

HALIFAX REGIONAL COUNCIL
MINUTES
October 21, 2008

PRESENT:

Mayor Peter Kelly
Deputy Mayor Stephen Adams
Councillors: Steve Streach
Krista Snow
David Hendsbee
Harry McInroy
Gloria McCluskey
Andrew Younger
Bill Karsten
Jackie Barkhouse
Jim Smith
Mary Wile
Patrick Murphy
Dawn Sloane
Sue Uteck
Sheila Fougere
Russell Walker
Debbie Hum
Linda Mosher
Brad Johns
Robert Harvey
Tim Outhit
Gary Meade
Reg Rankin

STAFF:

Mr. Dan English, Chief Administrative Officer
Ms. Mary Ellen Donovan, Municipal Solicitor
Ms. Julia Horncastle, Acting Municipal Clerk
Ms. Chris Newson, Legislative Assistant
Ms. Melody Campbell, Legislative Assistant

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1. **INVOCATION**

The meeting was called to order at 3:31 p.m. with the Invocation being led by Councillor Rankin.

2. **SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS**

This item was addressed during the evening session. See page 13.

3. **APPROVAL OF MINUTES - September 30 and October 7, 2008**

MOVED by Councillor McCluskey, seconded by Councillor Sloane, that the Regional Council minutes of September 30 and October 7, 2008, as presented, be approved. MOTION PUT AND PASSED.

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

Councillor Mosher entered the meeting at 3:35 p.m.

Additions: 13.1 LEGAL MATTER- Lloyd McLellan Construction Services Limited vs HRM

Councillor Walker requested that Information Item #3 from the October 7, 2008 Council agenda be added to the October 28, 2008 agenda.

Deletions: 11.2.1 Request for Report re: By-Law C-700, Respecting Municipal Cemeteries

MOVED by Councillor Streach, seconded by Councillor Wile, that the Order of Business, as amended, be approved. MOTION PUT AND PASSED.

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 Case 01114 - Development Agreement - Hollis/Duke/Upper Water Streets

- An extract of the September 9, 2008 Council minutes was before Council.
- An extract of the September 16, 2008 Council minutes was before Council.
- An extract of the September 30, 2008 Council minutes was before Council.
- A copy of the Supplementary Report dated October 16, 2008 was before Council.
- A copy of the Supplementary Report dated September 22, 2008 was before Council.
- A copy of the District 12 PAC report dated July 10, 2008 was before Council.
- A copy of the Information Report dated July 24, 2008 from the Heritage Advisory Committee was before Council.
- A copy of the staff report dated July 11, 2008 was before Council.

The motion of September 16, 2008 was now before Council for consideration.

MOVED BY Councillor Streach, seconded by Councillor Karsten that Halifax Regional Council approve:

- 1. The Development Agreement, as contained in Attachment A of the June 16, 2008 staff report, to allow for the redevelopment of 1855 - 1873 Hollis Street, 1860 - 1870 Upper Water Street and 5143 Duke Street, Halifax.**
- 2. The amendments to the June 16, 2008 draft development agreement as contained in Attachment "A" of the July 11, 2008 staff report.**
- 3. The replacement of Schedule "D" of the June 16, 2008, draft development agreement with the schedule contained in Attachment "B" of the July 11, 2008 staff report.**
- 4. The replacement of Schedule "E" of the June 16, 2008 draft development agreement with the schedule contained in Attachment "C" of the July 11, 2008 staff report.**
- 5. Require that the development agreement be signed and returned within 120 days, or any extension thereof granted by Regional Council on request of the Developer, from the date of final approval by Regional Council or any other bodies as necessary, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.**

Mr. Paul Dunphy, Director, Community Development advised that two Supplementary Reports had been circulated to Council. The first Supplementary Report, dated September 22, 2008,

dealt with the oversight in omitting Recommendation #6 from the motion now before Council. An amendment to the motion on the floor would be in order so that the omitted Clause #6 could be reinstated in the motion as was the original intent. The second Supplementary Report, dated October 16, 2008, included information on the Council requested meeting between the two groups; Armour Group and Heritage Trust. Mr. Dunphy advised that HRM staff attended the meeting between the two parties and have reported that no compromise had been reached.

Councillor Streach requested clarification on the motion before Council. Upon request of the Mayor, the Acting Municipal Clerk advised that Recommendation # 6 had been intended to be part of the original motion; therefore, an amendment to include Recommendation # 6 was now required.

MOVED BY Councillor Streach, seconded by Councillor McCluskey that Halifax Regional Council amend the motion to include Clause #6 in regard to the demolition of the Imperial Oil Building located at 1860 Upper Water Street.

Discussion ensued on the motion to amend.

In response to Councillor Sloane, Mr. Dunphy explained that it would not be possible to determine the condition of the piles (structural integrity of the building) until the building was demolished.

Councillor Sloane advised that she was against the demolition as it was against HRM policies and CH-1. Her understanding was that the proponent would investigate the structural integrity of the building and try to keep it, not demolish the building.

In response to Councillor Hendsbee, Mr. Luc Ouellet, Planner, confirmed that the demolition aspect was a technical requirement "just in case". There are indications of structural problems with the columns. He explained that the demolition clause would permit the Developer to demolish the building without having to return to Council for a demolition permit.

Councillor Younger explained that he was not in support of the amendment as he would prefer to see encouragement of ways to underpin the structure without demolition.

MOTION TO AMEND DEFEATED.

Discussion ensued on the main motion of September 16, 2008 as follows:

MOVED BY Councillor Streach, seconded by Councillor Karsten that Halifax Regional Council approve:

1. **The draft development Agreement, as contained in Attachment A of the June 16, 2008 staff report, to allow for the redevelopment of 1855 - 1873 Hollis Street, 1860 - 1870 Upper Water Street and 5143 Duke Street, Halifax.**
2. **The amendments to the June 16, 2008 draft development agreement as contained in Attachment "A" of the July 11, 2008 staff report.**
3. **The replacement of Schedule "D" of the June 16, 2008, draft development agreement with the schedule contained in Attachment "B" of the July 11, 2008 staff report.**
4. **The replacement of Schedule "E" of the June 16, 2008 draft development agreement with the schedule contained in Attachment "C" of the July 11, 2008 staff report.**
5. **Require that the development agreement be signed and returned within 120 days, or any extension thereof granted by Regional Council on request of the Developer, from the date of final approval by Regional Council or any other bodies as necessary, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.**

Councillor Snow entered the meeting at 3:52 p.m.

In response to Councillor Streach, Ms. Kelly Denty, Supervisor Planning Applications, clarified that the only change occurring with the exclusion of Clause #6 is that the Proponent would be required to seek separate approval for demolition.

Councillor Streach commented that the status quo was not an option. He explained that the Developer's previous projects have been beneficial to the City and have maintained the heritage aspect. He noted that he had recently visited Minneapolis, Minnesota and was able to view a modern addition to a heritage building that did not take away from the view at street level or visionary visions. He felt that voting against this motion would be contributing to what was feared most; the loss of what is there. He explained that the issue was more about policy and interpretation than taste and design. The proposed addition would be sympathetic to the surrounding. He confirmed that he stood in support of the staff recommendation and in moving forward. Councillor Streach noted that Council should respect but not live in the past.

Councillor Johns exited the meeting at 3:55 p.m.

Councillor Rankin advised that he was in support of the motion. He explained that there could be a variety of buildings that fit the location but the decision had to be based on criteria; not on taste, private or personal opinion. The Heritage group indicated that they did not want more storeys, however; the proposal meets the criteria and the Developer has met the rules and has followed staff's direction. Councillor Rankin added that there was a great burden on Council to show, specifically, where the rules had not been met. He appealed to Council to send the message that HRM was open for business.

Councillor Harvey explained that he was struggling with his decision. He commented that he would prefer the buildings remain as they were, however; the property was now in private hands and the buildings are not, in their current condition, economically viable. If there were a partnership with Heritage Trust or a combination of government levels there may be economic viability. The status quo will not do. In moving forward, consideration has to be given to the fact that the addition to the roof would change the block of buildings forever. In reference to the Garden Trust project, he indicated that replication of heritage was not preserving heritage. Councillor Harvey expressed concern that under the current Heritage Property Act, the block of buildings could be gone within twelve months. He advised that he would rather have this project than an empty lot.

Councillor Murphy entered the meeting at 3:57 p.m.

Councillor Outhit commented that a land swap or tax incentive would have been a good compromise and expressed disappointment that no progress had been made by the two groups. He suggested that Council could show some creativity and innovation rather than just interpret law. Comments that the project was too drastic have been heard by Council yet the issue is not one of personal taste. Councillor Outhit advised that he was wrestling with a decision on this matter.

Deputy Mayor Adams commented that the issue centres around subjectivity. The current policy indicates that development had to be less impactful, subordinate, to what was already in existence. Glass would have been a more subordinate material than brick. The Armour Group followed the direction of staff and has done what they were asked to do, therefore; Deputy Mayor Adams advised that he had no other choice but to support the proposal as it was consistent with policy and the direction of staff.

Councillor Uteck expressed disappointment that no compromise had been reached between the two groups. She stressed that Council has to consider the economic reality and the gap that exists between economic development and heritage buildings noting the number of empty buildings in Halifax, specifically along Barrington Street. She added that it was not feasible to suggest that HRM facilitate another buyer for the property in question. Councillor Uteck clarified that it was HRM staff who informed the Armour Group that they had to apply for a demolition permit. The Developer had never indicated that the four historical buildings would be taken down. Previous projects by the Armour Group include Historic Properties and the

Granville Mall area and this shows that the Armour Group has had a vested interest in this site since the early 1970's and it would be unlikely that they would want to tear it down now. In regard to educational use, the building does not meet current codes and would have to be completely gutted. HRM still has not implemented an alternative building code. Section CH-1 relates only to the exterior physical aspect and the dominance of facade at the base. Councillor Uteck explained that the heritage value of the buildings is not the view from a distance but the close up view by pedestrians at the street scape level. The roof top additions were appropriate according to the policy as long as they were set back. Policy CH-1 also provides guidance on how additions to heritage buildings could be made subordinate. She referenced the Garden Trust building as a perfect example of facadism. Councillor Uteck commented that the Developer has done the best he could.

Mayor Kelly exited the meeting at 4:10 p.m. Deputy Mayor Adams assumed the Chair at this time.

Councillor Murphy concurred with previous comments in regard to an empty Barrington Street and the skeletal remains of the Garden Trust building which left nothing restored, only replicated. He clarified the historic property boundary as that area between the Granville Mall to the waterfront and that it included this distinct block of buildings which should be protected. He commented that movies are filmed in the area, most recently in the vicinity of Founders Square and Bedford Row, and that film crews are drawn to the historic facade, not the glass structures on top. He referenced interpretation of CH-1 and advised that he could not agree with the proposal as presented. The small wooden building to be destroyed is one of the things that draws people to Halifax. He pondered whether the buildings could be moved to the waterfront rather than destroyed or; that a piece of land on Barrington Street be exchanged for the property. He suggested that HRM, Heritage Trust, Armour Group and, if necessary, the Province, consider some type of land swap or exchange. Councillor Murphy encouraged Council to be creative.

Councillor Walker commented that staff, and Council, were required to follow the policies in place and that their reasoning had to be based on policy. He expressed concern that he was still receiving phone calls and e-mails on the matter even after the close of the public hearing and clarified that he had not been responding to those comments. Councillor Walker advised that he was in support of the motion as staff had responded to all questions.

Councillor Younger clarified that Council's sole role was to determine whether the proposal reasonably met the Municipal Planning Strategy (MPS) and Secondary Planning Strategy (SPS). He added that he would prefer to see the buildings retained and renovated. Much of the discussion has been focused on the facade as the original interior heritage has already been altered. Although he was not in support of the demolition clause, he was in support of the proposal as it meets the MPS, policies and CH-1. He commented that the header in CH-1 indicates that HRM "*shall consider*" which does not mean "*have to*". CH-1(f) notes that redevelopment "*shall be subordinate*". In regard to the setback, the policy does not specify

how far. Councillor Younger noted that his preference would be for the buildings to stay and be renovated. This application reasonably follows the MPS although he conceded that there was no question that there may be a better option. He noted that policy CH-1 was a relatively weak policy. Councillor Younger advised that he was in support of the motion.

Mr. Dunphy clarified that the Developer had made an application in May 2008 for a demolition permit. The permit will be approved in May 2009 at the conclusion of the one-year time frame.

Councillor McCluskey commented that Council would be unreasonable to force Mr. McCrea to keep the buildings in their current state as they cannot be rented in their present condition. She reasoned that the Developer had a right to develop the property as long as the Municipal Planning Strategy (MPS) was followed. Staff have confirmed that the Developer has followed the MPS. In regard to selling the property, it was uncertain whether the property could be sold in its current state. Considering that the Waterfront Development Corporation owns one piece of available land and the Province of Nova Scotia owns another, the suggestion for a land swap was questionable. Councillor McCluskey advised that she had inquired of Heritage Trust whether they had approached either landowner to discuss a land swap and was told that they had not. She noted that she was in support of the development as the Developer has followed staff's advice and has every right to develop.

Councillor Snow commented that Council must base its decision on the applicable policies contained in the Municipal Planning Strategy (MPS) and the Regional Plan. Development in the central business district is key to the long-term success of the region. Councillor Snow advised that she was in support of the motion as it would bring balance to the central business district.

Councillor Wile added that she could not envision the proposed building in the heart of the downtown historic area; an area that was important to maintain. She expressed disappointment that the two groups were unable to reach an agreement. She noted that Armour Group had proposed a one to two storey reduction in height in exchange for a 54% tax rebate based on the completion of the building. This would necessitate consideration of the extra construction cost for the brick in the new assessment. Councillor Wile noted that if the tax rebate were based on the new assessment it would amount to a tremendous amount of tax relief that would be well in excess of what had been contemplated for other properties.

Ms. Kelly Denty, confirmed that the tax would be based on the new building assessment. A 54% reduction over five years would amount to approximately \$540,000.

Councillor Hum advised that she was very torn on this issue. She indicated that she supports economic development and revival of the downtown but that it would be a travesty to alter these buildings as they are Halifax heritage. She acknowledged that Council has to proceed and implement/approve development based on the existing Municipal Planning Strategy and

policies. Councillor Hum noted that she was very disappointed that it took a Council requested meeting between the two parties at the very end of a two and a half year development process to encourage them to try and reach a compromise.

Councillor Rankin advised that he could not find a reason to turn down this proposal. He stressed that the question before Council was whether or not the Developer has met the rules. He requested that if Council was going to turn down this proposal that they help him to understand what criteria was not met. He noted that the Developer had clear guidance of HRM staff.

Councillor Hendsbee noted that it was public outcry that encouraged a previous Council to go against the staff recommendation and maintain the waterfront for public use rather than a highway (Waterfront Drive). In regard to the current proposal, he agreed that the buildings, in their current condition, were not economically viable. Technically, the buildings may fit the policy and guidelines but he would rather see a six storey brick building with no setback that would reflect the Granville Mall area. He stressed that Council did not have an option to consider and perhaps there was a better option. Councillor Hendsbee advised that he would rather decline this proposal and encourage more discussion between the two Groups.

Councillor Wile added that she firmly believed there was a better alternative. A letter from Mr. McCrea indicates that they are prepared to agree to a *mutual best effort clause* that if the development is approved, they will work with HRM staff to reduce the height of the proposed Waterside Centre. She noted that the Developer had also noted the possibility of provincial or federal government grants and encouraged him to try for those grants.

Councillor Barkhouse explained that she has struggled with this decision and had hoped that a viable compromise would have been reached. She advised that she was not in support of the development as she did not believe the criteria of CH-1 had been met.

Councillor Sloane noted that she had reviewed policy CH-1 and that she serves on the Heritage Advisory Board. She has been informed that Halifax has the largest inventory of historic buildings in Canada, most located in the area of Granville Street to the waterfront, and that Council should be mindful of what people are coming to see in Halifax. She advised that 144 cruise ships visited Halifax this season and she has heard visitors say that they had not seen anything like these buildings since visiting Quebec City. Councillor Sloane advised that many professionals spoke on this proposal and that they were not in favour. She advised that she was not in support of the development as proposed.

Councillor Uteck responded to previous comments and clarified that in regard to:

- Timing of this proposal and HRM by Design. This proposal was brought forward two years ago.
- Economic feasibility: this proposal would not qualify and it would be unfair to jump it ahead of Barrington Street.

- Grants: she noted that there had been no provincial or federal grants to Historic Properties in over twenty-six (26) years.
- Demolition: the Developer has noted that if the buildings have to come down, his commitment is to rebuild them.
- Exterior facade: will be preserved. Interior preservation would depend on the structural viability. Significant portions of the pitch roof would remain visible.
- Outside agents would be monitoring the project.
- Street level: the infill facade will appear as separate buildings with a building that distinguishes old from new which is what Council passed in the Regional Plan.

Councillor Uteck commented that she would like to walk downtown and say that she helped to save these buildings.

In response to Councillor Karsten, Ms. Mary Ellen Donovan, Municipal Solicitor, confirmed that Council would base its decision on the existing policies and criteria.

Councillor Karsten commented that the emotional and spiritual aspect is not what Council would base its decision upon in regard to this proposal. He has read the policies and noted that there is room for interpretation, however; he was in support of the motion.

Councillor Murphy noted that CH-1 infers conserving the heritage value of distinguishable historic properties. He advised that he supports the policy but disagrees with staff's interpretation. Although the existing Sweet Basil building is not included in this proposal, the destruction of that building is definitely connected to the development of this site. He noted that the public would not be able to walk through to historic properties as the area would not be open after 6:00 p.m. He also noted that there would be parking issues especially considering downtown traffic (in the morning and during events at the Metro Centre). He concurred that the Developer has a long track record but he cannot support the Waterside Centre.

Councillor Streach agreed that this was a very difficult decision. It would also be the last high profile decision of the current Council, therefore; it was important that they send the right message. He encouraged Council to look carefully as the decision is about policy. Approval of the proposal would show that Halifax was open for business; that we respect our heritage but that we have to move toward the future.

Councillor Sloane requested a recorded vote.

The vote resulted in a tie with 9 in favour and 9 against the motion.

MOTION PUT AND DEFEATED.

Those Councillors voting in favour of the motion were: Streach, Snow, McCluskey, Younger, Karsten, Uteck, Walker, Deputy Mayor Adams and Councillor Rankin.

Those Councillors voting against the motion were: Hendsbee, Barkhouse, Wile, Murphy, Sloane, Hum, Harvey, Outhit, Meade.

Those Councillors absent for the vote or not eligible to vote on this motion were: McInroy, Smith, Fougere, Mosher, Johns and Mayor Kelly.

Council recessed at 5:04 p.m.

Council reconvened at 6:00 p.m. with all Councillors present.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillor Karsten advised that the week of August 19th is Waste Reduction Week. He expressed his appreciation to Mayor Kelly for signing a Proclamation for Waste Reduction Week.

Councillor Sloane advised that the World Trade and Convention Centre is hosting the St. Patrick's Restoration and Auction this evening. She advised that the group has made great strides in its restoration initiatives and fundraising efforts. More information can be found at their website www.givesaintpatrickahand.com.

Councillor Fougere expressed her congratulations and gratitude to the two hundred ten Halifax Police officers and the one twenty one Royal Canadian Mounted Police officers who received their Long Service awards earlier today for 15, 20 and 25 years of service.

Councillor Smith advised that Wednesday, October 22nd will be the last night of the Dartmouth North Talent Show. He noted that the event will begin at 7:00 p.m.

Councillor McCluskey expressed her congratulations to the twenty new fire fighters that were sworn in earlier in the day.

9. PUBLIC HEARINGS

9.1 By-Law T-704, An Amendment to By-Law T-700, Respecting Tax Deferrals - Indexed Income Eligibility

- A staff report dated September 8, 2008 was before Council.

Ms. Peta Jane Temple, Team Lead of Tax, Grants and Special projects presented the staff report to Council.

Mayor Kelly opened the Public Hearing. He called three times for anyone wishing to speak to this matter; there being none it was **MOVED by Councillor Karsten, seconded by Councillor Sloane that the public hearing close. MOTION PUT AND PASSED.**

MOVED BY Councillor Walker, seconded by Councillor Murphy, that Halifax Regional Council approve By-Law T-704, An Amendment to By-Law T-700, Respecting Tax Deferrals - Indexed Income Eligibility, as shown in Attachment 1 of the staff report dated July 23, 2008. MOTION PUT AND PASSED.

9.2 Case H00221 - Application to consider 1101 South Park Street, Halifax as a Municipally Registered Heritage Property (Heritage Hearing)

- A staff report dated September 3, 2008 was before Council.

Ms. Maggie Holm, Heritage Planner, presented the staff report to Council.

Mayor Kelly opened the Heritage Hearing. The applicant was not in attendance to speak to the matter.

MOVED BY Councillor Sloane, seconded by Councillor Harvey, that Regional Council approve the registration of 1101 South Park Street, Halifax as shown in Map 1 of the July 29, 2008, staff report, under the HRM Heritage Property program. MOTION PUT AND PASSED.

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.1 Correspondence - None

10.2 Petitions - None

11. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.1 Tender 08-126 - Spring Garden Road Library Sandstone Restoration

- A report dated September 8, 2008 was before Council.

MOVED BY Councillor Sloane, seconded by Councillor Wile that Halifax Regional Council award Tender No. 08-126 Spring Garden Road Library Sandstone Restoration to Jones Masonry for a Total Tender Price of \$109,634.74 (net HST

included) with funding from Capital Account Nos. CB300860, CBU00949 and CBX01052, all titled Regional Library Facility Upgrades, as outlined in the Budget Implications section of the report dated September 8, 2008. MOTION PUT AND PASSED.

11.1.2 Tender 08-335 - Parking Lot Paving, 3 Park Avenue

- A report dated October 3, 2008 was before Council.

MOVED BY Councillor McCluskey, seconded by Councillor Younger that Halifax Regional Council award Tender No. 08-335 - Parking Lot Paving, 3 Park Avenue to Lafarge Maritime Limited for a Total Tender Price of \$163,314.39 (net HST included) with funding from Capital Account CBX01121 - Park Avenue Lot Repaving, as outlined in the Budget Implications section of the report dated October 3, 2008. MOTION PUT AND PASSED.

11.1.3 Request for Proposal 08-400R - Replacement of Digital Printers / Copiers and Print on Demand Digital System

- A report dated October 7, 2008 was before Council.

MOVED BY Councillor Wile, seconded by Councillor Sloane that Halifax Regional Council:

- 1. Approve a withdrawal of \$64,447.66 from the Service Improvements Reserve (Q310) in order to pay out the balance owing on existing leases for components of HRM's existing digital printing system; and**
- 2. Pending Ministerial Approval - Award RFP # 08-400R, Replacement of Digital Printers/Copiers and Print on Demand Digital System to the highest scoring proponent, Konica Minolta for a five (5) year lease cost of \$173,178.00 including net HST as detailed in the Budget Implications section of the report dated October 7, 2008.**

MOTION PUT AND PASSED.

11.1.4 Request for Proposal 08-106 - Armoured Car, Secure Delivery Services and Private Guard Services

- A report dated October 3, 2008 was before Council.

MOVED BY Councillor Younger, seconded by Councillor Wile that Halifax Regional Council award RFP#08-106, Armoured Car, Secure Delivery Services and Private Guard Services, to Independent Armoured Transport Atlantic for a maximum period of Five (5) years subject to annual performance review for a Total Cost of \$487,812 (net HST included) as outlined in the Budget Implications Section of the report dated October 3, 2008. MOTION PUT AND PASSED.

11.1.5 Request for Proposal 08-129 - Consulting Services - Metro Transit Strategic Plan Update

- A report dated September 30, 2008 was before Council.

MOVED BY Councillor Rankin, seconded by Councillor Smith that Halifax Regional Council award RFP No. 08-129, Consulting Services - Metro Transit Strategic Plan Update, to the highest scoring proponent, IBI Group, at a cost of \$258,200.16 (Net HST included), with funding from Capital Account No. CMU01095 - Transit Strategy, as outlined in the Budget Implications Section of the report dated September 30, 2008.

Councillor Younger advised that HRM should have in-house expertise that could deal with this matter adding that it would save consultant fees. Staff advised that this proponent has done work with HRM in past and has vast experience in the transit industry.

Councillor Streach noted that a consultant may not be able to tell HRM any more than staff already knows. He advised that residents should be consulted and kept informed adding that consultants may not realize the impact as it relates to various communities.

Councillor Hum reminded Council that transportation is a major concern to HRM residents. She noted that IBI Group has previously worked with Metro Transit and having them again would provide consistency to the process.

In response to a query by Councillor Outhit, staff advised that the fast ferry is a separate issue. Councillor Outhit suggested Metro Transit look at the strategies of other cities as well.

Councillor Harvey noted that the Walker Avenue Terminal issue must be addressed.

MOTION PUT AND PASSED.

11.1.6 Request for Proposal 08-130 - Supply, Installation of Mobile Surveillance Equipment for Metro Transit Vehicles

- A report dated September 17, 2008 was before Council.

MOVED BY Councillor Johns, seconded by Councillor Outhit, that Halifax Regional Council:

- 1. Authorize the transfer of \$1,006,016 from Capital Account CB200428 - Transit Terminal Upgrade and Expansion to CRESPOOL;**
- 2. Increase the gross capital budget for CMU00982 - Transit Security by \$1,187,016 through;**
 - a) an advanced capital approval of \$181,000 (Transit Security - CMU00982, 2009/2010), and,**
 - b) CRESPOOL for \$1,006,016;**
- 3. Award RFP No. 08-130, Supply and Installation of Mobile Surveillance Equipment for Metro Transit Vehicles to the highest scoring proponent, Nova Communications, at a cost of \$1,287,016 (net HST included) with funding as outlined in the Budget Implications section of the report dated September 17, 2008.**

MOTION PUT AND PASSED.

11.1.7 Metro Transit Security

- A report dated September 17, 2008 was before Council.

MOVED BY Councillor McInroy, seconded by Councillor Younger, that Halifax Regional Council approve the staff recommendation for Metro Transit to research and develop an appropriate Transit By-Law to support the operation of a safe, secure transit system including the capacity to implement a transit security force. MOTION PUT AND PASSED.

11.1.8 Parkland Withdrawal for Property Acquisition, 104 Park Road, Musquodoboit Harbour

- A report dated September 26, 2008 was before Council.

MOVED BY Councillor Streach, seconded by Councillor McCluskey that Halifax Regional Council approve the withdrawal of \$3,001 from the Parkland Reserve Q107, and increase the gross budget of Capital Account CPX01149, Park Land Acquisition by \$3,001 for the acquisition of PID#40591471, 104 Park Road, Musquodoboit

Harbour, as per the Terms and Conditions section of the report dated September 26, 2008. MOTION PUT AND PASSED.

11.2 MEMBERS OF COUNCIL

11.2.1 Councillor Mosher - Request for Report re: By-Law C-700, Respecting Municipal Cemeteries

MOVED BY Councillor Mosher, seconded by Councillor Sloane that Item 11.2.1 Request for Report re: By-Law C-700, Respecting Municipal Cemeteries be deleted from the agenda. MOTION PUT AND PASSED.

12. MOTIONS - NONE

13. ADDED ITEMS

13.1 LEGAL MATTER-Lloyd McLellan Construction Services Limited vs HRM

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

MOVED BY Councillor Rankin, seconded by Councillor Meade that Regional Council Rescind it's motion of June 13, 2006 granting MacLellan Construction an easement to cross over HRM lands subject to certain conditions and complete the current zoning review and consider other options to address the situation. MOTION PUT AND PASSED.

14. NOTICES OF MOTION

14.1 Deputy Mayor Adams

"Take Notice that at the next regular meeting of Halifax Regional Council, to be held on October 28, 2008, I propose to introduce, as a Policy pursuant to Section 315 of the Municipal Government Act, Administrative Order SC-54. The purpose of which is to effect closure of Parcel TT-1, Danforth Road, Halifax."

14.2 Councillor Rankin

"Take Notice that at the next regular meeting of Halifax Regional Council, to be held on October 28, 2008, I propose to request that Halifax Regional Council extend the terms of the current citizen appointments on Committees/Boards and Commissions that will expire on November 30, 2008 to December 31, 2008 to maximize recruitment of volunteers."

15. ADJOURNMENT

The meeting was adjourned at 7:21 p.m.

Julia Horncastle
Acting Municipal Clerk

The following information items were submitted:

1. Proclamation - Waste Reduction Week - October 19 - 25, 2008
2. Memorandum from Director, Transportation & Public Works dated September 26, 2008 re: Coldstream Run - Petition for Parking Restrictions
3. Memorandum from Operations Manager, Accounting dated October 16, 2008 re: Investment Activities - Quarter Ending June 30, 2008
4. Memorandum from Co-Chairs, Investment Policy Advisory Committee dated October 9, 2008 re: Quarter Ending June 30, 2008
5. Memorandum from the Acting Municipal Clerk dated October 17, 2008 re: Requests for Presentation to Council - David Gray re: Herring Cove Sewer and Water Project