

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES May 1, 2001

PRESENT:

Mayor Peter J. Kelly
Deputy Mayor Jerry Blumenthal
Councillors: Stephen Streach
Gary Hines
Ron Cooper
Harry McInroy
Brian Warshick
Condo Sarto
Bruce Hetherington
Jim Smith
John Cunningham
Dawn Sloane
Sue Uteck
Russell Walker
Diana Whalen
Linda Mosher
Stephen D. Adams
Brad Johns
Bob Harvey
Len Goucher
Reg Rankin
Gary Meade

REGRETS:

Councillors: Keith Colwell
Sheila Fougere

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

Acknowledgements

On behalf of Council, Mayor Kelly extended sympathy to Councillor Fougere and her family on the recent passing of her mother, and to Councillor Adams and his family on the recent passing of his grandmother.

2. **PROCLAMATIONS**

2.1 **Asian Heritage Month - May**

The month of May was proclaimed to be Asian Heritage Month.

2.2 **Mental Health Week - May 7 - 13, 2001**

The week of May 7 - 13 was proclaimed to be Mental Health Week.

2.3 **Drinking Water Week - May 6 - 12, 2001**

The week of May 6 - 12 was proclaimed to be Drinking Water Week.

3. **APPROVAL OF MINUTES - April 10 and April 17, 2001**

MOVED by Deputy Mayor Blumenthal, seconded by Councillor Hetherington, that the minutes of April 10 & April 17, 2001 be approved, as circulated. MOTION PUT AND PASSED UNANIMOUSLY.

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

The following items were added to the agenda:

- 13.1 Councillor Cooper - Request to move Information Item #5 (December 20, 2000 Rainfall Event) to the Regular Council agenda for discussion
- 13.2 Committee of the Whole - Community Integration Fund
- 13.3 Property Matter - Regatta Point Walkway
- 13.4 Property Matter - Oakwood House, 88A Crichton Avenue Dartmouth - Lease Agreement

13.5 Property Matter - Halifax West School Replacement

The following item was deleted from the agenda:

10.3.1 Presentation- Conseil scolaire acadien provincial (CSAP) Supplementary Education Funding

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

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

6. **MOTIONS OF RECONSIDERATION - NONE**

7. **MOTIONS OF RESCISSION - NONE**

8. **CONSIDERATION OF DEFERRED BUSINESS**

8.1 **First Reading - By-Law L-200 Respecting Licensing and Construction Demolition Debris Recycling and Disposal Operations**

C A staff report prepared for K. R. Meech, Chief Administrative Officer, dated April 18, 2001, regarding the above, was before Council for its consideration.

C A revised By-Law L-200 was circulated to Council.

Councillor Rankin reviewed the revised By-Law, noting the only change is with respect to License Requirements 3 (8) in the original By-Law which stated "No License shall be issued for a C & D Disposal Site before the 1st day of January, 2002." The Councillor noted this clause has been removed in the revised By-Law as Legal Services has advised that the Municipality does not have this authority.

MOVED by Councillor Rankin that Council give First Reading to the revised By-Law L-200 Respecting Licensing and Construction Demolition Debris Recycling and Disposal Operations.

There was no seconder to this motion.

Councillor Adams noted, at a previous meeting, he requested information from staff as to why the Department of Environment numbers were not used in terms of setbacks, and how were

the setbacks and separation distances derived. The Councillor noted responses to these questions are not included in the information currently before Council.

In response, Mr. Jim Bauld, Diversion Planning Coordinator, Solid Waste Resources, stated there were many public meetings held in this process, as well as meetings with the industry. Many members of the industry indicated the C&D disposal guidelines of the Department of Environment should be used. On the other hand, some members of the public have indicated that the minimum separation distances, as prescribed by the Department of the Environment, are not adequate. Mr. Bauld stated staff have been working with the individual operators in an attempt to balance the needs of community protection and the operation of the facility. With the use of an overhead, Mr. Bauld summarized the separation distances for C&D disposal sites (distances from active areas).

Councillor Adams stated he was not aware of any member of the public expressing concern that the minimum separation distances were not adequate. The Councillor stated he would like to have the information in the minutes where what the public had asked for is reflected. Councillor Adams inquired what is the purpose for specific separation distances between facilities. Mr. Bauld stated the separation distances reflect the varying levels of activity at various sites, and the distances reflect the potential risk associated with each operation.

In response to an additional question of the Councillor with respect to material, Mr. Bauld stated it is reasonable to assume the materials are inert.

Councillor Adams stated he was still not comfortable with the reasoning behind the separation distances, and suggested the item be deferred until the information he previously requested was made available.

MOVED by Councillor Adams, seconded by Councillor Hetherington, that this matter be deferred for two weeks.

Responding to a question of Councillor Walker, Mr. Bauld stated, as part of the licensing requirements, the proposed By-Law includes the requirement for each facility to provide data to staff, such as measuring the material coming in and going out, and the weight and type of the material, etc. Mr. Bauld noted this data would have to be provided on a bi-weekly basis, at the minimum. In response to a further question of the Councillor regarding stockpiling, Mr. Bauld stated the operators will be seeking to consolidate materials by type to at least volumes that equal container or tractor trailer loads so they can move them off to markets and bring efficiencies of scale. The by-law allows this for up to one year. Mr. Bauld stated if there is a stockpile at a disposal site, then it has to be moved into the disposal facility. He noted there is a list in the report that indicates what material cannot go into the disposal facility itself.

Councillor Walker expressed concern that a stockpile could remain in place forever. Mr. Bauld stated the existing stockpiles can remain on site until January 2003, at which time they have to be removed from site, thereby reducing potential impact on the surrounding neighbourhoods. Mr. Wayne Anstey, Municipal Solicitor, noted there are recycling targets set out in the by-law which require, during a certain calendar year, that 50 percent of all incoming materials are to be recycled or diverted. Councillor Walker stated he would like this aspect of the by-law strengthened. The Councillor also stated that materials that are not inert should be taken out before the remainder is put in the pile.

Councillor Cooper noted he had requested a further explanation of the comments of the the industry and residents. The Councillor noted a summary of the subject areas was included in the report, but no explanations of what was said were given. Councillor Cooper suggested this area should be further enhanced. In response to a question of the Councillor, Mr. Bauld stated staff reflected upon the questions raised by Councillor Cooper at the last Council meeting, and, with respect to the licensing fee, staff anticipates no more than five applications the first year, and probably two or three the following year. As there would be so few applications on an annual basis, the licensing fee would probably not recover staff's time.

With regard to the setbacks, Councillor Cooper stated staff from the Province indicated the Municipality could establish more stringent regulations and it would not object. The Councillor also stated he had concerns with the one-year stockpile, particularly with run off from outdoor stockpiles. Councillor Cooper stated he would like to see further explanation and clarification on these items when the matter comes back to Council.

Responding to a question of Councillor Walker, Mr. Kurt Pyle, Planner, stated it would be quite possible to have a processing facility and a disposal operation on the same site. Councillor Walker asked that the report address the possibility of having three different components on the same site, all independent of each other and all with different requirements.

MOTION PUT AND PASSED UNANIMOUSLY.

9. PUBLIC HEARINGS

9.1 Case 7350 Request for Amendments to the Halifax MPS and Land Use By-Laws Concerning By-Right Development of Non-Conforming Uses (prev circ April 10)

- C** A report from the Chebucto Community Council, dated April 4, 2001, regarding the above, was before Council for its consideration.

Mr. Gary Porter, Planner, presented the report to Council.

Councillor Uteck expressed concern that the draft MPS policy does not contain a provision to limit the application of the amendment to buildings containing not more than two dwelling units or townhouses.

Responding to a question of Councillor Uteck regarding Clause 3.21 (b) on Page 6 of the report, Mr. Porter suggested the wording could be changed to “limiting the use of such additions to residential properties only.”

With respect to the phrase “specific benefits to the neighbourhood” on Page 9 of the report, Councillor Uteck expressed concern as to who determines what is a benefit.

Mayor Kelly called for members of the public wishing to speak either in favour of or against the amendments.

Ms. Roxanne Lugar

Ms. Lugar addressed Council regarding the proposed amendments, noting there are parts of the Municipality that have specific guidelines that have to be followed for all uses and not just non-conforming. Ms. Lugar expressed concern that staff may not always be aware of some of these guidelines and parameters. Although she supported the amendments, Ms. Lugar cautioned those involved in the process to check the facts as some areas have specific guidelines for a reason.

Mayor Kelly called three times for additional speakers. Hearing none, the following motion was put on the floor:

MOVED by Deputy Mayor Blumenthal, seconded by Councillor Goucher, that the Public Hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.

COUNCIL DECISION

MOVED by Councillor Uteck, seconded by Councillor Sloane, that Regional Council approve the amendments to Halifax Municipal Planning Strategy and the Halifax Land Use By-Laws as contained in Appendix A of the staff report dated March 6, 2001, namely:

- i) Add Policy 3.2.1 to the Municipal Planning Strategy, which enables the Land Use By-Law to be amended to permit certain additions to structures containing non-conforming uses, for residential purposes;**
- ii) Delete the definition of non-conforming use from the Halifax Mainland Land Use By-law; and**

- iii) **Pursuant to the proposed Municipal Planning Strategy Policy 3.21 above, add provisions in the Land Use By-laws to permit minor additions, for residential purposes, to buildings containing non-conforming uses.**

Councillor Uteck reiterated her concern with respect to Clause 3.21 (b) on Page 6 of the report, and asked if it would be possible to put forth an amendment to the motion. In response, Mr. Wayne Anstey, Municipal Solicitor, advised Council that the Public Hearing advertisement placed in the newspaper was worded broadly enough that this amendment could be made at this meeting.

MOVED by Councillor Uteck, seconded by Councillor Sloane, that the motion be amended to add the following:

- iv) **Add a provision to the MPS policy that limits the application of the amendment to buildings containing not more than two dwelling units or townhouses. MOTION PUT AND PASSED.**

With respect to the deletion of the definition of “non-conforming use” from the Halifax Mainland Land Use By-Law, Councillor Cunningham stated he believed this definition is necessary. The Councillor stated that the deletion of it would create too much discretion.

Councillor Cooper suggested staff could consider making reference in the By-Law to the definitions in the Municipal Government Act. Mr. Anstey noted the definition of non-conforming use in the Municipal Government Act applies to the By-Law whether or not it is actually stated in the By-Law. He stated that adding the definition will not add to the legality of the By-Law, and may create confusion if the Municipal Government Act definition is changed in the future. Mr. George McLellan, Acting Chief Administrative Officer, suggested mention could be made in the By-Law that non-conforming use is as defined in the Municipal Government Act.

Councillors Uteck and Sloane agreed that Mr. McLellan’s suggestion should be incorporated into the motion.

The vote was then taken on the amended motion, which now read as follows:

MOVED by Councillor Uteck, seconded by Councillor Sloane, that Regional Council approve the amendments to Halifax Municipal Planning Strategy and the Halifax Land Use By-Laws as contained in Appendix A of the staff report dated March 6, 2001, namely:

- i) Add Policy 3.2.1 to the Municipal Planning Strategy, which enables the Land Use By-Law to be amended to permit certain additions to structures containing non-conforming uses, for residential purposes;
- ii) Delete the definition of non-conforming use from the Halifax Mainland Land Use By-law; and add reference to the term non-conforming use “as defined in the Municipal Government Act”
- iii) Pursuant to the proposed Municipal Planning Strategy Policy 3.21 above, add provisions in the Land Use By-laws to permit minor additions, for residential purposes, to buildings containing non-conforming uses.
- iv) Add a provision to the MPS policy that limits the application of the amendment to buildings containing not more than two dwelling units or townhouses. MOTION PUT AND PASSED.

9.2 Second Reading By-Law S-103 Respecting Sewer Charges (prev circ April 10)

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

Mr. Blaine Rooney, Secretary Treasurer, Halifax Regional Water Commission, presented the staff report to Council.

Mayor Kelly 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 Councillor Hetherington, seconded by Councillor Warshick, that the Public Hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.

COUNCIL DECISION

MOVED by Councillor Uteck, seconded by Councillor Sloane, that Council give Second Reading to By-Law S-103. MOTION PUT AND PASSED UNANIMOUSLY.

9.3 i) Street Closure and Sale of Land Adjacent Esso Service Centre at 111 Kearney Lake Road/Case 00350 - Zoning - Kearney Lake Road (joint hearing)

- C A staff report to the Chebucto Community Council, dated March 14, 2001, regarding the above, was before Council for its consideration.

- C A draft Administrative Order SC-25 Respecting Closure of a Portion of Kearney Lake Road, was before Council for its consideration.
- C Correspondence from Sean Gillett and Linda Good, 39 Castle Hill Drive, Halifax, objecting to the re-zoning of the parcel of land adjacent to the Esso Station on Kearney Lake Road, was before Council for its consideration.

Mr. Gary Porter, Planner, clarified the process to be followed, noting there are two actions involved: a partial street closure and a property re-zoning. Mr. Porter noted the zoning issue is under the jurisdiction of the Chebucto Community Council and the street closure is under the jurisdiction of Regional Council. Therefore, that is the purpose of the joint public hearing.

Mr. Mike Woods, Real Estate Services, presented the street closure and sale of land issue to Council.

Mr. Porter presented the re-zoning issue, and noted that following this Public Hearing, there is no action required by the Chebucto Community Council until Council approves the sale of land and street closure. Once that has been approved, Mr. Porter noted the zoning issue will be referred to the Chebucto Community Council.

Mayor Kelly called for members of the public wishing to speaking either in favour of or against the street closure or the re-zoning.

Carl Brown, Real Estate Services, Imperial Oil Limited

Mr. Brown addressed Council speaking in support of the sale of land.

Mayor Kelly called three times for additional speakers. Hearing none, the following motion was put on the floor:

MOVED by Deputy Mayor Blumenthal, seconded by Councillor Sloane, that the Public Hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.

COUNCIL DECISION

Mr. Wayne Anstey, Municipal Solicitor, advised Council that there needs to be a Notice of Motion for the approval of the Administrative Order for the street closure, and suggested the matter should be deferred for one week to allow for the Administrative Order approval process to be followed.

MOVED by Councillor Whalen, seconded by Councillor Walker, that approval of Administrative Order SC-25 Respecting Closure of a Portion of Kearney Lake Road be deferred for one week.

Councillor Whalen requested that staff respond to the correspondence from Sean Gillett and Linda Good.

MOTION PUT AND PASSED UNANIMOUSLY.

Late in the meeting, Councillor Whalen served the a Notice of Motion with respect to Administrative Order SC-25.

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.1 Correspondence

10.1.1 Request for Support - East-West Highway/Atlantic Trade Corridor

C Correspondence from Mr. Edward Farren, Intergovernmental Affairs, City of Saint John, New Brunswick, dated April 3, 2001, regarding the East-West Highway/Atlantic Trade Corridor, was before Council for its consideration.

MOVED by Councillor Goucher, seconded by Councillor Hines, that Council adopt the resolution attached to correspondence from Mr. Edward Farren, Intergovernmental Affairs, City of Saint John, New Brunswick, dated April 3, 2001, regarding the East-West Highway/Atlantic Trade Corridor.

Councillor Cooper proposed the following amendment to the resolution:

MOVED by Councillor Cooper, seconded by Councillor Adams, that the following be added to the resolution:

WHEREAS HRM is desirous of promoting trade between the two countries, BE IT RESOLVED that either country will not imply unilateral trade restrictions, or banning of goods, without having a six month discussion period first.

Councillor Cooper stated the reason for this amendment is because of the unilateral action taken by the American government to ban Prince Edward Island potatoes.

Councillor Cunningham agreed with the spirit of the amendment but questioned its validity. In response, Mr. Anstey stated there is a dispute resolution mechanism within the Free Trade

Act and there are two sides to every issue. Until the potato issue has been resolved, Mr. Anstey stated it is not known whether or not the banning action was justified. However, he stated it would be up to Council to decide whether or not it wanted to include it.

Deputy Mayor Blumenthal suggested the amendment would weaken the resolution. Councillor Goucher agreed stating he would rather see it handled as a separate motion.

Speaking against the motion, Councillor Hines stated it would be a negative step towards the intent of the resolution.

Also speaking against the motion, Councillor Warshick stated it does not relate to the resolution which is with respect to regional transportation.

The vote was taken on the amendment.

MOTION PUT AND DEFEATED.

Councillor Goucher requested that the resolution adopted by Council on April 3, 2001 regarding the Halifax International Airport Authority's efforts to remain in a strong competitive position by lobbying the US Government for US pre-clearance of Customs and Immigration for non-stop flights to the US from Halifax International Airport, be sent as an addendum to this resolution. Council agreed.

The vote was then taken on the main motion.

MOTION PUT AND PASSED UNANIMOUSLY.

10.2 Petitions

10.2.1 Councillor Adams - Tim Horton's at 215 Herring Cove Road

Councillor Adams served a petition containing approximately 41 signatures of residents objecting to the proposed locations of the entrance and exit for the planned expansion of Tim Horton's at 215 Herring Cove Road and Mont Street.

10.2.2 Councillor Meade - Road Resurfacing and Repairs to Highway 333

Councillor Meade served a petition containing approximately 2426 signatures of residents requesting road resurfacing and repairs to Highway 333 from Goodwood to Peggy's Cove and adjoining roads. The Councillor asked that the petition be forwarded to the Minister of Transportation, and copied to John Chataway, MLA, requesting a response.

10.2.3 Councillor Goucher - Left Turns at the Intersection of Crystal Drive and Granville Road

Councillor Goucher served a petition containing approximately 85 signatures of residents opposing the prohibition of left turns at the intersection of Crystal Drive and Granville Road, Bedford, and asking that the “no left turn” sign be removed.

10.3 Presentations

10.3.1 Conseil scolaire acadien provincial (CSAP) Supplementary Education Funding

- i) **Claude Renaud**
- ii) **Janine Saulnier**

This item was deleted from the agenda during Approval of the Order of Business.

11. REPORTS

11.1 COMMUNITY & RACE RELATIONS ADVISORY COMMITTEE

11.1.1 Annual Report and Workplan

- C The 2000-2001 Annual Report of the Community and Race Relations Advisory Committee was before Council for its consideration.
- C An information package regarding the work of the Community and Race Relations Advisory Committee was circulated to Council.

With the use of overheads, Ms. Betty Thomas, Chair, Community and Race Relations Advisory Committee, presented the Committee’s annual report and workplan to Regional Council.

Mayor Kelly thanked Ms. Thomas for her presentation.

11.1.2 Joint presentation by Policy Implementation Committee and Community and Race Relations Advisory Committee - Update on the Implementation and Initiatives

- C A document entitled *Halifax Regional Municipality Community and Race Relations Policy - An Update on the Implementation and Initiatives*, was before Council for its consideration.

With the use of overheads, Mr. Pat Hartling, Director, Human Resources, made a presentation to Council regarding an update on the Implementation and Initiatives of the Joint Policy Implementation Committee and the Community and Race Relations Advisory Committee.

Mayor Kelly expressed thanks to Mr. Hartling for his presentation.

Several Councillors expressed thanks to Ms. Thomas, Mr. Hartling, members of the Community and Race Relations Advisory Committee, and staff for their work.

11.2 REGIONAL HERITAGE ADVISORY COMMITTEE

11.2.1 Extension of Development Agreements

C A report from the Regional Heritage Advisory Committee, regarding the above, was before Council for its consideration.

MOVED by Councillor Meade, seconded by Councillor Goucher, that, in the future, Council consider, as a matter of stated policy, that any extension of a development agreement is a substantial amendment and, therefore, is reopened to the public hearing process.

Councillor Mosher questioned why there was not a written recommendation from Planning and Development Services regarding this matter, and suggested it should be referred to staff for analysis and a recommendation to Council.

MOVED by Councillor Mosher, seconded by Councillor Adams, that this matter be referred to Planning and Development Services for a report.

Councillor Sloane stated she would like the staff report to include what changes need to be made to the legislation to have this implemented.

MOTION PUT AND PASSED.

11.3 WESTERN REGION COMMUNITY COUNCIL

11.3.1 Case 00208 - Request for Amendments to the MPS and LUB for Planning District 4 to permit conversion of the former Northland Fisheries at 1030 Terence Bay Road, to a Visitor and Recreation Centre, by Development Agreement (set date for Public Hearing - May 22/01)

- C A report from the Western Region Community Council, regarding the above, was before Council for its consideration.

MOVED by Councillor Meade, seconded by Councillor Hetherington, that:

1. **Regional Council give First Reading to the proposed amendments to the Municipal Planning Strategy and Land Use By-law for Planning District 4, attached as Appendix A to the staff report dated April 5, 2001, and schedule a Public Hearing for May 22, 2001.**
2. **Regional Council and Western Region Community Council move Notice of Motion to consider approval of the proposed Development Agreement, attached as Appendix B to the staff report dated April 5, 2001, and schedule a Joint Public Hearing for May 22, 2001. MOTION PUT AND PASSED UNANIMOUSLY.**

11.4 MARINE DRIVE, VALLEY AND CANAL COMMUNITY COUNCIL

11.4.1 Approval of Rural Fire Department Area Rates

Councillor Streach advised Council that at a special meeting of the Marine Drive, Valley and Canal Community Council held earlier in the day, two recommendations regarding the rural fire department area rates were brought forth. The Councillor requested that Regional Council now ratify those recommendations, and put forth the following motions:

MOVED by Councillor Streach, seconded by Councillor Hines, that Council request a staff report, in conjunction with the Tax Structure Review Committee, that will start discussion and process to examine the pros and cons of moving the entire fire service of HRM to a general rate. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillor Streach, seconded by Councillor Sloane, that the approval of the rural fire department area rates be deferred for two weeks. MOTION PUT AND PASSED UNANIMOUSLY.

11.5 CHIEF ADMINISTRATIVE OFFICER

11.5.1 Tender 00-146 New Pumper/Tankers for the Halifax Regional Fire and Emergency Service

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

MOVED by Councillor Hetherington, seconded by Councillor Streach, that Council authorize the purchase of three (3) additional Pumper/Tankers from the lowest bidder meeting specifications, Nova Enterprises Limited at a per unit cost of \$484,025.00 (HST included) for a total project cost of \$1,452,074.00 (HST included) with funding provided as outlined in the Budget Implications Section of the staff report dated February 21, 2001. MOTION PUT AND PASSED UNANIMOUSLY.

11.5.2 Tender 01-039R, Biennial Ferry Refit, Woodside 1

C A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

MOVED by Councillor Hetherington, seconded by Deputy Mayor Blumenthal, that Council authorize the award of Tender #01-039R to Halifax Shipyard at a cost of \$100,470.42 plus taxes and 10% contingency. Halifax Shipyard is recommended as the lowest bidder meeting specifications. MOTION PUT AND PASSED UNANIMOUSLY.

11.5.3 Award of Tenders - Fleet Vehicles

C A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

MOVED by Councillor Sarto, seconded by Councillor Cunningham, that Regional Council authorize the award of Tenders #01-042, 01-043 and 01-044 to the lowest bidders meeting specifications as shown in the staff report dated 11 April 2001 with funding authorized from Capital Account No. CVA00972, Vehicle Replacement for Fleet Equipment (useful life less than 10 years). Total funds required are \$492,301.00 plus HST. MOTION PUT AND PASSED UNANIMOUSLY.

11.5.4 Adjustments to Lot Pricing: Bayers Lake Business Park and Burnside Park

C A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

MOVED by Councillor Cunningham, seconded by Councillor Hetherington, that Council approve the adjustments to lot prices in the Bayers Lake Business Park and the Burnside Park as set out in the staff report dated April 23, 2001. MOTION PUT AND PASSED UNANIMOUSLY.

12. **MOTIONS - NONE**

13. **ADDED ITEMS**

13.1 **Councillor Cooper - Request to move Information Item #5 (December 20, 2000 Rainfall Event) to the Regular Council agenda for discussion**

C An Information Report prepared for Kulvinder Dhillon, Director, Public Works and Transportation Services, regarding the above, was before Council.

Referring to the Information Report, Councillor Cooper stated it does not contain enough detail to respond to the questions previously raised. The Councillor noted he had requested a report be brought back regarding the adequacy of the pipes and the level of Bissett Lake, and actions that could be taken to address the situation experienced by Fong's Restaurant and Fabricville. Councillor Cooper requested that a supplementary report be brought back to Council to address all the items contained in the original report requested at the January 9, 2001 Regional Council meeting.

MOVED by Councillor Cooper, seconded by Councillor Goucher, that a supplementary staff report be requested on this issue.

Councillor Goucher questioned some of the information in the report, noting he received information from the Head Office of Environment Canada that had some of the areas at a 1:20 year event, and not a 1:2 or 1:5. Also, some events, in a six hour period, were even higher because of the significant rainfall. The Councillor requested information as to where the "identified areas" in the report are located.

Councillor Warshick noted at the time this event occurred, he had made inquiry to staff and was told the Sullivan's Pond dam was inspected weekly, but he noted this does not mean if a major rainfall is forecasted that staff are acting pro-actively. The Councillor also expressed concern with flooding problems at Red Bridge Pond, noting any debris in this catch basin can make the road impassable. Councillor Warshick requested that these two problem areas be addressed in the supplementary report.

MOTION PUT AND PASSED UNANIMOUSLY.

13.2 **Committee of the Whole - Community Integration Fund**

C This item was discussed during a Committee of the Whole session and was now before Council for ratification.

MOVED by Councillor Adams, seconded by Councillor Hetherington, that, as recommended by Committee of the Council, Council adopt the General Principles - Use of Community Integration Fund, attached as Schedule "A" to the Added Items agenda. **MOTION PUT AND PASSED UNANIMOUSLY.**

13.3 Property Matter - Regatta Point Walkway

C This item was discussed during an In Camera session and was now before Council for ratification.

MOVED by Councillor Mosher, seconded by Councillor Goucher, that Council authorize the Mayor and Municipal Clerk to execute a 12 year license agreement with the Halifax Port Authority for nominal consideration of \$1.00 allowing for the continued use of the Regatta Point Walkway and the proposed extension connecting it to Purcell's Cove Road; further, that the report can be released.

13.4 Property Matter - Oakwood House, 88A Crichton Avenue Dartmouth - Lease Agreement

C This item was discussed during an In Camera session and was now before Council for ratification.

MOVED by Councillor Cunningham, seconded by Councillor Sarto, that Council approve retaining ownership of the property, and authorize the Mayor and Municipal Clerk to enter into a lease/facility management agreement with the North Star Rowing Club based on the key terms and conditions outlined in the report dated April 23, 2001; further, that the report can be released. **MOTION PUT AND PASSED UNANIMOUSLY.**

13.5 Property Matter - Halifax West School Replacement

C This item was discussed during an In Camera session and was now before Council for ratification.

MOVED by Councillor Whalen, seconded by Councillor Walker, that Council endorse the proposal with the \$300,000.00 for the auditorium to be charged against the Sale of Land Account. **MOTION PUT AND PASSED UNANIMOUSLY.**

14. NOTICES OF MOTION

14.1 Councillor Whalen - Administrative Order SC-25

TAKE NOTICE that, at the next regular Council meeting to be held on Tuesday, 8th day of May 2001, I propose for introduction by Council as a Policy pursuant to Section 315 of the Municipal Government Act, Administrative Order SC-25. The purpose of which is to effect closure of a portion of Kearney Lake Road adjacent to the Esso Service Centre at 111 Kearney Lake Road.

15. ADJOURNMENT

MOVED by Councillor Hetherington, seconded by Deputy Mayor Blumenthal, that the meeting adjourn at 8:15 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

Vi Carmichael
Municipal Clerk