachment 2 of the staff report dated August 23, 2018.

MOTION PUT AND DEFEATED. (7 in favour, 7 against)

As set out in the *Halifax Regional Municipality Charter* section 18(4), in the event of a tie in a vote on a question, the question is determined in the negative.

In favour: Deputy Mayor Mason and Councillors Nicoll, Austin, Smith, Cleary, Blackburn and Craig

Against: Mayor Savage and Councillors Streach, Hendsbee, Adams, Zurawski, Whitman and Outhit

Not present: Councillors Karsten, Mancini and Walker

Discussion was held on reconsidering the motion of Council to defeat First Reading to deal with the proposed housekeeping amendments found in the August 23, 2018 staff recommendation report. The Municipal Solicitor explained that section 61(5)(b) Council may, with a vote of two-thirds of the Members take up the motion of reconsideration at the same meeting in which the matter was decided.

MOVED by Councillor Outhit, seconded by Councillor Craig

THAT Halifax Regional Council reconsider the motion of Halifax Regional Council at the September 11, 2018 meeting to defeat First Reading of By-law N-304.

Two-third majority vote required.

MOTION TO RECONSIDER PUT AND PASSED. (11 in favour, 3 against)

In favour: Mayor Savage, Deputy Mayor Mason and Councillors Hendsbee, Nicoll, Austin, Smith, Cleary, Adams, Blackburn, Craig and Outhit

Against: Councillors Streach, Zurawski and Whitman

Not present: Councillors Karsten, Mancini and Walker

The Municipal Solicitor reminded Council that under section 61(9) *Administrative Order One*, the motion being reconsidered is debatable but cannot be amended.

The motion before Council reads:

MOVED by Councillor Cleary, seconded by Councillor Nicoll

THAT Halifax Regional Council give First Reading to By-law N-304, the purpose of which is to amend By-law N-300, Respecting Nuisances to rename the By-law and to clarify Part 4 – Plants and Weeds as set out in Attachment 2 of the staff report dated August 23, 2018.

MOTION PUT AND PASSED (11 in favour, 3 against)

In favour: Mayor Savage, Deputy Mayor Mason and Councillors Hendsbee, Nicoll, Austin, Smith, Cleary, Adams, Blackburn, Craig and Outhit

Against: Councillors Streach, Zurawski and Whitman

Not present: Councillors Karsten, Mancini and Walker

14.1.10 Case 20374 - Incentive or Bonus Zoning Agreement 5673-5681 Brenton Place and 1448-1468 Brenton Street, Halifax

The following was before Council:

- A staff recommendation report dated August 15, 2018

MOVED by Deputy Mayor Mason, seconded by Councillor Cleary

THAT Halifax Regional Council adopt, and authorize the Mayor and Clerk to enter into and execute the Incentive or Bonus Zoning Agreement as provided in Attachment B of the staff report dated August 15, 2018 for the mixed-use development at 5673-5681 Brenton Place and 1448-1468 Brenton Street, Halifax

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Karsten, Mancini and Walker

14.2 MEMBERS OF COUNCIL

14.2.1 Councillor Hendsbee - Purchase of Civic Address Signs through District Capital Funding

The following was before Council:

- A request for Council consideration form from Councillor Hendsbee

MOVED by Councillor Hendsbee, seconded by Councillor Craig

THAT Halifax Regional Council approve a one-time exemption to grant funding in the amount of \$500.00 from the District 2 District Capital Fund for the purchase of civic signs for the Lawrencetown Beach Volunteer Fire Department Firefighters Association.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Karsten, Mancini and Walker

14.2.2 Councillor Hendsbee - Variable Message Signs on the Eastern Region of the Municipality

The following was before Council:

- A request for Council consideration form from Councillor Hendsbee

MOVED by Councillor Hendsbee, seconded by Councillor Whitman

THAT Halifax Regional Council request a staff report on advancing and expanding the network of Variable Message Signs on primary truck routes into Metro Halifax on the Eastern region of the Municipality for Highway 7, 107, 207 and 111 with consideration given to cost sharing with Halifax Harbour Bridges, as has been done in the past.

Staff was asked to identify the optimum number of signs, where they should be located and the associated cost.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Karsten, Mancini and Walker

14.2.3 Councillor Hendsbee - Recommendations to the current Provincial Aid to Municipality Program

The following was before Council:

- A request for Council consideration form from Councillor Hendsbee

MOVED by Councillor Hendsbee, seconded by Councillor Whitman

THAT Halifax Regional Council request a staff report to reassess and make possible recommendations to the current Provincial Aid to Municipality Program for the cost-share paving of subdivision streets Outside the Urban Core area.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Karsten, Mancini, Walker and Whitman

14.2.4 Councillor Hendsbee - Reassess the current Household Special Waste (HSW) Mobile Program

The following was before Council:

- A request for Council consideration form from Councillor Hendsbee

MOVED by Councillor Hendsbee, seconded by Councillor Nicoll

THAT Halifax Regional Council request a staff report to reassess and make possible recommendations to the current HSW Mobile Depot program whereby our local Enviro Depots in HRM are involuntarily becoming the depository of Household Special Waste with materials being left on their doorsteps by our citizens.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Karsten, Mancini, Walker and Whitman

15. MOTIONS

15.1 Deputy Mayor Mason

The following was before Council:

- A request for Council consideration form from Deputy Mayor Mason

Notice of Motion was given July 31, 2018.

MOVED by Deputy Mayor Mason, seconded by Councillor Smith

THAT Halifax Regional Council request a staff report regarding the options and opportunities for renewal or replacement of the Ticket Atlantic system as the sole provider for Scotiabank Centre. This report shall include an update regarding steps taken to address concerns raised in the Auditor General's report 'Review of the Transfer of Box Office Operations from the Halifax Metro Centre to Trade Centre Limited'.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Karsten, Mancini, Walker and Whitman

15.2 Councillor Streach

MOVED by Councillor Streach, seconded by Deputy Mayor Mason

THAT Halifax Regional Council request a staff report focusing on roadside memorials and policy surrounding the placement of such within the public right of way throughout the Halifax Regional Municipality and that this report return to Regional Council for consideration.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Karsten, Mancini, Walker and Whitman

16. IN CAMERA (IN PRIVATE)

16.1 In Camera (In Private) Minutes – July 17 and 31, 2018

This matter was dealt with in public.

MOVED by Councillor Cleary, seconded by Councillor Nicoll

THAT the In Camera (In Private) minutes of July 17 and 31, 2018 be approved as circulated.

MOTION PUT AND PASSED.

Private and Confidential Information Items

1. Private and Confidential In Camera (In Private) Information Report - re: Claims Settlements Fiscal 2017 2018

17. ADDED ITEMS – NONE

18. NOTICES OF MOTION

18.1 Councillor Nicoll

“TAKE NOTICE that, at the next meeting of Halifax Regional Council to be held on September 18, 2018, I propose to:

1. Move First Reading of proposed *By-Law R-108, amending By-Law R-100, Respecting the Repeal of By-laws and Ordinances* the purpose of which is to repeal the following by-laws:

- By-law 15100 Trade and Licensing By-law (Bedford);
- By-law A-501 Automatic Machines, Games Tables, Vending Machines and Mechanical Rides (Dartmouth);
- By-law 15 Trade and Licensing By-law (County of Halifax); and
- By-law A-200 Automatic Machines (HRM); and

2. Introduce proposed amendments to *Administrative Order 15 Respecting License, Permit and Processing Fees.*”

18.2 Councillor Hendsbee

“TAKE NOTICE that, at the next meeting of Halifax Regional Council to be held on September 18, 2018, I intend to introduce proposed *Administrative Order 2018-004-ADM, Respecting Real Property Transactions*, the purpose of which is to update the 2002 Transaction Policy approved by Regional Council relating to the delegated authorities for agreements for real property.”

18.3 Councillor Streach

“TAKE NOTICE that, at the next meeting of Halifax Regional Council to be held on September 18, 2018, I propose to move amendments to:

1. Move First Reading of proposed *By-Law P-1101, amending By-law P-1100, the Private Road Maintenance By-Law*
2. *Administrative Order 45, Respecting Private Road Maintenance*; and
3. Introduce proposed *Administrative Order 2018-003-ADM, Respecting Private Road Maintenance* the purpose of which is to correct an error in Schedule 4A of *Administrative Order 45* and to update *Administrative Order 45* and *By-law P-1100*, to adopt the *Private Road Maintenance Cost Recovery Policy.*”

18.4 Councillor Zurawski

“TAKE NOTICE that, at the next meeting of Halifax Regional Council to be held Tuesday, September 18, 2018, I intend to move a motion to request a staff report be prepared and brought back to Regional Council for debate no later than spring 2019, detailing the proposed implementation a “Social Impact Lens” in the decision-making process of HRM. The purpose of the “Social Impact Lens” is to create a social justice rubric for measuring the impact on the multi-cultural fabric of HRM through the decisions that Regional Council and its various committees make on behalf of its constituents. This “Social Impact Lens” is intended to provide a tool to help Council weigh the pros and cons of their decisions from societal impact perspective, and is intended to be part of every staff report.”

18.5 Councillor Zurawski

“TAKE NOTICE that, at the next meeting of Halifax Regional Council to be held Tuesday, September 18, 2018, I intend to move a motion to request that a staff report be prepared and brought back to Regional Council for debate no later than spring 2019, detailing the proposed implementation an “Ecological Lens” in the decision-making process of HRM. The purpose of the “Ecological Lens” is to create and environmental rubric for measuring the impact on the ecology and environment on HRM through the decisions that Regional Council and its various committees make. This “Ecological Lens” is intended to provide a tool to help Council weigh the pros and cons of their decisions from an environmental impact perspective, and is intended to be part of every staff report.”

19. ADJOURNMENT

The meeting adjourned at 4:33 p.m.

Kevin Arjoon
Municipal Clerk