

# HALIFAX REGIONAL MUNICIPALITY

---

## HALIFAX REGIONAL COUNCIL MINUTES December 7, 2004

PRESENT:

Mayor Peter J. Kelly  
Deputy Mayor Len Goucher  
Councillors: Steve Streach  
Krista Snow  
David Hendsbee  
Harry McInroy  
Gloria McCluskey  
Andrew Younger  
Bill Karsten  
Becky Kent  
Jim Smith  
Mary Wile  
Patrick Murphy  
Sue Uteck  
Sheila Fougere  
Russell Walker  
Debbie Hum  
Linda Mosher  
Steve Adams  
Brad Johns  
Robert Harvey  
Reg Rankin  
Gary Meade

ABSENT:

Councillor Dawn Sloane

STAFF:

Mr. George McLellan, Chief Administrative Officer  
Mr. Wayne Anstey, Municipal Solicitor  
Ms. Jan Gibson, Municipal Clerk  
Ms. Sherryll Murphy, Legislative Assistant

**TABLE OF CONTENTS**

1.	INVOCATION .....	4
2.	APPROVAL OF MINUTES .....	4
3.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS .....	4
4.	BUSINESS ARISING OUT OF THE MINUTES .....	5
5.	MOTIONS OF RECONSIDERATION .....	5
6.	MOTIONS OF RESCISSION .....	5
7.	CONSIDERATION OF DEFERRED BUSINESS .....	5
8.	PUBLIC HEARINGS .....	5
8.1	By-Law S-307, Various Amendments to By-Law S-300, Respecting Streets .....	6
8.2	Case H00139 - Application to Consider 6324 York Street, Halifax as a Registered Heritage Property .....	7
8.3	Case H00143 - Application to Consider 2370 Moran Street, Halifax as a Registered Heritage Property .....	7
	10.1.6 Duke Street and Salter Street Drainage Area Sewer Separation ..	7
9.	CORRESPONDENCE, PETITIONS & DELEGATIONS .....	9
9.1	Correspondence .....	9
9.2	Petitions .....	9
	9.2.1 Petition - Councillor Mosher - Additional Signatures re Opposition to Wharf on Chocolate Lake (November 9, 2004) .....	9
9.2.2	Petition - Councillor Kent - Increased Transit Service in Eastern Passage and Cow Bay - Route 60 .....	9
	9.2.3 Councillor Kent: Crosswalk Installation - Island View Seniors Facility .....	9
	9.2.4 Councillor McInroy: Exclusion of Metro Transit Service from Pearl Drive .....	9
10.	REPORTS .....	9
10.1	CHIEF ADMINISTRATIVE OFFICER .....	10

---

10.1.1	2005-2006 Preliminary Budget Briefing - Staff Presentation . . . . .	10
10.1.4	Halifax Public Libraries Needs Assessment Master Facilities Plan	10
10.1.2	Preferred Alternative for the Regional Plan . . . . .	11
10.1.3	Increase 2004/2005 Capital Budget and Amendment to Reserve Business Case for Sustainable Communities Reserve . . . . .	12
10.1.5	Case 00680 - Seniors/Special Needs Housing Municipal Planning Strategy - Planning Districts 14 & 17 (Shubenacadie Lakes) . . . . .	12
10.1.6	Duke Street and Salter Street Drainage Area Sewer Separation .	13
10.2	HERITAGE ADVISORY COMMITTEE . . . . .	13
10.2.1	Case H00150 - Proposed Addition to 58 Ochterloney Street, Dartmouth . . . . .	13
10.3	MEMBERS OF COUNCIL . . . . .	13
10.3.1	Councillor Streach - HRM C&D Waste Initiative Strategy . . . . .	13
10.3.2	Councillor McCluskey - Accessible Taxis in HRM . . . . .	13
10.3.3 (i)	Councillor McInroy - Provincial "Capping" of Property Assessments . . . . .	15
10.3.3 (ii)	Theft of Motor Vehicles . . . . .	16
11.	MOTIONS . . . . .	16
12.	ADDED ITEMS . . . . .	16
12.1	Request for Staff Report Re: Provision of Affordable Housing . . . . .	16
12.2	Property Matter - Street Closure - Sale of a Portion of Bland Street . . . . .	16
12.3	Property Matter - Street Closure - Sale of a Portion of Maitland Street . . .	17
12.4	Legal Matter - Supply of Biodiesel . . . . .	18
12.5	Community Council Boundaries . . . . .	18
13.	NOTICES OF MOTION . . . . .	20
13.1	Notice of Motion - Councillor McCluskey - Accessible Taxis . . . . .	20
13.2	Notice of Motion - Councillor Fougere - Administrative Order re Community Council . . . . .	20
14.	ADJOURNMENT . . . . .	21

1. **INVOCATION**

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

2. **APPROVAL OF MINUTES**

Councillor Younger noted that the reference to Shubenacadie Park in the final paragraph on Page 5 of the November 16, 2004 minutes should be Shubie Park.

**MOVED by Councillor Rankin, seconded by Councillor Fougere that the minutes of Regional Council meetings held on November 9, 2004, November 16, 2004 and November 23, 2004, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.**

3. **APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS**

Earlier in the meeting Councillor Murphy acknowledged the Mayor's attendance at the Halifax Explosion memorial celebrations and thanked all the Councillors that attended.

Councillor Murphy advised of a second memorial celebration hosted by Local 468 Firefighters which recognized those firefighters who lost their lives on the day of the Explosion, as well as the many other local firefighters who lost their lives in the line of duty over the years.

Councillor Murphy indicated that the firefighters now have a memorial on Lady Hammond Road, Halifax.

Councillor Adams requested that item 10.1.6 be moved up to be dealt with immediately following the public hearings.

Councillor Adams went on to express concern that an approved motion to hold a special meeting of Regional Council following the Committee of the Whole Council meeting last week was not acted upon. Councillor Adams indicated that the Chair cannot act unilaterally in such instances. Councillor Adams indicated the reason for the special meeting was urgent and that as a result of the meeting not being held, misinformation is circulating through the community causing distress.

The Mayor recalled that Council as a whole had agreed that the matter would be dealt with this evening.

Councillor McCluskey acknowledged Mr. Tim Olive, former MLA for Dartmouth South and the Executive Director for the Downtown Dartmouth Business Association, present in the gallery this evening.

**Additions:**

- 12.1 Councillor Rankin - Request for staff report re: Provision of Affordable Housing
- 12.2 Property Matter - Street Closure - Sale of a Portion of Bland Street
- 12.3 Property Matter - Street Closure - Sale of a Portion of Maitland
- 12.4 Legal Matter - Supply of Biodiesel
- 12.5 Community Council Boundaries

**MOVED by Deputy Mayor Goucher, seconded by Councillor Johns that the agenda, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.**

**4. BUSINESS ARISING OUT OF THE MINUTES**

Councillor Streach rose under Member Privilege and referred to the recent media reports regarding his comments on immigration. The Councillor took the opportunity to reaffirm his commitment to the policies and procedures that govern Council while in the Chamber. He went on to reassure the Mayor and members of Council that he was committed to a solid and balanced immigration policy not only in HRM, but throughout the Province of Nova Scotia. The Councillor thanked Mayor Kelly and his colleagues for their help and support over the past week. Concluding his remarks, Councillor Streach spoke about the support he receives each day from his family and noted that he would be leaving the meeting to support his youngest son who is performing in his first Christmas concert this evening.

*Councillor Streach left the meeting at this time.*

- 5. **MOTIONS OF RECONSIDERATION** - None
- 6. **MOTIONS OF RESCISSION** - None
- 7. **CONSIDERATION OF DEFERRED BUSINESS** - None

*Due to a community commitment Councillor Younger left the meeting at this time and returned later in the meeting.*

## **8. PUBLIC HEARINGS**

### **8.1 By-Law S-307, Various Amendments to By-Law S-300, Respecting Streets**

- This matter was given First Reading at the Regional Council meeting held on November 9, 2004. Correspondence dated November 26, 2004 from Mary Evans was before Council for consideration.

Mr. Wayne Anstey, Municipal Solicitor, briefly reviewed the September 30, 2004 staff report noting that the purpose of the amendment was to clarify the responsibility of the owner to remove snow and ice from the sidewalks abutting their properties. Mr. Anstey then responded to questions from members of Council.

His Worship Mayor Kelly called three times for persons wishing to address Council in favour of or against the proposed amendment.

Hearing none, it was **MOVED by Councillor Snow, seconded by Councillor Hendsbee that the public hearing close. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Councillor Uteck, seconded by Councillor Fougere that Regional Council give Second Reading to By-Law S-307, attached as Appendix A to the September 30, 2004 staff report, "Amendments to By-Law S-300, Respecting Streets", the purpose of which is to replace the word "abutter" in sections 4, 6 and 10 with the word "owner," and to clearly articulate the property owner's responsibilities with respect to these sections of the By-Law. MOTION PUT AND PASSED.**

### **8.2 Case H00139 - Application to Consider 6324 York Street, Halifax as a Registered Heritage Property**

- A previously circulated report from the Heritage Advisory Committee, dated November 9, 2004, was before Council for consideration.

Mr. Jim Donovan, Manager, Planning Applications, briefly reviewed the report noting that the recommendation was to approve the registration of 6324 as a registered heritage property.

Note was made that only the property owner was permitted to speak with regard to this registration.

As the property owner did not wish to speak, it was **MOVED by Councillor Uteck, seconded by Councillor Snow that the heritage hearing close. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Councillor Uteck, seconded by Councillor Snow that Regional Council approve the registration of 6324 York Street, Halifax, as a registered property under the HRM Heritage Property Program. MOTION PUT AND PASSED UNANIMOUSLY.**

**8.3 Case H00143 - Application to Consider 2370 Moran Street, Halifax as a Registered Heritage Property**

- A previously circulated report from the Heritage Advisory Committee, dated November 9, 2004, was before Council for consideration.

Ms. Maggie Holm, Heritage Planner, briefly reviewed the November 9, 2004 report and noted that the recommendation was to register 2370 Moran Street as a registered heritage property. Once again Ms. Holm indicated that only the property owner is permitted to speak and advised that the property owner was in favour of the registration.

As the property owner did not wish to speak, it was **MOVED by Councillor Fougere, seconded by Councillor McCluskey that the heritage hearing close. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Councillor Fougere, seconded by Councillor Snow that Regional Council approve the registration of 2370 Moran Street, Halifax as a registered heritage property under the HRM Heritage Property Program. MOTION PUT AND PASSED UNANIMOUSLY.**

It was agreed that the following matter be dealt with at this time during the setting of the agenda.

**10.1.6 Duke Street and Salter Street Drainage Area Sewer Separation**

- A staff report dated December 1, 2004 was before Council for consideration.

**MOVED by Councillor Adams, seconded by Councillor Hendsbee that Halifax Regional Council:**

1. **Approve an increase of \$4,147,500 to the 2004/05 Capital Budget, with no change to the net budget, to reflect the incremental funding from Canada Strategic Infrastructure Fund as per the Budget Implications section of the December 1, 2004 staff report.**
2. **Authorize staff to amend the Harbour Solutions Infrastructure Development Agreement with Dexter Construction Company Limited to include the addition of the Salter Street and Duke Street Drainage Area Sewer Separation Project, capital project CSE00500, to be carried out under the Combined Sewer Overflow Prevention allocation with funding as shown in the Budget Implications section of the December 1, 2004 report.**
3. **Request staff to provide full estimates of other co-located infrastructure projects in the Duke and Salter Streets drainage area and return to Council for consideration in the 2005/06 capital budget.**

Councillor Uteck addressed the matter indicating that she would like to ensure that the construction proceeds street by street and that not all of downtown is under construction in any given period. She asked that property owners in the downtown be given notification well in advance and, if possible, work be carried out on a 24 hour, seven day per week basis to ensure the shortest period of disruption. Councillor Uteck stressed the importance of ensuring pedestrian access through downtown during the construction period.

Mr. Anguish, noting that the detailed design is not complete, assured Councillor Uteck that the work will proceed on a street-by-street, block-by-block basis. He noted that the ramifications of 24 hour, seven day per week operations have not been considered in the prices before Council this evening. He went on to note that the 24 hour operation would also involve a public process relative to a Noise By-Law exemption.

**MOVED by Councillor Uteck, seconded by Councillor Fougere that the motion be amended to provide that staff explore the feasibility of construction being carried out on a 24 hour, seven days per week basis.**

Following a brief discussion, **the motion to amend was PUT AND PASSED.**

The amended motion, as follows, was **PUT AND PASSED.**

**MOVED by Councillor Adams, seconded by Councillor Hendsbee that Halifax Regional Council:**

1. **Approve an increase of \$4,147,500 to the 2004/05 Capital Budget, with no change to the net budget, to reflect the incremental funding from Canada Strategic Infrastructure Fund as per the Budget Implications section of the December 1, 2004 staff report.**
2. **Authorize staff to amend the Harbour Solutions Infrastructure Development Agreement with Dexter Construction Company Limited to include the addition of the Salter Street and Duke Street Drainage Area Sewer Separation Project, capital project CSE00500 to be carried out under the "Combined Sewer Overflow Prevention" allocation with funding as shown in the Budget Implications section of the December 1, 2004 report.**
3. **Request staff to provide full estimates of other co-located infrastructure projects in the Duke and Salter Streets drainage area and return to Council for consideration in the 2005/06 capital budget.**
4. **That staff explore the feasibility of construction being carried out on 24 hour, seven days per week basis.**

**9. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**9.1 Correspondence - None**

**9.2 Petitions**

**9.2.1 Petition - Councillor Mosher - Additional Signatures re Opposition to Wharf on Chocolate Lake (November 9, 2004)**

Councillor Mosher submitted additional signatures relative to the petition served November 9, 2004 in opposition to a floating dock at the foot of Crescent Avenue on Chocolate Lake. This matter is to be referred to staff for a response.

**9.2.2 Petition - Councillor Kent - Increased Transit Service in Eastern Passage and Cow Bay - Route 60**

Councillor Kent submitted a petition on behalf of residents of Eastern Passage and Cow Bay in support of increasing the service of the Route 60 bus service to include, but not limited to, all of Cow Bay Road and Dyke Road. This matter is to be referred to staff for a response.

**9.2.3 Councillor Kent: Crosswalk Installation - Island View Seniors Facility**

Councillor Kent submitted a petition on behalf of residents of the Island View Seniors facility, 36 Cow Bay Road, Eastern Passage, supporting the installation of a crosswalk at the driveway of the Island View facility. This matter is to be referred to staff for a response.

#### **9.2.4 Councillor McInroy: Exclusion of Metro Transit Service from Pearl Drive**

Councillor McInroy submitted a petition on behalf of the residents of Pearl Drive in support of removing Metro Transit Route 65 service from Pearl Drive. This matter is to be referred to staff for a response.

### **10. REPORTS**

#### **10.1 CHIEF ADMINISTRATIVE OFFICER**

##### **10.1.1 2005-2006 Preliminary Budget Briefing - Staff Presentation**

Bruce Fisher, Manager, Financial Planning, using a Powerpoint presentation, gave a financial overview including the following highlights:

- Basic Financial Facts
- Financial Trends
- The Long Term Picture and Strategy
- Options for 2005-06
- Key Budget Milestones

A copy of the presentation is on file.

*Due to a community commitment, Councillor Hendsbee left the meeting at this time.*

Mr. George McLellan, commenting on the presentation, noted the following concerns:

- There is a decline in business tax revenues and businesses have indicated that the tax multiple is high for business in HRM. Perhaps there is a direct correlation between the high tax multiple, and this decline. (i.e. high taxes are a barrier to businesses locating in HRM)
- Inflation is a real concern. For example, street renewal costs approximately twice as much as it did at amalgamation

- HRM's per capita expenditure is below other cities. Is this because we are more effective or are we underspending?
- HRM has a greater dependency on property tax dollars than other cities. Funding from other sources is less than other similar sized cities. Thus a fundamental imbalance has resulted. HRM is quite clearly well taxed, however, relative to other cities we do not receive value from other sources

Councillor Mosher expressed concern that HRM continues to take on other mandates like gyms and affordable housing.

In response to a question from Councillor Rankin, Mr. McLellan indicated that in terms of education funding, the amount of money paid out by HRM is far less than flows back. He went on to express concern regarding the blurring of the municipal and provincial mandates, citing pension plan funding as one area of concern.

Mr. Fisher commented that it is fairly certain the education rate will not be decreased; at best it will remain flat.

Councillor Younger resumes his seat at Council at this time.

Following a further questioning of staff and discussion on the matter, Mayor Kelly thanked staff for their presentation.

7:45 p.m. The meeting recessed.

8:00 p.m. The meeting reconvened with all the same members of Council being present.

It was agreed that the following item be dealt with at this time.

#### **10.1.4 Halifax Public Libraries Needs Assessment Master Facilities Plan**

- A staff report dated November 28, 2004 was before Council for consideration.

Mr. Leo McKenna, Chair of the Library Board, introduced to Council the Halifax Public Libraries Needs Assessment Master Facilities Plan. Mr. McKenna advised that Judith Hare, CEO, with assistance from Barry Zwicker, Terrain Group, would provide the detail of the plan.

Ms. Hare, providing background information, reviewed with Council the recommendations in detail as found in the presentation. A copy of the presentation is on file. Ms. Hare then responded to questions from members of Council.

**MOVED by Councillor Younger, seconded by Councillor Fougere that Regional Council accept the Halifax Regional Library Board Needs Assessment and Master Facilities Plan and refer the Plan to the Capital Budget Plan process.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**10.1.2 Preferred Alternative for the Regional Plan**

- A report from the Regional Planning Committee dated December 7, 2004 was before Council for consideration. Contact information for staff of Regional Planning was distributed to Council.

Mr. Joe O'Brien, Chair, Regional Planning Committee, expressed pleasure at being before Council this evening to provide a brief overview of the key components of the Regional Plan, a strategic vision, including:

- Settlement
- Environment
- Transportation
- Economy
- Harbour
- Culture and Heritage

Dr. Hugh Millward, Vice-Chair, Regional Planning Committee, reviewed with Council the detail of the preferred alternative noting that it was a balanced, integrated approach. He indicated that the recommended alternative was reviewed with cost, benefit and quality of life in mind. Dr. Millward noted that the Regional Planning Committee believes that the preferred Alternative best achieves what residents have said they want. The basis for the recommendation is Alternative B, Transit Linked Communities, with features from both Alternatives A and C. Dr. Millward noted that the preferred alternative is, in fact, a hybrid plan.

Dr. Millward went on to outline the preferred Alternative including the benefits, how the plan interacts with the existing municipal plans, and implementation of the Alternative.

A copy of the presentation is on file.

**MOVED by Councillor Walker, seconded by Councillor Fougere that consideration of this matter be deferred to the Committee of the Whole Council scheduled for December 14, 2004. MOTION PUT AND PASSED UNANIMOUSLY.**

**10.1.3 Increase 2004/2005 Capital Budget and Amendment to Reserve Business Case for Sustainable Communities Reserve**

- A staff report dated November 30, 2004 was before Council for consideration.

**MOVED by Councillor Uteck, seconded by Councillor Snow that Regional Council approve an increase to the Capital Budget for 2004/05 of \$380,000 to cover the Capital Project list attached in Schedule C of the November 30, 2004 staff report and that the source of funding be the Sustainable Community Reserve. MOTION PUT AND PASSED UNANIMOUSLY.**

**10.1.4 Halifax Public Libraries Needs Assessment Master Facilities Plan**

This matter was dealt with previously in the meeting. (p. 11)

**10.1.5 Case 00680 - Seniors/Special Needs Housing Municipal Planning Strategy - Planning Districts 14 & 17 (Shubenacadie Lakes)**

- A staff report dated November 22, 2004 was before Council for consideration.

Noting that the staff recommendation was to refuse to initiate the planning process to amend the Shubenacadie Lakes Planning Strategy and Land use By-Law with regard to seniors and special needs housing, it was **MOVED by Councillor Snow, seconded by Councillor Fougere that this matter be referred to the Regional Planning Committee for consideration. MOTION PUT AND PASSED UNANIMOUSLY.**

**10.1.6 Duke Street and Salter Street Drainage Area Sewer Separation**

This matter was dealt with previously. (p.7)

**10.2 HERITAGE ADVISORY COMMITTEE**

**10.2.1 Case H00150 - Proposed Addition to 58 Ochterloney Street, Dartmouth**

- A report from the Heritage Advisory Committee dated November 30, 2004 was before Council for consideration.

**MOVED by Councillor McCluskey, seconded by Councillor Snow that Regional Council approve the alterations to 58 Ochterloney Street, Dartmouth, as proposed in**

the staff report dated November 19, 2004. **MOTION PUT AND PASSED UNANIMOUSLY.**

### **10.3 MEMBERS OF COUNCIL**

#### **10.3.1 Councillor Streach - HRM C&D Waste Initiative Strategy**

On behalf of Councillor Streach, Councillor Snow **MOVED**, seconded by Deputy Mayor Goucher that staff prepare a report providing Council with an update on the HRM C&D Waste Initiative Strategy and, specifically, an update on the delay in the opening of the Three Corners C&D Waste Management Site in Antrim. **MOTION PUT AND PASSED UNANIMOUSLY.**

#### **10.3.2 Councillor McCluskey - Accessible Taxis in HRM**

- Correspondence received from Laughie Rutt, Executive Director, Canadian Paraplegic Association (Nova Scotia), was distributed to members of Council. Also distributed to Council was correspondence dated December 6, 2004 from Joanne Coffey, Vice Chair, Advisory Committee for Persons with Disabilities.

Councillor McCluskey expressed concern that HRM has failed to provide transportation for residents requiring accessible transportation. The Councillor went on to suggest that the taxi industry, by refusing to have accessible taxis, is discriminating against residents who require this form of transportation. Councillor McCluskey indicated that she understands there is no provision in the Motor Vehicle Act which gives the municipality the authority to require that a person or a company own or operate an accessible taxi. Noting that taxi companies have indicated that accessible taxis are not economically viable, she went on to state that she believes all taxi companies should have accessible taxis based upon the total number of taxis they own.

The Councillor noted that the change from the previous system is that they would be dual purpose; accessible taxis could be used to transport all residents. Councillor McCluskey indicated that she believes this would make them economically viable. She noted that the Province has in place a \$10,000 per vehicle capital subsidy. Councillor McCluskey proposed that HRM offer taxi companies an incentive to put accessible taxis in place and noted that she would be giving a Notice of Motion later in the meeting in this regard.

Councillor Younger advised that Dartmouth has been without accessible taxis for a number of years and indicated that he believed the issue must be dealt with regionally.

Deputy Mayor Goucher read into the record a comment from Joan MacKinnon, a resident who is very active in the Multiple Sclerosis Society of Nova Scotia, requesting some action on accessible transportation.

Councillor Adams addressed the matter noting that the headline of an article in last week's paper misrepresented the contents of the article. The article, in fact, focussed around the fact that under the MGA, municipalities cannot subsidize private enterprise. He went on to provide a brief background to accessible taxis in HRM. The Councillor noted that accessible taxis have an advantage over other taxis in that they are not limited in who they can transport or where they can transport those individuals. In fact, accessible vehicles have been given every opportunity to be successful.

**MOVED by Councillor Adams, seconded by Councillor Johns that:**

- 1. Staff investigate the possibility that HRM, rather than the private sector, through Metro Transit consider providing accessible taxis and bring a report to Council with recommendations in this regard.**
- 2. Staff meet with Mr. Derek Mather, the owner of Yellow Cab, and the owner of the two accessible vans which were recently taken out of operation, to discuss options.**

Commenting that HRM has the highest per capita of persons with disabilities in Canada (17.1%), Councillor Mosher requested that this be considered in the report. She further requested that the report include information from other cities and, in particular, Ottawa.

**MOVED by Councillor Mosher, seconded by Councillor Smith that the motion be amended to provide that this matter be referred to the Regional Taxi and Limousine Committee.**

Councillor Adams requested that minutes of the Taxi and Limousine Committee in which this matter has been discussed previously be provided to Council, as well as, the minutes of a meeting held with the Persons with Disabilities Committee.

The motion **to amend was PUT AND PASSED.**

The amended motion, as follows, was **PUT AND PASSED.**

- 1. Staff investigate the possibility of HRM, rather than the private sector, through Metro Transit consider providing accessible taxis and bring a report to Council with recommendations in this regard.**

2. **Staff meet with Mr. Derek Mather, the owner of Yellow Cab, and the owner of the two accessible vans which were recently taken out of operation, to discuss options.**
3. **This matter be referred to the Regional Taxi and Limousine Committee.**

Councillor Murphy and Councillor Meade, as members of the Persons with Disabilities Committee, requested that they be included in discussions regarding this matter.

#### **10.3.3 (i) Councillor McInroy - Provincial “Capping” of Property Assessments**

Councillor McInroy, referring to staff's budget presentation, **MOVED, seconded by Councillor Murphy that staff provide a report regarding the financial impact of the Provincial Assessment Cap generally within the HRM and, specifically, the impact on increasing the tax rate(s) in order for all taxpayers to subsidize the reduction provided to some and, further, the report address the potential for the Assessment Cap Legislation to be challenged on the basis that is unfair, discriminatory and punitive to those not eligible and, basically, fundamentally flawed in terms of principle.**

Councillor McInroy indicated that he was very serious about a legal challenge. He went on to comment that based on information received from residents who have received an invitation to apply for the cap, it does not appear that the Province has done any type of a means test. Councillor McInroy indicated that as suggested by staff, the concept of looking at another means of taxation is even more appropriate given this circumstance. The Councillor noted that if the basis of taxation in Nova Scotia is market value, this scheme will serve only to skew the entire process.

**MOTION PUT AND PASSED UNANIMOUSLY.**

#### **10.3.3 (ii) Theft of Motor Vehicles**

Councillor McInroy expressed concern that the media continued to refer to the theft of motor vehicles and the dangerous operation of those vehicles as “joyriding”. He noted that both HRM police services and the Provincial Minister of Justice are pursuing changes to the criminal code that would clearly identify this as a violent crime.

**MOVED by Councillor McInroy, seconded by Councillor Walker that, in support of our Police Services and the Provincial Department of Justice, the Mayor communicate concern to the media that the term “joyriding” continues to be used in news coverage**

in reference to the theft of a motor vehicle and subsequent dangerous operation of that vehicle. **MOTION PUT AND PASSED UNANIMOUSLY.**

**11. MOTIONS**

**12. ADDED ITEMS**

**12.1 Request for Staff Report Re: Provision of Affordable Housing**

- This matter was added to the agenda during the setting of the agenda.

**MOVED by Councillor Rankin, seconded by Councillor Walker that staff provide a report as to what action this municipality can take, in facilitation with the Federal and Provincial government, regarding the provision of federal housing and , further, that the intent not be the provision of capital dollars, but such things as the examination of permit fees for affordable housing, the relaxation of taxes during construction, in-house services with planning, as well as possible vacant or surplus lands held by the federal government. **MOTION PUT AND PASSED UNANIMOUSLY.****

**12.2 Property Matter - Street Closure - Sale of a Portion of Bland Street**

- This matter was considered at the in camera Council session held earlier today and was before Regional Council for ratification.

**MOVED by Councillor Uteck, seconded by Councillor Snow that Regional Council:**

- 1. Authorize staff to set a date for a public hearing for consideration of HRM Administrative Order #SC-38 concerning the closure of a portion of the Bland Street right of way, Halifax, as shown on Attachment A of the private and confidential staff report dated November 15, 2004;**
- 2. Authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale with Ingliwood Apartments Limited for a portion of the Bland Street right-of-way, subject to the street closure and the key business terms and conditions outlined in the private and confidential staff report dated November 15, 2004;**
- 3. Not release the private and confidential staff report dated November 15, 2004, until the property transaction is concluded.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**12.3 Property Matter - Street Closure - Sale of a Portion of Maitland Street**

- This matter was considered at the in camera Council session held earlier today and was before Regional Council for ratification.

**MOVED by Councillor Uteck, seconded by Councillor Murphy that Regional Council:**

1. **Authorize staff to set a date for a public hearing for consideration of HRM Administrative Order #SC- 37 concerning the closure of two portions of the Maitland Street right-of-way, Halifax, as shown on Attachment A and Attachment B of the private and confidential staff report dated November 9, 2004;**
2. **Authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale with 3075228 Nova Scotia Limited for the portion of the Maitland Street right-of-way south of Cornwallis Street, subject to the street closure and the key business terms and conditions outlined in the private and confidential staff report dated November 9, 2004;**
3. **Reinstate the Maitland Street street line north of Cornwallis Street to its former location prior to February 26, 1970;**
4. **Not release the private and confidential staff report dated November 9, 2004 to the public until the property transaction is concluded.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**12.4 Legal Matter - Supply of Biodiesel**

- This matter was considered at the in camera Council session held earlier today and was before Regional Council for ratification.

**MOVED by Councillor Smith , seconded by Councillor Rankin that Regional Council:**

1. **Approve staff negotiating with Wilson Fuels in line with the content of the private and confidential staff report dated November 23, 2004, to allow an increase of \$.008 per litre in Biodiesel B20 over their original price and that this price will fluctuate in the same manner as the diesel price.**

2. **Recognize that the price still provides reduction in cost over the previous premium fuel purchased for the transit fleet and provides the reduction in smoke emissions that are a benefit.**
3. **Not release the private and confidential staff report dated November 23, 2004 to the public.**

#### **12.5 Community Council Boundaries**

- This matter was considered at the in camera Council session held earlier today and was before Regional Council for ratification.

**MOVED by Councillor Uteck, seconded by Councillor Mosher that Regional Council endorse in principle the following community council boundaries:**

##### **Group A:**

- C Marine Drive, Valley & Canal Community Council: Districts 1, 2 and 3**
- C North West Community Council: Districts 19, 20 and 21**
- C Chebucto Community Council: Districts 10, 15, 16, 17, and that portion of District 18 within the former City of Halifax**
- C Western Region Community Council: Districts 22 and 23 and that portion of District 18 within the former Halifax County Municipality; and**

##### **Group B:**

- C Harbour East Community Council: Districts 4, 5, 6, 7, 8 and 9**
- C Peninsula Community Council: Districts 11, 12, 13, and 14 excluding the area shown on Map 2, of the staff report dated November 24, 2004**

At the request of Councillor Harvey, the motion was split.

Prior to the vote on Group A, Councillor Johns expressed disappointment that District 2 is not included in the North West Community Council given that Beaver Bank is now included in District 2.

His Worship called for the vote on Group A.

**MOVED by Councillor Uteck, seconded by Councillor Mosher that Regional Council endorse in principle the following community council boundaries:**

**Group A:**

- Ⓒ **Marine Drive, Valley & Canal Community Council: Districts 1, 2 and 3**
- Ⓒ **North West Community Council: Districts 19, 20 and 21**
- Ⓒ **Chebucto Community Council: Districts 10, 15, 16, 17, and that portion of District 18 within the former City of Halifax**
- Ⓒ **Western Region Community Council: Districts 22 and 23 and that portion of District 18 within the former Halifax County Municipality; and**

**MOTION PUT AND PASSED UNANIMOUSLY.**

His Worship called for the vote on part 1 of Group B, the Harbour East Community Council, for which a recorded vote was requested.

**MOVED by Councillor Uteck, seconded by Councillor Mosher that Regional Council endorse in principle the following community council boundaries:**

**Group B:**

- Ⓒ **Harbour East Community Council: Districts 4, 5, 6, 7, 8 and 9**

**MOTION PUT AND PASSED.**

Members of Council voting in favour of the motion were Mayor Kelly, Deputy Mayor Goucher, and Councillors Snow, McInroy, McCluskey, Younger, Karsten, Kent, Smith, Murphy, Uteck, Fougere, Walker, Hum, Mosher, Adams, Johns, Rankin, Meade.

Members of Council voting in opposition of the motion were Councillors Wile and Harvey.

Councillors Streach , Hendsbee and Sloane were not present.

**MOVED by Councillor Uteck, seconded by Councillor Mosher that Regional Council endorse in principle the following community council boundaries:**

**Group B:**

- **Peninsula Community Council: Districts 11, 12, 13, and 14 excluding the area shown on Map 2, of the staff report dated November 24, 2004**

**MOTION PUT AND PASSED.**

Members of Council voting in favour of the motion were Councillors Snow, McInroy, McCluskey, Wile, Murphy, Uteck, Fougere, Walker, Hum, Mosher, Adams, Johns, Harvey, Rankin and Meade.

Members of Council voting in opposition to the motion were Mayor Kelly, Deputy Mayor Goucher, and Councillors Younger, Karsten, Kent, and Smith.

Councillors Streach, Hendsbee and Sloane were not present.

### **13. NOTICES OF MOTION**

#### **13.1 Notice of Motion - Councillor McCluskey - Accessible Taxis**

Councillor McCluskey gave Notice of Motion that at the next regular meeting of Halifax Regional Council to be held on December 14, 2004 she intends to introduce for approval a motion that staff bring forward the necessary Administrative Order and/or By-Law changes to allow HRM to offer a license incentive to taxi companies to provide accessible cabs by granting additional licenses for dual-use cabs only, with the primary focus being on accessible cabs.

#### **13.2 Notice of Motion - Councillor Fougere - Administrative Order re Community Council**

Councillor Fougere gave Notice of Motion that at the next regular meeting of Halifax Regional Council to be held on December 14, 2004 she intends to place before Council for adoption as a policy pursuant to the Municipal Government Act an Administrative Order to amend Administrative Order Two, the North West Region Community Council Administrative Order; Administrative Order Four, the Harbour East Community Council Administrative Order; Administrative Order Seven, the Chebucto Community Council Administrative Order; Administrative Order Twenty-Six, the Chebucto Community Council Administrative Order; Administrative Order Twenty-Eight, the Peninsula Community Council Administrative Order and Administrative Order Thirty-Four, the Marine Drive Valley and Canal Community Council Administrative Order to incorporate changes to the community council boundaries made necessary by the changes in the Polling District Boundaries ordered by the Nova Scotia Utility and Review Board effective November 2004 and to delete the Halifax Central Business District (Section III), the Halifax Waterfront Plan area (Section IV), and the Spring Garden Road (Section IX) from the Peninsula Community Council.

### **14. ADJOURNMENT**

There being no further business, the meeting adjourned at 9:50 p.m.

Jan Gibson  
Municipal Clerk