

HALIFAX REGIONAL COUNCIL  
MINUTES  
February 26, 2008

PRESENT:

Mayor Peter Kelly  
Deputy Mayor Stephen Adams  
Councillors: Steve Streach  
Krista Snow  
David Hendsbee  
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  
Robert Harvey  
Reg Rankin  
Gary Meade

REGRETS:

Councillors: Harry McInroy  
Brad Johns

STAFF:

Mr. Dan English, Chief Administrative Officer  
Ms. Mary Ellen Donovan, Municipal Solicitor  
Mr. Randolph Kinghorne, Municipal Solicitor  
Ms. Julia Horncastle, Acting Municipal Clerk  
Ms. Shawnee Gregory, Legislative Assistant  
Ms. Sheilagh Edmonds, Legislative Assistant

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1. **INVOCATION**

The Mayor called the meeting to order at 4:30 p.m., with the Invocation being led by Councillor Hum.

1. **SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS**

There were no special community announcements and acknowledgements noted at this time.

3. **APPROVAL OF MINUTES - NONE**

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

Additions:

- 13.1 HRM by Design - Approval of "The Downtown Halifax Vision"
- 13.2 Property Matter - Eastern Passage Wastewater Treatment Facility
- 13.3 Contractual Matter - Animal Sheltering

**MOVED by Councillor Murphy, seconded by Councillor Sloane, that the Order of Business 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 **By-Law T-137, An Amendment to By-Law T-108, Respecting the Regulation of Taxis and Limousines - Seating Capacity**

This item was dealt with at the evening session. Please see page 10.

9.2 **By-Law T-138, An Amendment to By-Law T-108, Respecting Regulation of Taxis and Limousines**

This item was dealt with at the evening session. Please see page 11.

**10. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**10.1 Correspondence** - None

**10.2 Petitions**

Councillor Mosher submitted an electronic petition with 1131 signatures encouraging Council to purchase CN rail land that is being abandoned between Joseph Howe and Lakeside Drive. The petition advises that it is an opportunity to convert rails to trails and that the land must be purchased by March 6, 2008.

**11. REPORTS**

**11.1 CHIEF ADMINISTRATIVE OFFICER**

**11.1.1 Tender 08-200 - New Paving of HRM Owned Subdivision Streets Inside the Core Area - Various Streets, West Region**

C A staff report dated February 11, 2008, was before Council.

**MOVED BY Councillor Meade, seconded by Councillor Murphy, that Halifax Regional Council award Tender No. 08-200, new Paving of HRM Owned Subdivision Streets which include: Paula Drive, Brighton Avenue, Dundee Street, Trafalgar Turn, Hummingbird Lane and Timberlane Terrace - West Region to Dexter Construction Company Limited for a Total Tender Price of \$687,052.99 (net HST included) with funding from Capital Account No.CZU01080 - New paving of HRM Owned Subdivision Streets, as outlined in the Budget Implications section of the report. MOTION PUT AND PASSED.**

Councillor Hendsbee requested an updated list based upon the new rating criteria regarding paving subdivisions.

**11.1.2 Award - Sole Source Purchase - Zistos Technical Search Equipment**

• A report dated February 19, 2008, was before Council.

**MOVED BY Councillor McCluskey, seconded by Councillor Wile, that Halifax Regional Council award the Sole Source Purchase of Zistos Technical Search Equipment to**

Equinox Fire & Rescue Inc. for a Total Tender Price of \$56,471.80 (net HST included) with funding from Operational Account No. F181-6701-USAR Project/Equipment Purchase as outlined in the Budget Implications section of the report. MOTION PUT AND PASSED.

**11.1.3        Request for Quotation 07M267 - Concrete Restoration, Law Courts Pedestrian Bridge, Lower Water Street, Halifax**

C        A report dated February 7, 2008, was before Council.

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

- 1.        Increase Capital Account CBU00951 - Transit Facilities Upgrades by \$29,477.27 to reflect cost shared funding from the Province of Nova Scotia, as per the attached Letter of Commitment, with no net impact to the Capital Budget.**
- 2.        Award RFQ# 07M267 for Concrete Restoration of the Law Courts Pedestrian Bridge located at Lower Water Street to Duron Atlantic Limited for a total cost of \$58,955.00 (net HST included), with funding from Capital Account No. CBU00951 - Transit Facility Upgrades Res# 1243.8, as outlined in the Budget Implications section of the report.**

**MOTION PUT AND PASSED.**

**11.1.4        Canada Nova Scotia Infrastructure Program**

- A report dated February 21, 2008, was before Council.

**MOVED BY Councillor Walker, seconded by Councillor Karsten that Halifax Regional Council approve the CNSIP funding reallocation as per the Discussion Section of the report. MOTION PUT AND PASSED.**

Councillor Rankin entered the meeting at 4:41 p.m.

**11.1.5        Special Election Halifax Regional Municipality District 21 - Bedford**

- C        A report dated February 20, 2008, was before Council.

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

- 1. Set the date of Saturday, May 3, 2008 for a Special Election in District 21 - Bedford.**
- 2. Appoint Linda Grant, Municipal Clerk's Office, to be the Returning Officer for the Special Election to fill the vacancy on the Halifax Regional Council.**
- 3. Approve the use of the current Provincial Voters List data.**
- 4. Approve a withdrawal from the Election Reserve, Q313, in the amount of \$35,000.**

Several Councillors raised concerns regarding the logistics of holding a special election so close to the scheduled Municipal election. Ms. Mary Ellen Donovan, Municipal Solicitor, advised that staff had taken a very careful look at the Municipal Elections Act; particularly section thirteen (13) and subsection eight (8), and that the view of the legal department was that the legislation does uphold and that a special election is necessary. Ms. Donovan also noted that staff had contacted the Chief Electoral Officer for Nova Scotia and that he had supported their decision. Although there is room for interpretation within the above noted sections Ms. Donovan asserted that HRM still had no alternative but to hold a special election.

**MOTION PUT AND PASSED.**

**11.1.6 Future Community Visioning Program**

C A report dated February 11, 2008, was before Council.

Due to time constraints this item was deferred.

**11.1.7 First Reading Proposed By-Law T-222, An Amendment to By-Law T-200, Respecting Tax Exemptions for Non Profit Organizations - Appeals 2007 - 2008**

C A report dated February 4, 2008 was before Council.

**MOVED BY Councillor Walker, seconded by Councillor Sloane, that Halifax Regional Council give First Reading of By-Law T-222, the purpose of which is to amend By-Law T-200, the Tax Exemption for Non-Profit Organizations By-Law, with respect to appeals for 2007-2008. MOTION PUT AND PASSED.**

**11.2            HARBOUR EAST COMMUNITY COUNCIL**

**11.2.1        Dartmouth Heritage Museum Society / The Dartmouth City Hall Building**

**MOVED BY Councillor McCluskey, seconded by Councillor Streach, that Halifax Regional Council approve the recommendation from the Harbour East Community Council that, pending a staff report, should the Dartmouth City Hall building on Alderney Drive become vacant, that priority be given to allowing the Dartmouth Heritage Museum Society first option to use the facility for museum purposes, and that the Dartmouth Heritage Museum Society be given permission to conduct a feasibility study and due diligence on the property, providing that such study and due diligence not interfere with operations of the current tenant of the building.**

Council requested a staff report regarding whether or not the Dartmouth Heritage Museum is the best first option for the old Dartmouth City Hall site. Council will then base their decision on the report.

**MOTION PUT AND PASSED.**

**12.            MOTIONS - NONE**

**13.            ADDED ITEMS**

**13.1        HRM by Design - Approval of "The Downtown Halifax Vision"**

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

- 1.        Approve HRM by Design's 'Downtown Halifax Vision' as recommended by the Urban Design Task Force and included in the report as Attachment #1**
- 2.        Request that the Province enact legislative changes to enable a new planning process for downtown development as outlined in Attachment #4**
- 3.        Initiate planning and design work in support of the redevelopment of the Cogswell Interchange.**

Councillor Mosher left the meeting at 5:03 p.m.

**MOTION PUT AND PASSED.**



**13.2            Property Matter - Eastern Passage Wastewater Treatment Facility**

C        This item was addressed at an earlier In Camera session.

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

- 1.        Approve the terms of the proposed land exchange between HRM and DND as outlined in the discussion section of the February 17, 2008 Private and Confidential Staff report, and authorize the Mayor and Municipal Clerk to execute an agreement of Purchase and Sale incorporating the terms and conditions;**
- 2.        Authorize the transfer of title of the DND -Eastern Passage Site parcel as described in the February 17, 2008 Private and Confidential staff report to Halifax Regional Water Commission;**
- 3.        Release the February 17, 2008 Private and Confidential Staff report on the transactions are complete.**

**MOTION PUT AND PASSED.**

**13.3            Contractual Matter - Animal Sheltering**

C        This item was addressed at an earlier In Camera session.

**MOVED BY Councillor McCluskey, seconded by Councillor Sloane, that Halifax Regional Council remove the provisions relating to cat legislation from By-Law A-300 and maintain the status quo in regards to a contracted sheltering service with the NSSPCA or other service provider at the end of the contract.**

A recorded vote was taken on the motion.

Those voting in favor were Mayor Kelly, Deputy Mayor Adams and Councillors Streach, McCluskey, Barkhouse, Sloane, Hum, Rankin, Meade.

Those voting against the motion were Councillors Hendsbee, Younger, Wile, Walker and Harvey.

Councillors Snow, McInroy, Karsten, Smith, Murphy, Uteck, Fougere, Mosher and Johns were absent for the vote.

Following the motion Councillor Hendsbee gave notice of reconsideration for the March 4, 2008 Council session.

**MOTION PUT AND PASSED.**

**14.           NOTICES OF MOTION - NONE**

The Council recessed at 5:06 p.m.

The meeting reconvened at 6:13 p.m. with the same members of Council present, including Councillors Snow, Younger, and Fougere.

**MOVED by Councillor Walker, seconded by Councillor Smith that Regional Council continue meeting to 11:00 p.m. this evening, if need be. MOTION PUT AND PASSED. (16 in favour, 5 against)**

Those voting in favour were Mayor Kelly, Deputy Mayor Adams; and Councillors: Streach, Snow, Hendsbee, McCluskey, Karsten, Barkhouse, Smith, Wile, Murphy, Fougere, Walker, Mosher, Harvey, and Rankin.

Those voting against were Councillors Younger, Sloane, Uteck, Hum, and Meade.

Councillors McInroy and Johns were absent.

Prior to the start of the Public Hearings, a moment of silence was held in remembrance of a notable Halifax citizen, Mr. Harry Flemming who recently passed away.

**9.           PUBLIC HEARINGS:**

**9.1       By-Law T-137, An Amendment to By-Law T-108, Respecting the Regulation of Taxis and Limousines - Seating Capacity**

- C       First Reading of this matter was given at the January 8, 2008 meeting of Regional Council
- C       An Extract of the Regional Council Minutes of January 8, 2008 pertaining to this item was submitted.
- C       A staff report dated November 21, 2007, originally submitted to Regional Council for its December 11, 2007 meeting was before Council for consideration.

Staff Sergeant Robin McNeil addressed Regional Council and advised that the Limousine Industry requested an amendment to By-law T-137 because the industry standard for luxury vehicles has gone from a seating capacity of six to five in many cases, and staff have been asked to move the definition of a limousine within the bylaw from a seating capacity of five passengers, excluding the driver, to four passengers, excluding the driver. He indicated that staff are recommending approval. As well, S/Sgt. McNeil advised that staff are also recommending that luxury full size SUV's be considered a limousine vehicle.

There were no questions from members of Regional Council.

Mayor Kelly reviewed the rules of procedure for public hearings and open the hearing. The Mayor called three times for anyone wishing to speak on this matter; there being none, it was **MOVED by Councillor McCluskey, seconded by Councillor Karsten that the public hearing close. MOTION PUT AND PASSED.**

**MOVED by Deputy Mayor Adams, seconded by Councillor Mosher that Regional Council:**

1. **Approve in principle By-Law T-137, Respecting the Regulations of Taxi & Limousines (attached as Appendix A) to reduce the minimum seating capacity for limousine vehicles from 5 passengers (excluding the driver) to 4 passengers (excluding the driver).**
2. **Approve in principle By-Law T-137, Respecting the Regulations of Taxi & Limousines (attached as Appendix A) to permit full size luxury class SUV's to be licensed as a limousine.**

**MOTION PUT AND PASSED.**

**9.2 By-Law T-138, An Amendment to By-Law T-108, Respecting Regulation of Taxis and Limousines**

- C First Reading of this matter was given at a meeting of Regional Council on February 5, 2008.
- C An extract of the Regional Council Minutes of February 5, 2008 was submitted.
- C A Power Point presentation was submitted.
- C A Supplementary Staff Report dated January 28, 2008, originally submitted at the February 5, 2008 Regional Council meeting was before Council for consideration.
- A petition with 66 signatures in support of deregulating taxi licenses which was submitted by Deputy Mayor Adams at Regional Council's February 19, 2008 meeting was recirculated.

- C Correspondence was received from Michelle Cormier, Tadesse Birru, Mengis Tesfazion, Darrell Downey, Brian Herman, Operations Manager, Casino Taxi Limited, Jen Powley, Lester A. Daurie, Bob MacLintock, Katie Reid, Director of Communications, Restaurant Association of Nova Scotia, Darlene Grant Fiander, President, TIANs Executive Director, and Jean Lalancette.

Staff Sergeant Robin McNeil addressed Regional Council and reviewed the proposed amendments to By-Law T-138 as contained in the January 28, 2008 supplementary staff report and responded to questions of clarification from Council.

Mayor Kelly reviewed the rules of procedure for public hearings and then opened the hearing for anyone wishing to speak.

The following persons spoke:

**Mr. Dave Buffett, Halifax**

Mr. Buffett expressed concern deregulation would have in trying to attract business and tourists, noting that there is a difference in the quality of cabs that cater to the tourists. He suggested the main concern that has been expressed has been about the wait times for Friday and Saturday nights.

**Mr. Jean Lalancette, Prospect**

Mr. Lalancette referred to his submitted information which provided details of his income as a taxi driver for the past three years, and indicated that it shows just how little money is left for him after expenses and taxes are paid. He noted that it took him seven years to get his own roof light. He advised that he drives only during the daytime hours and that he has a camera in his vehicle. Mr. Lalancette spoke in opposition to removing zones and limitations and suggested that deregulation would result in pandemonium in the city.

**Mr. Maamoun Ibrahim, Halifax**

Mr. Ibrahim addressed Council and advised that he had been driving a taxi for five years and was leasing a roof light. He expressed concern that roof light he leases is owned by someone who does not even live in the country. Mr. Ibrahim spoke against removing limitations advising that if it were to occur, he would probably have to get another job in order to continue to support his family.

In response to a question by Councillor Snow, Mr. Ibrahim advised that he paid \$6,000 upfront to lease his roof light

**Mr. John Szczepanowski, Halifax**

Mr. Szczepanowski advised that he drives for Yellow Cab and is the owner operator of his roof light number. He added that he has been driving a cab for the past eight years and enjoys doing so and, as a single father, it allows him to schedule his work around his children. Mr. Szczepanowski noted that he estimates he has invested over \$100,000 in getting into the taxi business. He added that although there are many problems within the industry, he hoped that HRM Council would work with those in the industry rather than working at abolishing the things in the industry they have worked so hard to build.

**Mr. Ed Benoit, Lakeside**

Mr. Benoit spoke in opposition to the removal of zones and limitations advising that if it were to happen, then downtown Halifax will be crowded with cabs from all the other zones. He also suggested that this will end up costing customers more money as all drivers do not know the areas.

**Mr. Darshan Virk, President, United Cab Drivers of Halifax**

Mr. Virk suggested that there was no shortage of taxi cabs in the City and that the media was exploiting the issue. He advised that it was due to desperate times that the limitations were put in place, and if it is removed the same thing will happen again. Mr. Virk noted that Metro Transit buses only provide service up to midnight, and suggested that if Council felt there was a shortage of taxis then they could double the amount of buses.

**Mr. Lester Daurie, Halifax**

Mr. Daurie indicated he was supportive of the City continuing to regulate the taxi industry. He suggested that previous Taxi Committees failed because they did not include drivers on the Committees. He added that the issues of the taxi industry cannot be fixed with a by-law, and there needs to be a taxi regulating authority, of which half the membership should be taxi drivers.

**Mr. Bob MacLintock, Halifax**

Mr. MacLintock advised that he was representing the Halifax Taxi Drivers Association. In his comments, Mr. MacLintock advised that the proposed changes are sweeping and will impact on the livelihood of the taxi drivers. He noted that there was no consultation with the taxi drivers in this process. Mr. MacLintock spoke in support of taxi limitations and noted that it has improved the quality of cabs. He pointed out that recent technological changes have improved wait times, and that the problem of peak time service is not one for just the taxi industry alone to solve. Mr. MacLintock asked Council to look for other solutions and not pass the proposed amendments.

**Mr. Mike Briand, Halifax**

Mr. Briand spoke in support of taxi limitations and pointed out that various programs have been established which have cut into the traditional work of taxis, such as university programs to drive home students, limousines, and the implementation of Link buses. He noted that there are problems associated with downtown taxi stands, advising that there are two stands at Park

Lane Shopping Centre, but at 4:00 p.m the Commissionaires come by and do not permit the cabs to park due to the rush hour traffic.

**Mr. Darrell Downey, Halifax**

Mr. Downey read a statement in opposition to the proposed amendments. In his remarks he noted that cab drivers are self employed and his earnings are below the average wage. He added that the industry has improved itself and deregulation is not necessarily the best approach and he requested Council not abandon those who need a governing body.

The meeting recessed at 7:25 p.m.

The meeting reconvened at 7:39 p.m. with the same members present.

**Mr. Donald Downey, Herring Cove**

Mr. Downey's presentation was in opposition to the proposed amendments. He suggested the Municipality should help subsidize the purchase of safety equipment for taxi drivers, as it the Municipality who feels it is the cab drivers responsibility to remove people from the downtown. Mr. Downey requested that HRM maintain the limitation and the zones.

**Mr. David Marriott, Lakeside**

Mr. Marriott advised that he has been in the taxi industry since 1971. He asked Council not to scrap limitation when all that is required is some tweaking. Mr. Marriott advised that public safety should be first and foremost and that there will be public safety issues if the zones are opened. He added that there were many option available to Council and suggested putting a roof light to a driver would help. Another solution he offered was to allow multiple fares after certain hours, e.g. between 1:00 a.m. and 3:00 a.m.

**Mr. Lesianu Zewadie, Sackville**

Mr. Zewadie advised that he was a cab driver working in the Halifax Zone. He explained that he was originally from Ethiopia and in 1995 he became a Canadian citizen, and went to Saint Mary's University. He advised that after university he could not get a job and then went into the taxi business. Mr. Zewadie noted the difficulty he encountered in getting a roof light, and that he ended up purchasing one from someone who actually lived in Alberta. He added that he had to pay approximately \$6,000 upfront and \$580 per month to lease the roof light. Mr. Zewadie indicated that he did not support opening up zones and limitations that he felt the issue of roof light ownership was also a big issue that needed to be looked into.

**Mr. Vladimir Ostarceic, Halifax**

Mr. Ostarceic advised that he had been a cab driver for 27 years and that he was strongly opposed to deregulation. He indicated that deregulation in the taxi industry will result in too many drivers and will hurt the livelihood of the current drivers and it will impact safety. Mr. Ostarceic suggested that the issue of transferability of licenses should be set aside and a

solution found regarding a taxi driver passing on the license to family members, as the drivers have no benefits and this would help the family.

**Mr. Douglas Brine, Halifax**

Mr. Brine spoke in opposition to the proposed amendments advising that it will only make it harder for the drivers to make a living and a number of them will go out of business.

**Mr. Frank Horwill, Halifax**

Mr. Horwill noted that issue of service to the outlying areas of the municipality will not be solved because the fare is not worth the time it takes for a cab driver to drive back and forth, and that a cab driver cannot afford to burn up more money than he is going to make.

**Ms. Marilyn Forgeron, Spryfield**

Ms. Forgeron advised that she was a widow of a cab driver who had been in the industry for 37 years. Ms. Forgeron advised that when her husband died he had nothing to leave behind, and she had to go on social assistance. She noted that there is no protection for cab drivers and their families and she asked Council to reconsider the transfer of roof lights.

**Mr. Robert Purcell, Cowie Hill**

Mr. Purcell advised that since 1971 he has driven a cab off and on and, since this time, people have been complaining about the lack of cabs. He suggested that there were enough cabs in the city and that the complaints are related to the late hours on weekends.

**Mr. Ed Flewwelling, Dartmouth**

Mr. Flewwelling spoke in opposition to the proposed amendments. In his remarks Mr. Flewwelling pointed out that what is not being said is that if a taxi driver's license is cancelled or suspended then the person's taxi owner's license cancelled. He added that the person can only get it back by going through the entire procedure, as if he were a new taxi driver. He suggested that this was heavy-handed and was the reason why a taxi committee and an appeals committee were necessary. Mr. Flewwelling also noted that a taxi owner's license has to be in the name of the taxi driver, therefore, the taxi owner's license cannot be in a company name. He added that this was not good business practice.

**Mr. David Withrow, East Preston**

Mr. Withrow spoke against the proposed amendments. Mr. Withrow also suggested taxi drivers should be able to put their owners licenses in a company name, as a way to protect themselves from personal liability. He indicated that the complaints about a shortage of cabs is related to late night fares, and suggested that if the City ran extra buses and ferries at this time, it would help the situation.

**P. Tran, Dartmouth**

Mr. Tran spoke in opposition to the proposed amendments. In his comments he indicated that there are more than enough cabs to provide service, and that the complaints about a lack of cabs only pertains to certain nighttime service.

**Mr. Dennis Gloville, Halifax**

Mr. Gloville noted that he has been driving a taxi for 23 years, and was a third generation taxi driver. Mr. Golville advised there were two issues that needed to be addressed, i.e. the availability of the general public to get a taxi between the hours of 11:00 p.m. and 5:00 a.m. on Friday and Saturday nights in Halifax and Dartmouth, and the issue of roof light leasing. He suggested implementing a night time taxi rate from 11:00 p.m. to 5:00 a.m. through the week would help bring out the day time drivers and may help alleviate the problem of getting a cab in the late hours. Mr. Gloville also suggested that HRM hire a professional consulting firm to carry out a study. He noted that the City of London which faces many of the same problems, carried out such a study in 2005 and it offered useful solutions.

**Mr. Tadesse Birru, Dartmouth**

Mr. Birru addressed Council and advised that HRM was not communicating with the service provider on this matter. He indicated that this matter was not only a taxi problem but there are other factors which need to be taken into account when it comes to concerns about hiring a cab, such as poor snow removal from the city streets, and street construction activity.

At 8:31 p.m. Council recessed.

At 8:43 p.m. Council reconvened with the same members present.

**Mr. John Norris, Halifax**

Mr. Norris suggested that response times for taxis were adequate, and pointed out that in urban society, people are accustomed to waiting for restaurants, doctors, etc. but feel that they should not have to wait for a cab. He added that there is no evidence which shows that getting rid of regulation will improve things but there is evidence to show that it will get worse. As a cab driver, Mr. Norris pointed out the following issues and suggestions impacting on customer service:

- C the public will often call several companies at the same time and take the first cab that shows up
- C there are too many people leaving the downtown in the early a.m. hours to handle; he suggested allowing the county cabs to come in during that time
- C providing five additional buses during the early a.m. hours would help the situation, and the cab drivers can handle the rest.
- C There are patterns of peak times and this is where the help is needed.
- C Implement a surcharge after 12:00 a.m., and for storm days, weekends, and holidays
- C To encourage new and younger drivers, provide a lump sum payment for those aged 65 and then provide a license to the next person on the list.

**Mr. Bekele Atemayehu, Halifax**

Mr. Atemayehu advised that he drove a cab and was supporting his family of five on his salary. He noted that he did not own a roof light and has encountered the same problems in trying to obtain one as noted by others who have spoken this evening.



He indicated that if the City were to issue an additional 300 roof lights there would not be an overflow of cab drivers.

**Mr. Mario Janson, Dartmouth**

Mr. Janson addressed Council and put forward the following question: *if the limitation is removed, then how could the Municipality regulate the size of their vehicles and the fares?* In his remarks Mr. Janson noted that he works between 70 and 80 hours a week and that most customers are picked up within a short period of time, but during the busiest times, there will be a bit of a wait for the customer. He suggested that there is a correlation between how the taxi industry is treated and treatment of customers, adding that if the cab business is not treated well, the customers will not be treated well. Mr. Janson advised that in regard to roof light ownership, there should be a bylaw that simply states that if you do not use the roof light, you have to return it. He added that Council can do this without getting rid of limitations.

**Mr. Aris Mastrapas, Halifax**

Mr. Mastrapas advised that he was the owner of Blue Line car leasing, and that he began in the taxi business in 1980 by driving a cab for Yellow Cab for five years. He explained that he bought 20 cars from Yellow Cab and began renting his cars to taxi drivers. He advised that he has worked hard to establish his business, which now employs 75 people. Mr. Mastrapas referred to comments made concerning the fees some drivers have been charged for roof lights, and noted that in addition to leasing cars, he leases roof lights from \$150 - \$200 per month, and not at the exorbitant prices as stated by some drivers this evening.

**Mr. Yousef Mosleh, Clayton Park**

Mr. Mosleh advised that he has been driving a cab for past 6 years and was leasing his roof light for \$350 per month, and that he would prefer to continue to do this as opposed to removing limitations. He noted that over the course of a month, one call per night will pay for his roof light. Mr. Mosleh pointed out that over the past couple of weeks, police have been issuing tickets to drivers for not having their roof lights on, and explained that there needs to be public awareness on this matter as the public's understanding is that when a roof light is off, the cab has passengers and cannot pick anyone up; and when it is on, the cab is available to pick up passengers.

**Mr. Waleed Aabed, Fairview**

Mr. Aabed advised that he has been a taxi driver for six years and he does not support additional roof lights or opening the zones as it will result in an overflow of taxis in the downtown area and it will impact on the earnings of all cab drivers.

**Mr. Bill Pickrem, Fairview**

Mr. Pickrem advised that he has been driving a taxi cab for three years. He spoke in favour of the elimination of leasing of roof lights, suggesting that there was a select group making a profit on roof lights. He estimated that there were about ten people controlling approximately 100 roof lights and that their sole motivation for retaining the light is for the profit it provides.

Mr. Pickrem noted that the major fear of total deregulation is flooding of taxis and suggested that there does not have to be a total opening of the industry. He added that the main concern is about the availability of taxis in the night, and suggested that a night service as is the practice in other cities would, in all probability, entice some of the daytime drivers to work nights.

**Mr. Derek Mathers, Halifax**

Mr. Mathers noted that he was the owner and President of Yellow Cab and Armdale Taxi, and had 250 cabs. In his presentation Mr. Mathers advised what he felt were the issues, and possible solutions. Highlights of his remarks are noted as follows:

- C there is a need for more cabs and not just for the bars late at night--since Amalgamation all zones have shown a downward trend in the number of cabs, and the City has grown since amalgamation. This needs to be recognized and to be responded to.
- C the major brokers have invested several millions of dollars in state-of-the-art computer dispatch GPS systems over the years, and most cars now accept debit and credit cards.
- C the industry cannot suddenly increase the number of cabs when the demand is there for it and they cannot control the hours of work of cabbies.
- C another major issue is the leasing of roof lights and the problems associated are a result of limitation, and has been allowed to continue by the City. He questioned why someone who leases a roof light for \$50 lease is allowed to then lease it out to upwards of \$7,000 per year.
- C it is important to distinguish between those who are leasing roof lights and those that are renting out fully equipped taxis such as Mr. Mastrapas'. These multi-license operators in the business provide a valuable service and often are the first entry for new people into the industry, and that whatever regulations are put in place, the multi-license operators should be protected.
- C by maintaining zones, cabs are being directed back to service their local community

In conclusion, Mr. Mathers advised that the staff recommendation was too heavy handed to solve the issue, and he recommended the following:

- C everybody who has a leased roof light should have their own light;
- C increase the numbers of cabs by 15% to get them back to the numbers of 1995;
  
- C grandfather all current arrangements so no one gets hurt;
- C maintain the Taxi and Limousine Commission.

**Mr. Nader Boostani, Halifax**

Mr. Boostani advised that he drove a cab for Casino Taxi. He suggested that if Council approves the staff recommendation it would be destroying the achievements made in the industry over the last few years, such as the testing of new drivers. He referred to the issue of those who own roof lights being able to lease them out and questioned how someone would

be able make money off the Municipality's property. Mr. Boostani also suggested that the issue of wait-times was not for the cab industry only, as the City needs to ensure the streets, particularly side streets, are cleared from snow.

**Mr. Bruce Cochrane, Dartmouth**

Mr. Cochrane referred to item 'd' in the staff recommendation and advised that he found this confusing and would prefer that the word *suspended* be used instead of the word *cancelled*, and the owner's licenses should be reinstated when the driver's license is also reinstated, if they are suspended. He spoke in support of limitations and zones advising that it created a permanent and professional industry and a better quality of taxi vehicle. Mr. Cochrane also spoke in support of maintaining the Taxi and Limousine committee, and he suggested that there were enough roof lights available but that people do not want to work in the outlying areas. In regard to this point he noted that taxi roof lights for the Sackville area have been offered to people numerous times but have been refused. Further, he explained that he spoke with a taxi operator in Dartmouth who is leasing a roof light and this person has moved up on the roof light waiting list by 50 spaces in three months due to other taxi operators refusing to accept the available roof lights.

**Mr. Farid Derouiche, Halifax**

Mr. Derouiche addressed Council and spoke in support of opening up the zones, advising that it would create more jobs.

**Mr. Richard Crowell, Halifax**

Mr. Crowell spoke in opposition to the staff recommendation, advising that it would result in complete devastation to the industry.

**Mr. Benny Devine, Williamswood**

Mr. Devine spoke in support of maintaining the limitations and permitting transferability of licenses to family members. He also suggested that a nighttime tariff is a way to encourage daytime drivers to stay out during the evening and it will help with the concern of wait times, without having to remove limitations.

**Mr. Ahmed Guled, Halifax**

Mr. Guled advised that this past December Casino Taxi suspended him because they said he was operating his cab illegally. He explained that someone complained that he was using their roof light, but it turned out that the owner who leased him the number had also leased it to someone else, but it was he who was suspended.

**Mr. Levi Ezurike, Halifax**

Mr. Ezurike spoke in opposition to the staff recommendation, and noted that it will not solve the problem of Friday and Saturday night cab service. He pointed out that there was no public

consultation and suggested that Council keep in mind those people who have worked 30 and 40 years in the industry and that there should be some sort of a grandfather clause which enables these individuals to keep the roof light in the family.

**Mr. Ahmad Bahramian, Halifax**

Mr. Bahramian spoke against opening the zones. He advised that the main problem was Saturday night between the hours of 2:00 a.m. and 4:00 a.m.

**Mr. Ralph Doyle, Spryfield,**

Mr. Doyle spoke in opposition to the proposed amendments.

At 9:48 p.m. Council recessed.

At 10:00 p.m Council reconvened with the same members present.

**Mr. Douglas Zwaan, Cheezetcook**

Mr. Zwann addressed Council and indicated he supported maintaining the status quo. He suggested that HRM should be looking at ways to keep people in the industry and he pointed out that there is no pension or benefits and therefore a taxi license should be able to be transferred to a family member. Mr. Zwaan advised that he supported opening up the zones adding that it is, essentially, happening now.

**Mr. Suleyman Haji-Suleyman, Halifax**

Mr. Haji-Suleyman advised that he has been in the industry for eight years and that it took him seven and a half years to get a roof light. He spoke in support of limitations and maintaining the zones.

**Mr. Bob Richards, Spryfield**

Mr. Richards advised that he has been a member of the Taxi Commission for many years and that, when a report had been requested from staff, he was expecting it to deal with the idea of transferability, of which he supported. He added that he did not expect staff would come back with the recommendations as contained in the report.

**Ms. Vicki Hutchinson, Fall River**

Ms. Hutchinson indicated that she had been in the taxi industry for the past 20 years and she spoke in opposition to removing limitations. She expressed concern that Council and staff were making decisions regarding an industry they know nothing about and the people who will be impacted have no recourse.

**Mr. Albert Scott, Sackville**

Mr. Scott spoke in support of having one zone advising that it would not result in a flood of cabs to the downtown area, adding that demand and supply of taxis is self-correcting. Mr.

Scott expressed concern about the requirement for the size of a taxi and advised that this has helped contribute to a shortage of cabs

**Mr. James MacPherson, Halifax**

Mr. MacPherson addressed Council and advised that he was not involved in the taxi industry and was here as a citizen and was supportive of the taxi drivers. He expressed concerned that if limitations were removed it would lead to lower quality cabs.

The Mayor called three times for anyone else wishing to speak; there being none, it was **MOVED by Councillor Uteck, seconded by Councillor Sloane that the Public Hearing close. MOTION PUT AND PASSED.**

**MOVED by Councillor Uteck, seconded by Councillor Sloane that this matter be referred back to staff prior to Council debate, and that staff provide a report responding to the following questions and comments of Council:**

Councillor Hendsbee referred to a comment made about registering for a license and requested staff to clarify as to the differences and the opportunities that a sole proprietor, partnership, or limited company would have for liability risk if owning a taxi license.

Councillor Younger asked that staff provide wording on the following two issues:

- C maintaining one owner/one driver but also allow a limited partnership
- C wording around the size of cars

Councillor McCluskey noted that there is confusion over item 1(d) of the staff recommendation and requested further clarification on this.

Councillor Snow requested staff to comment on the leasing of licenses and whether it is legal, and staff's opinion on this.

Councillor Murphy raised the issue of transferability and requested the report address other areas that the region is not so unique, and provide examples. He also noted that other modes of transportation have not been addressed and which perhaps would solve some of the late night issues of getting bar patrons out of the downtown.

Councillor Karsten requested additional background information on the concern staff has had with this matter and why this has come back to Council. He explained that some comments made this evening would suggest that the only reason why Council was discussing it was due to the problems encountered during the hours of 12:00 a.m. to 3:00 a.m. Friday and Saturday nights.

Councillor Hendsbee also requested that staff look at a *Family Clause* that would give First Right of Opportunity to the family, i.e. spouse, partner, or direct dependent, to retain the license and operate it as a licensed operator. This would be on the condition that the person lost the capacity to drive due to being a victim of crime or through disability impairment.

Deputy Mayor Adams requested staff provide information on the number of leases in each zone, and the number of drivers on each waiting list, and detail what the benefits are by opening the zones and what the licensing would be in this particular instance

Councillor Mosher requested responses on the following:

- C how many people that are on the waiting list are currently driving but in a leasing agreement;
- C staff comment on opening the zones on the weekend or the evenings;
- C staff comment on the idea of a surcharge, \$3.00 for local and \$5.00 for further away, per zone.

Councillor Mosher also requested that staff contact the bars and the Business Commission, as this matter is their responsibility as well, and see if they have solutions such as leeway on their closing time (i.e. allowing their patrons to wait until they have transportation before they leave the premises). In addition, she asked that Metro Transit be asked to comment.

Councillor Smith requested that staff explain the difference between 'renting' and 'leasing'.

Councillor Snow requested staff to clarify if there were any regulations for brokers.

Councillor Fougere advised that, previously, staff advised that transferability is not permitted in the Province of Nova Scotia. She asked that the report provide clarity on this aspect.

**MOTION PUT AND PASSED.**

Mayor Kelly indicated that this matter will come back to Council in a few weeks.

**15. ADJOURNMENT**

The meeting was adjourned at 10:43 p.m.

Julia Horncastle  
Acting Municipal Clerk



**INFORMATION ITEMS**

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1. Proclamation - Epilepsy Month - March 2008
2. Proclamation - Fraud Prevention Month - March 2008
3. Proclamation - Kidney Health Month - March 2008
4. Proclamation - Liver Health Month - March 2008
5. Memorandum from Director, Community Development dated February 19, 2008 re: LiDAR Mapping Project and Sea Level Rise Modelling
6. Memorandum from Director, Infrastructure and Asset Management dated February 26, 2008 re: Public Response - Queen Elizabeth High School - Future Use Options
7. Memorandum from Director, Infrastructure and Asset Management dated February 13, 2008 re: Water Quality Notification
8. Memorandum from Advisor, Intergovernmental and Corporate Affairs dated February 13, 2008 re: HRM and Metro University Presidents Memorandum of Understanding Update
9. Memorandum from Director, Community Development dated December 11, 2007 re: Community Visioning Pilot Project Evaluation
10. Memorandum from Director, Community Development dated February 21, 2008 re: Housing Affordability in HRM
11. Memorandum from Director, Finance dated February 22, 2008 re: Third Quarter 2007 / 2008 Financial Report
12. Memorandum from the Acting Municipal Clerk dated February 22, 2008 re: Requests for Presentation to Council - None