

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES September 5, 2000

PRESENT: Mayor Walter Fitzgerald
Deputy Mayor John Cunningham
Councillors: Stephen Streach
Gordon R. Snow
Keith Colwell
Ron Cooper
Harry McInroy
Jack Greenough
Condo Sarto
Bruce Hetherington
Clint Schofield
Jerry Blumenthal
Graham L. Downey
Sue Uteck
Sheila Fougere
Russell Walker
Graham Read
Stephen D. Adams
David Merrigan
Bob Harvey
Peter Kelly
Reg Rankin
Jack Mitchell

REGRETS: Councillor Bill Stone

STAFF MEMBERS: Mr. Ken Meech, Chief Administrative Officer
Mr. Wayne Anstey, Municipal Solicitor
Ms. Vi Carmichael, Municipal Clerk
Ms. Patti Halliday, Assistant Municipal Clerk

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1. INVOCATION

Mayor Fitzgerald called the meeting to order at 6:00 p.m. with the Invocation.

ACKNOWLEDGEMENT

Mayor Fitzgerald acknowledged the presence in the gallery of Mr. Kenneth Ozmon, mayoralty candidate in the upcoming municipal election.

2. PROCLAMATIONS

2.1 Taoist Tai Chi Awareness Day - September 9, 2000

Mayor Fitzgerald proclaimed September 9, 2000 to be Taoist Tai Chi Awareness Day. Councillor Blumenthal acknowledged the presence in the gallery of the President of Taoist Tai Chi Society.

2.2 Bike to Work Week - September 11 - 15, 2000

Mayor Fitzgerald proclaimed September 11 - 15, 2000 to be Bike to Work Week. Councillor Fougere provided registration forms for Bike To Work Week for members of Council interested in participating, as well as information regarding the Bikeways Task Force.

3. APPROVAL OF MINUTES - August 29, 2000

MOVED by Councillors Hetherington and Blumenthal that the minutes of August 29, 2000 be approved, as circulated. MOTION PUT AND PASSED UNANIMOUSLY.

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

The following items were added to the agenda:

- 13.1 Councillor Rankin
 - i) Twinning of Highway 103 - Future Phases
 - ii) Community Mailboxes (Superboxes)
- 13.2 Deputy Mayor Cunningham - Traffic Study - Prince Albert Road
- 13.3 Councillor Uteck
 - i) Armview Traffic Calming Trial

ii) Cartaret Street

13.4 Councillor Walker - Green Cart Pick Up

13.5 Property Matter - Street Closure, Duck Pond Road, Lakeside Industrial Park

13.6 Property Matter - Lease Renewal - Recreation Services, Musquodoboit Harbour

13.7 Property Matter - MGL Consulting and Investments Limited

13.8 Property Matter - Sale of 2595 Sackville Drive

13.9 Property Matter - Land Exchange & Easement - Fairview Lawn Cemetery

Information Item: Status of Ordinance Violations

MOVED by Councillors McInroy and Hetherington that the Order of Business and Additions be approved, as amended. MOTION PUT AND PASSED UNANIMOUSLY.

5. BUSINESS ARISING FROM THE MINUTES

6. MOTIONS OF RECONSIDERATION - NONE

7. MOTIONS OF RESCISSION - NONE

8. CONSIDERATION OF DEFERRED BUSINESS - NONE

9. PUBLIC HEARINGS

9.1 Second Reading By-Law T-203 Tax Exemption for Non-Profit Organizations

- A report from the Grant Committee dated August 15, 2000 was previously circulated to Council. By-Law T-203 passed First Reading on August 15, 2000, and was now before Council for Second Reading.

Ms. Peta-Jane Temple, Coordinator, Grant Program, presented the Committee's report, outlining the additions of new organizations and the correction of administrative records, as detailed in the report dated August 15, 2000.

Mayor Fitzgerald called three times for members of the public wishing to speak either in favour of or against the By-Law. Hearing none, the following motion was put on the floor:

MOVED by Councillors Hetherington and Greenough that the Public Hearing be closed. **MOTION PUT AND PASSED UNANIMOUSLY.**

COUNCIL DECISION

MOVED by Councillors Blumenthal and Sarto that By-Law T-203, an Amendment to By-Law T-201, Tax Exemption for Non-Profit Organizations (2000-2001) be given Second Reading. **MOTION PUT AND PASSED UNANIMOUSLY.**

10. CORRESPONDENCE, PETITIONS AND DELEGATIONS

10.1 Correspondence

10.1.1 Request for Reconsideration of Property Tax Exemption - Oakwood Terrace

- Correspondence from Glenn Griffin, Administrator, Oakwood Terrace, Home for Special Care, dated August 31, 2000, regarding the above, was before Council for its consideration.

Councillor Schofield stated Oakwood Terrace was tax exempt for 18 years prior to amalgamation, and it should have been included in HRM legislation to continue to be tax exempt. The Councillor stated he has background information from the former City of Dartmouth regarding this situation, and suggested the matter should be referred to the Grant Committee for consideration. Councillor Schofield stated the tax exemption for Oakwood Terrace was a previous commitment of the former City of Dartmouth, and it should be honoured as were other pre-amalgamation commitments.

MOVED by Councillors Schofield and Greenough that the correspondence from Glenn Griffin, Administrator, Oakwood Terrace, Home for Special Care, dated August 31, 2000, requesting reconsideration of property tax exemption, be referred to the Grant Committee.

Speaking in support of the motion, Councillor Greenough stated it was an oversight that this property was not included as part of the exempt properties in the new Municipal Government Act. The Councillor stated it was never the intention that the tax exemption status for Oakwood Terrace would be changed, and the residents of Dartmouth expect this support for this facility.

Mr. Ken Meech, Chief Administrative Officer, noted there are a couple of other organizations in similar circumstances, such as Oceanview Manor, that will believe they should be tax exempt as well if tax exemption status is granted to Oakwood Terrace.

Councillor Blumenthal stated if tax exemption is granted to one of these organizations, it needs to be granted to those similar as well. The Councillor spoke in support of the matter being referred to the Grant Committee to be discussed thoroughly.

Speaking in support of the motion, Councillor Hetherington stated the tax exemption for Oakwood Terrace was intended to be carried through amalgamation, and it was a commitment made to Oakwood Terrace when it was built. The Councillor noted there are not a lot of special care homes in the Municipality, and the majority of the per diem rate is paid by the 110 residents of this facility.

Councillor Sarto requested that the Committee view Oceanview Manor in the same context.

Councillor Rankin stated the political landscape has changed relative to Social Services, and responsibility for special care homes, including taxes, belongs with the Province. With regard to the per diem rate, the Councillor stated the residents are not expected to compensate management for taxes.

Councillor McInroy spoke in support of fair treatment of similar organizations with respect to taxation, and requested that Oceanview Manor be given consideration in the overall impact of what will be forthcoming from the Grant Committee.

Closing the debate, Councillor Schofield stated Oakwood Terrace is only seeking fairness and requesting that the Municipality honour the commitment of the former City of Dartmouth.

MOTION PUT AND PASSED.

10.2 Petitions

10.2.1 Councillor Streach - Unsightly Premises

Councillor Streach served a petition containing approximately 30 signatures of residents of the Eastern Shore regarding an unsightly premises. The Councillor requested that the petition be directed to the Minimum Standards Inspector to be forwarded to the Dangerous and Unsightly Premises Committee.

10.2.2 Councillor Merrigan - Sidewalk Request, Millwood Drive

Councillor Merrigan served a petition containing approximately 144 signatures of residents of Rossing Drive, Larrigan, Hewer, Bucheron, and neighbouring streets requesting a

sidewalk on the right side of Millwood Drive, or a three way stop at the end of Rossing Drive with a crosswalk.

11. REPORTS

11.1 MEMBERS OF COUNCIL

11.1.1 Councillor Merrigan - District Fire Chiefs

Councillor Merrigan inquired about the hiring of the District Fire Chiefs for the volunteer fire departments. The Councillor stated the volunteers are feeling left out, manipulated and controlled. In response, Mr. Mike Eddy, Chief Director, Fire Services, stated the overall responsibility for fire protection in HRM was originally placed with the Fire Commissioner's Office at the time of amalgamation. Staff is now working towards, with the approval of the Fire Advisory Committee, a structure that will provide better customer service, more contact, and be less removed from concerns that come forward. Chief Eddy noted a District Fire Chief has been successfully utilized in District 23 for some time, and this role has just been expanded. Chief Eddy noted that no concerns have been brought forward to him regarding this issue, but if there had been, they would have been addressed as they were submitted.

Responding to a suggestion of Mayor Fitzgerald, Chief Eddy stated he is willing to meet with any Councillor or department to address any concerns they may have.

Councillor Merrigan requested that the Municipal Solicitor examine the legal aspects to clarify who has the responsibility over the volunteer fire departments. Mayor Fitzgerald suggested Mr. Wayne Anstey, Municipal Solicitor, could discuss this with the Councillor and Chief Eddy.

In response to a question of Councillor Mitchell, Chief Eddy explained the responsibility of the zone manager.

Mr. George McLellan, Deputy Chief Administrative Officer, stated the intent of the District Fire Chiefs is to spread out the responsibility, thus broadening the level of responsibility in Fire Services, which is something that many people would encourage. Mr. McLellan stated this change in culture may be difficult for some of the Districts to accept. However, there is need to broaden the managerial scope to spread out some of the responsibility.

Councillor Streach stated there appears to be some differing opinions on this issue, but the general comment that he has heard is that another level of bureaucracy is being created. The Councillor stated some departments are looking at this as an opportunity to have more connection with Chief Eddy, but others view it as an insult. Councillor Streach

inquired if the departments will have input in this matter. In response, Chief Eddy stated some of the hours of work and associated duties with respect to District Chiefs in the core area were changed, and, therefore, it was decided to be fair to those that already applied, to issue a second call for these positions. Chief Eddy stated this included a detailed job description. Councillor Streach stated consultation regarding these positions needs to take place with the volunteer Chiefs, and inquired if it is intended to have such a discussion. Chief Eddy stated bureaucracy has not been increased through this new structure, and, in fact, two levels of hierarchy in the Fire Services have been reduced. With respect to consultation, Chief Eddy stated that phase has already been completed. However, if there is a problem in a particular area, he is willing to discuss it.

Responding to a question of Councillor Colwell, Chief Eddy stated it is not the intention to add the new District Chief to the area rate. Councillor Colwell requested that staff speak with the Chiefs and the departments themselves to advise them of what is taking place. Chief Eddy stated this new structure is in the best interest of all, and a lot of positive feedback has been received from Fire Services station level staff.

In response to a question of Councillor Adams, Chief Eddy stated that, in most cases, any debt incurred by a particular station would go back to the originating department. The Councillor stated he would not support anything that would burden stations that have performed well over the past years. In response, Chief Eddy stated staff will be working with the stations as equal partners.

Councillor Merrigan stated he would like to have a staff report dealing with the District Fire Chiefs so Council can understand what is taking place and will be able to discuss the issue with their respective fire departments.

MOVED by Councillors Merrigan and Adams that this matter be referred to staff for a report.

Councillor Streach stated there a lot of residents who are more comfortable contacting their District Councillor, rather than the Fire Chief, to discuss this issue. The Councillor stated this new structure can be a good opportunity, but if it is not handled properly there will be definite problems.

MOTION PUT AND PASSED UNANIMOUSLY.

11.1.2 Councillor Blumenthal - Relocation of Taxi Stand, Kaye Street

Councillor Blumenthal requested that Council forward a request to consider the relocation of the taxi stand on Kaye Street to Young Street to the Regional Taxi and Limousine

Committee. Councillor Adams suggested the matter be referred to the Traffic Authority as well.

MOVED by Councillors Blumenthal and Hetherington that Council refer the request to consider the relocation of the taxi stand on Kaye Street to Young Street to the Regional Taxi and Limousine Committee and the Traffic Authority for a report. MOTION PUT AND PASSED UNANIMOUSLY.

11.2 GRANT COMMITTEE

11.2.1 Community Grants 2000-2001, Bedford Lights Up Parade

- A Supplementary Report from the Grant Committee, regarding the above, was before Council for its consideration.

MOVED by Councillors Walker and Greenough that Council uphold the original recommendation of the Grant Committee not to fund the Bedford Lights Up Parade, based on the merit of the initial recommendation.

Councillor Kelly noted the grant request is now being handled through Tourism, Culture and Heritage.

MOTION PUT AND PASSED UNANIMOUSLY.

11.3 CHIEF ADMINISTRATIVE OFFICER

11.3.1 Award of Quotation 2000M721, School Street Renewal - Dartmouth

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

MOVED by Deputy Mayor Cunningham and Councillor Schofield that Council:

- 1. Approve the recovery of Local Improvement Charges for the installation of new curb and gutter on School Street as the per Local Improvement Policy through a frontage charge.**
- 2. Authorize the transfer of funds in the amount of \$22,500.00 from Account No. CRESPOOL, the Capital Pool to Capital Account No. CYR00995 School Street.**

3. Quotation 2000M721, School Street Renewal - Dartmouth be awarded to Ocean Contractors Limited for materials and services listed at the unit prices quoted for a Quotation Price of \$37,846.50, and a Total Project Cost of \$43,500.00, with funding authorized as per the Budget Implications Section of the staff report dated August 24, 2000. **MOTION PUT AND PASSED UNANIMOUSLY.**

11.3.2 Award of Tender No. 00-251, Melville Cove Pumping Station, Halifax, Power Backup

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

MOVED by Councillors Read and Greenough that Council:

1. **Award Tender No. 00-251, Melville Cove Pumping Station Power Backup, Halifax, to Ainsworth Atlantic for materials and services listed at the unit prices quoted for a Tender Price of \$206,679.00 and a Total Project Cost of \$237,681.00, with funding authorized as per the Budget Implications Section of the staff report dated August 25, 2000.**
2. **Approve the appointment of SNC Lavalin for construction supervision services, for an estimated fee of \$16,000 (including H.S.T.) with funding authorized as per the Budget Implications Section of the staff report dated August 25, 2000. MOTION PUT AND PASSED UNANIMOUSLY.**

Councillor Hetherington expressed concern regarding the sewage overflow into Morris Lake that occurred today. In response, Mr. Kulvinder Dhillon, Director, Public Works and Transportation, stated that the situation is under control, staff is looking into it, and Council will be kept informed. The Councillor requested that a report be brought back to Council in 7-10 days, if possible.

11.3.3 Proposal 00-297 Consultant Ward, Bancroft Court Development

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

MOVED by Councillors Schofield and Hetherington that Council approve the award of Proposal No. 00-297, Engineering Design Services for Bancroft Court Development, Burnside Industrial Park, to Dillon Consulting Limited for an estimated cost of \$52,500.00, including HST, plus \$8,000.00 in contingencies for a Total Project

Cost of \$60,500.00 with funding as per the Budget Implications Section of the staff report dated August 28, 2000. **MOTION PUT AND PASSED UNANIMOUSLY.**

11.3.4 Tender 00-093 Preparation of Sites for the Installation of Bus Shelters and the Upgrade of Areas Around Various Bus Stop Locations

- A staff report prepared for Ken Meech, Chief Administrative Officer, regarding the above, was before Council for its consideration.

MOVED by Councillors Downey and Fougere that Regional Council authorize the award of Tender #00-093 to prepare sites for the installation of bus shelters and the upgrade of areas around bus stop locations to Largo Contracting Ltd. in the amount of \$49,800.00 plus H.S.T.

In response to questions of Councillor Kelly, Mr. Brian Taylor, Manager, Metro Transit, stated a staff report can be provided regarding the bus bench program. Councillor Hetherington requested that a list of the bus shelter locations be e-mailed to members of Council.

MOTION PUT AND PASSED UNANIMOUSLY.

11.3.5 Sign Encroachment - Civic No. 15 Purcell's Cove Road

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

Mr. David McCusker, Manager, Transportation and Traffic Services, responded to questions of Councillor Read regarding the sign.

MOVED by Councillors Read and Schofield that Council approve the request for a sign encroachment for Civic No. 15 Purcell's Cove Road. MOTION PUT AND PASSED UNANIMOUSLY.

11.3.6 1st Quarter 2000/2001 Financial Report (Info Memo)

- An Information Report prepared for Dale MacLennan, Director, Financial Services, regarding the above, was before Council for its consideration.

Ms. Dale MacLennan, Director, Financial Services, presented the 1st Quarter 2000/2001 Financial Report to Council, which projected a \$22,000 surplus. Ms. MacLennan noted that capital and reserve projections will be included in the 2nd Quarter report.

Police Chief David McKinnon responded to questions of Councillor Uteck regarding the assignment of four staff to Kosovo and East Timor, stating the money from this arrangement is used to bring extra staff in on overtime during the peak periods.

Responding to an additional question of the Councillor regarding the projected Solid Waste over-expenditure, Mr. Meech stated these are very preliminary projections and staff will provide additional detail in the near future.

In response to a request of Councillor Kelly, Ms. MacLennan stated actual-to-actual comparison data for this year and last will be provided in the next quarterly report. In response to a further question of the Councillor, Chief McKinnon stated the funding from the UN assignment was not included in the Operating Budget as the actual figure was not known at the time.

With respect to Solid Waste, Councillor Kelly requested that the forthcoming report contain further detail regarding the actual reasons for the over-expenditures. Ms. MacLennan responded to additional questions of the Councillor regarding Project Genesis, stating \$2.5 million was anticipated in this budget year, of which approximately \$1.1 million has been recovered to date. However, it is expected that the remainder will be recovered by the end of the year.

Responding to a question of Councillor Fougere, Mr. Meech stated the forthcoming report regarding Solid Waste will include information as to cause of the increased residential waste.

In response to a question of Councillor Walker, Mr. Meech stated the staff report will contain details on the increased costs for compost facilities, noting it is his understanding that this figure relates to the contractual arrangements as opposed to the actual facilities.

Councillor Blumenthal stated he would like the staff report to include information regarding the percentage of money being lost in blue bag recyclables being taken by individuals from the curbside. With respect to enforcement, Mr. Peter James, Regional Coordinator, By-Law Enforcement, stated numerous people have been ticketed for this offence and enforcement has been increased over the last month. Mr. James agreed to provide the actual figures to the Councillor.

Councillor Greenough stated the additional revenue received from the Resource Recovery Fund should not be used to offset the projected Solid Waste over-expenditure, and requested that this be addressed in the staff report. The Councillor suggested that a similar presentation to the one that was given to the Audit Committee regarding the Genesis Project should be given to Council.

With respect to Solid Waste, Councillor Rankin stated the cost of garbage being directed to Site A is less this year than last. The Councillor suggested restructuring of staff should be examined given that the Municipality has achieved the highest diversion rate (60%) in the Province. Councillor Rankin suggested the financial statement does not provide an accurate picture and suggested there may not have been good consultation with Solid Waste staff in bringing forward this projected over-expenditure.

Fire Chief Eddy responded to a question of Councillor Downey regarding the fire station relocation program, stating that staff will be moving forward with this plan within this budget year.

With regards to Solid Waste, Mr. McLellan stated the system is acting as expected if the diversion was not achieved. Mr. McLellan stated department expenditures are generally on track and there are not a lot of areas where there is a favourable variance.

Councillor Colwell suggested the increase in residential waste may be related to not having weekly pick-up of the green bins. The Councillor noted that it has come to his attention that blue bag pickup may only be occurring bi-weekly in some areas.

Councillor Harvey congratulated Solid Waste staff and the public with regards to the waste diversion program, noting the projected over-expenditure can turn around in six months time.

Ms. MacLennan clarified that this report was prepared in consultation with the various Business Units.

Mayor Fitzgerald thanked staff for the report.

11.3.7 Cat By-Law (prev circ July 11)

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

Mayor Fitzgerald suggested that this matter be deferred until November 2000.

MOVED by Councillors Sarto and Hetherington that the Cat By-Law be deferred until November 2000. MOTION PUT AND PASSED.

12. MOTIONS

13. ADDED ITEMS

13.1 Councillor Rankin

i) Twinning of Highway 103 - Future Phases

MOVED by Councillors Rankin and Mitchell that the Mayor write a letter to the Provincial Department of Public Works and Transportation requesting the construction schedule for future phases of the twinning of Highway #103. MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Rankin requested that the letter also forwarded to the leader of both the Liberal and NDP parties.

ii) Community Mailboxes (Superboxes)

Councillor Rankin expressed concern with the lack of garbage receptacles at the superbox locations, stating Canada Post has a responsibility to provide such a service to deal with the trash associated with its business, such as unwanted flyers.

MOVED by Councillors Rankin and Mitchell that the Mayor write a letter to Canada Post requesting that garbage receptacles, with regular pick-up, be provided at the community mailbox locations.

Councillor Sarto also requested that the letter include a request for a mailbox on Topsail Blvd. in Dartmouth.

MOTION PUT AND PASSED UNANIMOUSLY.

13.2 Deputy Mayor Cunningham - Traffic Study - Prince Albert Road

Deputy Mayor Cunningham expressed concern with increased traffic on Prince Albert Road, stating this problem will intensify with the opening of the new Atlantic Superstore and Phase II of Banook Shores.

MOVED by Deputy Mayor Cunningham and Councillor Greenough that a traffic study on Prince Albert Road be conducted after the opening of the new Superstore and Phase 2 of Banook Shores. MOTION PUT AND PASSED UNANIMOUSLY.

13.3 Councillor Uteck

i) Armview Traffic Calming Trial

Responding to a question of Councillor Uteck, Mr. David McCusker, Manager, Traffic and Transportation Services, gave Council an overview of the second Armview Traffic Calming Trial.

Councillor Uteck expressed some concern with the trial, noting a number of measures are being tested as this is the test area that will be applied in the rest of HRM in the future for traffic calming. The Councillor stated the “No Left Turn” from Armview to Quinpool is a positive step, but the traffic has now been driven up Prince Arthur Street, which only shifts the problem to another street.

Councillor Uteck stated the residents of Armview have only ever asked for speed bumps and stop signs. With the use of an overhead, the Councillor illustrated the affected area, stating, in her opinion, there is a problem with the raised platform intersection, as it does not have a very significant deterrent for a vehicle driving at the normal speed. Councillor Uteck stated the area before the turn onto Pryor is the longest stretch that encourages speeding, which is the prime concern of the residents. The Councillor stated the residents are seeking a few speed bumps in this 300-400' stretch of road. Councillor Uteck noted no stop restrictions have been placed on Jubilee Road coming up on to the Connaught intersection, and the residents are requesting a stop sign be implemented at the Jubilee/Connaught intersection. The Councillor inquired if a 2-way stop would be possible at this intersection. In response, Mr. McCusker stated there is some concern over the use of a 2-way stop at a 3-leg intersection at this location. However, staff would be prepared to investigate going with a 3-way stop or implementing stop signs on both legs of Jubilee, but there is a concern with the afternoon peak.

In closing, Councillor Uteck stated she would like to see, as part of the trial, speed bumps and stop signs as mentioned above, as the chicanes may not be the solution.

ii) Cartaret Street

Councillor Uteck clarified that Cartaret Street was listed in the former City of Halifax budget books at a 64 percent deficiency. Staff visited the site and agreed there was a problem and patched the street to 83 percent deficiency. The Councillor requested that staff examine the possibility of using any money left over near the end of the construction season in the CRESPOOL account for Cartaret Street for this construction season for sidewalk renewal. It was agreed that staff would look into this matter.

13.4 Councillor Walker - Green Cart Pick Up

Councillor Walker reported an incident regarding a resident in his District whose green bin was recently rejected for pick up due to the fact it contained unacceptable material. The Councillor requested a staff report to respond to the following questions:

- Has there be a change in the policy that Councillors are not supposed to call Enviro-waste?
- How is a resident to determine the weight of the bin?

- What is a resident to do with the excess over 200 lbs if it has to be removed and where are they expected to store it for two additional weeks?
- Are the lifters regularly checked to determine if they can properly lift 200 lbs?
- Is the water that is created from storing the waste for an additional two weeks taken into consideration in the 200 lb limit?
- Why would there not be a policy where the plastic bags dropped into the bins by people walking their dogs could be removed by the person checking the bins and left at the curbside for the homeowner to remove?

Council agreed to the request for a staff report.

13.5 Property Matter - Street Closure, Duck Pond Road, Lakeside Industrial Park

- This item was discussed during an In Camera session held prior to the Regular Session and was now before Council for ratification.

MOVED by Councillors Rankin and Mitchell that:

- 1. Halifax Regional Council authorize staff to set a date of September 26, 2000 for a public hearing for consideration of HRM Administrative Order SC-23, concerning the closure of Duck Pond Road, Lakeside Industrial Park as shown on Attachment "A" of the staff report dated August 22, 2000.**
- 2. Approve the conveyance of Duck Pond Road, subject to the approval of the street closure, to Sobeys Capital Inc., subject to the terms and conditions as set out in the staff report dated August 22, 2000.**
- 3. This report not be released to the public. MOTION PUT AND PASSED UNANIMOUSLY.**

13.6 Property Matter - Lease Renewal - Recreation Services, Musquodoboit Harbour

- This item was discussed during an In Camera session held prior to the Regular Session and was now before Council for ratification.

MOVED by Councillors Streach and Hetherington that Council authorize the Mayor and Municipal Clerk to enter into Lease Agreements with Care Investments (N.S.) Limited for the Recreation Customer Service Office and Fitness Centre at 7900 Rte #7 Musquodoboit Harbour based on the key lease terms and conditions outlined in the staff report dated August 26, 2000. Further, that the staff report not be released. MOTION PUT AND PASSED UNANIMOUSLY.

13.7 Property Matter - MGL Consulting and Investments Limited

- This item was discussed during an In Camera session held prior to the Regular Session and was now before Council for ratification.

MOVED by Councillor Hetherington and Deputy Mayor Cunningham that Halifax Regional Council:

- 1. Approve the proposed assignment of the Perks sublease to 3047451 Nova Scotia Limited.**
- 2. Authorize staff to proceed to arbitration under provisions of the amending agreement approved May, 1994 (Clause 3.(a)) of the land lease between the former City of Halifax and MGL Consulting and Investments Limited to establish the rental rate for the period October 01, 1998 to September 30, 2003 and to arbitrate the provisions of Clause 9 of the head lease.**
- 3. This report not be released to the public.**

MOTION PUT AND PASSED UNANIMOUSLY.

13.8 Property Matter - Sale of 2595 Sackville Drive

- This item was discussed during an In Camera session held prior to the Regular Session and was now before Council for ratification.

MOVED by Councillors Sarto and Greenough that this matter be deferred to next week to allow opportunity for staff to provide additional information. MOTION PUT AND PASSED.

13.9 Property Matter - Land Exchange & Easement - Fairview Lawn Cemetery

- This item was discussed during an In Camera session held prior to the Regular Session and was now before Council for ratification.

MOVED by Councillors Mitchell and Greenough that Regional Council:

- 1. Authorize staff to transfer Fairview Cemetery land known as Parcel 1, containing 565 sq.ft. to Baron De Hirsch Cemetery in exchange for Parcel 4A, containing 565 sq.ft., for a nominal fee of \$1.00.**

2. Authorize staff to transfer Parcel 8 and 9, containing 520 sq.ft. to Baron De Hirsch Cemetery for a nominal fee of \$1.00 to correct a previous boundary line error between the Fairview Lawn and Baron De Hirsch cemeteries.
3. Grant easement rights to the Baron De Hirsch Cemetery over lands of Fairview Lawn Cemetery, for a nominal fee of \$1.00, as indicated in Attachment "A" of the staff report labelled "service road". The easement would be contingent upon staff successfully finalizing an agreement with the Baron De Hirsch Cemetery for the cost of upgrades and special maintenance of the "service road" to accommodate access to their land.
4. This report be retained as a confidential report, and not be released to the general public. MOTION PUT AND PASSED UNANIMOUSLY.

14. NOTICES OF MOTION

14.1 Councillor Reg Rankin - Administrative Order SC-23

TAKE NOTICE that at the regular Regional Council meeting to be held on Tuesday, September 26, 2000, I propose to introduce for introduction by Council as a Policy pursuant to Section 315 of the Municipal Government Act, Administrative Order SC-23. The purpose of which is to effect closure of Duck Pond Road in the Lakeside Industrial Park.

15. ADJOURNMENT

MOVED by Councillors Greenough and Hetherington that the meeting adjourn at 8:30 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

Vi Carmichael
Municipal Clerk