

HALIFAX REGIONAL COUNCIL
MINUTES

November 10, 2009

PRESENT: Mayor Peter Kelly, Chair
Deputy Mayor Brad Johns
Councillors: Steve Streach
Barry Dalrymple
David Hendsbee
Lorelei Nicoll
Gloria McCluskey
Darren Fisher
Bill Karsten
Jackie Barkhouse
Jim Smith
Mary Wile
Jerry Blumenthal
Dawn M. Sloane
Sue Uteck
Jennifer Watts
Russell Walker
Debbie Hum
Linda Mosher
Stephen D. Adams
Robert P. Harvey
Tim Outhit
Reg Rankin
Peter Lund

REGRETS: None

STAFF: Ms. Geri Kaiser, Deputy Chief Administrative Officer
Mr. Wayne Anstey, Deputy Chief Administrative Officer
Ms. Mary Ellen Donovan, Municipal Solicitor
Ms. Sherrill Murphy, Acting Municipal Clerk
Ms. Chris Newson, Legislative Assistant

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1. INVOCATION

The Mayor called the meeting to order at 6:01 p.m. with the Invocation being led by Councillor Outhit.

SELECTION OF DEPUTY MAYOR

Mayor Kelly called for nominations for Deputy Mayor.

MOVED by Councillor Karsten, seconded by Councillor Wile, that Councillor Jim Smith be nominated for the position of Deputy Mayor.

Councillor Karsten provided comment in support of the nomination.

MOVED by Councillor Adams seconded by Councillor Uteck, that Councillor Brad Johns be nominated for the position of Deputy Mayor.

Councillor Adams provided comment in support of the nomination.

Mayor Kelly called three times for any further nominations; hearing none it was **MOVED by Councillor Karsten, seconded by Councillor Wile that the nominations cease. MOTION PUT AND PASSED.**

Councillors Smith and Johns briefly addressed Council with respect to their nominations.

Following the vote, **Councillor Johns was declared Deputy Mayor for 2009-2010.**

Mayor Kelly thanked Councillor Hendsbee for his assistance and flexibility in fulfilling the role of Deputy Mayor for 2008-2009.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillor Adams announced the upcoming annual Santa Claus Parade to be held on November 29th in Spryfield.

Councillor McCluskey invited the residents of Dartmouth to attend the Remembrance Day ceremony at the Cenotaph located at Sullivans Pond.

Councillor Sloane announced the following upcoming events: Remembrance Day ceremony at the Grand Parade on November 11th and the Parade of Lights on November 21st. She noted that the Waterfront Development Corporation would be offering free parking from noon until after the parade and Murphy's On the Water would be providing free hot chocolate.

Councillor Streach offered congratulations to the newly elected Member of Parliament,

Mr. Scott Armstrong, representing Cumberland - Colchester - Musquodoboit Valley.

Councillor Uteck announced the count down to the Vanier Cup with a game to be held at Saint Mary's University on Saturday, November 14th.

Councillor Fisher announced that Ms. Gertrude D. Weagle recently celebrated her 100th birthday.

Councillor Watts announced the unveiling ceremony of the refurbished airplane monument at Saunders Park on Chebucto Road to be held on Friday, November 13th. She noted that she had attended a Remembrance Day service at Cornwallis School recognizing service personnel for whom the local streets were named.

Councillor Mosher announced the upcoming Cunard Junior High School Craft Fair to be held on Saturday, November 14th and also the November 14th "*All that Glitters Gala Flush*" Crohns and Colitis Fundraiser at Elements Bath & Fireplace in Bayers Lake. She thanked the many volunteers and event organizers Heather Fegan, Scott Lawson, Sue David, Denise Kroll and Tracey Durkee-Jones for their hard work.

Councillor Lund announced Remembrance Day ceremonies would be held at the Seabright Legion and in Hubbards. He noted the following upcoming events: the Upper Tantallon St. Luke's Church fundraiser and the third (3rd) Annual Auction and Dinner for the St. Margaret's Bay Nursery School to be held on Saturday.

Councillor Dalrymple thanked Dartmouth Crossing for granting permission for a road toll to be collected on Saturday, November 14th to assist the Beaver Bank Kinsac Community Centre rebuild.

Councillor Hendsbee advised Council of the following upcoming events: Remembrance Day services to be held at Cole Harbour Place and the Porter's Lake Cenotaph; a Public Information Meeting on Thursday, November 12th at Lakeview School in regard to Wind Turbines; a Peace Walk on Sunday, November 15th in North Preston.

Councillor Wile announced Remembrance Day ceremonies would be held at the Korean War Memorial and Stratford Way Park.

Councillor Barkhouse announced the upcoming Christmas Craft Fair to be held at Tallahassee Community School and expressed thanks to the Seaside Elementary School for inviting her to their Remembrance Day Talk. A Remembrance Day service would be held at St. Andrew's Church in Eastern Passage with a parade to the cenotaph.

Councillor Walker invited all residents to attend the Remembrance Day ceremony at the Fairview Legion at 11:00 a.m.

Councillor Outhit announced the Remembrance Day ceremony to be held at Fish Hatchery Park in Bedford and the Light Up Bedford Parade to be held on Sunday,

November 22nd with tree decorating at DeWolfe Park in Bedford. The permanent Christmas Tree in DeWolfe Park will be dedicated in memory of the late Councillor Gary Martin.

Councillor Watts advised residents of the street leaf clean-up starting on November 16th.

Councillor Dalrymple invited residents to attend the District 2 Remembrance Day ceremonies at the Waverley Legion, Windsor Junction School of Performing Arts, and the Beaver Bank Community Centre.

Councilor Lund announced the upcoming Hammonds Plans Consolidated School Fundraiser to be held on Thursday, November 19th.

Councillor Blumenthal thanked the Imagine Bloomfield Board for sponsoring Artscape in Halifax on Thursday and Friday.

Councillor Nicoll announced the upcoming Big Leagues annual Special Olympics Auction to be held on Sunday, November 15th. She reminded all residents of the Remembrance Day ceremonies to take place on Wednesday. By request of Councillor Nicoll, Council rose for two minutes of silence to thank and pay homage to the Canadian Military.

3. APPROVAL OF MINUTES - October 20, 2009

MOVED BY Councillor McCluskey, seconded by Councillor Sloane that the minutes of October 20, 2009, as presented, be approved. MOTION PUT AND PASSED.

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

Additions: 13.1 Contractual Matter - CUPE Local 108 Agreement
 13.2 Metro Transit Five-year Strategic Operations Plan
 13.3 Former Dartmouth City Hall - Museum
 13.4 Legal Matter - UARB Decision - Anglican Diocesan Centre

MOVED BY Councillor Blumenthal, seconded by Councillor McCluskey that the agenda, 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- NONE

9. PUBLIC HEARINGS

9.1 Less Than Market Value Sale - 9 Spring Street, Bedford - Hospice Society of Greater Halifax

- An extract of the October 20, 2009 Regional Council minutes was before Council.
- A copy of the Grants Committee report dated October 6, 2009 was before Council.
- A copy of the Heritage Advisory Committee report dated August 27, 2009 was before Council.

Ms. Peta-Jane Temple, Team Lead, Tax, Grants and Special Projects, assisted by Ms. Carla Thistle, Real Estate, presented the report.

Mayor Kelly opened the public hearing calling for speakers for or against the proposal. He explained the rules and procedures for public hearings.

Dr. Fred McGinn, Director of Dalhousie University School of Health and Human Performance and Chair of the Hospice Society of Greater Halifax, explained the history of the Hospice Society of Greater Halifax, a not-for-profit community based organization, whose mandate was to improve the physical, spiritual and emotional needs for those persons nearing the end of their lives by offering them a home-like environment in a residential hospice. He noted that there were no such facilities in Nova Scotia; the nearest being in St. John, New Brunswick. Dr. McGinn advised that the Board has agreed to the limitations subject to the sale such as extensive repairs and code compliance upgrades; public access easement and buy back agreement; that the Hospice Society of Greater Halifax would also be responsible for improvements to the underground infrastructure and purchase/installation of an outdoor interpretive panel in regard to the historical significance of the property. He noted that the Board has requested guidance from Scott Manor House and the Bedford Horticultural Society for assistance with the historic building and garden area at 9 Spring Street, Bedford.

Dr. Robert Horton, Palliative Care Physician and Hospice Society of Greater Halifax Board Member, explained that the overriding mission of the Hospice Society was to improve the quality of life for the residents, provide education and public advocacy in regard to alternatives to dying in a hospital. He noted that 80% of Canadians with terminal illness would chose to die at home yet the greater majority spend their final days in acute care hospital settings due to the lack of a viable alternative. Currently, there are 200 to 300 people being actively followed by Palliative Health Care Services each day with over 1500 new consults each year. If the motion were to pass, the need for such a facility in HRM would be fulfilled. The Society has developed a phased approach that will assist them in providing and building upon a full range of support services to be offered through the hospice building with residential hospice service

being available within five years. The building would be brought up to code and the administrative offices moved from Spring Garden Road to the Spring Street location. An Executive Director will be hired and a capital campaign rolled out to support an operational budget. The Society will build ongoing partnerships with the community; offer continued support to families by linking people to existing services; provide day hospice/respite services for persons with family members in palliative care and follow-up/support for the bereaved. The proposal represents an opportunity for HRM to have a pivotal role in obtaining a hospice alternative in Atlantic Canada and the much needed support and education when persons can no longer remain in their homes.

Dr. Stephanie Connidis, Service Chief of the Community Health Unit of the QEII Health Science Centre and Lecturer, advised that there were twenty-nine (29) sustainable, accredited residential hospices across Canada. Many residents of Nova Scotia do not live their remaining days in the care of their choice. A hospice offers an alternative for comfort, compassion and care for those at the end of their lives. The Hospice Society of Greater Halifax's five year plan would include increasing community awareness on death and dying through support services. Costs associated with the programs have been budgeted for and will continue to run while the hospice builds its resources. The Society currently has \$68,000 banked and hosts numerous fundraisers each year with a strong and engaged volunteer base that continues to grow. For three (3) successive years revenue has exceeded expenses by over \$12,000. The Society needs a home as a focal point for the hospice to provide direct care to those in need and give support to family caregivers. The Society aspires to build partnerships with organizations and businesses who wish to donate work in kind such as the infrastructure work at 9 Spring Street that will be donated in kind. A hospice is a social investment and makes economic sense as the cost associated for caring for dying people in hospital is higher than hospice care. The heritage building at 9 Spring Street will be home to three (3) people and the first of a network of hospices across Nova Scotia. Dr. Connidis thanked Council for their consideration and encouraged them to make compassion, comfort and care in a hospice on Spring Street a reality.

Mr. Ernie Brennan, advised that he was in favour of the proposed sale. He clarified that he had no involvement with the Society. He expressed concern with the staff report as the only reference to policy and procedure was the Municipal Government Act and no reference made to the Real Estate and Facility Services Transaction policy. He noted that the alternative section of the report did not mention a lease option and suggested that anytime a property was considered, the lease option should be an alternative for Council's consideration. Mr. Brennan commented that properties in HRM were finite and it was good to see support for an organization such as the Hospice Society of Greater Halifax. He requested that policies and procedures in regard to planning documents be outlined so the public could ensure that Council was following approved procedures.

Mayor Kelly called three times for any additional speakers; hearing none it was **MOVED BY Councillor McCluskey, seconded by Councillor Nicoll that the public hearing be closed. MOTION PUT AND PASSED.**

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

- 1. Approve an Agreement of Purchase and Sale whereby the property located at 9 Spring Street, Bedford, be conveyed to the Hospice Society of Greater Halifax for the sum of \$1.00 and the \$5,000 offered by the society be redirected into the fabrication of an outdoor interpretation panel of a minimum value of \$5,000 to be completed within two years from the date of sale, and;**
- 2. Should the buy back clause be invoked by HRM, HRM shall compensate the proponent capital less depreciation.**

Councillor Outhit thanked Councillor Uteck for suggesting the 9 Spring Street location, the Grants Committee for their endorsement of the proposal, and the Hospice Society of Greater Halifax for their work. He noted that approval of the motion would be an exciting opportunity to do something with the vacant property and ensure that it would be maintained along with the public accessibility to the gardens and tennis courts. The community has provided positive feedback in regard to the sale. A hospice at 9 Spring Street would provide a wonderful environment for someone to live their last twenty-two (22) days rather than being institutionalized.

Councillor McCluskey advised that she was in support of the motion and thanked the Hospice Society of Greater Halifax for their work.

Councillor Karsten acknowledged his full support for the proposal and encouraged the Hospice Society of Greater Halifax to contact members of Regional Council in regard to future capital fundraising.

Councillor Smith noted his support for the motion adding that he looked forward to similar facilities in the future as 9 Spring Street would only have space for three beds.

MOTION PUT AND PASSED.

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.1 Correspondence

10.1.1 Request for Fly-Past - Joint Rescue Coordination Centre Halifax - Search and Rescue Demonstration

- A letter dated October 27, 2009 from Major Denis McGuire, Joint Rescue Coordination Centre Halifax, and Mr. Harvey Vardy, Canadian Coast Guard Halifax, was before Council.

MOVED BY Deputy Mayor Johns, seconded by Councillor Hendsbee that Halifax

Regional Council approve the fly-past request by the Joint Rescue Coordination Centre Halifax for a Search and Rescue demonstration using a Search and Rescue Cormorant helicopter over Halifax Harbour on November 23, 2009 at 13:30 local time. MOTION PUT AND PASSED.

10.2 Petitions - NONE

11. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.1 Purchase of Revenue Collection System and Backup Communication Systems for Metro Transit Ragged Lake Transit Centre, Sole Source

- A report dated October 19, 2009 was before Council.

MOVED BY Councillor Rankin, seconded by Councillor Lund that Halifax Regional Council:

- 1. In accordance with the Sole Source Policy (Administrative Order 35, Section 8(11), award the Sole Source Purchase of voice radio repeater systems and antenna equipment in the amount of \$159,469.04 (net HST included) to Nova Communications with funding from Capital Account CMX01229 - Ragged Lake Transit Centre FFE per the Budget Implications Section of the report dated October 19, 2009.**
- 2. In accordance with the Sole Source Policy (Administrative Order 35, Section 8(11), award the Sole Source Purchase of revenue collection systems in the amount of \$232,922.11 (net HST included) to Garival with funding from Capital Account CMX01229 - Ragged Lake Transit Centre FFE per the Budget Implications Section of the report dated October 19, 2009.**

MOTION PUT AND PASSED.

11.1.2 Community Facility Lease Agreement - Sackville Heights Community & Cultural Centre

- A report dated October 16, 2009 was before Council.

MOVED BY Deputy Mayor Johns, seconded by Councillor Harvey that Halifax Regional Council authorize the Mayor and Municipal Clerk to enter into a Facility Lease Agreement with Sackville Heights Community & Cultural Centre.

In response to Councillor Watts, Mr. Doug Rafuse, Manager, Service Delivery, Community Development, advised that the matter had been discussed with representatives of the Grants Committee. It was determined that the issue was not

within the Grants mandate.

MOTION PUT AND PASSED.

11.1.3 Proposed By-Law T-140, An Amendment to By-Law T-108, Respecting Regulation of Taxis & Limousines - Hybrid and Smaller Fuel Efficient Vehicles and Additional Amendments

- A report dated September 30, 2009 was before Council.

MOVED BY Councillor Adams, seconded by Councillor Mosher that Halifax Regional Council approve in principle By-Law T-140, an amendment to By-Law T-108 Respecting the Regulation of Taxi and Limousines, the purpose of which is:

1. a) to provide for the introduction of hybrid and smaller fuel efficient vehicles that fit the performance standard of 7.8 litres per 100 km, have a door post to post measurement of 51 inches and have a wheelbase measurement of 101 inches;
b) to provide for various administrative changes to the By-Law as outlined in Appendix C of the report dated September 30, 2009;

In response to Councillor Karsten, Superintendent Robin McNeil, Halifax Regional Police, clarified that the intent of Recommendation b, as outlined in the staff report dated September 30, 2009, was to address the issue of deadheading between zones.

Councillor Adams noted that since Recommendation b), as shown on the staff report, was not part of the motion on the floor, it should not be discussed. He clarified that a taxi driver licensed in one zone could pick up customers outside that zone if he were licensed to work in the other area.

MOVED BY Councillor Smith, seconded by Councillor Karsten that the motion be amended to include Recommendation b) to eliminate zones within HRM, as shown on the staff report dated September 30, 2009.

Councillors Streach and Uteck left the meeting at this time.

In response to Councillor Adams' concern that the amendment was not a friendly amendment, Ms. Mary Ellen Donovan, Municipal Solicitor, advised that Recommendation b) was a different topic from Recommendations a) and c), therefore; the addition of Recommendation b) would not be in contradiction to the motion; it would be in addition to the motion before Council.

Mr. Wayne Anstey, Deputy Chief Administrative Officer, assumed the Chair of the Chief Administrative Officer at this time.

Councillor Smith explained that due to the greenhouse gas issue and the importance of environmental sustainability, the problem of deadheading between zones had to be

addressed. He advised that he has been contacted numerous times by taxi drivers who drive empty cabs back from another zone and that should not be the case. Councillor Smith noted that one taxi driver with twenty-years (20) experience was ticketed for picking someone up in another zone after he had dropped someone off in that zone. He suggested that Council consider either eliminating zones in HRM or, extending the times for opening the zones. Approving the motion as amended would be a great opportunity for the municipality to assist in the reduction of greenhouse gases.

Councillor Harvey inquired why the municipality was in the taxi business when its only interest was public safety.

Councilor Walker noted that he was not in support of the amendment as the report before Council had not gone to the Taxi and Limousine Advisory Committee for comment or review, and, due to concerns that other areas may not be able to get a cab if all the cabs were downtown waiting for a fare. He noted that he was not in support of zones, however; it was yet to be proven that removal of the zones would resolve the issues.

Councillor Adams advised that he was in support of the smaller, fuel efficient vehicles but the zones should remain in place. The weekend changes in regard to opening the zones has worked well.

Supt. McNeil confirmed for Councillor Adams that the current By-Law (T-108) indicates that it would be an offence for a driver to pick up, or accept, a passenger in any zone except the zone where they are licensed and then drop that passenger somewhere else in that zone. He clarified that taxi drivers were permitted to pick up in a zone and take the person somewhere else (outside that zone).

Councillor Adams explained that the longest deadheading would be between Halifax and the Halifax Stanfield International Airport. He inquired why the Mayor's Task Force on Violence was not mentioned in the report when the issue had been raised at the time of that report. Supt. McNeil explained that proposed By-Law T-139 had been brought forward and shelved. The current report before Council was in regard to proposed By-Law T-140 on the issues of deadheading and zones.

Councillor Adams advised that issues have arisen in outlying areas, such as Sackville and Cole Harbour, in regard to servicing if the zones were opened and there was an event in downtown Halifax. He requested a report in regard to the driver of twenty-years (20) who was ticketed as mentioned by Councillor Smith.

Supt. McNeil responded to the concerns expressed in regard to service levels for areas outside the downtown core if the zones were to be opened by explaining that the (taxi) industry would be led by economic viability. The drivers would go where the clients were located as it would be the drivers choice.

Councillor Rankin noted that the only ones who recognized the zones were the politicians; the issue of zones had very little meaning to the users. Zones were an inheritance from the former County, Dartmouth and Halifax and the issue has been

under constant discussion since amalgamation. The communities of Beechville, Timberlea and Lakeside experienced difficulties in service to and from Bayers Lake as it was located in another zone. He inquired whether the taxi market would be consumer driven or have artificial boundaries. Councillor Rankin advised that the primary user was the person calling for a taxi and noted that there appeared to be merit in the zones, however; if the zones were to be removed, taxi service would be more market driven and respond better to the demand.

Councillor Sloane noted that the same concerns in regard to opening the zones had been expressed in previous discussions on the topic. If the zones were opened, perhaps drivers would be able to find a new niche for themselves by staking out their own territory enabling them to make more money. HRM's role was to ensure public safety and the safety of the vehicles; HRM should not be involved with a private enterprise that was not providing an HRM service nor was it a service funded by HRM.

A vote was then taken on the motion to amend as follows:

MOVED BY Councillor Smith, seconded by Councillor Karsten that the motion be amended to include Recommendation b), as shown on the staff report dated September 30, 2009, to eliminate zones within HRM. MOTION TO AMEND PUT AND PASSED.

Discussion ensued on the amended motion which now reads as follows:

MOVED BY Councillor Adams, seconded by Councillor Mosher that Halifax Regional Council approve in principle By-Law T-140, an amendment to By-Law T-108 Respecting the Regulation of Taxi and Limousines, the purpose of which is:

2. a) to provide for the introduction of hybrid and smaller fuel efficient vehicles that fit the performance standard of 7.8 litres per 100 km, have a door post to post measurement of 51 inches and have a wheelbase measurement of 101 inches;
- b) to eliminate zones within HRM; and
- c) to provide for various administrative changes to the By-Law as outlined in Appendix C of the staff report dated September 30, 2009;

In response to Councillor Walker, Supt. McNeil reviewed the amendments attached as Appendix C to the staff report dated September 30, 2009.

Mayor Kelly confirmed for Councillor Smith that the proposed By-Law would go to public hearing after first reading was given.

Ms. Mary Ellen Donovan, Municipal Solicitor, clarified for Councillor Smith that the proposed amendments could be further amended following the public hearing, however; the amendment would have to fall within what was described in the public notice for the public hearing and with what was currently in the By-Law and proposed in

the draft put forward at the time of first reading.

Supt. McNeil confirmed for Councillor Adams that all names on the current waiting list for taxi licenses were individuals and not companies.

In regard to (geographic) testing of drivers once the zones were opened, Mr. Kevin Hindle, Regional Coordinator, Taxi and Limousine Services, responded to Councillor Adams that there was a zone free test administered to accessible taxi drivers that would be carried forward for all taxi drivers so that all future testing would be done in regard to the geographic area of HRM. Although there was no region wide test at this time, the current testing did include information from all areas of HRM to ensure drivers had a general idea of the corridors in other zones.

Supt. McNeil explained that further discussion would be required in regard to retesting of existing drivers as it would be a significant challenge to make the current 1000 drivers take a test.

Councillor Adams expressed concern with eliminating the zones due to the deadheading issues as it was an excuse to amend the By-Law and would not be sustainable as there was no logical argument to support the amendment. Some outlying areas of the municipality, such as Cole Harbour and Sackville, would not be well serviced. He expressed concern with no retesting of drivers if the zones were to be opened as there was a current requirement for anyone wanting to drive in Halifax to take the test for the Halifax zone.

Councillor Smith commented that Council could not assume that drivers do not know where the streets are in other zones as they drive all over the municipality. If the motion were passed, it would not be a big transition. He noted that there was evidence/documentation to support the argument that ending deadheading would help to reduce greenhouse gas emissions.

Mayor Kelly clarified for Councillor Walker that the Notice of Motion would be brought forward later in the meeting.

By request of Councillors Hendsbee and Adams, the motion was split and a recorded vote taken for each recommendation.

Recommendation a)

MOVED BY Councillor Adams, seconded by Councillor Mosher that Halifax Regional Council approve in principle By-Law T-140, an amendment to By-Law T-108 Respecting the Regulation of Taxi and Limousines, the purpose of which is a) to provide for the introduction of hybrid and smaller fuel efficient vehicles that fit the performance standard of 7.8 litres per 100 km, have a door post to post measurement of 51 inches and have a wheelbase measurement of 101 inches.

Councillors Streach and Uteck were absent for the vote.

MOTION PUT AND PASSED UNANIMOUSLY.

Recommendation b)

MOVED BY Councillor Adams, seconded by Councillor Mosher that Halifax Regional Council approve in principle By-Law T-140, an amendment to By-Law T-108 Respecting the Regulation of Taxi and Limousines, the purpose of which is to eliminate zones within HRM.

Councillors Streach and Uteck were absent for the vote.

MOTION PUT AND PASSED.

The following Councillors voted in favour of the motion: Dalrymple, Hendsbee, Nicoll, McCluskey, Fisher, Karsten, Barkhouse, Smith, Sloane, Watts, Deputy Mayor Johns, Harvey, Rankin and Lund.

The following Councillors voted against the motion: Wile, Blumenthal, Walker, Hum, Mosher, Adams, Outhit and Mayor Kelly.

Recommendation c)

MOVED BY Councillor Adams, seconded by Councillor Mosher that Halifax Regional Council approve in principle By-Law T-140, an amendment to By-Law T-108 Respecting the Regulation of Taxi and Limousines, the purpose of which is to provide for various administrative changes to the By-Law as outlined in Appendix C of the staff report dated September 30, 2009.

Councillors Streach and Uteck were absent for the vote.

MOTION PUT AND PASSED UNANIMOUSLY.

Notice of motion was given later in the meeting. See Item 14.1 page 23.

Council recessed at 8:16 p.m.

Council reconvened at 8:28 p.m.

11.2 BOARD OF POLICE COMMISSIONERS

11.2.1 Pixels for Pistols - Gun Amnesty Program

Councillor Walker, Chair of the Board of Police Commission, introduced Superintendent Don Spicer of the Halifax Regional Police (HRP) who gave a presentation on the Gun Amnesty Program, Pixels for Pistols.

Supt. Spicer advised that the Pixels for Pistols program had been very successful with

101 firearms and over 2000 rounds of ammunition turned in during the first week with more appointments booked for gun pick up. He thanked Henry's Cameras for partnering with HRP in this initiative and offering a camera for each functioning firearm turned in. He noted that weekly updates would be provided through media releases.

Supt. Spicer provided the following contact information for the gun amnesty program: Halifax Regional Police Community Relations and Crime Prevention phone number: 490-6977 or gunamnesty@halifax.ca.

Councillor Hendsbee encouraged the extension of the program to the end of December if funds and resources were available in order to get the message out to residents outside the urban core. He noted that the deadlines for newspapers outside the urban core was earlier than that within the urban core. He suggested Councillors could use their December newsletters to advertise the program.

In response to Councillor Sloane, Supt. Spicer agreed to forward information for the Councillors to use on their website, in their newsletters and posters for the various community centres.

11.3 AUDIT COMMITTEE

11.3.1 Consolidated Audited Financial Statements, Year Ended March 31, 2009

- A copy of the Auditor's Report for the Year Ended March 31, 2009 of the Halifax Regional Municipality dated October 30, 2009 was before Council.
- A report dated November 3, 2009 from the Audit Committee was before Council.

MOVED BY Councillor McCluskey, seconded by Councillor Karsten that Halifax Regional Council approve the Halifax Regional Municipality's Consolidated Audited Financial Statements for the year ended March 31, 2009. MOTION PUT AND PASSED.

11.3.2 Audited Financial Statements - Miscellaneous Trust Funds, Year Ended March 31, 2008

- A report dated November 3, 2009 from the Audit Committee was before Council.

MOVED BY Councillor McCluskey, seconded by Councillor Karsten that Halifax Regional Council approve the audited financial statements of the Halifax Regional Municipality - Miscellaneous Trust Funds for the year ended March 31, 2009. MOTION PUT AND PASSED.

11.4 REGIONAL PLAN ADVISORY COMMITTEE

11.4.1 Case 01290 - Regional Municipal Planning Strategy Amendment, Westphal

- A letter dated November 5, 2009 from Mr. Nathan Rogers, Project Planner for Terrain Group Inc., was before Council.
- A report dated October 21, 2009 from the Regional Plan Advisory Committee was before Council.
- A staff report dated September 9, 2009 was before Council.

MOVED BY Councillor Hendsbee, seconded by Councillor Lund that Halifax Regional Council initiate the process to consider amending the Regional Municipal Planning Strategy to redesignate the subject property from Urban Reserve to Rural Commuter in order to enable consideration of a Water Service Area expansion and an open space design subdivision.

Councillor Sloane advised that she was not in support of the motion. She expressed concern with chipping away at the Regional Plan and that the Regional Plan should run its path.

Councillor Karsten advised that he was familiar with the lands in question. When the Regional Plan was approved, it was clear that those lands were not to be touched until such time as services were extended to them. He noted that staff's recommendation was not to initiate the process and that the Regional Plan Advisory Committee also had concerns with the redesignation. He requested clarification from staff in regard to other Greenfield studies and any implications Council should be aware of if they were to approve the motion.

In response to Councillor Karsten, Mr. Kurt Pyle, Acting Supervisor, Planning Applications, Community Development, and Mr. Joseph Driscoll, Planner, provided a presentation to Council. Mr. Driscoll advised that the Regional Plan Advisory Committee had recommended to initiate the process for redesignation of the lands due in part to the open space design proposed, reduction of the traffic impact and the proposed clustering of sewer services. He explained that staff recommend waiting for the results of the Wastewater Functional Plan and that the application be considered as part of the five year review of the Regional Plan.

Councillor Watts expressed concern with the proposal and advised that she was in support of staff's initial recommendation not to initiate at this time. She expressed concern with policy IM-18 as a reason to approve the application as it would be very difficult to turn down other applications. Approval, at this time, would send the wrong message in context of the Regional Plan and the urban reserve areas. She also expressed concern with the implications of how urban development would be handled if the motion were approved. Councillor Watts suggested that Council wait for the major reviews to be completed.

Councillor Lund advised that he serves on the Regional Plan Advisory Committee and that the Committee had struggled with their decision in regard to this proposal. The Regional Plan Advisory Committee did not disagree with staff's recommendation but

concluded that this was a unique situation in that HRM was restricting development on a property for years to come. The property owner has been trying to do the right thing and has put forward a cluster development that conforms to the Regional Plan and addresses issues such as water and sewer service. The subject property is on the bottom of the list in regard to prime developable land and the area was not up for review until 2011. The owner may not be able to develop the lands until 2025. The property is located adjacent to a rural commuter shed and the development would only entail 100 acres out of 8000 in the urban reserve area. Councillor Lund advised that he was in support of the motion as the development conformed with the Regional Plan's goal of 20% developed and 80% open area.

Councillor Walker noted that Council had worked on the Regional Plan for over three years and that it was not intended to be iron clad and limit development. Any landowner has the right to bring forward proposals for consideration and there were provisions for making amendments to the Regional Plan.

In response to Deputy Mayor Johns, Mr. Driscoll advised that circumstances have not changed enough for staff to recommend in favour of the proposal although the open space design/cluster concept was encouraged for those areas.

Councillor Karsten noted that policy IM-18 was included in the Regional Plan to allow for debate. He expressed concern that the subject property was only 3 km from one of the more densely populated areas (Cole Harbour) and that it was very possible the municipality would be developed out to that point.

Councillor Hendsbee advised that the property owner requested, during the Regional Plan approval process, that his property not be included in the urban reserve. It was because of this situation that policy IM-18 was developed. The owner has applied the spirit and intent of the Regional Plan with the proposed open design concept; only 40% of the property would be developed for streets and houses. The development would provide connection to two existing subdivisions as well as a secondary emergency exit. Water service was all around the property, therefore; the addition of a pipe would be all that would be required to provide water to the development. The owner eliminated the serviceable boundary issue by providing the open design concept with a communal septic system. He noted that there would be an opportunity for transit service as the Metro Transit Route 66 was rerouted to Ross Road.

Councillor Hendsbee requested a recorded vote.

MOVED BY Councillor Hendsbee, seconded by Councillor Lund that Halifax Regional Council initiate the process to consider amending the Regional Municipal Planning Strategy to redesignate the subject property from Urban Reserve to Rural Commuter in order to enable consideration of a Water Service Area expansion and an open space design subdivision.

Those voting in favour were Councillors: Adams, Dalrymple, Fisher, Harvey, Hendsbee, Deputy Mayor Johns, Mayor Kelly, Lund, Mosher, Nicoll, Rankin, Smith, Walker and Wile.

Those voting against were Councillors: Blumenthal, Hum, Karsten, McCluskey, Outhit, Sloane and Watts.

Those absent for the vote were Councillors: Barkhouse, Streach and Uteck

MOTION PUT AND PASSED.

11.5 MEMBERS OF COUNCIL

11.5.1 Councillor Rankin - Chester Spur Line Trail Committee

- A copy of an Information Report dated October 1, 2009 was before Council.

Councillor Rankin agreed to defer the matter following clarification from Mr. Phil Townsend, Director, Infrastructure and Asset Management, that members of District 22 and 23 would be able to submit applications to serve on the Chester Spur Line Trail Committee following the initial screening and set up of the Committee of Chebucto Community Council.

12. MOTIONS

12.1 Councillor Lund

MOVED BY Councillor Lund, seconded by Deputy Mayor Johns that Halifax Regional Council direct staff to initiate the process to amend the St. Margaret's Bay and Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategies and Land Use By-laws to place the entire Westwood Hills subdivision within the St. Margaret's Bay plan area to provide for consistent land use regulations throughout the subdivision. MOTION PUT AND PASSED.

12.2 Councillor McCluskey

MOVED BY Councillor McCluskey, seconded by Councillor Sloane that Halifax Regional Council direct staff to provide the media and the general public with the Council package at the same time as it is provided to Regional Council by publishing it on the HRM website.

Councillor McCluskey commented that providing information to the public at the same time it was provided to Council was common practice in areas such as Winnipeg, Hamilton, London, Regina and St. John's, NF and requested that the same be done in HRM.

Ms. Cathy Mellett, Acting Municipal Clerk, responded to questions of Council as follows:

- the Municipal Clerk's Office would implement the wishes of Council.
- information and reports could be posted on the HRM website by 5:00 p.m. on Friday. This would require an amendment to Administrative Order 1.

- accruing additional overtime was not the intent of the Municipal Clerk's Office. An administrative procedure could be developed so that the information would be available online to Council and the media at the same time with hard copies of the agenda packages arriving a little later to the Councillors.

Councillor Karsten advised that he was not in support of the motion as the existing system has served Council well. He noted that the issue was not being raised by residents but by the media.

Councillor Dalrymple commented that the current system was fine and he appreciated the extra time to read and review the material. He noted that he had not received any calls from the public in regard to this matter.

Councillor Walker advised that he was not in support of the motion although earlier posting of information may stop information leaks from Council.

Councillor Hum expressed concern with not receiving the information in advance, however; she had no problem with earlier access for residents and the media if the early release would assist in the accuracy of reporting.

Councillor Watts advised that she was in support of the motion. She explained that conferring with her community groups would be more productive if they were able to access the information earlier in order to do research and prepare comments.

At this time, Council agreed to extend the meeting beyond 10:00 p.m. to complete the agenda.

Councillor Blumenthal advised that he would prefer to read the reports before they were released to the public and that he had not received any calls from the public in regard to this matter.

Councillor Barkhouse commented that it was absolutely necessary for all Councillors to receive their packages before the information was released to the public. She noted that Councillors who do not live in the core areas do not receive their packages until late Friday evening.

Councillor Mosher advised that she was in support of the motion as many residents worked shift work and the extra time would enable them to read and then research an issue. She requested that the format be Blackberry friendly so the reports could be read on a Blackberry.

Councillor Smith advised that he was in support of the concept now that clarification had been provided that the information would also be available to Council online.

Councillor Nicoll advised that she was in support of the motion as a means to engage the residents of HRM.

Councillor Harvey advised he was in support of open, transparent democracy.

Councillor Barkhouse requested that the Clerk's Office confirm with the Courier that all Councillors had received their packages prior to having the information available to the public.

Ms. Geri Kaiser, Deputy Chief Administrative Officer, advised that staff would make the electronic packages available to the media, public and Council at the same time. The hard copies of the Council agenda packages would be delivered as per usual.

Councillor McCluskey requested a recorded vote on the motion.

MOVED BY Councillor McCluskey, seconded by Councillor Sloane that Halifax Regional Council direct staff to provide the media and the general public with the Council package at the same time as it is provided to Regional Council by publishing it on the HRM website.

Those voting in favour of the motion were Councillors: Adams, Barkhouse, Fisher, Harvey, Hendsbee, Hum, Deputy Mayor Johns, Karsten, Mayor Kelly, Lund, McCluskey, Mosher, Nicoll, Outhit, Rankin, Sloane, Smith, Watts.

Those voting against the motion were Councillors: Blumenthal, Dalrymple, Walker and Wile.

Councillors Streach and Uteck were absent for the vote.

MOTION PUT AND PASSED.

12.3 Councillor Walker

- Extracts from the January 13, 1998, February 24, 1998, and November 6, 2001 Regional Council minutes were before Council.

MOVED BY Councillor Walker, seconded by Deputy Mayor Johns that consideration of Disbanding the Membership Selection Committee be deferred to the next meeting. MOTION PUT AND PASSED.

13. ADDED ITEMS

13.1 Contractual Matter - CUPE Local 108 Agreement

This item was dealt with at the In Camera session of October 27, 2009 and was now before Council for ratification.

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

- 1. Confirm acceptance of the tentative Agreement reached between HRM and CUPE Local 108 dated October 24, 2009.**

2. **Ratify the Agreement to be effective immediately following the CUPE Local 108 ratification to take place October 28, 2009.**
3. **Details of the Collective Agreement not to be released until after CUPE Local 108 ratifies agreement with members.**

MOTION PUT AND PASSED.

13.2 Metro Transit Five-year Strategic Operations Plan

This item was dealt with at an earlier Committee of the Whole session and was now before Council for ratification.

Councillor Sloane requested that the vote be split.

Recommendation 1)

MOVED BY Councillor Nicoll, seconded by Councillor Karsten that Halifax Regional Council receive the Metro Transit Five - Year Strategic Operations Plan and request staff to bring forward a report relative to the corresponding Operational and Capital Plans and responding to concerns and questions of members of Council regarding the Plan.

Councillor Mosher requested that the Committee of the Whole minutes of October 17, 2009 reflect her comments in regard to this issue.

MOTION PUT AND PASSED.

Recommendation 2)

**MOVED BY Councillor Nicoll, seconded by Councillor Karsten that Halifax Regional Council approve the Service Standards for staff to use as a template.
MOTION PUT AND PASSED.**

13.3 Former Dartmouth City Hall - Museum

This item was dealt with at an earlier Committee of the Whole session and was now before Council for ratification.

MOVED BY Councillor McCluskey, seconded by Councillor Karsten that Halifax Regional Council approve that Dartmouth Heritage Museum be given exclusive right to the use of the former Dartmouth City Hall building for the purpose of a permanent museum and creation of a Cultural Cluster. MOTION PUT AND PASSED.

13.4 Legal Matter - UARB Decision - Anglican Diocesan Centre

This item was dealt with during an earlier In Camera session and was now before

Council for ratification.

MOVED BY Councillor Sloane, seconded by Deputy Mayor Johns that Halifax Regional Council direct staff to appeal the NSUARB decision. MOTION PUT AND PASSED.

14. NOTICES OF MOTION

14.1 Councillor Sloane

“Take notice that at the next regular meeting of the Halifax Regional Council to be held on November 17, 2009, I intend to introduce a motion to request staff to reinvestigate the protocol for the selection of Deputy Mayor for 2010/11.”

14.2 Councillor Karsten

“Take Notice that at the next regular meeting of Halifax Regional Council to be held on Tuesday, the 17th of November, I propose to introduce for adoption By-Law T-140, an amendment to By-Law T-108, Respecting the Regulations of Taxi & Limousines, the purpose of which is:

- a) to provide for the introduction of hybrid and smaller fuel efficient vehicles that fit the performance standard of 7.8 litres per 100 km, have a door post to post measurement of 51 inches and have a wheelbase measurement of 101 inches;*
- b) to eliminate zones within the HRM; and*
- c) to provide for various administrative changes to the By-Law.”*

15. ADJOURNMENT

The meeting was adjourned at 10:07 p.m.

Cathy Mellett
Acting Municipal Clerk

INFORMATION ITEMS
November 10, 2009

1. Proclamation - Diabetes Awareness Month & World Diabetes Day
2. Proclamation - Mathematical Sciences Awareness Week - November 15 - 21, 2009
3. Memorandum from Director, Legal Services dated October 28, 2009
re: Status of By-Law Prosecutions - September 1 - 30, 2009
4. Memorandum from Chief of Police dated October 22, 2009
re: Petition Submitted by Deputy Mayor Hendsbee re: Opposing the City's Decision to Euthanise Brindi, the Dog
5. Memorandum from the Acting Clerk Manager dated November 6, 2009
re: Requests for Presentation to Council - Biosolids & Waste Water Caucus