

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES March 27, 2001

PRESENT:

Mayor Peter J. Kelly
Deputy Mayor Jerry Blumenthal
Councillors: Steve Streach
Gary Hines
Keith Colwell
Ron Cooper
Harry McInroy
Brian Warshick
Condo Sarto
Jim Smith
John Cunningham
Dawn Sloane
Sue Uteck
Sheila Fougere
Russell Walker
Diana Whalen
Linda Mosher
Stephen Adams
Brad Johns
Robert Harvey
Len Goucher
Reg Rankin
Gary Meade

ABSENT

WITH REGRETS:

Councillor Bruce Hetherington

STAFF:

Mr. Dan English, Deputy Chief Administrative Officer
Mr. Wayne Anstey, Municipal Solicitor
Ms. Vi Carmichael, Municipal Clerk

Ms. Julia Horncastle, Assistant Municipal Clerk

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1. INVOCATION

The meeting was called to order at 6:00 p.m. with the invocation.

2. PROCLAMATIONS

2.1 Hunger Awareness Week (March 26 - 31)

Mayor Kelly proclaimed the week of March 26 - 31, 2001 as Hunger Awareness Week in the Halifax Regional Municipality.

3. APPROVAL OF MINUTES - NONE

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

Additions

- 13.1 Councillor Hines
 - (i) Tidewater Quarry
 - (ii) Federal Infrastructure Program
- 13.2 Councillor Warshick - Request to move information item #7 (March 20th), Use of Contingency Allowance for Capital Projects to the Regular Agenda for Discussion
- 13.3 Committee of the Whole Recommendation from March 26th re: Halifax Regional Municipality 2001/2002 Capital Budget
- 13.4 Committee of the Whole Recommendation from March 27th re: Traffic Calming Measures
- 13.5 Contract Negotiation - One Year Local Telephone Service Contract Extension
- 13.6 Property Matter - Sale of HRM Lands - Corner of Stairs Street and Robie Street
- 13.7 Property Matter - Proposed Land Purchase 265 Island View Drive, Boutiliers Point

MOVED by Councillor Uteck, seconded by Councillor Adams, that "Downtown Parking Garage" be added to the agenda as added item 13.8. MOTION PUT AND PASSED.

Councillor Rankin requested item 11.3.5 be moved up on the agenda to immediately follow item 10.3. 2

MOVED by Councillor Cooper, seconded by Councillor Cunningham, that the Order of Business, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

5. BUSINESS ARISING OUT OF THE MINUTES - NONE

6. MOTIONS OF RECONSIDERATION - NONE

7. MOTIONS OF RESCISSION - NONE

8. CONSIDERATION OF DEFERRED BUSINESS

8.1 Hotel Room Tax - Legislation

- An extract from the Draft minutes of the March 20, 2001 Regional Council Session was before Council.

At the time of adjournment of the March 20, 2001 meeting of Regional Council, the following motion was on the floor.

MOVED by Councillor Cunningham, seconded by Councillor Fougere, that Council approve the form of the legislation, attached to the staff report dated March 5, 2001 as Appendix "B", to establish the enabling authority from Halifax Regional Municipality to levy a hotel room tax and support its adoption by the Nova Scotia Legislature, with an amendment that Section 3(2) be changed to the following: "The tax shall be at such rate as may be set by the Council but shall not be more than two percent of the purchase price of the accommodation".

In response to Councillor Colwell, Mr. Lew Rogers, Director, Tourism Culture and Heritage, advised there is no intention to impose the tax upon Bed and Breakfast or other small type accommodation. This would apply to the larger hotel properties and the selection criteria for determining the correct number of rooms involves some research to determine competitiveness levels.

Councillor Colwell noted that if the current wording passes through the legislature it will include everyone. He suggested clauses be added that indicate that Regional Council can adjust the number of rooms or add an exemption level.

Mr. Wayne Anstey, Municipal Solicitor, suggested Council approve the current wording with

the proviso that a clause be added under 3(8) stating that exemptions could be provided for based upon the number of hotel rooms.

MOVED by Councillor Colwell, seconded by Councillor Streach, that wording be included under Clause 3(8) which would state “ the tax not applying to the purchaser of any class of accommodation based upon the purchase price of the accommodation, the size of the facility, the location of the facility or any other criteria prescribed by the Council”. MOTION PUT AND PASSED.

MOTION, AS AMENDED, PUT AND PASSED.

8.2 Maintenance Agreement HRM-008 - Maintenance of Bridges on Former Cost Shared Streets, HRM

- A report prepared for Mr. K. R. Meech, Chief Administrative Officer, dated March 1, 2001, on the above noted, was before Council.

In response to Councillor Walker, Mr. Kulvinder Dhillon, Director of Public Works and Transportation Services, advised there is no agreement at this time. He advised this is reinstating a portion of the cost sharing on the former cost shared streets in Halifax, Dartmouth and Bedford. He advised the Province will pay 100% of the structural part of the bridge which is currently an HRM cost and HRM will pay 50% of the street, sidewalks and guard rail as well 100% of traffic signs.

For the record, Councillor Walker advised the Department of Transportation is still responsible for that portion of the highway from the Bi-Hi exit ramp into Fairview near Melrose Avenue and from Melrose Avenue to Bayers Road.

MOVED by Councillor Walker, seconded by Councillor Whalen, that Council authorize the Mayor and Municipal Clerk to sign Maintenance Agreement HRM-008 on behalf of the Halifax Regional Municipality.

Councillor Cooper noted all roads including the travel portion across bridges onto the Halifax Regional Municipality and queried whether the financial information was available. Mr. Dhillon advised it was his understanding that the operating cost was approximately \$450,00 to \$500,000 per year with the capital cost varying depending upon the projects which were approved by the Province, noting this could be two to three million dollars per year.

Without a vote being taken on the motion, the following motion was placed.

MOVED by Deputy Mayor Blumenthal, seconded by Councillor Sloane, that the item

be deferred for one week for a staff report. **MOTION PUT AND PASSED.**

8.3 Water Service Extension Upper Hammonds Plains

- A report prepared for Mr. K. R. Meech, Chief Administrative Officer, dated February 28, 2001, on the above noted, was before Council.

MOVED by Councillor Rankin, seconded by Councillor Cunningham that Halifax Regional Council:

1. **Increase the amount to be recovered through local improvement charges by \$95,847, from \$572,572, to \$668,419 for residents on Pockwock Road, Anderson Road and Anderson Court, to cover construction cost overruns and withdrawal of funding from Human Resources Development Canada (HRDC)**
2. **Table for three weeks the attached By-Law Number L-103, Respecting Local Improvement charges - Water Services to Pockwock Road area, for 1st Reading.**

Councillor Rankin requested staff examine what funding may be available to recover the cost increases that were not covered in the projections.

Without a vote being taken on the motion on the floor, the following motion was placed.

MOVED by Councillor Rankin, seconded by Councillor Cunningham, that staff examine the availability of funding, either in part or in whole, and provide a report at first reading.

Councillor Walker requested the report include the cost overruns from the White Hills Road to English Town as well as answer the question of why did HRM lose the funding from Human Resources Development of Canada.

Councillor Cooper requested the report outline whether HRM is making a donation or would it be lumped in with the previous policy of recovering the funds through development charges.

MOTION PUT AND PASSED.

MAIN MOTION PUT AND PASSED.

8.4 Debenture Issue

- A staff report prepared for Mr. K. R. Meech, Chief Administrative Officer, dated March 12, 2001, on the above noted, was before Council.

MOVED by Councillor Mosher, seconded by Councillor Adams, that:

1. **Council approve Temporary Borrowing Resolution 00/01-07 in the amount of \$937,500.**
2. **The Mayor and Municipal Clerk be authorized to sign the Resolution for Pre-Approval of Debenture Issuance subject to interest rate confirmation, not to exceed 8%, to enable the Halifax Regional Municipality to issue a debenture in the amount of \$16,300,000.**

MOTION PUT AND PASSED UNANIMOUSLY.

8.5 CN Lease Agreement Rosemount Avenue Storm Sewer

- A report prepared for Mr. K.R. Meech, Chief Administrative Officer, dated March 14, 2001, on the above noted, was before Council.

MOVED by Councillor Mosher, seconded by Councillor Adams, that Halifax Regional Council:

1. **enter into a lease agreement (JDE#890120) with Canadian National Railway Properties Inc., for an underground sewer pipe crossing in the Fairmount Subdivision, in the amount of \$650.00 (plus applicable GST) for a 20 year period.**
2. **authorize His Worship the Mayor and Municipal Clerk to sign the lease agreement on behalf of the Halifax Regional Municipality.**

MOTION PUT AND PASSED UNANIMOUSLY.

8.6 Municipal Government Act - Cost of Living Increases to Pensioners

- A report prepared for Mr. Ken Meech, Chief Administrative Officer, dated March 9, 2001, on the above noted, was before Council.

MOVED by Councillor Sarto, seconded by Deputy Mayor Blumenthal that Council support and forward to the Province of Nova Scotia for adoption an amendment to

the Municipal Government Act by adding to the legislation the following Section:

536A Notwithstanding subsection (7) of Section 45, the pension plan adopted by the Halifax Regional Municipality pursuant to Section 45 may provide for increases in the pensions not exceeding the lesser of 6% per year and the percentage increase in the cost of living as measured by the change in the Consumer Price Index for Canada prepared by Statistics Canada in the years since each such pension became payable, net of any increases previously provided. MOTION PUT AND PASSED.

8.7 Councillor Meade - Condition of Road, Route 333

MOVED by Councillor Meade, seconded by Councillor Fougere, that the Mayor write a letter to the Minister of Transportation and Public Works, the Honourable Ron Russell, with copies to MLA's Bill Estabrooks and John Chataway, enquiring as to when will Highway 333 be repaved from Goodwood to Glen Haven. Further, the Minister be invited to attend a public meeting in Brookside Junior High on April 25th hosted by PROS to address the future of paving issues on Highway 333. **MOTION PUT AND PASSED UNANIMOUSLY.**

8.8 Sale of 2156 Brunswick Street

MOVED by Councillor Sloane, seconded by Councillor Sarto that:

- 1. Council authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale whereby 62,024 square feet of HRM land known as 2156 Brunswick Street, (former Alexandra School Site) as shown on Attachment "A", of the staff report dated February 28, 2001, be conveyed to Ronald Ghosn or Assignee for the amount of \$8.04 per square foot, for a total value of \$499,000, subject to final survey, plus any additional taxes and adjustments that may be applicable at closing.**

- 2. Council authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale whereby approximately 4470 square feet of HRM land known as Parcel X, as shown on Attachment "A", of the staff report dated February 28, 2001, is to be conveyed to Ronald Ghosn or Assignee for the amount of \$8.04 per square foot, for a total value of \$35, 939, if the Halifax County Condominium Corporation No. 47 does not purchase Parcel X from the Municipality as previously approved by the Chief Administrative Officer June 20, 2000;**

3. **Council not release the contents of the report until the two transactions have closed.**

MOTION PUT AND PASSED.

9. **PUBLIC HEARINGS**

9.1 **Case 00287 - Application for Amendment to Subdivision By-Law for Former Halifax County**

- First Reading was given on March 6, 2001
- A report from the Marine Drive, Valley and Canal Community Council and noted attachments was circulated on March 6, 2001.

Mr. Kurt Pyle, Planner, with the aid of overheads, presented the staff report advising the applicant is requesting approval of a subdivision of his property to create one additional lot off Robinson Lane. He advised the lot does not have access to a public or private road and thus Mr. Robinson has made application to amend Schedule "A" of the Subdivision By-Law to list Robinson Lane as a Schedule "A" Road to allow for further subdivision.

Mayor Kelly called three times for those wishing to speak either in favour of or against the proposal. Hearing none, the following motion was placed.

MOVED by Deputy Mayor Blumenthal, seconded by Councillor Fougere, that the public hearing close. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillor Hines, seconded by Councillor Streach, that Council approve the amendments to the Subdivision By-Law for the Former Halifax County, as per Attachment 1 of the staff report dated November 1, 2000, to list Robinson Road, Windsor Junction, as a Schedule "A" Road, thereby enabling the applicant to create one additional lot. MOTION PUT AND PASSED UNANIMOUSLY.

9.2 **Second Reading By-Law S-302, An Amendment to By-Law S-300 Respecting Streets**

- First Reading was given at the March 6, 2001 Council Session.
- Correspondence from Hugh Pullen, President, Peninsula South Community Association, was circulated to Council.
- Correspondence from Ms. Piers-Foreman, Toronto, Ontario, was circulated to Council.
- Extract from the Draft March 6, 2001 Regional Council minutes was before to Council.

Mr. Kulvinder Dhillon, Director of Public Works and Transportation, outlined the staff report.

Mayor Kelly called for anyone wishing to speak either in favour of or against the proposed amendment.

Ms. Renalda Sampson-Hancock

Ms. Sampson-Hancock, 61 Heathside Crescent, Glenbourne Estates Residents Association, advised the residents are very concerned about the safety and welfare of the people in the area. She stated the residents anticipate the requirement to clear the front and sides of their property but the requirement to remove the snow and ice from the sidewalk which is part of the street at the rear of their property is unreasonable. On behalf of all the affected homeowners, she requested Council consider and approve the amendment to By-Law S-302.

Mr. Hugh Pullen

Mr. Hugh Pullen, 6262 Oakland Road, Halifax, stated there are a large number of residents in his area who do not bother to clear the streets, noting these tend to be renters. He suggested the By-Law be revisited so there can be more stringent enforcement of the street clearing, specifically the corners.

Mr. Carlos Casola

Mr. Carlos Castola, 38 Astral Court, Halifax, with the aid of overheads, spoke in favour of the By-Law. He advised due to the amount of snowfall this winter, they have had to shovel the snow from the sidewalk and move it across the street. He noted the properties are at a high elevation and access to the sidewalk is very limited and suggested the clearing of the sidewalks could be included as part of the current contract.

(Councillor Fougere left the meeting at 7:00 p.m)

Mr. Greg Nicholson

Mr. Greg Nicholson, 92 Donaldson Avenue, spoke in support of the By-Law.

Mayor Kelly called for any additional speakers wishing to speak either in favour of or against the By-Law. Hearing none, the following motion was placed.

MOVED by Councillor Sarto, seconded by Councillor Cunningham, that the public hearing close. MOTION PUT AND PASSED.

MOVED by Councillor Whalen, seconded by Councillor Walker, that be it enacted by the Council of Halifax Regional Municipality, under the authority of Section 310 of the Municipal Government Act, that By-Law S-300, the Halifax Regional Municipality Streets By-Law is amended as follows:

1. **Section 4 of said By-Law S-300 is amended as follows:**
 - (a) **Clause (a) of subsection (1) of said Section 4 is amended by adding thereto the words “provided, however, that where a property containing a detached one-family dwelling unit, a duplex dwelling or a semi-detached dwelling unit as defined in the Land Use By-Laws has frontage on a street at both the front and the rear of the property, the abutter shall not be required to remove the snow and ice from a sidewalk which is part of the street at the rear of the property, where the street at the front of the property is defined as the street on which the property has its civic address”; and,**
 - (b) **by deleting the word “six” from the eighth line thereof and by substituting therefore the word “twelve”.**

Councillor Walker, with the use of overheads, indicated sidewalks which are located at the back of properties in his District to which the abutting property owners do not have access but yet are responsible for snow removal. The Councillor advised the properties are in the vicinity of sidewalks that are currently cleared by HRM.

In response to Councillor Harvey, Mr. Kulvinder Dhillon, Director, Transportation and Public Works advised there has been no costs included in next year's budget to cover costs associated with the By-Law approval. He advised they do not have cost figures at this time as staff does not have the exact number of kilometers of sidewalk that this By-Law would cover.

Deputy Mayor Blumenthal spoke in support of the motion but expressed concern with snow clearing behind apartment complexes as well as the lack of financial implications of implementing the by-law.

Councillor Cunningham concurred that a determination of costs should be addressed prior to the approval of the by-law.

Councillor Mosher noted the sidewalks in question would only equate to a small number of kilometers.

Councillor Goucher stated the issue is whether the residents abutting these sidewalks have

actual physical unimpeded use, noting it has been shown the majority does not. The Councillor stated he would like to see cost figures.

Councillor Uteck noted, for the record, her displeasure with one of the pieces of submitted correspondence stating, in her opinion, the correspondence did not properly reflect the views of the majority of the residents of her District.

Councillor Whalen noted this By-Law would apply to very few kilometers and the cost would be minimal in the overall sidewalk clearing budget.

MOVED by Councillor Cunningham, seconded by Deputy Mayor Blumenthal, that decision be deferred for two weeks for a staff report. MOTION DEFEATED (9 in favour, 9 against)

MAIN MOTION PUT AND PASSED.

10. CORRESPONDENCE, PETITIONS AND DELEGATIONS

10.1 Correspondence

10.1.1 Sewage Treatment Strategy

- Correspondence from the Sierra Club of Canada, dated March 15, 2001, on the above noted, was before Council.

MOVED by Councillor Rankin, seconded by Councillor Goucher, that the correspondence be referred to the Harbour Solutions Committee. MOTION PUT AND PASSED UNANIMOUSLY.

10.2 Petitions

10.2.1 Councillor Johns

Councillor Johns submitted a petition on behalf of the residents of Matador Court and surrounding streets in Lower Sackville regarding the green behind the townhouses wherein they express their concern with it becoming a potential fire hazard.

10.2.2 Councillor Smith

Councillor Smith submitted a petition on behalf of the parents, students and community members regarding the closure of Northbrook Elementary School and requested it be

forwarded to the Halifax Regional School Board.

10.3 Presentations

10.3.1 Sheila McGuire, Attention Deficit Association - Purpose of the Organization

Ms. Sheila McGuire, Attention Deficit Association, made a presentation to familiarize Council on the makeup and purpose of the organization. A copy of her presentation was submitted for the record.

Mayor Kelly thanked Ms. McGuire for her presentation.

10.3.2 Paving of Gravel Road Outside the Core Area

Mr. Ray Warner, 66 Shelby Drive, Highland Park West, expressed concern with the condition of the roads in his subdivision and the associated problems such as dust, potholes, air quality in the homes when the roads are graded during the summer.

Mr. MacDaniel, speaking on behalf of the residents of Haliburton Heights, expressed concern with the lack of a paving program for gravel roads and the resulting damage to vehicles who have to use these roads on a regular basis.

Mayor Kelly thanked Mr. Warner and Mr. MacDaniel for their presentation.

11.3.5 Councillor Rankin - Info Item #17, Paving Funds for Rural Areas

- An information report from Mr. K.S. Dhillon, Director, Public Works and Transportation, dated March 14, 2001, on the above noted, was before Council.

MOVED by Councillor Rankin, seconded by Councillor Streach, that HRM negotiate further with the Province in time to mount a paving program subject to their matching the \$300,000 that the Municipality has provided in the Capital Budget. Further, HRM allow several weeks to negotiate with the Province and, failing that, the Municipality give notice to the Province that HRM will terminate the agreement in time such that HRM can mount an effective paving program and restore the funding that is necessary to do the program this summer. MOTION PUT AND PASSED UNANIMOUSLY.

11. REPORTS

11.1 MARINE DRIVE, VALLEY & CANAL COMMUNITY COUNCIL

11.1.1 Case 00316 - Application to Amend the Former Halifax County Subdivision By-Law to add a Right-of-Way (Patriquin Lane) to the list of Schedule "A" Roads in Fletcher Lake (First Reading and set a public hearing date for April 17, 2001)

- A report from Councillor Keith Colwell, Chair, Marine Drive, Valley & Canal Community Council, dated March 21, 2001, and noted attachments was before Council.

MOVED by Councillor Hines, seconded by Councillor Streach, that Halifax Regional Council give first reading and set a public hearing date of April 17, 2001. MOTION PUT AND PASSED UNANIMOUSLY.

11.2 CHIEF ADMINISTRATIVE OFFICER

11.2.1 Halifax Regional Fire and Emergency Services - Administrative Order No. 24

- A report prepared for Mr. K.R. Meech, Chief Administrative Officer, dated March 22, 2001, on the above noted, was before Council.

MOVED by Councillor Streach, seconded by Deputy Mayor Blumenthal, that Council adopt, in principle, Administrative Order No. 24 Respecting Halifax Regional Fire and Emergency Service. MOTION PUT AND PASSED.

11.2.2 Removal of Limitation of the Number of Taxi Owners Licenses (Roof Lights) in the Halifax and Dartmouth Taxi Zones

- Correspondence from Councillor Stephen Adams, dated March 27, 2001, was circulated to Council.
- Correspondence from Ms. Jo-Anne Henderson-White, dated March 27, 2001, was before Council.
- A report prepared for Mr. K. R. Meech, Chief Administrative Officer, dated March 9, 2001, on the above noted, was before Council which recommended "*Regional Council approve in principle removal of the limitation of the number of taxi owners licenses in the Halifax and Dartmouth taxi zones; and, direct staff to bring forward appropriate amendments to the Taxi and Limousine By-Law*".

Mr. Peter James, Coordinator, By-Law Enforcement, outlined the staff report advising that

problems in the ability to obtain taxis may stem from the current policy of limiting the number of roof lights in the Halifax and Dartmouth taxi zones. He advised there may be insufficient taxis to meet the current demand. The policy recommendation to remove limitation is based upon a recommendation of the HARA report of 1994 and subsequent research. Staff believes the impact of removing the limitation in the Halifax and Dartmouth zones would allow those individuals who are currently driving taxis and leasing roof lights to have an opportunity to own and operate their own vehicle rather than leasing a roof light from an owner who adds no value to the industry. The policy of removing limitation would also allow those who want to drive a taxi to own their own light.

Councillor Walker stated the report does not deal with operators and the dispatch systems and expressed concern with the long delays experienced by the residents when calling for a taxi.

MOVED by Councillor Walker, seconded by Councillor Warshick, that the issue be referred to a Committee of the Whole to allow for presentation by the taxi industry including brokers and operators.

Councillor Adams referenced the material he had circulated and requested Council not consider the staff recommendation but to set the new taxi limit in Halifax at 610 vehicles. The Councillor noted that when the drivers were issued their licenses they were well aware that the only way they could obtain a roof light was to either lease one or to rent a vehicle. He advised this means there are individuals paying from three to five thousand dollars a year for the use of a roof light. They are supplying their own vehicle, insurance, repairs, office rental etc. while the individual who owns the roof light pays fifty dollars annually. The Councillor suggested that if either party terminates the agreement, the owner of the roof light must provide his own vehicle, insurance, etc. The Councillor suggested the definition of owner be changed so as to prevent further leasing and make changes so that roof lights are not transferrable. Further, he suggested the limit of 200 taxis in Dartmouth be maintained and staff explore options on how to regulate the brokers.

Deputy Mayor Blumenthal stated unless you have dispatchers to provide the taxis then the residents are not being served.

Councillor Uteck, on behalf of Councillor Fougere, stated that until real data can be collected in regards to numbers of calls for services versus number of taxis in HRM she would suggest that Council and the Taxi Committee find a way that more critically analyzes the situation before changing anything.

Councillor Uteck stated, for the record, former Councillor Larry Uteck did not feel the pressure to put in a limitation. The Councillor expressed concern with the fact that licenses cannot be transferred.

Councillor Sloane stated that something has to be done with the dispatch problem. She suggested the zones be left in place and action be taken regarding the brokers.

Councillor Smith stated the drivers should not have to pay to lease roof lights in order to have a job. The Councillor stated there needs to be a way to ensure that roof lights are brought out of the leasing agreements in order to enhance the owner/operator idea. He agreed there is a problem with the dispatch and brokerage system and recommended the number of taxis in Dartmouth not be changed.

Councillor Cooper questioned whether an effort has been made to determine whether the brokers are using all the cars that are available to them and exactly what is the waiting period for a cab. In order to meet the objectives of the Municipality the industry has to be regulated and the Municipality should be responsible for such regulation. He stated the problem needs to be identified and then addressed.

Councillor Warshick suggested minimum income per year, dual ownership and limitation of owners be looked at.

Councillor Adams encouraged Council to allow his amendments to go forward to legal and not to a Committee of the Whole.

MOTION DEFEATED.

MOVED by Councillor Adams, seconded by Councillor Mosher, that the recommendations, as outlined in the correspondence from Councillor Adams, dated March 27, 2001 be forwarded to legal for inclusion as part of the By-Law and subsequently brought forward to Council for a First Reading and public hearing.

Without a vote being taken on the motion, the following motion was placed.

MOVED by Councillor Uteck, seconded by Councillor Sloane, that the correspondence be referred to staff for a report. MOTION PUT AND PASSED.

MOVED by Councillor Warshick, seconded by Councillor Sloane, that the report include information on dispatch and brokers. MOTION PUT AND PASSED.

MOVED by Councillor Sloane, seconded by Councillor Streach, that the report include information on how many taxis are working each night. MOTION PUT AND PASSED.

11.3 MEMBERS OF COUNCIL

11.3.1 Councillor Adams - McIntosh Run Setbacks

MOVED by Councillor Adams, seconded by Councillor Mosher, that a staff report be provided regarding changes to the Municipal Planning Strategy and Land Use By-Law for the Mainland South area to allow for 100 foot setbacks along the McIntosh Run. **MOTION PUT AND PASSED.**

**11.3.2 Councillor Walker - Request to move information item #4 (Mar. 20th)
Election Signage on Public Parks and Municipal Property to the Regular
Agenda**

MOVED by Councillor Walker, seconded by Councillor Cooper, that a staff report be provided on proposed legislative guidelines to cover the next election regarding the setback requirements to travel ways and what will work for the municipality yet still allow those venues to be available. **MOTION PUT AND PASSED.**

11.3.3 Councillor Sarto - Woodlawn Road

Councillor Sarto requested this item be deferred to April 3rd.

**11.3.4 Councillor Cooper - Request to move information item #10 (March 20th)
Capital District Task Force - Terms of Reference to the Regular Agenda**

MOVED by Councillor Cooper, seconded by Councillor McInroy, that a report be provided on how wide a latitude this task force is going to have as a service provider and what accountability will there be to Council. **MOTION PUT AND PASSED.**

**11.3.5 Councillor Rankin - Request to Move information item #17 Paving Funds
for Rural Areas to the Regular Council Agenda**

This item was discussed earlier in the meeting (see page 14).

12. MOTIONS - NONE

13. ADDED ITEMS

13.1 Councillor Hines

(i) Tidewater Quarry

MOVED by Councillor Hines, seconded by Councillor Goucher, that the Mayor write to the Minister of the Environment requesting Tidewater Construction be in compliance to changes in the Environment Act regarding quarry operations that have been implemented since the Environmental Assessment allowing the present operation near the proposed new operation site. Further, a storm water management plan be issued for the proposed site and a public participation process as part of the decision process to address the social economic impact on the Waverley community. MOTION PUT AND PASSED.

(ii) Federal Infrastructure Program

MOVED by Councillor Hines, seconded by Councillor Goucher, that a staff report be requested regarding the Miller Lake Water Project and follow up with the project being placed on the infrastructure list.

Councillor Goucher requested an information report be provided on the status of all residual items in the infrastructure "Parking Lot" items.

MOTION PUT AND PASSED UNANIMOUSLY.

13.2 Councillor Warshick - Request to Move Information Item #7 (March 20th), Use of Contingency Allowance for Capital Projects to the Regular Council Agenda for discussion

MOVED by Councillor Warshick, seconded by Councillor McInroy that a staff report, with stated recommendation on the subject be provided. MOTION PUT AND PASSED UNANIMOUSLY.

13.3 Committee of the Whole Recommendation from March 26th Re: Halifax Regional Municipality 2001/2002 Capital Budget

MOVED by Deputy Mayor Blumenthal, seconded by Councillor Goucher:

It is hereby resolved that:

- a) the Public Works and Transportation Capital Budget for Roads & Streets, Sewers, Sidewalks and Traffic Improvements, as follows, be approved.**

Capital Program	2001-02 Gross Budget	LIC	Reserves	2001-02 Debt Recommended
Roads & Streets	13,965,000	(1,252,000)		12,713,000
Sewers	8,020,000		5,770,000	2,250,000
Sidewalks	3,340,000	(790,000)		2,550,000
Traffic Improvements	2,250,000			2,250,000
Total	27,575,000	(2,042,000)	5,770,000	19,763,000

MOTION PUT AND PASSED UNANIMOUSLY.

13.4 Committee of the Whole recommendation from March 27, 2001 re: Traffic Calming Measures

MOVED by Councillor Uteck, seconded by Councillor Goucher, that staff be requested to prepare a report with respect to requesting enabling legislation under the Municipal Government Act of Nova Scotia to use reduced speeds, up to 30 kph, in residential areas deemed necessary for traffic calming and safety issues. MOTION PUT AND PASSED UNANIMOUSLY.

13.5 Contract Negotiation - One Year Local Telephone Service Contract Extension

This item was discussed earlier at an In Camera Council session and was now before Council for ratification.

MOVED by Councillor Cunningham, seconded by Councillor Sarto, that Halifax Regional Council direct staff to finalize a one-year extension of the current contract with MTT to provide Local Telephone Service. MOTION PUT AND PASSED UNANIMOUSLY.

13.6 Property Matter - Sale of HRM Lands - Corner of Stairs Street and Robie Street

This item was discussed earlier at an In Camera Council session and was now before Council for ratification.

MOVED by Deputy Mayor Blumenthal, seconded by Councillor Sloane, that Council authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale with Mr. Donald Knox, 3224 Robie Street, for the purchase of Lot D, at the corner of Stairs Street and the Robie Street Extension subject to the terms and conditions contained in the confidential staff report dated March 14, 2001. Further, this report can be released to the public. MOTION PUT AND PASSED UNANIMOUSLY.

13.7 Property Matter - Proposed Land Purchase 265 Island View Drive, Boutiliers Point

This item was discussed earlier at an In Camera Council session and was now before Council for ratification.

MOVED by Councillor Meade, seconded by Councillor Johns, that:

- (a) Council authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale with Amber Properties Limited for Parcel PID#40736068, subject to terms and conditions set out in the confidential staff report dated March 15, 2001.**
- (b) a maximum of \$4,300 be withdrawn from Q107 Parkland Reserve to fund the purchase, HST ad closing costs.**
- (c) this report is not to be released to the public until the Agreement of Purchase and Sale has closed.**

MOTION PUT AND PASSED UNANIMOUSLY.

13.8 Downtown Parking Garage

MOVED by Councillor Uteck, seconded by Councillor Cooper, that Council approve an additional \$380,000 in funding for improvements to the Downtown Parking Garage in order to satisfy the minimum requirements of the Municipal Planning Strategy.

Councillor Uteck advised this funding will enable the project to move forward without further delays. The monies will be for the architectural treatment and the display windows. The budget implications would be to add an additional three months to the cost recovery of this project as well as satisfying public demand.

Councillor Johns expressed concern that there may be other requests for funding in the future.

Councillor Goucher expressed concern that the requirements of the MPS have not been met noting, this development may be subject to appeal. The Councillor received confirmation from Mr. Gary Porter, Planner, that the facility, from the standpoint of facade and the way it will fit in with the community, does not meet the requirements of the MPS for the downtown core. He noted there are several policies which the proposal does not meet.

MOVED by Councillor Warshick, seconded by Councillor Streach, that the motion be deferred for one week pending a staff report.

Councillor Cooper requested the staff report provide information on whether the display cases are going to be leased and how much will HRM receive from these leases and how soon it would recover the cost of the display cases. The Councillor requested the report be examined by a Development Officer to see whether the policies in the By-law are being met and what the effects might be.

Mr. English, Deputy CAO, advised it is up to the Development Officer to ensure the project is being constructed in conformance with a development agreement, noting the development agreement would have already been approved prior to the Development Officer becoming involved.

Councillor Colwell noted the decision to build the garage was on a recommendation by staff and requested the staff report advise who is responsible for missing this supposedly important issue in this contract that is going to cost the municipality another \$380,000. In response, Mr. English advised in the RFP it was optional whether or not to provide retail. One of the policies that is problematic at this time is the provision of retail along the pedestrian way.

Councillor Sloane expressed displeasure that she, as the Councillor for the district, was not informed that this was taking place.

In response to Councillor Whalen, Mr. English, advised the project cannot commence until the contractor signs the development agreement.

Mr. Porter advised the intent was to take the development agreement to a public hearing on May 7th.

Councillor Whalen suggested there be a separate contract for the environmental remediation.

Councillor Sloane reiterated that this has been going on since last week and she was not informed by staff or anyone of the problem, advising she had only been informed of this situation today.

MOTION PUT AND PASSED.

14. NOTICES OF MOTION

Councillor Cunningham:

Take notice that at the next Regular Meeting of the Halifax Regional Council, to be held on April 3, 2001, I intend to introduce a motion to amend By-Law N-201, Respecting Noise wherein:

1. Section 4(c) of By-Law N-200 is amended by repealing:
 - (1) clause (c) thereof and by substituting therefor the following:
 - (c) employees, contractors, or agents of the Municipality, the Government of Canada, the Province of Nova Scotia, the Halifax Regional Water Commission, the Halifax-Dartmouth Bridge Commission, the Nova Scotia Power Corporation, MTT and other telecommunications companies when those employees, contractors, or agents are acting in the reasonable execution of their duties;

2. Section 4 of By-Law N-200 is amended by adding immediately following clause (1) thereof the following clause:
 - (m) noises caused by machinery performing concrete pouring and finishing within a commercially zoned area for a period not exceeding two months from the commencement of the concrete flooring project, excluding the commencement of such work during the months of June, July and August;

 - (n) noises caused by the use and operation of snow removal, sanding, or salting equipment during a snowstorm or within 24 hours from the end of a storm.

Councillor Streach

Take notice that at the next regular meeting of the Halifax Regional Council to be held on April 3, 2001, I intend to introduce a motion to have Council adopt Administrative Order #24 respecting Halifax Regional Fire and Emergency Service.

Councillor Rankin

Take notice that at the next regular meeting of the Halifax Regional Council to be held on April 17, 2001, I intend to introduce a motion to have Council give First Reading to By-Law L-103 respecting Local Improvement Charges, Water Services to Pockwock Road area.

15. ADJOURNMENT

MOVED by Councillor Hetherington, seconded by Councillor Cooper, that the meeting be adjourned at 10:00 p.m. **MOTION PUT AND PASSED UNANIMOUSLY.**

**Vi Carmichael
Municipal Clerk**