

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES September 4, 2001

PRESENT:

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

REGRETS:

Councillors: Harry McInroy
Bruce Hetherington

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.

2. PROCLAMATIONS - NONE

SPECIAL PRESENTATION - Mosaic Culture International Montreal

On behalf of Council, Mayor Kelly presented plaques expressing thanks and appreciation to those involved with the Theodore Tugboat floral sculpture created for the 2001 Mosaic-Cultural Event recently held in Montreal.

3. APPROVAL OF MINUTES - August 21 & August 28, 2001

MOVED by Deputy Mayor Blumenthal, seconded by Councillor Sloane, that the minutes of August 21 & 28, 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:

- 12.1 Correspondence - Letter of Appreciation from Paul Connors - Chair, Advisory Committee for Persons with Disabilities

(It was agreed to address this item under Item 9 - Correspondence, Petitions and Delegations)
- 12.2 Councillor Whalen - Crosswalk - Lacewood Drive at Stratford Way
- 12.3 Property Matter - Lease Renewal, Halifax Junior Bengal Lancers - 1690 Bell Road
- 12.4 Property Matter - Sale of 36 Greenhead Road, Lakeside
- 12.5 Legal Matter - HRM - Province MOU Respecting Barrington/George Street Site
- 12.6 Councillor Warshick - September 18th Council Session

The following item was deleted from the agenda:

- 10.3.2 Deputy Mayor Blumenthal - Air Canada Cancellation of Flight to Newark, New Jersey

Councillor Harvey congratulated the local university students involved in the annual Shinearama currently being held in Halifax to raise money for cystic fibrosis research. The Councillor welcomed the new and returning students to Halifax Regional Municipality.

MOVED by Deputy Mayor Blumenthal, seconded by Councillor Sloane, that the Order of Business, Additions and Deletions, 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 - NONE

9. CORRESPONDENCE, PETITIONS & DELEGATIONS

9.1 Petitions

9.1.1 Councillor Streach - Federal Funding Cuts to Rails to Trails Program

Councillor Streach served a petition containing approximately 170 signatures of residents of the Eastern Shore expressing concern regarding recent federal funding cuts to the Musquodoboit Trails Association, and other trail groups, and the loss of the full-time coordinators of the Rails to Trails project. The Councillor requested that the Mayor, on behalf of Council, write to the Minister in charge of HRDC regarding this matter.

9.1.2 Councillor Rankin - Request for Sidewalk, St. Margaret's Bay Road

Councillor Rankin served a petition from residents requesting the installation of a proper crosswalk/road markings on St. Margaret's Bay Road for the newly installed trail. The Councillor noted the petition has been delivered to Mr. Bill Estabrooks, MLA, Timberlea/Prospect.

9.2 Correspondence

9.2.1 Deputy Mayor Blumenthal

Deputy Mayor Blumenthal filed correspondence from the Chair of the Advisory Committee for Persons with Disabilities expressing thanks to Council for the Pesticide By-law.

10. REPORTS

10.1 HERITAGE ADVISORY COMMITTEE

10.1.1 Case H00047 Review of Proposed Addition to 1690 Bell Road (Bengal Lancer Property)

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

MOVED by Councillor Sloane, seconded by Councillor Uteck, that Regional Council approve the addition to 1690 Bell Road, as proposed in the staff report to the Heritage Advisory Committee dated August 15, 2001. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.2 Case H00053 Application to Consider 6201 Shirley Street, Halifax, as a Registered Heritage Property (set date of October 23, 2001 to consider Heritage Registration)

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

MOVED by Councillor Uteck, seconded by Councillor Sloane, that Regional Council set the date of October 23, 2001, to consider the heritage registration of 6201 Shirley Street, Halifax, as per the requirements of the Heritage Property Act. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.3 H00054 Application to Consider 88A Crichton Avenue, Dartmouth, as a Registered Heritage Property (set date of October 23, 2001 to consider Heritage Registration)

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

MOVED by Councillor Cunningham, seconded by Councillor Sarto, that Regional Council set the date of October 23, 2001, to consider the heritage registration of Oakwood House, 88A Crichton Avenue, as per the requirements of the Heritage Property Act. MOTION PUT AND PASSED UNANIMOUSLY.

10.2 CHIEF ADMINISTRATIVE OFFICER

10.2.1 Tender 01-086 New Rescue Pumpers for the Oyster Pond Fire Department

- C A staff report prepared for George McLellan, Deputy Chief Administrative Officer,

MOVED by Councillor Streach, seconded by Councillor Hines, that:

1. **Regional Council authorize the purchase of one (1) Rescue Pumper for Oyster Pond Fire Department from the lowest bidder meeting specifications, Carl Thibault Truck Inc., at a cost of \$295,181.90 (tax included) with funding provided as outlined in the Budget Implications Section of the staff report dated August 27, 2001.**
2. **Regional Council approve an increase to Capital Account #CVJ00156 in the amount of \$55,182.00 with funding provided as outlined in the Budget Implications Section of the staff report dated August 27, 2001. All prices include the non-refundable portion of the HST. MOTION PUT AND PASSED UNANIMOUSLY.**

10.2.2 Tender 01-087 New 1500 Gallon Tankers for Zone 4 Fire Department

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

MOVED by Councillor Hines, seconded by Councillor Colwell, that:

1. **Regional Council authorize the purchase of two (2) 1500 Gallon Tankers for Zone 4 Fire Department from the lowest bidder meeting specifications, Carl Thibault Truck Inc., at a per unit cost of \$234,259.81 (tax included) for a total project cost of \$468,519.62 (tax included) with funding provided as outlined in the Budget Implications Section of the staff report dated August 27, 2001.**
2. **Regional Council approve the increase to the Capital Account #CHF00175 in the amount of \$28,926.00 with funding provided as outlined in the Budget Implications section of the staff report dated August 27, 2001. All prices include the non-refundable portion of the HST. MOTION PUT AND PASSED UNANIMOUSLY.**

- 1. Approve the recovery of Local Improvement Charges for new concrete curb and gutter on Ashgrove Avenue, by an amount of \$19,759.74 to be applied to an area rate for District 5.**
- 2. Award Tender No. 01-274, Ashgrove Avenue, Paving, Concrete Curb and Gutter - Eastern Region to Dexter Construction Company Limited for materials and services listed at the unit prices quoted for a Tender Price of \$211,350.00 plus net HST and 10% for quality control/quality assurance and unforeseen works for a Total Project Cost of \$247,432.00, with funding authorized as per the Budget Implications Section of the staff report dated August 28, 2001. MOTION PUT AND PASSED UNANIMOUSLY.**

10.2.4 Tender 01-283 Lakefront Road Reconstruction - Eastern Region

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

MOVED by Councillor Cooper, seconded by Councillor Cunningham, that Council:

- 1. Approve the recovery of Local Improvement Charges for new sidewalk, new concrete curb and gutter on Lakefront Road at a rate of \$13.66 per lineal foot applied to both sides of the street and in the amount of \$26,882.88.**
- 2. Award Tender No. 01-283, Lakefront Road Reconstruction - Eastern Region to B & L Contracting Limited for materials and services listed at the unit prices quoted for a Tender Price of \$289,283.00 plus net HST and 10% for quality control/quality assurance and unforeseen works for a Total Project Cost of \$338,670.00 with funding authorized as per the Budget Implications Section of the staff report dated August 29, 2001.**

Responding to a question of Councillor Cunningham, Mr. Rick Paynter, Manager, Design and Construction Services, stated the Local Improvement Charge is the same for both phases of the project.

In response to a question of Councillor Walker, Mr. Paynter stated, with the exception of two or three residential homes, the properties are all owned by the same property owner: Lakefront Apartments. The Councillor expressed concern with the remaining cost of the project coming from General Revenue. In response, Mr. Paynter stated the Local Improvement Charge generally used, for projects such as this, is the charge from the year the project was approved and petitioned.

MOTION PUT AND PASSED.

10.2.5 Tender 2001M776 Bedford Pump Station Air Scrubber

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

MOVED by Councillor Goucher, seconded by Councillor Rankin, that Council award Tender #2001M776, Mill Cove WPCP Improvements to Western Plumbing and Heating for the supply and installation of an activated carbon air scrubber for the Bedford Pump Station for \$47,786.00, plus net HST and 10% for quality control/quality assurance and unforeseen works for a Total Project Cost of \$55,944.00 with funding authorized as per the Budget Implications Section of the staff report dated August 24, 2001. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.6 Tender 01-118 Aerotech Biosolids Lagoon Emergency Cleanout

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

MOVED by Councillor Hines, seconded by Councillor Streach, that Council approve a withdrawal of \$390,000 from the Aerotech Lagoon Reserve (Q117) and \$288,000 from the Environmental Protection Reserve (Q105) for a total of \$678,000 which represents the tendered Aerotech Lagoon cleanout price of \$579,000 plus net HST and 10% for quality control assurance and unforeseen works.

Mr. Alan Brady, Manager, Wastewater Treatment, responded to questions of Councillors, making the following points:

- C The Environmental Protection Reserve funds the normal operations for existing wastewater treatment plants and the Halifax Harbour Solutions Project. If the requirement for this project had been foreseen earlier, more money would have been transferred out of this fund into the normal operations budget and tipping fees would have been increased.
- C The \$390,000 in the Aerotech Lagoon Reserve originates from a combination of internal transfers and from tipping fees accessed from the private haulers. However, there was not enough funding in the Reserve to cover the cost of the cleanout.
- C Earlier in the year, it was projected that the cleanout would have to be done in the fall of 2002, therefore, staff did not budget for it during the 2001/2002 budget. Due to the large increase in loadings from both the central system users and the private on-site system users, the timing of the cleanout was miscalculated.

Councillors Uteck and Walker expressed concern with using money allocated for the Harbour Solutions Project for other purposes. In response, Mr. Ken Meech, Chief

Administrative Officer, stated there is a separate fund for the Harbour Solutions project. The money being taken is money that would be utilized for wastewater operations and capital for other facilities and operations.

Responding to further questions of Council, Mr. Brady made the following comments:

- C The tipping fees were increased in April 2001. If operations were to continue as they are now, the fees would probably need to be doubled. However, when the new system to handle the sludge is implemented, there will probably only need to be a slight increase. A new proposal will be brought forward at the end of September.
- C The Aerotech Sewage Treatment Plant could not treat the overflow from the lagoon operation and was on the verge of total upset. Therefore, the shipments to the lagoon site had to be stopped.
- C New Era Farms leachate was temporarily redirected to the Aerotech facility because it was creating problems for the Mill Cove Wastewater Treatment plant. However, the leachate is now being taken to Mill Cove.
- C The tipping fees generated approximately \$250,000 in revenue for the Lagoon this year.
- C

Speaking in support of the motion, Councillor Whalen stated if this had not been an emergency situation, chances are the reserve fund being planned to cover the cost would have been in place.

Speaking against the amendment, Councillor Cooper stated there is a responsibility on both the inside and outside areas of the Municipality, as the core area also feeds into the plant.

Responding to a question of Mayor Kelly, Mr. Brady stated approximately 5 million gallons comes from HRM treatment facilities and 4 million gallons from outside systems.

Mr. Meech suggested it may be beneficial to defer the matter to allow staff to come back with a more detailed report regarding the allocation of the costs. He noted the work has already been completed, and it is only a matter of how the monies get allocated and recovered.

MOVED by Deputy Mayor Blumenthal, seconded by Councillor Goucher, that this matter be deferred to allow staff the opportunity to prepare a more detailed report. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.7 Case 00179 - Application by HRM to amend the MPS and LUB for Dartmouth to Enable Rezoning of Lands in the Wrights Cove Area from I-3 (Harbour Oriented Industrial) to I-2 (Gen. Industrial) (supp report)

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

Mr. Mitch Dickey, Planner, presented the staff report to Council, noting the public hearing is scheduled for September 11, 2001.

Responding to a question of Mayor Kelly, Mr. Dickey stated there is no need to readvertise the public hearing as the wording changes proposed in the supplementary report are very minor.

Responding to a question of Councillor Smith regarding Page 9, Item 4 (b), Mr. Wayne Anstey, Municipal Solicitor, stated this clause does provide the protection the Councillor is seeking for with respect to providing a buffer for residential uses.

MOVED by Councillor Smith, seconded by Councillor Cunningham, that Council approve, in principle, the proposed revised amendments to the Municipal Planning Strategy and Land Use By-Law for Dartmouth, as shown on Map 2 and in Attachments 1, 2 and 3 of the staff report dated August 30, 2001, to enable the rezoning of certain lands in Wright's Cove from I-3 (Harbour-Oriented Industrial) to

I-2 (General Industrial), the addition of new Land Use By-Law provisions concerning yard requirements, and to provide improved buffering for existing residential uses in the area. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.8 Beaver Bank Sewer and Water Services

- C A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration. The report recommended that Regional Council:
1. Approve funding in the amount of \$2.0 million gross in fiscal year 2001/2002 for the Beaver Bank area sewers, Phase IV A.
 2. Approve in principle that Local Improvement Charges for sewer and water for the Beaver Bank Area, Phases IV A, IV B, IV C be levied at \$71.80 per lineal foot, depending upon tender prices and actual costs.

Councillor Johns expressed appreciation to staff for their enthusiasm for this project, but he suggested a project of this magnitude should be examined very carefully. The Councillor stated he would like to have the opportunity to take this report back to the Beaver Bank Water and Sewer Community Group for review, and put forth the following motion:

MOVED by Councillor Johns, seconded by Councillor Warshick, that this matter be deferred to at least September 25, 2001. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.9 First Quarter 2001/2002 Financial Report (Info Memo)

- C An information report prepared for Dale MacLennan, Director, Financial Services, regarding the above, was before Council for its information.

Ms. Pamela Caswill, Manager, Accounting, presented the First Quarter 2001/2002 Financial Report to Council, noting an approximate \$82,000 operating surplus is being projected at this time. A copy of the presentation was circulated to Council.

Councillor Walker expressed concern with the Pollution Control Reserve being included in the Reserve Budget Projections. The Councillor noted the report is only supposed to include activity up to June 30, 2001, and this took place after that time. Ms. Caswill stated the report is based on information available at the time of the writing of the report, which was August, and the Pollution Control Reserve information was available at that time. However, she noted, based on the discussion earlier in the meeting regarding this fund, further clarification will need to be provided on this matter.

Councillor Walker also questioned why the Capital District Funds go back to 1998 in Attachment 5 of the Information Report. Ms. Caswill stated if there are commitments

carried forward from one year to the next, the balance is carried forward. She noted staff have discussed the possibility of only showing the balance carried forward and the quarterly activity and not including all the activity back to 1998. This is being considered for the next quarterly report.

Responding to a question of Councillor Cooper regarding the pollution control reserves, Ms. Caswill stated the \$39 million is the projected amount as of March 31, 2002. Mr. Meech stated it was his understanding that \$16-18 million was allocated due to the purchase of land for the sewage treatment plants. Mr. Meech noted there was approximately \$50 million in that account before this allocation. If at year end, HRM does not need to purchase all the sites it initially intended, there will be a correction to the allocation. Mr. Meech noted the actual purchase prices may also change as negotiations are still taking place. Therefore, all the figures are subject to modification based on actual experience for the current fiscal year. Councillor Cooper suggested it may have been helpful to Council to have supplementary notes or explanations included in the quarterly report.

MOVED by Councillor Sarto, seconded by Councillor Cunningham, that the First Quarter 2001/2002 Financial Report be received and filed. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.10 Federation of Canadian Municipalities - Municipal Rights of Way Defence Fund

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

MOVED by Councillor Rankin, seconded by Councillor Goucher, that Council approve a contribution to FCM in trust to fund the legal and administrative costs of the appeal of the CRTC's decision in the Vancouver/Ledcor proceeding to the Federal Court of Appeal, and all subsequent and related appeals, such contribution to be calculated on the basis of a maximum contribution of 5.9 cents per capita per year for the next three years, to be payable in quarterly installments, or, alternatively, on receipt of regular invoices by FCM. HRM's contribution amounts to approximately \$21,000 per year. This expenditure will come out of the Legal Services budget for the next three years, being account number A110-6302.

Councillor Fougere questioned if the next two installments should not be an approval in principle subject to regular budget deliberations. Mr. Meech stated it would be a conditional approval. Both the Mover and Seconder of the motion agreed to amend the motion. The amended motion now read as follows:

MOVED by Councillor Rankin, seconded by Councillor Goucher, that Council approve a contribution to FCM in trust to fund the legal and administrative costs of

the appeal of the CRTC's decision in the Vancouver/Ledcor proceeding to the Federal Court of Appeal, and all subsequent and related appeals, such contribution to be calculated on the basis of a maximum contribution of 5.9 cents per capita per year for the next three years, *subject to annual budget deliberations*, to be payable in quarterly installments, or, alternatively, on receipt of regular invoices by FCM. HRM's contribution amounts to approximately \$21,000 per year. This expenditure will come out of the Legal Services budget for the next three years, being account number A110-6302. **MOTION PUT AND PASSED UNANIMOUSLY.**

10.2.11 Clarification of "Fair Market Value"

- C A staff report prepared for Wayne Anstey, Municipal Solicitor, regarding the above, was before Council for its consideration.

MOVED by Councillor Fougere, seconded by Councillor Sloane, that Halifax Regional Council request the Province of Nova Scotia to consider amendments to the *Municipal Government Act* to permit municipalities to dispose of uneconomical parcels of land at less than fair market value as set out to Appendix "A" to the staff report. **MOTION PUT AND PASSED UNANIMOUSLY.**

10.3 MEMBERS OF COUNCIL

10.3.1 Councillor Goucher - Canadian Urban Pesticide Risk Reduction Society

- C Correspondence from Landscape Nova Scotia, dated August 14, 2001, regarding the above, was circulated to Council.

MOVED by Councillor Goucher, seconded by Councillor Warshick, that staff be requested to prepare a report in a couple of weeks to investigate the feasibility of HRM seeking membership in the Canadian Urban Pesticide Risk Reduction Society. **MOTION PUT AND PASSED UNANIMOUSLY.**

10.3.2 Deputy Mayor Blumenthal - Air Canada cancellation of flight to Newark, New Jersey

During Approval of the Order of Business, this item was deleted.

10.3.3 Councillor Fougere - Winter On-Street Parking

Councillor Fougere noted there are a number of streets in HRM, particularly in her District, that permit parking on one side of the street during the day, and after 6:00 p.m. parking is permitted on both sides of the street. When there are snow banks present, a limited space is left for utility vehicles, fire trucks, buses and solid waste vehicles to access these streets.

The Councillor requested a staff report, with input from all involved departments, to examine the possibility of only allowing parking on one side of the street at all times during the winter months. Parking would still be available and there would be a better opportunity to properly clear one side of the street.

MOVED by Councillor Fougere, seconded by Councillor Sloane, that this matter be referred to staff for a report respecting the possibility of allowing parking on one side of identified narrow residential streets at all times during the winter months to assist in snow removal on these streets. The report is to include input from Snow and Ice Control, Fire Services, Metro Transit and Solid Waste Resources.

Councillor Sloane requested that the report also include information as to how other municipalities address this issue.

Councillor Mosher suggested the staff report should also address the possibility of reinstating the parking ban in its entirety due to safety concerns. Mayor Kelly ruled that this suggestion was contrary to the motion and suggested the Councillor serve Notice of Motion if she wished to bring this matter forward. Later in the meeting, the Councillor served a Notice of Motion with respect to this issue.

Councillor Harvey stated he hopes the report will reflect the differences across HRM as it may not be necessary to do anything in some areas in addition to what was done last year.

Responding to a question of Councillor Adams, Councillor Fougere stated she is looking for a solution to address a situation that arose last year with respect to the combination of snow banks and parking on both sides of narrow streets creating a problem for various larger service vehicles to access these streets. The Councillor noted that, after the fact last year, Fire Services and Metro Transit identified streets where problems had occurred. Temporary "no parking" signs were used to help alleviate the situation. Councillor Fougere stated she is not looking to reinstate the parking ban, only to allow regular parking on one-side of identified narrow residential streets.

Councillor Cunningham suggested a thorough staff report should be received as to how the winter parking ban worked last year before the coming winter season.

Speaking in support of the motion, Councillor Uteck suggested Councillors should work with staff to identify the affected streets in their Districts.

MOTION PUT AND PASSED UNANIMOUSLY.

11. MOTIONS

12. ADDED ITEMS

12.1 Correspondence - Letter of Appreciation from Paul Connors - Chair, Advisory Committee for Persons with Disabilities

This item was addressed under Item under Item 9 - Correspondence, Petitions and Delegations)

12.2 Councillor Whalen - Crosswalk - Lacewood Drive at Stratford Way

Councillor Whalen stated staff have studied this location since the opening of the new library and have agreed there is a need for a crosswalk. However, the Councillor stated she is unclear as to when it will be provided and requested a staff report on the matter.

MOVED by Councillor Whalen, seconded by Councillor Walker, that this matter be referred to staff for a report regarding putting a crosswalk in place at the intersection of Lacewood Drive at Stratford-Way, the location of the new Keshen-Goodman Library, including the timing of when this crosswalk will be installed. MOTION PUT AND PASSED UNANIMOUSLY.

12.3 Property Matter - Lease Renewal, Halifax Junior Bengal Lancers - 1690 Bell Road

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

MOVED by Councillor Sloane, seconded by Councillor Uteck, that Halifax Regional Council approve the retention of the facility at 1690 Bell Road, Halifax and enter into a long term lease with the current tenant, Halifax Bengal Lancers, as per the July 3, 2001 staff report; and further that the July 3, 2001 staff report may be immediately released to the public. MOTION PUT AND PASSED UNANIMOUSLY.

12.4 Property Matter - Sale of 36 Greenhead Road, Lakeside

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

MOVED by Councillor Rankin, seconded by Councillor Meade, that Halifax Regional Council approve:

- 1. The transfer of title for 36 Greenhead Road, Lakeside, for the sum of \$1 plus administrative costs incurred by the municipality as applicable; conditional upon signed agreements from both the Provincial and the Federal governments confirming the value of their support to this homelessness project; zoning approval; and the specific terms and**

conditions identified in the Discussion section of the August 28, 2001 staff report.

2. A public hearing date of Tuesday, September 25, 2001 be set for the sale of property at less than market value.
3. That this report not be released until such time as staff have confirmed such publicity would not compromise the safety of residents of the proposed facility.
4. That included in the agreement be a clause providing that if in the future the property is to be sold, HRM will have the first option to purchase the property. MOTION PUT AND PASSED UNANIMOUSLY.

12.5 HRM - Province MOU Respecting Barrington/George Street Site

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

MOVED by Deputy Mayor Blumenthal, seconded by Councillor Sloane, that Halifax Regional Council approve the Memorandum of Understanding attached as Appendix "A" to the August 31, 2001 staff report and authorize the Chief Administrative Officer to execute the same on behalf of the Halifax Regional Municipality and that the August 31, 2001 staff report may be immediately released to the public. MOTION PUT AND PASSED UNANIMOUSLY.

12.6 Councillor Warshick - September 18th Council Session

Councillor Warshick requested that the commencement time of the September 18th Council meeting be changed to 5:00 p.m. due to the NHL game scheduled at the Metro Centre that evening. A two-thirds majority was required to approve the meeting time change. The request was denied.

13. NOTICES OF MOTION

13.1 Councillor Whalen - Lot Grading By-law

TAKE NOTICE that at the next regular meeting of the Halifax Regional Council to be held on September 11, 2001 I intend to introduce a motion that staff be requested to draft a municipal Lot Grading By-Law to address the issues related to lot grades and land elevation throughout HRM. The former Town of Bedford and the former Halifax County Municipality have a Grade Alteration By-law and a Lot Grading By-Law respectively, while the former cities of Halifax and Dartmouth are not covered by such regulations. HRM

needs a harmonized by-law to ensure that all landowners are protected when there are significant grade differences between adjacent lots.

13.2 Councillor Mosher - Winter Parking Ban

TAKE NOTICE that at the next regular meeting of the Halifax Regional Council to be held on September 11, 2001, I intend to introduce a motion that staff be requested to prepare a report regarding the implications of reinstating the overnight winter parking ban, and the issues surrounding its elimination. The report, when it assesses the effectiveness, is to include an analysis from: Senior Supervisor, Streets & Roads (Snow and Ice Removal), Traffic Authority, Police and Fire Services.

14. ADJOURNMENT

MOVED by Deputy Mayor Blumenthal, seconded by Councillor Sloane, that the meeting adjourn at 8:05 p.m. **MOTION PUT AND PASSED UNANIMOUSLY.**

Vi Carmichael
Municipal Clerk