



**HALIFAX REGIONAL COUNCIL
MINUTES
September 18, 2018**

PRESENT: Mayor Mike Savage
Deputy Mayor Wayne Mason
Councillors: Steve Streach
David Hendsbee
Bill Karsten
Sam Austin
Tony Mancini
Lindell Smith
Shawn Cleary
Russell Walker
Stephen Adams
Richard Zurawski
Matt Whitman
Lisa Blackburn
Steve Craig
Tim Outhit

REGRETS: Councillor Lorelei Nicoll

STAFF: Jacques Dubé, Chief Administrative Officer
John Traves, Municipal Solicitor
Kevin Arjoon, Municipal Clerk
Sherryl Murphy, Deputy Municipal Clerk
Phoebe Rai, Legislative Assistant
David Perusse, 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 10:00 a.m. and recessed at 12:08 p.m. Council reconvened at 1:00 p.m. Council moved into an In Camera (In Private) session at 1:35 p.m. and reconvened at 1:47 p.m. Council recessed at 1:49 p.m. and reconvened at 6:00 p.m. Council adjourned at 7:11 p.m.

1. CALL TO ORDER

The Mayor called the meeting to order at 10:00 a.m. and Council stood for a moment of reflection.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillors noted a number of special community announcements and acknowledgements.

3. APPROVAL OF MINUTES – NONE

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

Information Item 6: Information report from the Director of Human Resources and Office of Diversity and Inclusion – Quarterly Update – Commitment to a Safe Workplace Harassment and Discrimination Complaints in the Workplace approval required for the circulation of late reports under section 24 of Administrative Order One, Respecting the Procedures of Council.

Deputy Mayor Mason requested that Information Item 6 be brought forward for discussion at the next Regional Council meeting.

MOVED by Deputy Mayor Mason, seconded by Councillor Blackburn

THAT the agenda be approved as amended.

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 – September 11, 2018

9.1 2018-2019 Events East Business Plan/Budget

The following was before Council:

- A staff recommendation report dated June 25, 2018
- A handout entitled “Events East Background – September 2018”
- A presentation from Events East dated September 18, 2018
- An Extract of Regional Council minutes from July 31, 2018

Carrie Cussons, President and Chief Executive Officer, Events East delivered a presentation to Regional Council regarding the key strategic elements in the 2018-2019 business plan and budget. Cussons provided an overview of Events East governance, oversight, goals and strategy and noted that there has been an economic impact of \$50 million in Halifax Regional Municipality this year.

The following motion was placed on the floor at the meeting held July 31, 2018:

MOVED by Deputy Mayor Mason, seconded by Councillor Karsten

THAT Halifax Regional Council approve the 2018-2019 Events East Business Plan for the Halifax Convention Centre Corporation, submitted to the municipality June 25, 2018, as set out in Attachment A of the staff report dated June 25, 2018.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Nicoll

10. NOTICES OF TABLED MATTERS – NONE

11. PUBLIC HEARINGS – 6:00 p.m.

11.1 Case 21331 - Amendments to the Regional Municipal Planning Strategy and All Land Use By-Laws for Cannabis-Related Land Uses

Council reconvened at 6:00 p.m. with Deputy Mayor Mason taking the Chair.

The following was before Council:

- A staff recommendation report dated June 27, 2018
- A staff presentation dated September 18, 2018
- An Extract of Regional Council minutes from July 31, 2018
- Correspondence submitted by Frank Josey, Joy Josey, Jeff Glawson, Tracey Glawson, Holly Collings, Trevor Arnason, Holly Gillis, Raymond Murphy, Michelle Murphy, Sandra Glawson, Joan Kennedy and Lauralee Kennedy

Leah Perrin, Planner III, Regional & Community Policy, provided Council with a presentation on Case 21331 - Amendments to the Regional Municipal Planning Strategy and All Land Use By-Laws for Cannabis-Related Land Uses, regarding HRM's approach to accommodate cannabis related land uses within the Municipality.

Deputy Mayor Mason reviewed the rules of procedure for public hearings and opened the public hearing to anyone wishing to speak on the matter.

Chris Backer, Halifax, speaking on behalf of Maritimers United for Medical Marijuana, expressed concern that although cannabis legalization is imminent, there continues to be ongoing issues with the lack of permitted spaces for individuals to use medical cannabis.

Carolyn Prest, Halifax, spoke in support of the proposed amendments. They noted that from the perspective of a rural HRM resident, it is important for the Municipality to maintain an appropriate balance between the needs of rural communities, as well as the economic benefits of permitting cannabis production. The seventy (70) metre set-back for the production facilities is an appropriate measure to help achieve this balance.

Jamie Tingsley, Cow Bay, raised some areas of concern with regards to the proposed amendments, specifically relating to zoning restrictions on small-scale cannabis farm operations in rural mixed-use areas, such as in Cow Bay. They noted that they run a co-op organic farm in Cow Bay, and expressed concern about their ability to cultivate cannabis for commercial use on their property under the proposed amendments. They expressed the view that the amendments do not do enough to accommodate small scale farms seeking to undertake cannabis production. They noted that to effectively eliminate the black market of cannabis production, and to more equitably distribute the economic opportunities provided by cannabis legalization, the government needs to encourage and support small organic growers and not just industrial producers.

Robert Tilden, Sheet Harbour, expressed concern regarding the planned cannabis production facility in Pleasant Harbour; noted that even with the seventy (70) metre set-back, the structure will be an eye-sore for the small community. They noted that federal regulations for cannabis production licences mandate

that there must be constant perimeter lighting on these facilities, causing excessive light pollution. They expressed the view that these large-scale production facilities are industrial operations, and belong in an industrial park rather than in rural areas.

Andrew Henley, Halifax, spoke in favour of the proposed amendments. They expressed the view that the amendments represent a balanced approach to introducing this new industry to the region, and that it would be consistent with the by-laws seen across the country. They encouraged Council to pass the amendments before them.

Wade Prest, Halifax, noted that they have worked in the logging and forestry industry in Nova Scotia for many years, and have regularly come across illegal cannabis growing operations in forested areas, including their own property. They noted that legalization and regulation will help alleviate this issue, but that it is also important that the Municipality makes sure rural land owners are properly protected from the negative consequences that accompany these economic opportunities. They expressed the view that large-scale cannabis production facilities belong in industrial parks, rather than in rural areas.

Christopher Enns, Halifax, owner of Farm Assist Cannabis Resource Centre, and board members of the Nova Scotia Medicinal Association of Cannabis Dispensaries, expressed concern that even with the imminent legalization of cannabis, medical cannabis users are still unable to access medical cannabis and cannabis concentrates from storefront dispensaries. This may lead to irreparable harm to cancer patients who rely on medical cannabis.

Av Singh, Kings County, Cannabis Consultant, expressed concern that the proposed amendments paint all cannabis production facilities with one brush. They noted that cannabis legalization was also intended to permit smaller scale farmers to earn an income from the industry, as well as large scale producers. Micro-producers will provide a significant boost to rural agriculture, and will assist in stamping out illegal operations.

The Deputy Mayor called three times for any other members of the public wishing to speak on the matter. There being none, it was MOVED by Councillor Walker, seconded by Councillor Whitman

THAT the public hearing be closed.

MOTION PUT AND PASSED.

Responding to questions from members of Council, Perrin noted that Cow Bay is a rural-residential zone, and that cannabis production under the by-law amendments would likely not be in keeping with the character of the area. Speaking to potential remedies for Jamie Tingsley, Perrin noted that Tingsley may be able to make a planning application on a site-specific basis.

Speaking to the security requirements of cannabis production facilities, Perrin noted that these are set out under the federal licence for cannabis producers, while the Municipality has jurisdiction over zoning requirements, including set-backs.

MOVED by Councillor Blackburn, seconded by Councillor Walker

THAT Halifax Regional Council give second reading and adopt the proposed amendments to the Regional Municipal Planning Strategy and all Land-Use By-laws, as set out in Attachments A and B of the staff report dated June 27, 2018, to enact policies and regulations for cannabis-related land uses.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage and Councillors Streach, Nicoll, and Cleary

12. CORRESPONDENCE, PETITIONS & DELEGATIONS

12.1 Correspondence

The Clerk noted that correspondence was received for items 11.1, 14.1.6 and 14.2.1. This correspondence was circulated to Council.

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

12.2 Petitions

12.2.1 Councillor Whitman

Councillor Whitman presented a petition signed by approximately 700 residents requesting rejection of Case 19461 to enable an asphalt plant north of Highway 103 and west of Little Indian Lake, Head of St. Margaret's Bay, which is item 14.2.1 on the agenda.

12.2.2 Councillor Smith

Councillor Smith presented a petition with 1713 online signatures, 63 in-person stakeholder signatures, and 328 comments requesting that Cornwallis Street be renamed in honour of Rocky Jones, considered a champion for Mi'kmaw and African-Nova Scotians.

12.2.3 Councillor Karsten

Later in the meeting, Council agreed to a request from Councillor Karsten to present a petition.

Councillor Karsten presented a petition with approximately 300 signatures requesting a traffic sign indicating the left land is ending at Main Road Eastern Passage and Hines Road, Eastern Passage, in Shearwater.

MOVED by Councillor Karsten, seconded by Councillor Cleary

THAT Halifax Regional Council request a staff information report regarding the matter outlined in the petition presented on September 18, 2018.

As set out in Section 64 of Administrative Order One, Respecting the Procedures of the Council, notice of motion is not required when introducing a motion for a staff report regarding a petition.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Streach and Nicoll

13. INFORMATION ITEMS BROUGHT FORWARD – NONE

14. REPORTS

14.1 CHIEF ADMINISTRATIVE OFFICER

14.1.1 First Reading Proposed By-law R-108, an amendment to By-law R-100, Respecting the Repeal of By-laws and Ordinances

The following was before Council:

- A staff recommendation report dated August 17, 2018

MOVED by Deputy Mayor Mason, seconded by Councillor Cleary

THAT Halifax Regional Council give First Reading to By-law R-108 as contained in Appendix A of the staff report dated August 17, 2018 to repeal the following:

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

2. Amend Administrative Order 15 as contained in Appendix C of the staff report dated August 17, 2018

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

In favour: Mayor Savage, Deputy Mayor Mason, Councillors: Streach, Hendsbee, Karsten, Austin, Mancini, Smith, Cleary, Walker, Adams, Zurawski, Blackburn, Craig and Outhit

Against: Councillor Whitman

Not present: Councillor Nicoll

14.1.2 First Reading Proposed By-law P-1101, Private Road Maintenance By-law, Proposed Administrative Order 2018-003-ADM, Respecting Private Road Maintenance Cost Recovery, and Amendments to Administrative Order 45, Respecting Private Road Maintenance

The following was before Council:

- A staff recommendation report dated August 7, 2018

MOVED by Councillor Streach, seconded by Councillor Hendsbee

THAT Halifax Regional Council give First Reading to proposed By-law Number P-1101, amending the Private Road Maintenance By-law, as set out in Attachment 3 of the staff report dated August 7, 2018.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Nicoll and Zurawski

14.1.3 Award – Tender No. 18-156R - Burnside Transit Centre Roofing Replacement (Phase 1)

The following was before Council:

- A staff recommendation report dated September 18, 2018

MOVED by Councillor Outhit, seconded by Councillor Whitman

THAT Halifax Regional Council award Tender No. 18-156R, Burnside Transit Centre Roofing Replacement (Phase 1) to the lowest bidder meeting specifications, Evolution Roofing Ltd. for a Total Price of \$1,336,947 (net HST included), with funding from Project No. CB000082 – Burnside Transit Centre Roof, as outlined in the Financial Implications section of the staff report dated September 18, 2018.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Nicoll

14.1.4 Case 21850 - Municipal Planning Strategy amendments for 5426 Portland Place, Halifax

The following was before Council:

- A staff recommendation report dated August 27, 2018

MOVED by Deputy Mayor Mason, seconded by Councillor Smith

THAT Halifax Regional Council direct staff to:

- 1. Initiate a process to consider amendments to the Halifax Municipal Planning Strategy to remove 5426 Portland Place, Halifax from Schedule HA-1 of the Halifax Municipal Planning Strategy and allow residential uses throughout the site; and**
- 2. Follow the public participation program as referenced within the Community Engagement section of the staff report dated August 27, 2018.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Outhit and Nicoll

14.1.5 Proposed Administrative Order 2018-004-ADM – Respecting Real Property Transactions

The following was before Council:

- A staff recommendation report dated August 10, 2018

MOVED by Councillor Hendsbee, seconded by Councillor Karsten

THAT Halifax Regional Council adopt Administrative Order 2018-004-ADM, Respecting Real Property Transactions as set out in Attachment 1 of the staff report dated August 10, 2018, including repealing the 2002 *Transaction Policy – Real Property Acquisitions and Disposals*.

Council entered into a brief discussion, noting that an increase to the proposed maximum allowable purchase price of real property relative to market value from 110% to 115% would provide staff with greater purchasing power on acquisitions.

MOVED by Councillor Hendsbee, seconded by Councillor Whitman

THAT the motion be amended such that section 9 (1) (d) of the Administrative Order reads: “the purchase of Real Property does not exceed 115% of Market Value.”

John Traves, Municipal Solicitor advised that should the motion be approved, staff would be able to enter into transactions without seeking additional Regional Council approval provided the purchase price does not exceed 115% of market value and other pre-requisites are met.

MOTION TO AMEND PUT AND PASSED. (15 in favour, 1 against)

In favour: Mayor Savage, Deputy Mayor Mason, Councillors: Streach, Hendsbee, Austin, Mancini, Smith, Cleary, Walker, Adams, Zurawski, Whitman, Blackburn, Craig and Outhit

Against: Councillor Karsten

Not present: Councillor Nicoll

Responding to a question from Council, Peter Stickings, Manager of Corporate Real Estate, noted that Administrative Order 50 Respecting the Disposal of Surplus Real Property sets out requirements for public disclosure of acquisitions and disposals. Once a transaction closes, the information is made available on Halifax.ca.

Jacques Dubé, Chief Administrative Officer, noted that if the Administrative Order is approved, staff would consider on a case-by-case basis if there are considerations that should be brought to Regional Council for direction, even if the established pre-requisites are met.

The question was called on the motion as follows:

MOVED by Councillor Hendsbee, seconded by Councillor Karsten

THAT Halifax Regional Council adopt Administrative Order 2018-004-ADM, Respecting Real Property Transactions as set out in Attachment 1 of the staff report dated August 10, 2018, with section 9 (1) (d) of the Administrative Order modified to read: “the purchase of Real Property does not exceed 115% of Market Value,” including repealing the 2002 *Transaction Policy – Real Property Acquisitions and Disposals*.

AMENDED MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Nicoll

14.1.6 Barrington Street Complete Streets Project

The following was before Council:

- A staff recommendation report dated September 7, 2018
- Correspondence dated September 17, 2018 from Denton Froese and David Wolfe

MOVED by Councillor Smith, seconded by Councillor Cleary

THAT Halifax Regional Council:

- 1. Direct staff to maintain the current temporary configuration of Barrington Street from North Street to Niobe Gate as three travel lanes, a sidewalk and a temporary multi-use pathway over the winter 2018/19 to enable further planning and pilot testing of new configurations for transit and active transportation; and**
- 2. Direct staff to include the Barrington Street Greenway Extension as part of the 2019/20 capital planning process.**

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

In favour: Mayor Savage, Deputy Mayor Mason, Councillors: Streach, Karsten, Austin, Mancini, Smith, Cleary, Walker, Adams, Zurawski, Whitman, Blackburn, Craig and Outhit

Against: Councillor Hendsbee

Not present: Councillor Nicoll

14.2 NORTH WEST COMMUNITY COUNCIL

14.2.1 Case 19461 - Site Specific Amendments to the Municipal Planning Strategy and Land Use By-law for Planning Districts 1 and 3 to permit an asphalt plant at PID# 41457821, north of Highway 103 and west of Little Indian Lake, Head of St, Margarets Bay

The following was before Council:

- A recommendation report from the Chair of North West Community Council dated September 11, 2018, with attached staff recommendation report dated July 11, 2018
- Correspondence dated September 17, 2018 from Robert MacPherson

MOVED by Councillor Outhit, seconded by Councillor Walker

THAT Halifax Regional Council give First Reading to consider the proposed amendments to the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) for Planning Districts 1 and 3, (St. Margaret's Bay) as set out in Attachments A and B of the staff report dated July 11, 2018, to permit an asphalt plant on a portion of PID# 41457821 north of Highway 103 and west of Little Indian Lake, Head of St. Margaret's Bay and schedule a public hearing.

Regional Council entered into a discussion and Shayne Vipond, Planner III, responded to questions of clarification. Vipond noted that the application process has been lengthy due to significant community engagement and communication with the provincial government, owner of the surrounding lands.

It was noted that the North West Planning Advisory Committee recommended against amending the Municipal Planning Strategy and Land Use By-law in this case, the North West Community Council recommended refusal of the proposed amendments, and there has been significant opposition from members of the public for the proposal. Several Councillors suggested that based on this information, Council should defeat the motion and refuse to schedule a public hearing.

A number of Councillors spoke in favour of proceeding with the public hearing to ensure that all members of the public have an opportunity to provide comments on the proposal, and so that Regional Council can hear directly from the applicant regarding the concerns raised and planned mitigation efforts.

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

In favour: Councillors: Streach, Hendsbee, Karsten, Austin, Mancini, Smith, Cleary, Walker, Adams, Blackburn and Craig

Against: Mayor Savage, Deputy Mayor Mason, Councillors: Zurawski, Whitman and Outhit

Not present: Councillor Nicoll

15. MOTIONS

15.1 Councillor Zurawski

Councillor Zurawski requested to withdraw the motion for a staff report regarding a Social Impact Lens, based on staff's analysis in Information Item 4 respecting a Social Policy Lens and Social Procurement. Regional Council agreed to the request to remove this matter from the agenda.

15.2 Councillor Zurawski

MOVED by Councillor Zurawski, seconded by Councillor Mancini

THAT Halifax Regional Council request a staff report be prepared and brought back to Regional Council for debate no later than spring 2019, detailing the proposed implementation of an "Ecological Lens" in the decision-making process of HRM. The purpose of the "Ecological Lens" is to create an 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.

Regional Council entered into a debate regarding the potential impacts of an ecological lens. It was noted that such a rubric could provide Council with better information by adding rigour to the process of assessing ecological impact. However, a number of Councillors noted that reports already contain an "environmental implications" section and cautioned that adding an ecological rubric could slow the report production process.

MOTION PUT AND PASSED. (12 in favour, 4 against)

In favour: Deputy Mayor Mason, Councillors: Streach, Hendsbee, Austin, Mancini, Smith, Cleary, Adams, Zurawski, Whitman, Blackburn, and Craig

Against: Mayor Savage, Councillors: Karsten, Walker and Outhit

Not present: Councillor Nicoll

16. IN CAMERA (IN PRIVATE)

16.1 INTERGOVERNMENTAL RELATIONS - Legislation – *Private and Confidential Report*

The following was before Council:

- A private and confidential recommendation report dated August 20, 2018

This matter was addressed in public session.

MOVED by Deputy Mayor Mason, seconded by Councillor Streach

That Halifax Regional Council:

- 1. Endorse the position described in the discussion section of the private and confidential staff report dated August 20, 2018; and**
- 2. Not release the private and confidential report dated August 20, 2018 to the public.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Nicoll and Whitman

16.2 PROPERTY MATTER – Property Acquisition, West Porter’s Lake – *Private and Confidential Report*

The following was before Council:

- A private and confidential recommendation report dated September 10, 2018

This matter was addressed in public session.

MOVED by Councillor Hendsbee, seconded by Councillor Karsten

That Halifax Regional Council:

- 1. Direct staff to investigate the proposed property acquisition as outlined in the private and confidential staff report dated September 10, 2018 and report back to Regional Council; and**
- 2. Direct that the staff report dated September 10, 2018 not be released to the public.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Nicoll and Whitman

MOVED by Councillor Walker, seconded by Councillor Cleary

THAT Regional Council convene to In Camera (In Private) to discuss item 16.3.

MOTION PUT AND PASSED.

16.3 LABOUR RELATIONS - Canadian Union of Public Employees (CUPE) Collective Agreement – *Private and Confidential Report*

This matter was dealt with in the September 18, 2018 In Camera (In Private) session and was ratified by Council as follows:

MOVED by Deputy Mayor Mason, seconded by Councillor Cleary

THAT Halifax Regional Council:

- 1. Ratify the draft collective agreement attached as Appendix A of the private and confidential report dated September 10, 2018 and authorize the Mayor and Clerk to execute the collective agreement on behalf of the Municipality.**
- 2. Authorize its Chief Negotiator to finalize the collective agreement with the union, provided that the editing process consists only of minor corrections and changes that are not of a substantive nature.**
- 3. It is further recommended that the private and confidential report dated September 10, 2018 not be released to the public.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Lorelei Nicoll

17. ADDED ITEMS - NONE

18. NOTICES OF MOTION

18.1 Councillor Cleary

“TAKE NOTICE that, at the next meeting of Halifax Regional Council to be held on October 2, 2018, I propose to move amendments to Administrative Order 29, Respecting Civic Addressing Policies, the purpose of which is to name nine new private lanes, rename Battery 18th Road to Shipside Lane and name an unnamed public street in Halifax off Purcells Cove Road, Rosborough Loop.”

18.2 Deputy Mayor Mason

“TAKE NOTICE that, at a future meeting of Halifax Regional Council, I propose to move First Reading of proposed By-Law C-1100, the Campaign Finance By-law the purpose of which is to establish rules as permitted under the Halifax Regional Municipality Charter Section 60A, respecting the raising of money for municipal elections and the setting of limits on the amount of money that may be expended by each Candidate and establish additional disclosure respecting campaign expenses, contribution and surpluses.”

18.3 Councillor Smith

“TAKE NOTICE that, at a future meeting of Halifax Regional Council, I propose to move that Regional Council request a staff report outlining the impacts of supporting overdose prevention sites within HRM, outlining;

1. Municipal supports, service impacts (including HRP), zoning and planning policies;
2. Community and community safety impacts, and the possibility of community engagement opportunities;
3. A jurisdictional scan of other municipalities who have overdose prevention sites, and how they have accommodated them; and
4. Work with provincial government and stakeholders to recognize potential supports and partnerships.”

19. ADJOURNMENT

The meeting adjourned at 7:11 p.m.

Kevin Arjoon
Municipal Clerk