

Dartmouth, N. S.

May 6/69.

Regularly called meeting of City Council held this date
at 7:30 p.m.

Present - Mayor Thornhill, Chairman

Ald. Hampson	Stockall
Granfield	Smith
Barber	Davis
Brownlow	McDonah
Sanford	Wambolt
Stubbs	Weldon
Fredericks	Marvin
City Solicitor, S. Drury	
Clerk-Administrator, C. A. Moir	

APPROVE MINUTES On motion of Ald. Fredericks and Wambolt, the minutes of meetings held on March 24th, 27th, April 1st, 9th, and 15th were approved by Council as circulated.

REZONING: POWER
SUBDIVISION
THIRD READING At the April 15th meeting, an amendment to By-law #74, rezoning one lot of the Maritime Divers property located between Portland Street and Woodlawn Road from R1A Zone to C-2 Zone and R-4 Zone, received first and second readings; the amendment was placed on the agenda for third reading at this time. It was moved by Ald. Stockall and Hampson that the amendment to By-law #74 be read a third time, and that the Mayor and the Clerk-Administrator be authorized to sign and seal the said amendment on behalf of the City. Ald. Stockall indicated that residents in the area have agreed to withdraw their opposition to rezoning the lot in question on the understanding that the Bruce Street lots, owned by the developer, remain as presently zoned for R-1 use. The developer and the Planning Director have indicated concurrence with this proposal, and on the basis of this compromise, the motion for third reading carried.

REZONING: 557
PORTLAND STREET
THIRD READING At the April 15th meeting, Council also gave first and second reading to a rezoning amendment which would rezone the property at 557 Portland Street from R1A Zone to R-4 Zone to permit the construction of two apartment buildings; this amendment was presented for third reading by Council. It was moved by Ald. Weldon and Smith and carried that the amendment to By-law

#74 be read a third time, and that the Mayor and the Clerk-Administrator be authorized to sign and seal the said amendment on behalf of the City.

DELEGATES: CONFERENCE At the April 15th meeting, Council deferred the appoint-
OF MAYORS &
MUNICIPALITIES ~~ment of delegates to the conference of Mayors and Municipalities~~

in order that it might be determined whether any of the three Aldermen absent at the time wish to attend. Before deferrment, however, Council had approved an amended motion that the Mayor and three members of Council (to be appointed by Council) attend the conference, and Ald. Sanford, Stubbs, Fredericks, and Smith indicated their wish to attend. Ald. Smith withdrew his name at this time and Ald. McDonah advised that he would like to attend. It was moved in amendment by Ald. Brownlow and Granfield that the Clerk-Administrator's name be included in the list of those attending the conference.

Speaking on the amendment, Ald. Sanford maintained that the conference is intended primarily for elected representatives, and Ald. Smith agreed that members of Council should be given first preference in attending with the funds allocated for this purpose. The Mayor advised that the Clerk-Administrator has been asked to serve on a panel at the conference, and Ald. Weldon suggested that the Mayor, as our voting delegate, should be entitled to have one senior civil service advisor present with him. The amendment carried (Ald. Smith and Sanford voting against). It was then moved by Ald. Stubbs and Brownlow and carried that the four Aldermen noted, the Mayor, and the Clerk-Administrator be appointed to attend the conference (Ald. Sanford voting against).

Ald. Weldon asked to be excused from participating in the debate on the next item of business and withdrew from the Council Chamber.

ZONING:
LINDEN LEA

This date was set by Council for public hearing in connection with an amendment to the Zoning By-law, initiated by

the Town Planning Board; the amendment, if adopted, would rezone lands on Linden Lea (Lots 23 and 24) from R-3 (Multiple Family Residential Zone) to P (Park and Institutional Zone). The appropriate amendment was introduced for approval by Council.

It was moved by Ald. Granfield and Fredericks and carried that leave be given to introduce the said amendment to By-law #74 and that it now be read a first time.

It was moved by Ald. Brownlow and Wambolt that the amendment to By-law #74 be read a second time.

Mrs. Richter, the Solicitor representing G. & G. Realty Ltd., the developer involved, addressed Council with a presentation on behalf of her client, raising a number of questions about the decision to rezone and the position of the developer in relation to the land use proposed for the remaining vacant lots. She suggested that the intent of Council should be clearly and correctly expressed through the rezoning, and that the power to make zoning changes should be exercised carefully and with discretion, bearing in mind the rights of persons affected by such a change. She questioned the desirability of the rezoning proposed which, she said, does not appear to be based on a recommendation from the Planning Director or on any firm plan for future park development, and she referred to the expense incurred by the developer in proceeding with his application to this point. Ald. Stockall asked how the situation could have reached the present stage in view of the circumstances involved, and was advised by the Mayor that the developer made application for a permit to build under the zoning presently in effect, but the Planning Board has recommended against approval and has initiated the zoning change now before Council. It was pointed out by Ald. Smith and Sanford that the property does not front on a City street, but Mr. Garcon said it was his understanding that he would be permitted to proceed with the development if he complied, as he has done, with the

requirements set out for the property in 1966. Mr. Horne, the Solicitor representing J. D. Solomon & Associates Ltd., suggested the advisability of having Linden Lea taken over as a City street or properly improved through an arrangement in which his client would be prepared to co-operate.

Mr. Greatorax and Mr. Scott, residents of the area, were also heard by Council and, together with Ald. Granfield, expressed concern about the creation of serious drainage problems if development were to be permitted on the two lots in question. They referred to the presence of underground springs and a system of French drains which feed into the pond, making it difficult to drain, and resulting in flooding problems if an attempt is made to have the pond dammed.

Ald. Sanford suggested that the population density intended for this area should be indicated so that a decision may be reached as to the disposition of the remaining undeveloped lots and whether the City should proceed to take over the street itself. Ald. Davis, Fredericks, and Smith also spoke on the motion for second reading which carried unanimously.

Unanimous consent was not given by Council for third reading of the amendment.

Ald. Davis, who had previously inquired about drainage requirements to permit development, requested that any further information on this aspect be made available for consideration in conjunction with the discussion on third reading.

STREET CLOSURE: CHURCH ST., PARK AVE., AND EDWARD STREET

This date was set by Council for public hearing in connection with the proposed closure of a portion of Church Street, Park Ave., and Edward Street, required for development of the Murray Elias apartment complex. No objections to the street closures have been received to date and none were presented at the meeting. On motion of Ald. Fredericks and Wambolt, the following Resolution (#15), authorizing the street closures, was adopted by Council:

RESOLUTION #15 No. 15

WHEREAS Dartmouth City Council has given public notice of its intention to close that portion of Church Street lying between the northeastern boundary of Edward Street and the southwestern boundary of King Street, and also intends to close that portion of Park Avenue lying northeasterly from the southwestern side of Edward Street to the southwestern side of King Street, and also intends to close that portion of Edward Street running from the southeastern side of Park Avenue to the southeastern side of Church Street, all of which streets are in the City of Dartmouth and more particularly described in Schedule "A" hereto annexed, and has inserted an advertisement of its intention in the Dartmouth Free Press once a week for two consecutive weeks.

AND WHEREAS at the time and place set out in the advertisement in the Dartmouth Free Press, Council has met and heard all persons desiring to be heard in respect of the proposed closing of said portions of Church Street, Park Avenue and Edward Street;

BE IT THEREFORE RESOLVED that the portions of Church Street, Park Avenue and Edward Street in the City of Dartmouth, more particularly described in Schedule "A" hereto annexed are hereby closed to public use.

SUBDIVISION OF LAND: Under the item, Original Communications; Council agreed J. T. BRENTON to deal with a letter from Mrs. Ida Mackay, Acting Secretary of the Port Wallis Ratepayers Association, and, in this connection, a recommendation from the Town Planning Board concerning the subdivision of lands owned by Mr. J. T. Brenton. In approving this plan of subdivision, the Board has recommended to Council that negotiations be initiated for the acquisition of approx. 4 acres of land in the Brenton Subdivision for park purposes. The letter from Mrs. Mackay has endorsed the Board's recommendation and, in addition, has suggested that before the Breeze/Belvedere Drive Subdivision is developed further, a portion of the land area be designated for park and recreational purposes, in accordance with the City's 5% land reserve regulation. It was noted that this subdivision was approved prior

to the establishment of the regulation.

Ald. Stubbs asked that the latter suggestion be forwarded to the Planning Dept. and the Planning Board for information purposes, and moved that the Board's recommendation concerning acquisition of the 4 acres owned by Mr. Brenton be approved by Council (ie. that negotiations be commenced); the motion was seconded by Ald. Brownlow and carried.

Ald. Granfield asked if it would be possible for the members of Council to receive a plan of the area involved, indicating the land which the City has already purchased and the Brenton property under consideration.

MONTHLY REPORTS On motion of Ald. Brownlow and Barber, the following five monthly reports were adopted by Council:

Medical Health Officer
Victorian Order of Nurses
Chief of Police
Fire Chief
Building Inspector

RINK PROPOSAL Council agreed to deal next with the Caledonia Rink proposal item. Proposals received by the City for construction of an ice surface on Caledonia Road, have been reviewed by the Planning Director and City staff; the company submitting the lowest proposal is Harbour Construction Co. Ltd. with a bid of \$174,500. for site #1. In a report to Council, it was recommended by the Clerk-Administrator that Council approve the proposal submitted by Harbour Construction Co. Ltd. for Site #1, and that the plans and specifications be referred to the Kinsmen Club of Dartmouth for review with a special committee of Council and City staff. It was further recommended that Council approve the additional cost for a colored exterior (\$1,125.), hot water in the washrooms (\$375.), and hot water for ice flooding, subject to quotation from Harbour Construction Co. Ltd. It was moved by Ald. Stockall and Brownlow that the recommendations be adopted by Council. Questions raised about construction and ice surface details were answered by the Clerk-

Administrator and Ald. Stockall requested that a price be obtained on equipment used for cleaning and re-surfacing ice. It was suggested that the tractor belonging to the Recreation Dept. might be used for this purpose. The Clerk-Administrator was asked to make the information available for the next meeting of Council. The motion carried.

DOCUMENTS: CIVIC
CENTRE AGREEMENT

At the April 15th meeting, Council adopted Resolution #11, authorizing and instructing the execution on behalf of the City, leases and agreements between Atlantic Realty Ltd. and the City of Dartmouth. Copies of these documents have been provided for the information of Council and questions relating to specific clauses contained therein were answered by the Planning Director, the Clerk-Administrator, and the Solicitors responsible for preparation of the documents. A total of approx. 6500 sq. ft. of space will be rented by the City, 2,000 of which is to be rented at \$6.00 per sq. ft. and 4,500, at \$4.50 per sq. ft. Ald. Stockall inquired if the developer might be interested in submitting a proposal for replacement of the ferry terminal in Halifax, and the Clerk-Administrator suggested that an approach could be made to the developer with this in mind. With reference to an inquiry from Ald. Fredericks about the court facilities, Ald. Stockall noted that the sub-committee responsible for these details will meet this week with the Magistrate to review the latest plans. Ald. Davis asked if the City has any assurance that access to the ferry dock will remain available after termination of the twenty-year lease period. Mr. Rhude advised that the section of land between Alderney Drive and the ferry wharf would still be owned by the City, insuring access from this point. In answer to a question from Ald. Sanford, Mr. Drury said he was satisfied that the terms of the agreement, which were drawn up at considerable length, are satisfactory to the City.

BRULE ST.

As requested by Council at the March 27th meeting, a plan and description of the property 5 Brule Street have been prepared as the first step in expropriation proceedings. This property is now owned by Mr. M. Chater and it was pointed out by the Clerk-Administrator that before Council takes expropriation proceedings, negotiations must be attempted with the new owner. At this point in the meeting, it was moved by Ald. Wambolt and Granfield that Council proceed to the next item of business on the agenda. Ald. Sanford said he had indicated his wish to be heard by Council before the motion was introduced and was therefore permitted to continue with his presentation. He maintained that staff has acted incorrectly in proceeding to issue a building permit before this matter has been properly resolved by Council, and requested a copy of the permit indicating the date on which it was issued.

In attempting to clarify the issue, reference was made to minutes of the Feb. 4th, March 4th and 27th meetings, and it was established that the application for permit to remodel the store and dwelling at 5 Brule Street was approved by Council at the March 4th meeting, following a notice of reconsideration introduced by Ald. Fredericks and Sanford. A motion, instructing staff to prepare a plan and description for expropriation of the property, 5 Brule St., was defeated at the same meeting, but was adopted when re-introduced at the March 27th meeting.

The question of whether the permit could legally be issued to the new owner was raised and the Solicitor advised that a permit can be granted to any applicant who has satisfactorily complied with City by-laws. Ald. Stockall and Davis were under the impression that steps to expropriate had actually been taken by Council, although it was pointed out that a plan and description of the property must first be authorized; it was on the basis of this understanding that Ald. Sanford's motion was re-introduced at the March 27th meeting.

Ald. Brownlow felt the matter has been correctly resolved by Council and that staff have acted in accordance with the resolutions adopted. Ald. Sanford stressed the need for expropriation of the Brule Street property, but Ald. Smith and Granfield were opposed to spending the amount required for acquisition of this land. Ald. Fredericks also supported expropriation, while Ald. Wambolt spoke against it. The motion was put and defeated.

It was moved by Ald. Sanford and McDomah that the Clerk-Administrator be instructed to carry out negotiations for acquisition of the property with the new owner and report back to the next meeting of Council. The motion carried by a vote of 8 - 5.

1969 STREET &
DRAINAGE CON-
STRUCTION
PROGRAM

The proposed Street and Drainage Construction Program for 1969 has been considered by the Public Works, Water and Sewerage Committee, and was recommended to Council with the following amendment:

400' of paving proposed for Crystal Drive to be reallocated to the portion of Leaman Drive from Albro Lake Road to Jackson Road.

It was moved by Ald. Smith and Fredericks that the program be approved as presented and as recommended by the Works Committee. Ald. Stubbs expressed concern about the lack of provision for paving and curb and gutter installation in Ward 6, particularly in the older area of Port Wallis; she referred specifically to streets such as Plymouth Road, Lakecrest Drive, etc., and to the reduction in the paving originally allocated for Booth Street. She advised that a letter protesting this reduction has been received from Mr. Culp of 32 Booth Street, and she questioned the amount of work allocated for the newer Ward 1 areas while older streets in Ward 6 remain unpaved and without curb and gutter. It was moved by Ald. Stubbs and Granfield that the program be referred back to the Committee for consideration in the light of comments made by Ald. Stubbs

about a more equitable distribution of the street construction proposed for 1969. Ald. Granfield expressed dissatisfaction with the Ward 3 program as well, after which Ald. Smith explained the problem faced by the Committee in attempting to arrive at a fair distribution of the funds available, based on the areas of greatest need. He noted that Wards 1, 2, 3, 4, and 7 are to receive approx. 10% of the budget, with Ward 5 getting 24%, and Ward 6, approximately 28%. In other words, the total funds available have been allocated, with the concurrence of representation from each ward, on the following basis:

Ward 1	\$69,200.
2	60,950.
3	23,950.
4	50,800.
5	150,500.
6	178,000.
7	68,400.

Ald. Davis felt that works problems should be dealt with on a City-wide basis disregarding ward considerations, and Ald. Stockall suggested a plan for street paving according to seniority (ie. based on the length of time that streets have been in existence). Ald. Sanford said the volume of traffic generated on individual streets should also be a consideration in determining paving priorities. The motion to refer was defeated (Ald. Stubbs and Granfield voting in favour).

Ald. Brownlow noted that item 8 of the program appears to be incomplete, and was informed by the Clerk-Administrator that Chappell Street will be paved from Victoria Road to as far as the \$25,000. allocated permits. It was suggested by Ald. Brownlow that the Works Committee might consider re-allocating the \$6800. estimate for item 7 (Albro Lake brook) to provide a sidewalk on the south side of Albro Lake Road. With reference to item 22 (sidewalk, Symonds St.), Ald. Brownlow said he has been approached by residents regarding the possibility of their petitioning for sidewalks on both sides of the street,

with the City providing the \$6700. allocated and the abutters paying the difference for the full sidewalk. It was agreed that such a proposal would be given consideration if the petition is received. The Mayor indicated to Ald. Sanford that consideration would also be given to a petition for sidewalk installation from Ward 5 abutters prepared to assume the total cost involved if the City agrees to complete the section in front of the City-owned property located on this particular street.

In answer to a question from Ald. Stubbs about plans for the take-over of private roads in the City, Mr. Moir advised that the Works and Planning Departments have prepared a tabulation of all the streets in this category, and a recommendation will probably be made to Council at the June meeting. The original motion was put and carried (Ald. Stubbs and Granfield voting against).

1969 SEWER &
WATER CONSTRUCTION
PROGRAM

The proposed Sewer and Water Construction Program for 1969, together with a supplementary list of projects, has been considered by the Public Works, Water & Sewerage Committee and was recommended to Council for adoption with the following amendments:

- (1) Item 6 - Ellenvale Relief Sewer & Holding Tank: reduced to \$100,000. as a result of Council's action in reducing the capital budget for this purpose by \$100,000.
- (2) Item 26 - Everette St. - Pump station and force main for Trailer Park only: increased by \$18,000. to permit a further extension in this area which will service an additional 18 properties.

On motion of Ald. Fredericks and Brownlow, the 1969 Program, as amended, was adopted by Council.

SITE: #4 FIRE
STATION

The Public Safety Committee has recommended to Council approval of a site for the new #4 Fire Station in the City's north end; the site is located on Windmill Road, adjacent to the proposed Narrows Bridge approach road, in the general vicinity of the City incinerator. The Committee has further

recommended the appointment of Mr. Peter Mettam as architect for this structure. On motion of Ald. Sanford and Brownlow, the Committee's recommendations were adopted by Council.

EQUIPMENT: #4
FIRE STATION

The Public Safety Committee has recommended to Council that the Purchasing Agent be authorized to call tenders for a 2500 gallon pumper truck, the additional equipment required for the proposed #4 Fire Station in the north end. It was moved by Ald. Granfield and Barber and carried that the Committee's recommendation be adopted.

PROPOSALS:
CAPARRA TERRACE

Two proposals received for the Caparra Terrace development were opened by the Clerk-Administrator and presented for Council's consideration. A three-phase development (commercial, apartment, and single-family units) has been proposed by Metropolitan Development Ltd., with a bid to purchase the land from the City for \$105,000. The second submission, from Toulon Construction, proposes a neighborhood shopping center and two apartment complexes, with a bid to purchase for the sum of \$155,000.; the company is also prepared to negotiate for rental if desired. At the suggestion of the Mayor, it was moved by Ald. Granfield and Hampson and carried that the proposals be referred to staff for study and report to the next meeting of Council.

APPLICATIONS:
PERMIT TO BUILD

The Town Planning Board has recommended to Council approval of an application for permit to build a two-bay service station SHELL CANADA LTD.: 618 WINDMILL RD. at 618 Windmill Road, submitted by Shell Canada Ltd.; the estimated value of construction is \$85,000. On motion of Ald. Sanford and Barber, the Board's recommendation was adopted.

J.W.LINDSAY
CONSTRUCTION CO.:
BORDEN AVE. AND
MOORE ROAD

The Planning Board has recommended approval of an application from J. W. Lindsay Construction Co. Ltd. to construct an office and warehouse on Borden Ave. and Moore Road in the Industrial Park; estimated value of construction is \$260,000. On motion of Ald. Wambolt and Brownlow, the Board's recommendation was adopted.

METROPOLITAN PROJECTS LTD.:
APT. BUILDING
PRIMROSE ST. &
PINECREST DR.

The Planning Board has recommended approval of an application from Metropolitan Projects Ltd. to build a 60-unit apartment building on 108-109-110 Primrose Street and Pinecrest Drive; estimated value of construction is \$480,000. On motion of Ald. ~~Stockall and Wambolt~~, the Board's recommendation was adopted.

DINEEN CONSTRUCTION:
ADMINISTRATION BLDG.
NARROWS BRIDGE

The Planning Board has recommended approval of an application from Dineen Construction (Atlantic) Ltd. to construct the administration and maintenance building at the new Dartmouth Narrows Bridge, at an estimated value of \$889,000. It was moved by Ald. Barber and Wambolt that the Board's recommendation be adopted. Ald. Fredericks raised a question concerning the possibility of the City receiving a grant from the Province in lieu of taxation for this property, and advised that he will introduce a motion to this effect later in the meeting. The motion carried.

F. & D. AUTOWASH LTD.:
CARWASH AND SERVICE
STATION

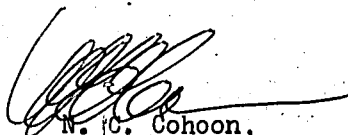
An application submitted by F. & D. Autowash Ltd. to construct a combination carwash and service station at the corner of Windmill Road and Farrell Road, has been considered and rejected by the Town Planning Board. It was moved by Ald. Sanford and Wambolt that the Board's recommendation against approval be adopted. Ald. McDonah, Sanford, and Wambolt stated their opposition to the location proposed for this development, both from the point of view of the traffic problem likely to be created and from that of the home-owner whose property will then be situated between two service stations. It was pointed out by Ald. Granfield that the area in question is now zoned for commercial use.

The developer was present and answered questions from the members of Council about the type of operation proposed, the equipment to be used, etc. Ald. Brownlow suggested that it would be advisable to have an opinion from the Planning Director

to assist Council in reaching a decision, and moved that the application be referred to Mr. Lloyd for an opinion; the motion was not seconded. The original motion was put and defeated by a vote of 8 - 5.

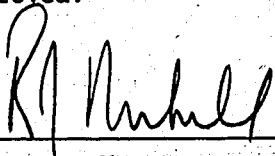
It was moved by Ald. Granfield and Barber that the permit be granted, but before debate proceeded further, the meeting was adjourned on motion of Ald. Brownlow and Sanford at the hour of 11:00 p.m.

Meeting adjourned.



N. C. Cohoon,
Deputy City Clerk.

Approved:



Mayor

TAKE NOTICE that Dartmouth City Council intends to close that portion of Church Street lying between the northeastern boundary of Edward Street and the southwestern boundary of King Street, and also intends to close that portion of Park Avenue lying northeasterly from the southwestern side of Edward Street to the southwestern side of King Street, and also intends to close that portion of Edward Street running from the southeastern side of Park Avenue to the southeastern side of Church Street, all of which streets are in the City of Dartmouth. Detailed plans of the portions of Church Street, Park Avenue and Edward Street in the City of Dartmouth to be closed are on file at the Office of the Clerk-Administrator of the City of Dartmouth.

AND FURTHER TAKE NOTICE that on Tuesday, the 6th day of May, 1969 at 7:30 p.m. in the Council Chambers at Dartmouth City Hall a Public Hearing will be held at which Council will hear those in favour and those opposed to the closing of these portions of Church Street, Park Avenue and Edward Street in the City of Dartmouth.

D A T E D at Dartmouth, Nova Scotia, this
28th day of March, 1969.

C. A. Moir,
Clerk-Administrator
City of Dartmouth.

PASSED by Council, May 6, 1969.

Dartmouth, N. S.

May 20/69.

Regularly called meeting of City Council held this date
at 7:30 p.m.

Present - Mayor Thornhill, Chairman

Ald. Marvin	Fredericks
Weldon	Stubbs
Wambolt	Sanford
McDonah	Brownlow
Davis	Barber
Smith	Granfield
Stockall	Hampson
City Solicitor, S. Drury	
Clerk-Administrator, C. A. Moir	

**PERMIT TO BUILD:
F. & D. AUTOWASH**

Council met to complete the agenda of the May 6th meeting, and proceeded to debate a motion introduced prior to adjournment, approving an application from F. & D. Autowash Ltd. to construct a combination carwash and service station at the corner of Windmill Road and Farrell Road. Ald. Sanford and Wambolt were opposed to granting the permit, but Ald. Granfield and Weldon supported the motion which carried (Ald. McDonah, Wambolt, Sanford, and Stubbs voting against). Ald. Sanford later gave notice of reconsideration.

**REZONING APPLICATION:
GULF OIL CANADA LTD.**

An application to rezone lands on the western side of Victoria Road, between Chappell St. and Albro Lake Road, from the present R-2 Zone to C-2 Zone, in order to permit the construction of a service centre and automatic car wash, has been submitted by Gulf Oil Canada Ltd.; the Planning Board has recommended that Council reject this rezoning request, although approval has been recommended by the Asst. Planning Director. It was moved by Ald. Granfield and Hampson that June 24th be set by Council as the date for public hearing in connection with the rezoning application. Ald. Wambolt stated that he had asked for the floor before the motion was introduced, but after consultation with the Solicitor, the Mayor ruled the motion in order and debate proceeded.

Ald. Weldon inquired about the right which an applicant

has to public hearing and was advised by the Solicitor that according to his interpretation of Section 17 of the Town Planning Act, Council is not bound to hold a public hearing unless it so desires.

~~Ald. Wambolt, McDonah, and Sanford stated their opposition~~ to the rezoning change requested and to the location of the development proposed in a residential area on what is likely to become one of the City's most heavily-travelled traffic arteriew. Ald. Davis suggested, however, that the intersection would be widened and improved with development, and asked if it would be in order to hear representatives present for the meeting. On motion of Ald. Hampson and Brownlow, Council agreed to hear Mr. Ross, representing Gulf Oil Canada Ltd. (Ald. Sanford and Wambolt voting against). Mr. Ross briefly explained his company's policy of consolidation into larger, more diversified outlets, noting that the operation of two smaller Gulf stations in this area of the City will be closed if permission is obtained to proceed with the Victoria Road development. After hearing Mr. Ross, the motion was put and carried (Ald. Sanford, Stubbs, Fredericks, Smith, Wambolt, and McDonah voting against).

1969 ESTIMATES:
PLANNING AND
DEVELOPMENT

The 1969 Estimates for Planning & Development have been considered by members of the Planning Board and, while a quorum was not in attendance, the four members present agreed to recommend approval of the estimates as earlier presented to Council. The total budget for the year 1969 is \$139,088. On motion of Ald. Weldon and Sanford, the estimates were approved by Council as recommended.

EXTENSION:
YORKSHIRE AVE.

The Public Works, Water & Sewerage Committee has recommended to Council the adoption of a report from the Clerk-Administrator concerning the extension of Yorkshire Ave., thereby connecting the street between Springhill Road and Parkstone Road. The estimated cost of construction would be \$12,300., in addition to which, three parcels of land required to form a 50' right-of-

way, would have to be acquired. It has been indicated that in all probability, expropriation of these properties will be necessary if construction is to take place during 1969. The Planning Director has recommended that we proceed with the extension as proposed without waiting for the development of the North End urban renewal scheme and has stated his reasons for this recommendation in a report accompanying that of the Clerk-Administrator. On motion of Ald. Wambolt and Sanford, the Committee's recommendation was adopted by Council.

1969 ESTIMATES: The Public Works, Water & Sewerage Committee has considered WORKS AND SANITATION the 1969 Estimates for Works & Sanitation and approval has been recommended to Council. On motion of Ald. Smith and Sanford, the estimates were approved by Council as recommended.

1969 ESTIMATES: The 1969 Estimates for Health & Welfare have been considered HEALTH & WELFARE by members of the Public Welfare Committee and, while a quorum was not in attendance, the two members present agreed to recommend approval of the estimates, with the amendment that the Medical Health Officer's salary be increased from \$5500. to \$6500.; by deleting the \$500. sundry item, the adjusted total for the Health Estimates is now \$129,722. It was moved by Ald. Sanford and Barber that the estimates be approved by Council as recommended. Several questions raised about items in the budget were answered by the Clerk-Administrator and the Mayor. It was then moved in amendment by Ald. Fredericks and McDonah that the Dept. of Health be asked to include ambulance service in the Provincial MSI program. The amendment carried; the motion, as amended, carried.

IMPROVEMENTS: Based on a recommendation from the Building & Sites HAWTHORNE SCHOOL Committee, the School Board has recommended that Council authorize an over-expenditure (to a maximum of \$20,000.) for the improvement of washroom facilities, ventilation, and classroom lighting at Hawthorne School. Enclosure of the stairwells is to be included as well if considered necessary by the Fire

Chief and the Fire Marshall. It is proposed that this work be carried out during the current summer season by the School Maintenance staff. It was moved by Ald. Smith and Wambolt that the Board's recommendation be adopted. Ald. Smith spoke in support of the motion, but other members of Council felt that an assessment of the school situation in the central City area, with some indication of the ultimate disposition of the three buildings involved (Hawthorne, Findlay, and Greenvale Schools) is required before attempting to decide whether an over-expenditure is warranted to improve Hawthorne School. It was therefore moved by Ald. Sanford and Stubbs and carried that the matter be deferred pending the receipt of an updated report from the Planning Director and Supt. McCarthy on school projections and requirements for the central City area. Ald. Smith suggested that this information should be made available by June or July for Council's consideration.

1969 ESTIMATES: POLICE AND FIRE DEPTS. The Public Safety Committee has considered the 1969 Estimates for the Police & Fire Departments and approval of the estimates has been recommended to Council. The Committee has requested that the Police Chief and the Fire Chief make every effort to live within the budgets provided. On motion of Ald. Sanford and Barber, the estimates were approved by Council as recommended.

1969 LIBRARY BUDGET As requested by the Finance & Executive Committee, the Library Budget for 1969 has been reviewed again by the Library Board and re-approved as originally submitted to Council on December 13/68. It was moved by Ald. Stubbs and Barber that the budget be approved as recommended by the Board. Ald. Granfield suggested that in future, it would be advisable to revert to the former procedure of having all budget estimates examined by Council before setting the tax rate, but Ald. Weldon favoured the approach taken in dealing with the 1969 estimates. Ald. Sanford said he hoped that all Committees of Council would impress upon their department heads the need to stay within

their budgets this year. The motion carried.

LAND USE TRANS-
PORTATION PLAN

A report from the Planning Director, outlining the proposed steps to be taken in the development of an Outline Land Use/Transportation Plan for the region, has been approved by the Planning Board and recommended to Council for approval. This item was deferred from the March 18th meeting and received approval on motion of Ald. Sanford and Granfield.

CANCELLATION:
SEWER FRONTAGE
CHARGES

The Finance & Executive Committee has recommended approval of requests for the cancellation of sewer frontage charges levied against properties owned by:

- (1) Mr. R. G. MacKenzie, 8 Lakeside Terrace
- (2) Mr. C. N. Duggan, 9 Parkstone Terrace
- (3) Mr. R. Butler, 22-24 Brookdale Crescent
- (4) Mrs. Helen Robinson, 20 Brookdale Crescent

These charges are waived as compensation for sewer easements granted to the City over the properties concerned, and on motion of Ald. Hampson and Wambolt, all four requests were approved as recommended by the Finance Committee.

SPECIAL OCCASION
LIQUOR LICENSES

After receiving an opinion from the City Solicitor with regard to the City's liability under the new regulations of the Liquor Licensing Board relating to Special Occasion Licenses (permitting the dispensing of alcoholic beverages at City-owned properties such as Oakwood House, etc.), the Finance & Executive Committee has recommended to Council that the rental of such facilities for occasions where alcoholic beverages are served, be continued. On motion of Ald. Hampson and Barber, the Committee's recommendation was adopted.

LEGISLATIVE POWERS:
PUBLIC UTILITIES
BOARD

Copies of a letter received from Premier Smith, concerning the possibility or right to appeal decisions of the Public Utilities Board, have been circulated for the information of Council in accordance with a resolution adopted at the meeting of December 17/68. It has been suggested in the Premier's letter that every opportunity is provided under the Municipal Boundaries and Representation Act for a thorough hearing on all

matters which may come before the Board. Contrary to this opinion, Ald. Fredericks indicated his intention to introduce a resolution, expressing concern about the powers of the Public Utilities Board, for submission to the conference of Nova Scotia Municipalities, and later gave notice of motion to this effect.

SALE OF LAND:
BURNSIDE PARK

In an effort to eliminate the necessity for Council's approval of individual transactions involving the sale of land in the Burnside Industrial Park, the Industries Committee has recommended that the Industrial Promotion Officer and the Mayor be authorized to finalize property sales in the Park on the basis of the established costs of fifty-five cents per sq. ft. for lots serviced by rail, and forty-five cents per sq. ft. for lots not serviced by rail. It was moved by Ald. Hampson and Brownlow that the recommendation be adopted by Council.

The intent of the recommendation was explained by Ald. Hampson and questions raised by Ald. Stubbs about the granting of tax concessions, were answered by the Solicitor. Although a fixed tax rate has not been established for properties in our Industrial Park, the City now has the power to grant tax reductions negotiated with individual companies interested in locating there.

The Mayor agreed with Ald. Granfield's suggestion that Council should be kept informed on the progress of the Park's development and the amount of land being sold. Ald. Sanford questioned the adequacy of the price established for lots in the Park, but generally, it was considered satisfactory from the City's point of view and fair in comparison with prices being received for sites in privately-owned industrial parks.

The motion carried.

INQUIRIES & ANSWERS: Ald. Hampson asked if the water extension from Dorothea Ald. Hampson Drive to the Highland Acres School is intended to service the school only; the Clerk-Administrator advised that it is and therefore, it will not affect the City's development plan.

Asked about the cost to the City, Mr. Moir said the Public Utilities Board would not approve such an extension without a 10% return from the investment.

ALD. GRANFIELD Ald. Granfield asked if it would be possible to have a plaque erected in Wentworth Park, commemorating the interest which the late Dr. Martin had in its development. On motion of Ald. Granfield and Fredericks, Council agreed to have a plaque erected in remembrance of Dr. Martin as proposed.

ALD. BARBER Ald. Barber noted that a waste container is required in the area of 119 Crichton Ave., and in answer to his question about the availability of containers recently approved for use in the City, he was advised by the Clerk-Administrator that the company involved has not yet signed the agreement.

Ald. Barber asked if it would not be possible to forward a letter to the Federal Minister of Works, asking him to reconsider his decision not to repair the Post Office clock.

ALD. SANFORD Ald. Sanford asked if the installation of curb and gutter is planned for the section of Windmill Road on which sidewalk was installed last year. Mr. Moir pointed out that this work has not been projected in the capital budget and advised that it cannot be done from the current budget in 1969.

In answer to Ald. Sanford's second question, Mr. Moir advised that Detour and similar signs erected by contractors must have the approval of the City Engineering and Police Departments.

Ald. Sanford inquired about arrangements being made for use of the compactor when it becomes available, and was informed by the Clerk-Administrator that a request to have it in Dartmouth has already been submitted. It was suggested that cars and car bodies to be crushed could be brought to the dump for this purpose when the compactor is available.

ALD. STUBBS In answer to Ald. Stubbs' first question, the Mayor replied that he has had no official contact with Ottawa regarding a

possible reduction in the armed forces stationed in the Dartmouth area.

Ald. Stubbs asked if the criticism which Council has received from the Museum Society for failure to act in securing a right-of-way to the Farquharson Farm property is justified. The difficulties encountered in attempting to secure public access to the property were explained by the Clerk-Administrator and the Mayor pointed out that expropriation was not authorized when the matter was last brought before Council. City equipment and employees have been permitted access over the Jachimowicz property, but public access is still not available.

Both Ald. Stubbs and Ald. Wambolt inquired about problems associated with this year's street oiling program, and agreed with the Mayor's opinion that some refinement in the process is required.

Ald. Stubbs inquired about recommendations drafted by members of the Welfare Committee for regulations covering toilet and eating facilities for use during the Summer Games and on Natal Day. The Clerk-Administrator said the Secretary, Mr. Steele, has been asked to make a copy of these recommendations available.

Ald. Stubbs requested that a letter from an Eljay Drive resident, who has suggested installing a fountain in the middle of the Micmac Rotary, be referred to the Finance Committee for consideration; the letter was passed to the Deputy City Clerk.

Ald. Stubbs asked when Council may expect to meet with the Auditors to discuss the 1968 Financial Statement and, if possible, the subject of priority budget planning. The Mayor answered that such a meeting will probably be arranged within the next two or three weeks; it is intended that the subject of priority planning will be included in the agenda as well.

ALD. FREDERICKS Ald. Fredericks inquired about the status of the trailer park development proposed for completion in time for the Summer Games, and was informed by the Clerk-Administrator that tenders for the proposal close early in June. Ald. Fredericks also asked about the removal of the island from Lake Banook and requested an up-dated progress report on all the City areas being prepared for Summer Games activities, with an indication as to whether the projects are remaining within the budgets provided.

Ald. Fredericks asked to have the minutes of the Junior Council meetings circulated to members of the Senior Council.

In answer to Ald. Fredericks' final question, concerning the status of the overhead street lighting requested for the Circumferential/Pleasant Street intersection, Mr. Moir advised that a plan of the pole sites proposed has been forwarded to the Dept. of Highways as of this date.

ALD. SMITH Ald. Smith asked if there are plans under the urban renewal scheme for a sidewalk between Pine and Portland Streets. The Mayor noted that sidewalk for this section has not been included in the 1969 budget.

Answering Ald. Smith's second question, the Mayor stated that the Dartmouth Ferry Commission has been absorbed by the City of Dartmouth.

Ald. Smith remarked on the unsightly condition of sidewalks in front of business establishments on Portland, King, and Dundas Streets and in answer to his question about responsibility for keeping these areas clean, he was advised by the Mayor of the City by-law which requires commercial and business owners to clean and maintain the sidewalk areas in front of their establishments.

ALD. DAVIS Ald. Davis asked if Council could discuss at some future meeting, possible revisions in the existing agreement between the City and IEL, and it was suggested by the Mayor that the Chairman of the Industries Committee be asked to include this

item in the next agenda for consideration by the Committee.

Ald. Davis next inquired about a City by-law restricting loitering and the Mayor, on the advice of the Solicitor, pointed out that this matter comes under the Criminal Code.

Ald. Davis asked if it would be possible to have some type of markers (such as arrows, monuments, etc.) placed in the right-hand turn coming off the Bridge onto Wyse Road, indicating to drivers that traffic can proceed from the right-hand lane. This inquiry will be referred to the Traffic Engineer and the Chief of Police for their attention.

ALD. MCDONAH

Ald. McDonah inquired about the start of the street patching program in Ward 4, with specific reference to Charles Street. The Clerk-Administrator noted that only one company is engaged in this work at present; the inquiry will, however, be brought to the attention of the City Engineer.

Ald. McDonah also inquired about the responsibility of commercial owners for maintaining the sidewalk areas in front of their stores; he referred in particular to the Victoria Road Confectionery property.

Council concurred with Ald. McDonah's suggestion that a letter, expressing Council's condolences at the death of his wife, be sent to Mr. L. Kitz, the former Mayor of Halifax.

ALD. WAMBOLT

Ald. Wambolt inquired about traffic lights for the intersection of Albro Lake and Windmill Road, and was informed by the Clerk-Administrator that they are projected for installation this year.

Ald. Wambolt also inquired about the status of this year's sand-sealing program and was advised by the Mayor that all unpaved City streets will be done.

The Clerk-Administrator agreed to look into inquiries raised by Ald. Wambolt about the levelling of earth and rock piles left behind after work in the Ferguson Road area, and

curbing required on Windmill Road (at the top of Ferguson Rd.), although it was pointed out that the latter project has not been included in this year's budget.

ALD. WELDON The Mayor advised Ald. Weldon, in answer to his question, that the new County Courthouse, projected for construction this year, will not affect our 1969 capital budget.

ALD. STOCKALL Ald. Stockall asked if it would not be possible to have repairs to the Angus L. MacDonald Bridge carried out during night-time hours so that traffic is not delayed, particularly during the afternoon hours. The Mayor agreed to bring this inquiry to the attention of the Bridge Commission.

RESOLUTION #14 Resolution #14 (Unightly Premises: 102 King St.) was presented for Council's consideration. It was moved by Ald. Fredericks and Smith that the Resolution (which follows) be adopted by Council.

Resolution No. 14

WHEREAS City Council of the City of Dartmouth has reviewed the report of the Building Inspector concerning the unsightly condition of the property located at 102 King Street in the City of Dartmouth owned by the Estate of Eliza Elliott.

BE IT RESOLVED that the City Council is of the opinion that the premises known as 102 King Street owned by the Estate of Eliza Elliott are unsightly premises, by reason of existence thereon of the following conditions:

"That the dwelling located at 102 King Street is in a dilapidated and dangerous condition, open to the weather and vandals and not in a proper state of repair and is unsightly and offensive to the general public travelling on the street."

AND BE IT FURTHER RESOLVED that the City Clerk-Administrator be directed to give Notice in writing to the owners of the said premises pursuant to Section 3 of the Unightly Premises By-law of the City directing the said owners to correct the said condition within thirty (30) days from the date of the Notice.

Ald. Sanford suggested that there appears to be some variance in our policies relating to prosecutions under the

Unsightly Premises By-law (ie. in the time which elapses before action is taken), but the Clerk-Administrator noted that the City has been corresponding with the administrators of the estate involved over a two - three-year period. Ald. Brownlow asked if the By-law could be invoked in the case of a property north of Frances Street, where crushed rock spills over into the roadway, and the Clerk-Administrator agreed to check on this question further with the Solicitor. The motion carried.

MOTIONS:

ALD. STOCKALL
ONE-WAY TRAFFIC
(WITHDRAWN) Ald. Stockall's motion, concerning one-way traffic and angle parking on one side of Portland Street, was withdrawn.

ALD. BROWNLOW
PLAYGROUND
NORTHBROOK
SCHOOL

At the April 1st meeting, Ald. Brownlow gave notice of motion concerning the development of City-owned property adjacent to Northbrook School for recreation purposes. Ald. Brownlow explained that the land involved is located directly to the west of Northbrook School, between Chappell and Richmond Streets, and suggested the feasibility of improving the area for use as a playground. It was moved by Ald. Brownlow and McDonah that this proposal be referred to staff for a recommendation, through the Recreation Committee, to the July Council meeting, indicating the cost involved, requirements for a playground, etc. Ald. Barber noted that a comprehensive list of all the areas available throughout the City for recreational development, is being prepared by the Recreation Director, after which they will be toured by the Committee and recommendations made for inclusion in next year's capital budget. The motion carried.

ALD. BROWNLOW:
STREET PAVING
PROPOSAL

At the April 1st meeting, Ald. Brownlow also gave notice of motion dealing with proposals prepared by the Deputy City Clerk for the financing of street construction and paving. He suggested that these proposals were considered at an inopportune time, just prior to budget discussions, by the Works Committee, and moved that they be referred to the Finance

& Executive Committee for further consideration; the motion was seconded by Ald. Granfield. Ald. Stockall felt that the negative recommendation resulting from the March 10th Works Committee meeting could be presented with the proposals for debate at the Council level, and moved in amendment that the item be included in the next Council agenda for consideration, together with the Works Committee recommendation; the amendment was seconded by Ald. Weldon.

Ald. Brownlow said he was not so much concerned about how the item reaches Council, as he was that it should receive a fair hearing, divorced from budget pressures and considerations. The amendment resulted in a tie vote and was defeated with the Mayor voting against. It was then moved in amendment by Ald. Stubbs and Brownlow and carried that the proposals be referred to Council for consideration at the meeting with the Auditors. The motion, as amended, carried.

MOTION: ALD.
WELDON
(DEFERRED)

Council concurred with Ald. Weldon's request for deferral of his motion dealing with methods of increasing communication between elected representatives and constituents (notice of motion given at the April 1st meeting).

MOTION: ALD.
DAVIS

In accordance with notice of motion given by Ald. Davis at the April 1st Council meeting, he moved that staff, the Planning Dept., and the Low Rental Housing Committee, investigate the method of construction of pre-fabricated, concrete row houses and apartment units being planned by a local firm, Nova Stone Ltd., to determine if such buildings could economically be constructed for low rental public housing in Dartmouth, at a considerable saving in the construction cost, in comparison with the publicly-financed apartment unit expenses experienced by the City in the past. The motion was seconded by Ald. Sanford and carried.

NOTICES OF MOTION: Ald. Stockall gave notice of motion that at the next
ALD. STOCKALL regular meeting of Council, he will introduce motions dealing

with: (1) a reduction in the number of Aldermen on City Council; (2) rezoning of the Penhorn Shopping complex property; and (3) the establishment of a recreation complex involving land behind the Woodlawn Pharmacy and near Woodlawn School.

ALD. FREDERICKS Ald. Fredericks gave notice of motion that at the next regular meeting of Council, he will introduce a resolution pertaining to the legislative powers of the Public Utilities Board for submission to the conference of Nova Scotia Municipalities.

Ald. Fredericks also gave notice of motion that at the next regular meeting of Council he will introduce a motion relating to the payment of taxes to the City of Dartmouth by the Bridge Commission.

ALD. BARBER Ald. Barber gave notice of motion that at the next regular meeting of Council he will introduce a motion calling for the formation of a committee to study the feasibility of establishing a municipal golf course in the City watershed area.

ALD. STUBBS Ald. Stubbs gave notice of motion that at the next regular meeting of Council she will introduce a motion concerning property exemptions for divorced and separated women.

BY-LAW C-148.
(THIRD READING) By-law C-148, which received first and second reading at the April 15th meeting, was presented for third reading at this time. It was moved by Ald. Weldon and Brownlow that By-law C-148 be read a third time, and that the Mayor and the Clerk-Administrator be authorized to sign and seal the said By-law on behalf of the City.

Council agreed to hear Mr. David Fram who presented a brief, opposing the deed transfer tax increase, on behalf of the Halifax Dartmouth Real Estate Board. He pointed out that the deed transfer tax is not applicable in many other Canadian municipalities, and maintained that it is an unfair method of taxation in its principle. Ald. Fredericks agreed and shared

Mr. Fram's opinion that the increase proposed will place an additional hardship on people attempting to acquire homes, thereby adding to the problems which have been created by the serious housing situation existing in the metropolitan area at present. Ald. Granfield and Weldon supported the tax increase, however, and it was pointed out by the Mayor that our 1969 budget projections have included the \$50,000. in revenue which the increase is expected to produce this year. It was moved in amendment by Ald. Sanford and Fredericks that the proposed increase (from $\frac{1}{2}$ of 1% to 1%) be made applicable only to commercial and industrial properties in the City.

The revenue produced from the percentage of properties represented by the categories specified in the amendment was generally considered inadequate to meet the City's need for an additional source of income and the amendment was defeated. The motion for third reading carried (Ald. Sanford and Fredericks voting against).

BY-LAW C-149
(THIRD READING)

By-law C-149 (amending C-104: Building Regulations), which has received first and second reading, was presented for third reading at this time. It was moved by Ald. Brownlow and Stubbs and carried that By-law C-149 be read a third time, and that the Mayor and the Clerk-Administrator be authorized to sign and seal the said by-law on behalf of the City.

BY-LAW C-150

As requested, the City Solicitor has prepared a By-law (C-150) relating to safety on and the use of Lakes Banook and Micmac. By-law C-150 was presented for Council's consideration and, on motion of Ald. Fredericks and Barber, was referred to the Public Safety Committee for study.

BY-LAW C-151

By-law C-151, authorizing borrowing for current expenditures (pursuant to Section 246 of the City Charter) was introduced for approval by Council.

It was moved by Ald. Barber and Wambolt and carried that

leave be given to introduce By-law C-151 and that it now be read a first time.

It was moved by Ald. Brownlow and Stubbs that By-law C-151 be read a second time. Questions raised by members of Council during second reading were answered by the Clerk-Administrator, the Mayor, and the City Solicitor. Commenting on Ald. Weldon's inquiry about the City's ability to collect a percentage of taxes early in each year, the Solicitor advised that copies of our legislation, recently approved by the Provincial Legislature, will be made available to all members of Council for their information. Ald. Fredericks requested that an indication of our existing legislation be included with each change for comparison purposes. He then raised a question about competitive borrowing practices and was assured by the Clerk-Administrator and the Deputy City Clerk that such procedures are followed by the City. Ald. Davis suggested that it would be informative for the members of Council to have a report indicating the sources from which our current borrowings are to come. The motion for second reading carried.

Unanimous consent was given by Council for third reading of the by-law.

It was moved by Ald. Brownlow and Sanford and carried that By-law C-151 be read a third time, and that the Mayor and the Clerk-Administrator be authorized to sign and seal the said by-law on behalf of the City.

1968 FINANCIAL
STATEMENT

The 1968 Financial Statement for the City, prepared by our Auditors, H. R. Doane & Company, was tabled on motion of Ald. Sanford and McDonah; it will be discussed in detail at a future meeting to be arranged with the Auditors.

PASS BILLS

It was moved by Ald. Weldon and Wambolt and carried that all bills be passed for payment.

CHANGE DATES:
JUNE & JULY
MEETINGS

At an earlier point in the meeting, Council had agreed to change the date of the regular June meeting from June 3rd to

Tuesday, June 10th, and to change the date of the July meeting to Tuesday, July 8th. These changes were ratified by Council and the meetings will now be scheduled accordingly.

CANOE ASSOCIATION: A letter has been received from the Canadian Canoe Association, expressing opposition to the holding of hydro-plane races on Lake Banook, although approval for these events, scheduled for the weekend of August 30th and 31st, has been recommended by the Recreation Committee. Ald. Barber said that in view of the concern expressed by local canoe clubs about the degree of pollution created in Lake Banook by these races, he now found himself opposed to them. Ald. Sanford suggested that the feasibility of holding the racing events on Lake Micmac instead should be investigated, and moved that the matter be referred back to the Recreation Committee and to the Safety Committee for consideration on that basis; the motion was seconded by Ald. Fredericks. The various legal implications involving Federal jurisdiction over lakes, rivers, and harbours, were discussed briefly with the City Solicitor before the motion was put; it was defeated.

On motion of Ald. Davis and Granfield, Council agreed to advise the Halifax-Dartmouth Power Boat Club that the use of Lake Banook for the purpose of holding the Canadian Speedboat Championship races is not approved by Council (Ald. Sanford and Fredericks voting against).

PETITION: PARK SCHOOL H. & S. ASSOCIATION A petition, signed by 110 Ward 3 property owners, requesting that present plans for repairs to the existing Park School be withdrawn and a new elementary school constructed in the area, was presented by Ald. Barber in conjunction with Mr. Murphy, President of the Park Home & School Association. Ald. Sanford and McDonah attempted to introduce a motion of referral to the Finance & Executive Committee, but the Solicitor advised that since repairs to the school have been authorized by Council within the last 12 months, a motion to have the item

brought up again, requiring a two-thirds majority vote of Council, would have to be passed before a motion to rescind previous action could be introduced. It was therefore moved by Ald. Barber and Davis that the item be brought before Council again, but the motion did not obtain the two-thirds majority vote required and was declared defeated by the Mayor.

REQUEST: KIWANIS CLUB

The Finance & Executive Committee has considered the request from the Dartmouth Kiwanis Club that the City purchase advertising space in the Summer Games program to be produced by the Club, at a cost of \$2,000., and has recommended to Council that Dartmouth, in keeping with similar action taken by the Province and the City of Halifax, advertise in the program to the extent requested. It was moved by Ald. Fredericks and Smith that the Committee's recommendation be adopted.

When this matter was previously before Council, Ald. Davis had suggested that application for the \$2,000. required should be made to the Eastern Shore Tourist Association, of which Dartmouth is now a member, and he therefore moved deferral until such time as the Kiwanis Club has made application to the Association for the funds; the motion was seconded by Ald. McDonah, but was defeated with only Ald. Davis and Granfield voting in favour. The original motion carried (Ald. Granfield voting against).

GRANT: YM-YWCA BUILDING FUND

The Finance & Executive Committee, at the Mayor's suggestion, has considered a proposal for assisting the YM-YWCA building campaign and has recommended to Council that the full amount of the City's contribution to the Y building fund be paid over a two-year period (1969-70), with \$60,000. being contributed in 1969 and \$50,000. in 1970; on condition that the building is to be completed and with the understanding that the City is not prepared to make further contributions toward the project. It was moved by Ald. Hampson and Barber that the Committee's recommendation be adopted by Council.

Ald. Wambolt felt that if the City is to make such a gesture toward the assistance of the Y. project, there must be absolute assurance given of the organization's intent to complete the building. The Mayor said that if there is any doubt of this fact, the matter will be brought back to Council. He suggested that the City, in making this gesture of confidence, would hope to insure completion of the Y. complex. Ald. Davis and Smith supported the motion, but Ald. Sanford and Fredericks spoke against it. The motion carried (Ald. Weldon, McDonah, Fredericks, Stubbs, and Sanford voting against).

**FACILITIES:
DARTMOUTH PARK**

At the suggestion of the Mayor, the Finance & Executive Committee has recommended to Council that the City undertake the construction of a greenhouse and a building to house equipment in the Dartmouth Park. Approx. \$8,000, of the \$25,000. required to provide these facilities is now available from a special fund created by the City, and it has been proposed that the remaining funds required could be withdrawn from the Special Reserve Fund established following the sale of City-owned land to the Bridge Commission. On motion of Ald. Barber and Stubbs, the Committee's recommendation was unanimously adopted by Council.

**WAGE CONTRACT:
FERRY EMPLOYEES**

The Finance & Executive Committee has recommended for Council's approval the terms of a new contract (as outlined in the attached report) negotiated between the City of Dartmouth and Industrial Union of Marine & Shipbuilding Workers of Canada, Local 13, representing Ferry employees. On motion of Ald. Brownlow and Granfield, the contract terms recommended were approved by Council.

**1969 ESTIMATES:
RECREATION &
COMMUNITY SERVICES**

The 1969 Estimates for Recreation and Community Services have been considered by the Recreation, Parks & Community Services Committee, and approval has been recommended to Council by the Committee. On motion of Ald. Barber and Brownlow, the estimates were adopted as recommended.

TEMPORARY BORROWING RESOLUTION RENEWAL On motion of Ald. Brownlow and Marvin, the following

Temporary Borrowing Resolution Renewal (copy of which is attached) was approved by Council:

\$200,000. - Hospital

RESOLUTION #16 On motion of Ald. Fredericks and Marvin, the following Resolution (#16: 29 Belmont Ave.) was adopted by Council:

Resolution No. 16

WHEREAS City Council of the City of Dartmouth has reviewed the report of the Building Inspector concerning the dilapidated condition of the property located at 29 Belmont Avenue, in the City of Dartmouth owned by Richard R. Minchin;

BE IT RESOLVED that the City Council hereby declares that the building is in such a state of non-repair as to be no longer suitable for human habitation or business purposes;

AND BE IT FURTHER RESOLVED that the City Clerk-Administrator be directed to give not less than one month's notice in writing to the registered and assessed owner of the said lands according to Section 175, subsection (7) of the Dartmouth City Charter.

BY-LAW C-152 By-law C-152, re-naming Wally Crescent, Kimberly Crescent, was introduced for approval by Council. It was moved by Ald. Hampson and Wambolt and carried that leave be given to introduce By-law C-152 and that it now be read a first time.

It was moved by Ald. Granfield and Wambolt and carried that By-law C-152 be read a second time.

Unanimous consent was given by Council for third reading of the by-law.

It was moved by Ald. Barber and Wambolt and carried that By-law C-152 be read a third time, and that the Mayor and the Clerk-Administrator be authorized to sign and seal the said by-law on behalf of the City.

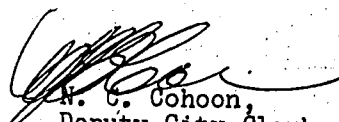
BY-LAW C-153 By-law C-153, relating to the licensing of petty traders, was also presented for Council's approval. It was moved by

Ald. Weldon and Brownlow and carried that leave be given to introduce By-law C-153 and that it now be read a first time.

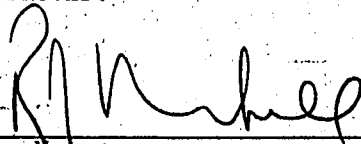
It was moved by Ald. Granfield and Hampson and carried that By-law C-153 be read a second time.

At the suggestion of the Clerk-Administrator, it was moved by Ald. Sanford and Brownlow and carried that By-law C-153 be referred to the Finance & Executive Committee for consideration.

Meeting adjourned.


W. C. Cohoon,
Deputy City Clerk.

APPROVED:



Mayor

City of Dartmouth
Renewal of Borrowing
\$ 200,000 - Hospital

WHEREAS the Council of the City of Dartmouth is authorized by law to borrow or raise by way of loan by the issue and sale of debentures of the City a sum not exceeding Two Hundred Thousand dollars (\$ 200,000) for the purpose of erecting, furnishing or equipping buildings for a hospital and acquiring or purchasing or improving land for such buildings in addition to the sum of One Hundred Thousand Dollars (\$100,000) previously authorized to be borrowed pursuant to a resolution passed by the Council on the 29th day of November A.D., 1967 and approved by the Minister of Municipal Affairs on the 12th day of December A.D., 1967;

AND WHEREAS the said City by resolution passed by the Council thereof on the 6th day of February A.D., 19 68 and approved by the Minister of Municipal Affairs on the 14th day of March A.D., 19 68 was authorized to postpone the issue of such debentures, and borrow by way of loan on the credit of the City such sum from the Royal Bank of Canada at Dartmouth for a period not exceeding twelve months;

AND WHEREAS it is deemed expedient that the period of such borrowing from said Bank be further extended;

BE IT THEREFORE RESOLVED that subject to the approval of the Minister of Municipal Affairs the authorized period of such borrowing from said Bank be extended for a further period not exceeding twelve months from the date on which this resolution shall have been approved by the Minister of Municipal Affairs.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution duly passed at a duly called meeting of the City Council of the City of Dartmouth duly held on the 20th day of May A.D., 1969 .

GIVEN under the hands of the Mayor and the City Clerk and under the corporate seal of the said City this 20th day of May A.D., 1969

DEPARTMENT OF MUNICIPAL AFFAIRS
Recommended for approval of the Minister
W. W. Osagey
Deputy Minister
APPROVED this 22nd day of May 1969
H. W. ...
Minister of Municipal Affairs

[Signature]
Mayor
[Signature]
City Clerk

Dartmouth, N. S.

June 10/69.

Regularly called meeting of City Council held this date
at 7:30 p.m.

Present - Mayor Thornhill, Chairman

Ald. Weldon	Fredericks
Wambolt	Sanford
McDonah	Brownlow
Davis	Barber
Smith	Granfield
Stubbs	Hampson
City Solicitor, S. Drury	
Clerk-Administrator, C. A. Moir	

APPROVE MINUTES On motion of Ald. Brownlow and Wambolt, the minutes of
meetings held on May 6th and 20th were approved as circulated.

NOTICE OF RECONSIDER- At the May 20th meeting, Ald. Sanford gave notice of
ACTION: F. & D. CARWASH reconsideration of a motion approving an application from F. &
D. Autowash Ltd. to construct a combination carwash and service
station at the corner of Windmill Road and Farréll Road. He
stated a number of reasons why the development proposed is
unsatisfactory for the location chosen, and moved that the
motion adopted by Council now be reconsidered. The motion,
seconded by Ald. Stubbs, resulted in a tie vote and carried
with the Mayor voting in favour. Ald. Davis and Sanford spoke
on the motion, the former in support of it and Ald. Sanford,
against granting a permit to build, after which the developer,
Mr. Allen Dwyer, was heard briefly by Council. In answer to a
question from Ald. Wambolt, the Mayor advised that no petitions
have been received from residents opposed to the carwash/service
station. The motion, approving the application for permit to
build, was put and carried (Ald. Stubbs, Sanford, Wambolt, and
McDonah voting against).

LINDEN LEA
REZONING:
THIRD READING

At the May 6th meeting, an amendment to By-law #74, which
would rezone lands on Linden Lea (Lots 23 and 24) from R-3
(Multiple Family Residential) to P (Park & Institutional Zone)
received first and second reading; it was presented for third
reading at this time, accompanied by a report from the City

Engineer, outlining drainage requirements to accommodate the apartment development proposed for the site originally.

It was moved by Ald. Granfield and Smith that the amendment to By-law #74 be read a third time, and that the Mayor and the Clerk-Administrator be authorized to sign and seal the said amendment on behalf of the City.

Both Ald. Granfield and Smith commented briefly on the Engineer's report and re-stated their positions with regard to the probability of creating serious drainage problems by permitting development to take place on the two lots concerned. In answering a question from Ald. Barber about the affect of rezoning to Park & Institutional, the Mayor suggested that by the very nature of this zoning, the City is, in effect, expropriating the properties since all future uses for development purposes are being prevented. Ald. Sanford objected to this interpretation of Council's action, pointing out that the City would be acquiring land which does not even front on a City street. The motion for third reading carried (Ald. Weldon abstaining from voting).

PETITION: TAM
SHANTER RIDGE
RESIDENTS

ZONING
APPLICATION

O' A petition from residents of the Tam O'Shanter Ridge Sub-division was considered in conjunction with the rezoning application which occasioned it. The application, submitted by Omega Investments Ltd., to rezone 21 acres of land situated in the Subdivision from R-1A Zone (Single Family Residential) to R-4 Zone (Medium Density Multiple Family) to permit the development of 225 units of Limited Dividend town housing, has received approval from the Planning Director and the Planning Board, with a recommendation to Council that a date be set for public hearing subject to the development plan being amended to allow for a proper transition between the single-family area and the proposed development in the Dunbarton Drive/Cairndow Drive area. A report from the City Engineer, indicating that the existing Tam O'Shanter sewer system does not have the reserve

capacity required to service the population proposed for the town housing development, was also considered in connection with the issue and its relevance to the rezoning application noted by most of the Aldermen who spoke during the debate.

Contrary to the recommendation of the Planning Board, it was moved by Ald. Granfield and Smith that the rezoning request be denied by Council. While the need for Limited Dividend Housing units of the type proposed was recognized by Council, the members nevertheless appeared to appreciate the importance of protecting the interests of the R-1 home-owners now living in the area, and Ald. Stubbs, among others, favoured a reduction in the development concentration proposed, together with an expanded buffer zone to provide for a more gradual transition from the existing R-1 housing to the town housing development. She was supported by Ald. Sanford and Weldon in her contention that housing units of the type proposed must be provided in Dartmouth, as they are being made available in other cities, to alleviate the present housing shortage by creating accommodations for lower income families, and she suggested that residents in all wards of the City should be prepared to accept equal percentages of Limited Dividend Housing so that the overall requirement may be met and satisfactory living accommodation provided for people to whom R-1 housing is unattainable. Evidence of this need for low rental housing was later substantiated by Mr. Glen Bagnell's statement that 300 applications have been received for admission to the 45 low rental housing units now being completed in the north end of the City.

Some members of Council, including Ald. Weldon, felt the rezoning application should be permitted to go to public hearing, but Ald. Brownlow, among others, maintained that the issue should be resolved at this meeting since the various groups involved are represented. It was pointed out that the development cannot be accommodated with the present sewer system and this factor,

together with the possibility of decreasing the housing concentration proposed (ie. units per acre) and extending the buffer zone between the two types of housing involved, were considered by Ald. Stubbs as adequate reasons for referral back to the Planning Board for further study and discussion with the Engineer, the Planning Director, and the developer. It was therefore moved by Ald. Stubbs and Sanford that the matter be referred back to the Board as suggested for consideration of the three pertinent factors mentioned. Ald. Hampson and Davis were opposed to referral, but the motion was supported by Ald. Wambolt and Sanford.

As debate proceeded, Council heard Mr. M. Jones, representing the Tam O'Shanter residents, and the following interested citizens present to oppose the rezoning application:

Mrs. McLaughlin
Mr. Smiley
Mr. Dorey

Strong opposition to the rezoning and to the location proposed for Limited Dividend Housing, was expressed in each of the presentations, and although Mr. Peter Hutton, representing the developer, answered numerous questions about the project and the manner in which the housing units are to be maintained, and agreed to extend the buffer zone for a more satisfactory transition between the R-1 and R-4 zones, the residents maintained their original stand against the proposal. Mr. Sawyer, representing the owners of the 21-acre site involved, explained the difference between public housing and a Limited Dividend development such as that proposed by Omega Investments and urged Council's support for the motion to refer, with the idea of a suitable compromise solution being reached so that the project may go ahead as planned. In answer to questions from Ald. Hampson and Brownlow, Mr. Hutton advised that it would be impractical for his company to build only a small number of units on the Tam O'Shanter site or on a number of smaller sites

dispersed throughout the City. He said his company had understood, in presenting their proposal, that the existing sewer system would be adequate to serve the development. Questions raised by Mr. Jones, who spoke several times during the debate, were answered by Mr. Hutton and after a brief summation by the Mayor of the controversy associated with this issue and the way in which it has been handled, the motion to refer was put and defeated by a vote of 7 - 5 (Ald. Stubbs, Sanford, Barber, Wambolt, and Weldon voting in favour). The original motion carried with Ald. Weldon voting against.

PETITION:
WESTWOOD DR.
RESIDENTS

A petition from Westwood Drive residents, protesting the close proximity of the site selected as the location for the Kinsmen rink at Beazley Field, was presented for Council's consideration. It was pointed out in the accompanying brief that the site proposed is situated only 25 feet from the rear boundaries of the properties at 3, 3A, 5 and 7 Westwood Drive, and Council was requested to consider relocating the rink on the alternate site originally proposed, adjacent to the Little League ball diamond at the south-east end of Caledonia School. Mr. D. MacDonald addressed Council on behalf of the residents concerned and their case for relocation of the rink received a favourable hearing from Council. Because of the urgency of proceeding with construction so that the building will be completely closed in before the Summer Games, a motion to refer, introduced by Ald. Stubbs and Sanford, was withdrawn in favour of Ald. Granfield's motion rescinding Council's previous choice of the site adjacent to Westwood Drive. The motion to rescind was seconded by Ald. Brownlow and carried. It was then moved by Ald. Brownlow and Weldon and carried that the alternate site designated (ie. site I on the plan) be approved and negotiations entered into with Harbour Motors for the acquisition of a corner of their property fronting on Caledonia Road to permit construction of the building as it has been indicated on the plan before

Council. The cost of acquisition is not to exceed the \$5,000. saving which will be realized in choosing the alternate site.

PERMIT TO BUILD: An application from Nova Scotia Light & Power Co. Ltd. for
N.S.LIGHT & POWER
ADDITION TO PLANT permit to build an addition to the Thermal Electric Generation Station, Windmill Road, has been considered by members of the Town Planning Board and, although a quorum was not present for the meeting, those members in attendance reviewed the application and suggested that Council issue the Building Permit as requested. The estimated value of construction is \$3,500,000. and the Building Inspector has reported that the plans and specifications exceed all requirements of the City Building By-laws. Questions raised by Ald. Stubbs about air pollution and fallout problems which may be created by this addition to the plant, were answered by Mr. MacDonald, representing Nova Scotia Light & Power Co. He said it is impossible to guarantee that there will be no fallout whatsoever from this type of plant, but with the complete conversion to oil in November, the smoke nuisance should be eliminated under normal operating conditions. On motion of Ald. Weldon and Barber, the application was approved by Council as suggested by members of the Planning Board.

PERMIT TO BUILD: The Town Planning Board recommended to Council approval of
TOWER CONSTR. LTD.
PRIMROSE ST. an application submitted by Tower Construction Ltd. for permit to build a 21-unit apartment building at 29 Primrose Street, at an estimated cost of \$140,000. On motion of Ald. Weldon and Wambolt, the application was approved as recommended by the Board.

PERMIT TO BUILD: The Planning Board also recommended to Council approval
OFFICE-WAREHOUSE
COMMODORE PARK of an application submitted by Eastern Builders Supply Ltd. for permit to build an office-warehouse building on Wright and Borden Ave. in the Commodore Industrial Park; the estimated value of construction is \$240,000. On motion of Ald. Weldon and Wambolt, the application was approved as recommended by the Board.

TENDERS: PARK
SCHOOL
RENOVATIONS

The following tenders for renovations to Park School, as authorized by Council, were received and opened by the Clerk-Administrator:

<u>Contractor & Tender Price</u>	<u>Completion date</u>
Urban Construction Co.: \$35,279.	August 31
Blunden Construction: \$37,117.	30
Foundation group: \$37,184.	31
Fundy Construction: \$40,810.	31
Standard Construction: \$41,073.	29

On motion of Ald. Smith and Stubbs, the low tender, submitted by Urban Construction Co., was adopted subject to confirmation of the unit prices involved.

TENDERS: CIVIC
CENTER DEVELOPMENT

The following tenders for Contract No. 71118, Civic Centre development, were received and opened by the Clerk-Administrator:

<u>Contractor & Tender Price</u>	<u>Deposit</u>	<u>Completion date</u>
Harbour Constr. Ltd.: \$205,896.	\$40,000.	6 mos after awarding tender
Waverley Constr. Ltd.: \$195,104.50	19,600.	6 mos after awarding tender

At the suggestion of the Clerk-Administrator and on motion of Ald. Brownlow and Wambolt, the tenders were referred to staff and the consultants for recommendation back to Council.

AWARD TENDER:
KINSMEN RINK

In addition to the extra items already approved by Council for inclusion in the Harbour Construction Co. tender submitted for construction of the Kinsmen rink, the Special Rink Committee has recommended an additional cost of \$3,216. for steel trowel on the floor surface, with steel trowel and enerundum finish on the concrete floor outside the ice surface, bringing the total contract price to \$179,511. It was recommended that Harbour Construction be authorized to proceed with the building, incorporating the above additions. On motion of Ald. Barber and Brownlow, the recommendations of the Special Committee were adopted by Council.

TENDERS:
PUMPER TRUCK

The following tenders have been received for the supply

of a 1250 gallon triple combination pumper truck for use in the City Fire Dept.:

Safety Supply Co. Ltd.	\$44,850.
Pierreville Fire Trucks Ltd.	46,950.
La France Fire Engine & Foamite	49,112.
King Seagrave Ltd.	51,922.

It was recommended by the Clerk-Administrator that the tender submitted by Safety Supply Co. Ltd. for a pumper constructed by Pierre Thibault (Canada) Ltd., in the amount of \$44,850., be accepted; this vehicle meets all of the specifications included in the call for tender. On motion of Ald. Sanford and Brownlow, the Safety Supply Co. tender was approved as recommended.

REPAIRS:
DARTMOUTH FERRY

As authorized by the Finance & Executive Committee, a quotation for repairs to the MS Dartmouth II has been negotiated with Dartmouth Shipyards; a price of \$18,000. has been quoted for this work, covering the first phase of the overhaul. The Mayor advised that Council now has the alternative of awarding the tender to Dartmouth Shipyards, based on the quotation received, or calling for tenders from shipyards throughout the Province. The former course of action was favoured by Council and, on motion of Ald. Sanford and Brownlow, the tender for repairs to the ferry was awarded to Dartmouth Shipyards. The Clerk-Administrator noted that the ferry will be out of operation for approx. five weeks while in drydock.

PLANS:
PENHORN MALL

Completed plans, submitted by Kahn & Kotansky, Architects for the Penhorn Shopping Mall, were available for Council's consideration, but Council agreed to defer this item until the next meeting since Ald. Stockall was not present to introduce his motion dealing with the proposed rezoning to R-1 of the Mall property. The Mayor advised that the principals involved have presented documents indicating that the necessary financing for the development has been arranged and leases signed by

prospective tenants.

MONTHLY REPORTS On motion of Ald. Brownlow and Granfield, the following five monthly reports were adopted by Council:

Medical Health Officer
Victorian Order of Nurses
Chief Of Police
Fire Chief
Building Inspector


REQUEST:
NEPTUNE THEATRE The Finance & Executive Committee has considered a request from the Neptune Theatre Foundation for financial assistance for the years 1969-70 and 1971, based on a three-year projection of revenues and expenditures presented by the Foundation. A \$5,000. contribution has been requested in 1969 and a \$6,000. contribution, in 1970 and 1971. The Committee recommended that Council authorize payment of the amounts requested for 1970 and 1971, and on motion of Ald. Hampson and Stubbs, the recommendation was adopted (Ald. Smith voting against).

LAND PURCHASE:
LAKE MAJOR As previously authorized by Council, negotiations for the ultimate purchase of Lots A and B. owned by Percy Ernst at Lake Major, have been continued by the Clerk-Administrator to the point where the Solicitor representing Mr. Ernst has indicated a willingness on the part of the owner to convey the property to the City for a price not lower than \$25,000.

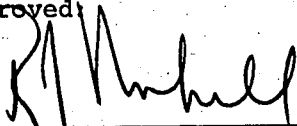
In his report to Council, the Clerk-Administrator pointed out that the two courses open at this time would be (a) acquisition of the dam and property at the \$25,000. price required by the owner, or (b) expropriation of the land and dam site, with the value being determined by the Courts. It was moved by Ald. Sanford and Fredericks that Council adopt the second alternative (ie. go to expropriation and have the cost decided by the Courts). Ald. Weldon and Granfield felt it would be more advantageous to acquire the property outright for the price negotiated and attempted to introduce an amendment to this effect, but it was considered to be contrary to the motion and therefore ruled out of order by the Mayor.

At the hour of 11:00 p.m., it was moved by Ald. Sanford and Stubbs and carried that debate on the item before Council continue until the matter has been resolved (Ald. Brownlow and Weldon voting against). Ald. Smith and Weldon were in favour of purchasing the property for \$25,000., but Ald. Stubbs and Sanford spoke in support of the motion, which resulted in a tie vote and carried with the Mayor voting in favour. Ald. Weldon gave notice of reconsideration.

Meeting adjourned.


N. C. Cohoon,
Deputy City Clerk.

Approved:



Mayor

Dartmouth, N. S.

June 17/69.

Regularly called meeting of City Council held this date
at 7:30 p.m.

Present - Mayor Thornhill, Chairman

Ald. Weldon	Fredericks
Wambolt	Stubbs
McDonah	Sanford
Davis	Brownlow
Smith	Hampson
Stockall	
City Solicitor, S. Drury	
Clerk-Administrator, C. A. Moir	

Council met to complete the June 10th agenda and to deal
with several new items of business.

CAPARRA TERRACE
PROPOSAL

As requested, the Planning Director has reviewed the two
submissions received in response to the Caparra Terrace call
for proposals and in a report to Council, comparing the sub-
missions, has recommended in favour of the one prepared by
Metropolitan Projects Ltd., with the suggestion that the two
following limitations be considered: (1) the low net price
offered for the land (\$78,000.) and (2) the project designed
to accommodate future expansion of the commercial content to
better serve both the new and existing residential development
in the area. Metropolitan Projects Ltd. have offered to purchase
the City-owned land for \$105,000. (compared with the Toulon
Construction bid of \$155,000.), but this offer is conditional
on the City waiving sewer charges for the project and constructing
the sidewalks on Farthington Place and Monique Ave. at no cost
to the developer. The total cost of these considerations amounts
to \$27,000., thereby reducing the price offered by Metropolitan
Projects to \$78,000.

Ald. Sanford supported the Planning Director's recommend-
ation and moved that the Mayor and the Clerk-Administrator be
authorized to negotiate with Metropolitan Projects Ltd. for an
upgraded price for the City property and an enlarged commercial

content in the project, with the matter being reported back to Council when negotiations have been completed; the motion was seconded by Ald. Fredericks. Mr. John Duckworth, President of the firm, addressed Council with a presentation comparing the Metropolitan and Toulon proposals, with particular emphasis on the financial return aspect; he presented a number of calculations and projected figures substantiating his position that the City stands to benefit from a greater financial return anticipated as a result of the overall development proposed by his company, and quoted a figure of \$20,000. as the net rate of gain which the City could expect annually with the Metropolitan proposal. He said that instead of making a larger offer for land, his firm has chosen to put additional money into the actual scheme, thereby improving the planning and increasing the prestige of the development, and suggested that the land price should be a minor consideration in comparison with the development and financial return factors involved. At the request of Ald. Davis, he outlined the commercial content now proposed for the development and indicated that his firm would be willing to convert Block F for further commercial expansion as recommended by the Planning Director and favoured by Ald. Sanford. It was then moved in amendment by Ald. Davis that the Mayor and the Clerk-Administrator be authorized to complete negotiations with Metropolitan Projects Ltd. on the basis of the proposal submitted. The Mayor ruled the amendment contrary to the motion and it was not seconded.

In answer to questions from Ald. Sanford about the creation of an R-2 buffer zone between the existing R-1 homes and the proposed R-4 development on opposite sides of Leaman Drive, the Planning Director advised that all of the land holdings along the western side of Leaman Drive are now zoned for R-4 development. Mr. Duckworth pointed out that only maisonette units will be constructed facing the R-1 residences, thus

providing a type of transition between the R-1 and R-4 zones. He indicated to Council that Metropolitan Projects would not be prepared to discuss paying more for the land, but would agree to incorporate additional commercial space into the project. The motion was defeated and it was then moved by Ald. Sanford and Fredericks that the price submitted by Metropolitan Projects for the City land and their proposal be accepted, with the exception of waiving sewer charges and sidewalk construction costs totalling \$27,000. It was moved in amendment by Ald. Davis and Weldon that the Metropolitan Projects proposal be accepted as presented. Several members of Council spoke in support of the amendment which carried with Ald. Fredericks, Sanford, and McDonah voting against. The motion, as amended, carried with the same three Aldermen voting against.

PROPERTY ACQUISITION: Acquisition of the following four properties required ALDERNEY DRIVE EXTENSION in connection with the extension of Alderney Drive to Park Ave., has been recommended to Council by the Redevelopment & Low Rental Housing Committee:

- (1) 2 Alderney Dr. (125 Commercial St.)
Assessed owners: John & Edith MacGlashen
Recommended acquisition price: \$16,000. which has the concurrence of the Partnership.
- (2) 16-18 Alderney Dr. (109-111 Commercial St.)
Assessed owner: Miss Louise Smith
Recommended acquisition price: \$15,000. which has the concurrence of the Partnership.
- (3) 20-22 Alderney Drive (101-103 Commercial St.)
Assessed owner: Gerald C. Conrod
Recommended acquisition price: \$26,000. which has the concurrence of the Partnership.
- (4) 28 Alderney Dr. (93 Commercial St.)
Assessed owner: George Khallil
Recommended acquisition price: \$18,000. which has the concurrence of the Partnership.

On motion of Ald. Hampson and Weldon, all four recommendations from the Committee were approved by Council.

REZONING REQUEST: PENHORN SUBDIVISION The Town Planning Board has recommended approval of an application to rezone a portion of the Penhorn Subdivision (Lots W-7 to W-12 inclusive on Langley Ave.) from R-1A to R-2A and that a date be set by Council for public hearing in connection with this application. Tuesday, July 15th was suggested by the Clerk-Administrator for public hearing and on motion of Ald. Weldon and Hampson, this date was approved by Council with Ald. Sanford voting against. Before the vote was taken, Ald. Weldon inquired about the existence of documentary evidence indicating a commitment to R-1A residents in this area, and was informed by the Mayor that the minutes of the meeting involved will be checked again to determine whether any firm commitment was in fact made by Council at the time of the last public hearing. There is, however, no evidence of a letter to this effect.

REZONING REQUEST: FLEETWOOD PROPERTIES The Town Planning Board has considered a request from Fleetwood Properties Ltd. to rezone the former Harrison property on Portland Street from R-1A Zone to C-2A Zone, and has recommended deferral of the rezoning application until such time as positive steps are taken to ensure that the Penhorn Mall complex (for which the property is intended to function as a commercial extension) will proceed. On motion of Ald. Weldon and Wambolt, the Board's recommendation was adopted by Council with Ald. Sanford voting against.

REZONING REQUEST: S. JACHIMOWICZ LTD. The Planning Board has recommended approval of an application from S. Jachimowicz Ltd. to rezone Block 'D' of the Alfa Subdivision from R-1A Zone to R-4 Zone to permit the construction of a Limited Dividend Housing project, and that a date be set by Council for public hearing in connection with this application. It was moved by Ald. Stubbs and Weldon that Tuesday, July 15th be set as the date for public hearing. Ald. Fredericks asked why development has not taken place on existing R-4 land adjacent to the proposed development area, and was informed by

Mr. Jachimowicz that the land in question (Block 'B') has been left vacant pending development of Block 'D' since a corresponding use is intended for both blocks. Ald. Sanford suggested that Council should have some indication from the Planning Director as to how much more R-4 development can be accommodated at the extreme edges of the City without adversely affecting urban renewal progress in the central core and downtown areas. The motion carried.

LAND ACQUISITION: The Planning Board has considered a plan of the Farview Farms Subdivision in which a portion of land on Bell Lake has been reserved for the purpose of creating a public open area to serve the Subdivision and surrounding areas. It was felt by the Board that additional play areas should be acquired to meet the need for a small nearby playground or ball diamond and, accordingly, it was recommended that Council enter into negotiations for the acquisition of additional land for this purpose. The Planning Director advised that a plan of the property being considered has not yet been prepared, and on motion of Ald. Sanford and Stubbs, the matter was deferred pending completion and presentation of the plan to Council.

SENSE: SHEARWATER TRAILER COURT The Planning Board has recommended to Council approval of an application from MacCulloch & Co. Ltd. to expand the Shearwater Trailer Court from the 29 units initially approved to 40 mobile home units; City water service has now been extended to this property as required before expansion could be permitted. On motion of Ald. Weldon and Wambolt, the Board's recommendation was adopted by Council.

INQUIRIES AND ANSWERS:

ALD. WAMBOLT Ald. Wambolt inquired about completion of the Brule Street storm sewer excavation, and was advised by the Solicitor and the Deputy City Clerk that the project is about to be completed by the contractor who has taken over the work.

Ald. Wambolt inquired about the operation of mobile canteen units within the City and was informed by the Clerk-Administrator

that these vehicles are licensed by the City. Ald. Wambolt suggested that some of the trucks may be violating the conditions under which they are expected to operate (ie. serving customers from locations directly adjacent to grocery stores).

Ald. Wambolt inquired about the status of borrowing approvals for the Yorkshire Ave. extension; the Clerk-Administrator advised that as soon as a cost estimate for acquisition of the land required has been completed, a report on the total cost of the project will be brought to Council for approval and borrowing approval will then be requested from the Minister of Municipal Affairs.

ALD. McDONAH

Ald. McDonah asked why there is no crosswalk from Portland Street to the City Hall to facilitate pedestrian traffic across Alderney Drive at this point. The Mayor agreed that pedestrians are not being adequately accommodated at present, although it was pointed out by the Clerk-Administrator that there is a Walk light and scramble area provided.

Ald. McDonah inquired about the possibility of expediting the installation of curbing on Albro Lake Road (from Pinehill to Ernest), and of having grass removed from the section of brook between Russell Street to Pinehill Road. The Clerk-Administrator noted these two inquiries, plus an additional query about the condition of the sidewalk area in front of the store on Victoria Road near Frances Street. Ald. McDonah advised that a 5' section of crock installed in the brook by residents, has been destroyed in the dredging operation carried out by the City from Sheridan to Slayter Streets, and asked to have this damaged crock replaced.

ALD. SMITH

Ald. Smith inquired about responsibility for the unsightly condition created by the ditching operation being carried out on the road leading to the Micmac Rotary, near the Dartmouth Motel, and the Clerk-Administrator was asked to discuss this matter further with the Dept. of Highways.

ALD. FREDERICKS Ald. Fredericks asked if the Prince Arthur field is to be used for Summer Games activities; Mr. Moir advised that it is not, but that the levelling and seeding will be completed anyway. Ald. Fredericks said he hoped the access to the field from Esson Road would be closed.

Ald. Fredericks asked why minutes of the Junior Council meetings have not been circulated as requested; the Mayor said they have not been received for distribution and agreed to have a further check made for Ald. Fredericks. He also inquired about the status of a report previously requested on projects associated with the Summer Games, with an indication as to whether expenditures for the work have remained within budgets allotted. Ald. Davis requested a copy of this information as well.

Ald. Fredericks asked if it would be possible to have clean-up work carried out at the 'bear-trap' (Circumferential Highway and Pleasant Street junction) and at the junction of the Woodlawn Road and the Cole Harbour Road where unsightly conditions now exist.

ALD. STUBBS Ald. Stubbs asked when Council is expected to meet with the Auditors, and was advised by the Mayor that the Clerk-Administrator will contact Mr. Renouf immediately to arrange a meeting.

Ald. Stubbs inquired about the development of a road in the Port Wallis area, and Mr. Moir noted that after writing three letters to the developer, the Planning Director will now attempt to contact him in person to learn more about his intention.

ALD. SANFORD Ald. Sanford asked what action Council would have to take in attempting to have the area around the Micmac Rotary beautified; it was suggested by the Clerk-Administrator that representation would have to be made to the Dept. of Highways.

ALD. WELDON In answer to a question from Ald. Weldon about the erection of fencing behind the Raymoor Drive properties abutting Beazley

Field, Mr. Moir said he has again brought this item to the attention of Eastern Fence Erectors, the company responsible for the work.

ALD. FREDERICKS Ald. Fredericks inquired about the possibility of improving the muddy condition of Penhorn Lake by the use of a chemical substance, but the Mayor said it has been reported that this process would not be feasible.

RESOLUTION #15 Resolution #15, authorizing agreement between the Province of Nova Scotia Dept. of Highways and the City, covering street lighting agreement for installation of street lighting on the Circumferential Highway at Portland and Pleasant Streets, was presented for Council's consideration and approval. On motion of Ald. Stubbs and Wambolt, the Resolution, which follows, was adopted:

No. 15

WHEREAS the Dartmouth Circumferential Highway constitutes a main highway leading into and through the City of Dartmouth;

AND WHEREAS the City of Dartmouth wishes to enter into and carry out an agreement with the Province of Nova Scotia for the construction and operation of electric lighting of the aforesaid highway;

BE IT THEREFORE RESOLVED that the Mayor and the Clerk-Administrator be and they are hereby authorized and instructed to execute on behalf of the City an agreement substantially in the form of the schedule attached hereto and to affix to it the seal of the City.

RESOLUTION #17 As requested by Council, negotiations have been attempted by the Clerk-Administrator for the acquisition of the property 5 Brule Street, now owned by Mr. Michael Chater. Council was advised of the total asking price which stands at \$78,000. and Resolution #17, authorizing expropriation of the property, has been prepared by the City Solicitor for consideration in this connection as well. It was moved by Ald. Sanford and Fredericks that the Resolution (copy of which is attached) be adopted.

Ald. Weldon, Smith, Wambolt, and Davis were opposed to

expropriation and to acquisition of the property, particularly at the price being asked by the current owner, and maintained that the John Martin School facilities will not be appreciably upgraded in comparison with the extremely high cost to the City. The opposite stand, in favour of expropriation, was taken by Ald. Sanford and Fredericks, who re-stated several of their former arguments supporting this position. The motion was defeated with Ald. Sanford, Stockall, and Fredericks voting in favour.

RESOLUTION #18 Resolution #18, authorizing the execution of a lease between the CNR and the City for a parcel of land and shed to be used by the City for storage of salt, was presented for Council's approval. The building in question is required in order to release the City-owned land known as Cunard's Wharf to be used for parking during the reconstruction of the railway track, the ferry terminal building, and the construction of the new terminal building. On motion of Ald. Wambolt and Stubbs, Resolution #18, which follows, was adopted:

No. 18

WHEREAS the City of Dartmouth wishes to obtain the lease from the Canadian National Railways for a piece of property and building to be used for the storage of salt; AND WHEREAS the City of Dartmouth and the Canadian National Railways Company have agreed on the terms of the lease; BE IT THEREFORE RESOLVED that the Mayor and Clerk-Administrator be and they are hereby authorized and instructed to execute on behalf of the City a lease substantially in the form of the Schedule attached hereto and to affix to it the seal of the City.

RESOLUTION #19 On motion of Ald. Stubbs and Fredericks, the following Resolution (#19: Unsightly Premises, 61 Johnstone Ave.) was adopted by Council:

No. 19

WHEREAS City Council of the City of Dartmouth has reviewed the report of the Building Inspector concerning

the unsightly condition of the property located at 61 Johnstone Avenue in the City of Dartmouth owned by the Estate of Naomi Boutilier.

BE IT RESOLVED that the City Council is of the opinion that the premises known as 61 Johnstone Avenue owned by the Estate of Naomi Boutilier are unsightly premises, by reason of existence thereon of the following conditions:

"Unsightly condition caused by old car bodies, rubbish and junk on this property."

AND BE IT FURTHER RESOLVED that the City Clerk-Administrator be directed to give Notice in writing to the owners of the said premises pursuant to Section 3 of the Unsightly Premises By-law of the City directing the said owners to correct the said condition within thirty days from the date of the Notice.

MOTIONS -

ALD. FREDERICKS:
PUBLIC UTILITIES
BOARD

At the May 20th meeting of Council, Ald. Fredericks gave notice of motion concerning the introduction of a resolution pertaining to the legislative powers of the Public Utilities Board, for submission to the conference of Nova Scotia Municipalities. After stating his reasons for objecting to what he called the excessive powers of the Board, particularly as they apply to municipal affairs (boundaries, size of councils, etc.), Ald. Fredericks moved that a resolution be sent to the conference of the Union of Nova Scotia Municipalities, indicating Council's wish to have the powers of the Public Utilities Board, with relation to municipal units, reviewed by the Provincial Government; the motion was seconded by Ald. Sanford.

While Ald. Sanford supported the motion, Ald. Weldon and Davis did not endorse the submission of such a resolution, although they took this position for different reasons. After further debate, the motion was defeated by a vote of 6 - 5.

ALD. FREDERICKS:
TAXES TO CITY

BRIDGE COMMISSION

At the May 20th meeting, Ald. Fredericks also gave notice of motion relating to the payment of taxes to the City by the Bridge Commission, and after reviewing the annual statement of profits for the Commission, compared with the amount of taxation being paid each year to the City, moved that the Provincial Government be asked to consider paying full taxes

on all Commission buildings and the properties on which the buildings are situated in Dartmouth; the motion was seconded by Ald. Stubbs and debate proceeded. The Mayor advised that a resolution to this effect, previously introduced by him at a meeting of the Bridge Commission, was defeated by only a slight majority, and Council agreed with his suggestion that it would be worthwhile to present a similar motion again at the Commission's next meeting if sufficient time has elapsed to permit this.

Ald. Hampson favoured an approach by the Mayor as suggested before dealing with the Province, but Council generally supported the idea of a simultaneous request to both levels. The motion carried with Ald. Hampson and Wambolt voting against; Ald. Weldon abstained from voting.

ALD. BARBER:
MUNICIPAL GOLF
COURSE
(DEFERRED)

A motion re the establishment of a municipal golf course in the City, which was to have been introduced by Ald. Barber, was deferred in his absence.

ALD. STUBBS:
PROPERTY
EXEMPTIONS

At the May 20th meeting, Ald. Stubbs gave notice of motion concerning property exemptions for divorced and separated women and, after tabling a report from the Halifax City Manager to the Halifax Council on the steps being taken to establish property tax deferrment for women in these categories, she moved that the entire subject be referred to the Finance & Executive Committee for study, with the idea that the exemption approved for widows, etc. in the City of Dartmouth would be broadened to include this additional group of women as well. The motion was seconded by Ald. Sanford and the action taken in introducing it, endorsed by Diane Ballard, representing the One Parent Association. The motion carried unanimously.

ALD. STOCKALL:
THREE MOTIONS
(DEFERRED)

The Clerk-Administrator advised that Ald. Stockall, who had left the meeting by this time, requested a one-month deferral for motions pertaining to: (1) a reduction in the number of Aldermen; (2) rezoning of the Penhorn Mall property; and (3) development of a recreation complex in the Woodlawn Pharmacy

area. Council agreed to deferral as requested, but concurred with Ald. Sanford's opinion that the second motion should be deleted entirely since action cannot be taken to have the property rezoned until expiration of the agreement with the Penhorn Mall developers, at the end of 1969.

In answer to a question from Ald. Davis about the affect which the Penhorn Mall delay may be having on other prospective development, the Mayor explained the position taken on behalf of the City in recent discussions with the Mall representatives, when it was made quite clear that further lengthy delays will not be tolerated by Council. It was suggested that when the application for a building permit comes before Council, definite stipulations to this effect can be included, making approval conditional on certain time requirements.

ALD. WELDON:
COMMUNICATION

A motion, dealing with methods of increasing communication between elected representatives and constituents, deferred from the May 20th meeting, was introduced by Ald. Weldon, after correction of the agenda, where it had appeared as a notice of motion.

In his presentation preceding the motion, Ald. Weldon suggested that while there appears to be an adequate dissemination of information outward from Council to the electorate, there is no satisfactory way in which the members of Council can accurately assess public feelings and opinion on the various issues being debated. He therefore moved that a three-member committee be appointed to study whether technology is available and what the cost would be to set up some sort of communication system for receiving information to provide an indication of the feelings and opinions of the electorate; the motion was seconded by Ald. Smith.

Ald. Stubbs said that as our society becomes more complicated, people within the community tend to understand less and less about the issues involved, particularly as they relate to the

City's overall structure and planning for the common good of all citizens. Ald. Sanford was not opposed to the study requested, but felt it should include outward communication from Council to the constituents as well. The motion carried unanimously.

NOTICE OF MOTION:
ALD. FREDERICKS

Ald. Fredericks gave notice of motion that at the next meeting of Council he will introduce a motion dealing with public access to the locks and property in the area of the locks, owned by the City.

BY-LAW C-154

By-law #C-154, which would amend By-law C-43 (Poll Tax), was introduced for approval by Council.

It was moved by Ald. Hampson and Wambolt and carried that leave be given to introduce By-law C-154 and that it now be read a first time.

It was moved by Ald. Wambolt and Brownlow and carried that By-law C-154 be read a second time,

Unanimous consent was given by Council for third reading of the by-law.

It was moved by Ald. Brownlow and Wambolt and carried that By-law C-154 be read a third time, and that the Mayor and the Clerk-Administrator be authorized to sign and seal the said by-law on behalf of the City.

TRAILER PARK
PROPOSALS

The Mayor advised Council that to date no proposals for development of a trailer park in the Lake Micmac area have been received, but a Montreal firm has requested a time extension to permit preparation of their proposal; on motion of Ald. Stubbs and Brownlow, the extension was approved as requested.

PASS BILLS

It was moved by Ald. Brownlow and Sanford and carried that all bills be passed for payment.

LOW RENTAL
HOUSING
PROGRAM

The Public Welfare Committee was recently advised that rising rentals and the shortage of low rent housing units are the major problems now facing the City Welfare Dept. Accordingly, the Committee has recommended to Council that the Nova Scotia

Housing Authority be requested to expedite the City's request for land assembly and low rental housing. It was moved by Ald. Stubbs and Wambolt that the recommendation be adopted.

Reporting on the status of our land assembly proposal, Ald. Fredericks noted that site #1 has been turned down by the Province, while additional information has been requested on the second site; approval has not yet been received for the senior citizens housing development. Ald. Sanford suggested that our low rental housing program is being unduly delayed by the Provincial Government and favoured a more forceful approach either in the form of a delegation to the Premier or through direct representation to CMHC. Ald. Wambolt spoke in support of the Committee's recommendation, and the motion carried.

**WELFARE COMMITTEE
RECOMMENDATIONS**

The Public Welfare Committee has recommended to Council the adoption of a report from the Special Committee authorized to make recommendations concerning (1) Food Service and Concessions for the Summer Games, (2) the operation of the Bill Lynch Shows, and (3) the establishment of a Health Board in the City in accordance with the terms of the new Public Health Act. The following recommendations are contained in the report from the Special Committee relating to the above subjects:

**FOOD SERVICE &
CONCESSIONS:
SUMMER GAMES**

(1) Food Service & Concessions

- (a) That the issuance of licenses by the City take the following procedure: after an application has been acquired by the concessionaire at City Hall, he must then obtain the approval of the Public Health Dept. before issuance of the license required; the license will be subject to inspection after it has been issued. (This section was amended by the Welfare Committee to provide that permits be required by private groups as well as concessionaires.)
- (b) That the City allocate space for these concessionaires, and that the City advertise for applicants, with a June 30th deadline. (The Welfare Committee further recommended that only those concessions for which space has been allocated by the City should be permitted.)
- (c) That the City provide comfort stations at the foot of Silver's Hill along Prince Albert Road

with eight toilets and two basins.

(d) That trash barrels be made available in strategic areas.

BILL LYNCH SHOWS

(2) Operation - Bill Lynch Shows

That a permit not be issued to Bill Lynch Shows for their operation during Natal Day week until a guarantee has been received from Mr. Lynch that he will provide toilet and washing facilities for his employees.


HEALTH BOARD

(3) Health Board

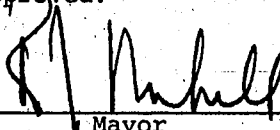
That a Board of Health, to be comprised of five members, be appointed by Council in keeping with the terms of the new Public Health Act.

On motion of Ald. Stubbs and Wambolt, the recommendations outlined were approved by Council as recommended by the Public Welfare Committee.

Meeting adjourned.


N. C. Cohoon,
Deputy City Clerk.

Approved:



Mayor

Dartmouth, N. S.

June 24/69.

Regularly called meeting of City Council held this date
at 7:30 p.m.

Present - Mayor Thornhill, Chairman

Ald. Weldon	Fredericks
Wambolt	Brownlow
McDonah	Barber
Davis	Hampson
Smith	

City Solicitor, S. Drury
Clerk-Administrator, C. A. Moir

REZONING REQUEST: This date was set by Council for public hearing in
GULF OIL CANADA LTD. connection with an application from Gulf Oil Canada Ltd. to
rezone lands on the western side of Victoria Road, between
Chappell Street and Albro Lake Road, from R-2 Zone to C-2 in
order to permit the construction of a service centre and
automatic car wash. Although the Planning Director has
indicated approval for the application, the Planning Board has
recommended that the request for rezoning be rejected by
Council. A petition, circulated by Mrs. G. Horne of 47 Chappell
Street and signed by residents in the area concerned, was
presented, stating a number of reasons for opposition to the
zoning change by the majority of those signing the petition.
The appropriate amendment to By-law #74 was also presented for
Council's consideration.

It was moved by Ald. Barber and Hampson and carried that
leave be given to introduce the said amendment to By-law #74
and that it now be read a first time. (Ald. McDonah, Fredericks,
and Brownlow voting against.)

It was moved by Ald. Hampson and Smith that the amendment
to By-law #74 be read a second time.

With the exception of Ald. Davis, who supported the use
proposed for the site in question, most of the Council members
speaking on the motion were opposed to the rezoning and to the
introduction of a commercial development at this location in

a mainly residential area. Ald. Smith expressed concern at the increasing number of rezoning applications coming before Council and suggested the need for an overall spot rezoning policy for the protection of citizens in residential zones.

Ald. Brownlow felt that rezoning for commercial uses in this particular section of the City's north end should be delayed until the affects of the new arterial roadway to the Narrows Bridge and details of the North End Urban Renewal Scheme have been determined; an overall rezoning proposal, in keeping with changing development patterns, could then be considered in a total context. The Planning Director supported Ald. Davis' contention that the development proposed represents a logical transition to the type of commercial use anticipated as a result of the changing traffic patterns which will be created by the cross-town arterial link with the new bridge. Ald. Wambolt, McDonah, Fredericks, and Barber all spoke against the zoning change, after which Council heard Mr. Russell, the Co-ordinator of Development for Gulf Oil, with a presentation outlining the company's long-term plans for the gradual replacement of their existing stations with fewer and more-diversified service outlets in the City. The service centre and car wash proposed is in keeping with these plans and would replace the two smaller stations located at the corner of Woodland and Victoria Roads, and at Windmill and Albro Lake Roads. Mr. Russell also described the landscaping and fencing proposed for the service centre development, particularly the Chappell Street portion from which there would be no access. Mr. Pettipas of 55 Chappell Street and Mrs. Horne also addressed Council briefly. Mrs. Horne was commended by Ald. Weldon and Wambolt for the manner in which her petition was prepared and presented. The motion for second reading was defeated with Ald. Davis voting in favour.

PORTLAND ST.
SHOPPING MALL

The Downtown Dartmouth Business & Professional Association has, after several discussions with City staff and a special committee of Council, prepared a proposal for the establishment on a trial basis of a temporary Portland Street shopping mall involving the section of the street between Prince and Wentworth Streets. An expansion in the present parking meter system to approx. 450 car spaces is considered by the merchants essential to the success of the mall, and an increase in parking rates (to 10¢ per hour) has been suggested to provide the desired turnover in spaces. Aside from the cost of installing new meters, the Association will underwrite all of the other necessary costs involved in the mall project. Council has been asked to approve the concept and the setting up and changing of those things necessary to compliment the operation of a temporary shopping mall, as outlined in the Association's June 18th letter to the Mayor. It was moved by Ald. Brownlow and Smith that the request be approved as stated in the last paragraph of the letter referred to above.

The Planning Director was asked to comment and first stressed the importance of continuing interest and an enthusiastic approach to the mall idea by the members of the Association. He then outlined the parking requirements and the way in which these can be met with 335 on-street metered spaces and the remainder being provided with the construction of several off-street parking lots. A proposal for the installation of meters, of the type recently approved for use in the City of Halifax, has been submitted to the Association by J. J. MacKay Canada Ltd. of New Glasgow, and a model of the meters proposed, which would accommodate the suggested increase in rates, was available for consideration in connection with the overall plans for development of a temporary mall. Mr. Lloyd indicated that he would be prepared to recommend approval of the MacKay submission without calling for further tenders, on the

basis of the comprehensive report prepared by members of the Halifax City staff after tenders were received in response to their recent call. Based on an estimated yearly return of \$100. per meter head, the 450 meters proposed would yield the City a total income of \$45,000. Each meter would cost approx. \$110. to install, with repayment costs being distributed over a three-year period. The surplus revenue accruing to the City for a ten-cent hourly rate would be approx. \$30,000. annually, based on the terms of this proposal.

While the Mall concept itself was endorsed by Council, several members questioned the degree of enthusiasm and unanimity with which it is likely to be approached by the businessmen involved, and expressed concern about providing parking meters at the City's expense if the project is only to be of a temporary nature or is to receive inadequate support from the participants.

Mr. Warner, speaking on behalf of the Association, advised that all of the forty-seven merchants operating businesses in the area concerned have indicated concurrence and support for the mall project, and Mr. Lloyd, in answering a question from Ald. Brownlow, stated that the additional parking, with the use of new meters, should be instituted whether the mall is developed or not. The Mayor suggested that it might be advisable to consider providing new meters only in the on-street parking areas now metered, with one-hour parking restrictions being imposed as well to insure the necessary turnover in parking spaces. Ald. Weldon was not in favour of this idea, but it was supported by Ald. Barber who later introduced a motion to the effect. He questioned Mr. Warner about the financial commitment which the merchants are prepared to make and was informed that details such as this cannot be finalized until after plans for the mall have been completed by the Nova Scotia Association of Architects through whom arrangements, similar

to those associated with the Downtown Paint-up Program, have been co-ordinated. After further debate and discussion with the Planning Director and Mr. Warner, the motion was put and carried.

It was then moved by Ald. Barber and McDonah that temporary one-hour parking signs be erected on a trial basis as previously suggested, for a two-month period, rather than approving metered parking at this time. The motion was defeated.

On motion of Ald. Davis and Brownlow, Council agreed to implement the meter system proposed and to increase meter rates in the areas involved to 10¢ per hour. The motion carried by a vote of 5 - 3 (Ald. Smith had withdrawn from the Council Chamber before the introduction of the motion).

Several members of Council felt it would be desirable to expedite the new meter system for the proposed August 1st opening of the mall by accepting the J. J. MacKay submission, particularly in view of the Planning Director's opinion, and it was moved by Ald. Stockall and Fredericks that the company's proposal be adopted without calling for further tenders. Ald. Hampson spoke against the motion which was defeated. On motion of Ald. Hampson and Wambolt, Council agreed to call for tenders in the regular manner; the tender to be awarded at the July 9th meeting of Council.

REQUEST FOR LAND:
NORTH STAR ROWING
CLUB

The North Star Rowing Club has requested permission to lease from the City, on a long-term basis, land described in the letter from their President as 'the wooded area on the left side of the Oakwood estate, next to the property line of the MacKenzie home'. In his report to the Mayor on this request, the Clerk-Administrator advised that as in the case of the Senobe Club request, City staff are generally opposed to the further disposal of any publicly-owned land around the shores of Lake Banook and have suggested the possibility of the North Star Club acquiring a piece of land privately. The Oakwood property

is considered to be a valuable piece of public land which should be retained for general public use. Contrary to the staff report, it was moved by Ald. Stockall and Fredericks that Council agree to lease the land requested and previously described, on a twenty-year basis, to the North Star Rowing Club.

In answer to questions from Ald. Brownlow, Mr. Waterfield, representing the Club, described the limited facilities now available for Club activities and, at a later point in the discussion, stressed the importance of having rowing and canoeing clubs located on the finish line for water-sport events. He urged favourable consideration of the motion, as did Ald. Stockall, Fredericks, and McDonah. Ald. Davis, however, felt the Club should be located at the other end of Lake Banook or on another lake altogether, and inquired about the use of land at Graham's Grove, which has been suggested as an alternate site. The Planning Director said that if a choice had to be made, it would be preferable to keep Graham's Grove strictly for public use, although he pointed out that very little access to the lake remains from the Oakwood property, and it is therefore undesirable to permit further encroachment there by private clubs either. Mr. Sawler, the President of the North Star Club, addressed Council and in the course of his presentation indicated the Club's willingness to make available for public use all of the beach and swimming area connected with the land requested, except for the area directly in front of the float from which boats are launched. Ald. Brownlow said that with this provision, he would be prepared to support the motion.

Ald. Weldon suggested that any lease with the Club should include provision for maintenance of a high level of activities on the property, and, if possible, such a clause should also be incorporated in the existing lease with the Senobe Club. Ald. Stockall agreed and further suggested the merits of a

buffer zone on the west and north sides of the property. Ald. Hampson tended to favour the Graham's Grove site for the Club's activities and Ald. Davis remained opposed to the motion throughout the debate. The motion carried with Ald. Davis and Barber voting against. Ald. Davis gave notice of reconsideration.

BY-LAW C-150

By-law C-150, which has been given first and second readings and considered by the Public Safety Committee, was presented for third reading with the following amendments recommended by the Committee:

- (1) That the second line of the by-law be amended to read 'all lakes in the City of Dartmouth'.
- (2) That Section 2 be amended to read '72' hours instead of 24.
- (3) That Section 6 be amended to include all of Lake Banook and not just the imaginary line.

It was moved by Ald. Stockall and Fredericks that By-law C-150, as amended, be read a third time, and that the Mayor and the Clerk-Administrator be authorized to sign and seal the said amendment on behalf of the City.

Council heard Mr. J. Zatzman of 10 Lakeside Terrace, speaking on behalf of residents living near Lake Banook and opposed to the 6 mph restriction placed by Section 6 of the by-law on motor-driven boats using the lake. Elimination of this restrictive clause was requested and it was suggested by Mr. Zatzman that the care generally exercised by power boat owners indicates the concern shared by residents along the lake for water safety for all types of watercraft and for swimmers as well. Questions were raised by Ald. Brownlow and Weldon about noise and pollution problems created in the past, but it was agreed that these have mainly been attributed to hydro-plane boats using the lake for racing events. The Solicitor was asked what authority the patrol officer would have (ie. under Section 5) if Section 6 of the by-law were to be deleted, and stated that he felt a competent officer would

probably be able to enforce safety requirements under the condition of operating a watercraft 'in a careful and prudent manner having regard to all the circumstances'.

Ald. Weldon questioned the authority of the City to establish such a by-law at all and the Solicitor explained that although navigation and shipping come under Federal jurisdiction, he had taken 'navigable' to mean commercial vessels and felt canoes and similar pleasure craft would not be classified as such under the terms of the B.N.A. Act. Mr. Guildford was also heard briefly by Council and it was then moved in amendment by Ald. Davis and Hampson that Section 6, as originally set out in the first draft of the by-law (ie. designating the water area of Lake Banook for application of the 6 mph restriction) be reinstated in the draft now before Council. Although several members of Council considered the 6 mph restriction to be impractical from an enforcement point of view, the amendment carried. On motion of Ald. Hampson and Wambolt, third reading of the by-law, as amended, was approved by Council.

**AWARD TENDER:
ALDERNEY DRIVE
EXTENSION**

The following tenders for construction of the Alderney Drive extension were received and opened:

<u>Contractor & Price</u>	<u>Deposit</u>	<u>Completion</u>
Harbour Construction Ltd.: \$264,016.	\$50,000.	6 months
Steed & Evans Ltd.: \$432,572.55	10%	5 months
Waverley Construction Co. Ltd.: \$491,307.	\$50,000.	6 months
W. Eric Whebby Co. Ltd.: \$440,900.	10%	8 months

(The Engineer's estimate for this project was \$300,000.)

It was moved by Ald. Barber and Brownlow and carried that the low tender submitted by Harbour Construction Ltd., in the amount of \$264,016., be accepted, subject to confirmation by the consultants.

**NORTH END URBAN RENEWAL
REPORT: DEFERRED**

Due to the length of the agenda and the lateness of the hour, Council agreed to defer consideration of a report on North End Urban Renewal; this matter will be dealt with at a special separate meeting.

**TEMPORARY BORROWING
RESOLUTIONS**

On motion of Ald. Brownlow and Hampson, the following Temporary Borrowing Resolutions (copies of which are attached) were approved by Council:

\$160,000. - Rink
50,000. - Ferry Dartmouth II
100,000. - #4 Fire Station
75,000. - #4 Fire Station Equipment
247,500. - Industrial Park

**FARVIEW FARMS
SUBDIVISION**

Council agreed to add to the agenda an item dealing with a proposed plan of subdivision for Farview Farms. The Planning Board has, for some time, been considering problems related to this development, the two most recent being drainage and the need to provide additional public space for creation of a small ball field and play area. In a report, outlining drainage requirements for the subdivision, the City Engineer has recommended that the brook running through the area be piped from Anderson Street to the south side of Portland Street. The Planning Board has concurred with the staff recommendation that cost-sharing by the City in this project would be reasonable since the brook serves a much larger catchment area than just that of the subdivision concerned. As a result of negotiations with the developer, outlined by the Planning Director, the following arrangement has been recommended by the Planning Board for Council's approval:

- (1) the developer will deed to the City the land shown in green on the plan (2.7 acres) for public purposes.
- (2) the City will pay the full cost of piping the brook from Portland Street to Landrace Crescent (630').
- (3) the developer will construct the culvert across Landrace Crescent;
- (4) the remaining portion of the brook (Lots B1 and B2 - 150') will be piped jointly by the City and the developer.

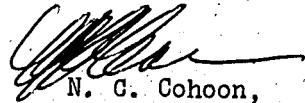
Total cost to the City: \$70,500.

Ald. Weldon spoke in support of the recommendation and on his motion, seconded by Ald. Hampson, the agreement was approved as outlined.

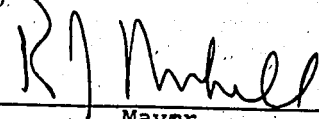
JULY MEETING:
RE-SCHEDULED

The Mayor noted that the date set for the July Council meeting conflicts with the ceremonies planned for the opening of the new St. Peter's Church. On motion of Ald. Brownlow and Barber, the meeting was re-scheduled from Tuesday, July 8th to Wednesday, July 9th.

Meeting adjourned.


N. G. Cohoon,
Deputy City Clerk.

Approved:

+ 

Mayor

WHEREAS by Section 5 of Chapter 193 of the Revised Statutes of Nova Scotia, 1967, the Municipal Affairs Act, it is enacted among other things, in effect, that subject to the provisions of Section 8 of said Act every city other than the City of Halifax shall have full power and authority to borrow or raise by way of loan from time to time on the credit of the city such sum or sums as the Council thereof deems necessary for the purpose of **erecting, acquiring, purchasing, altering, adding to improving, furnishing or equipping buildings generally, for any city purpose whatsoever and acquiring or purchasing or improving land for such buildings;**

AND WHEREAS pursuant to Section 161(d) of Chapter 67 of the Statutes of Nova Scotia, 1967, the said City is authorized to make by-laws acquiring or erecting and operating municipal skating rinks or making grants in aid of the erection or of the maintenance of operation of skating rinks or both;

AND WHEREAS by Section 8 of said the Municipal Affairs Act, it is enacted among other things, in effect, that no money shall be borrowed under the provisions of the said Act until such proposed borrowing has been approved by the Minister of Municipal Affairs;

AND WHEREAS the City Council of the City of Dartmouth deems it necessary to borrow a sum not exceeding **One Hundred and Sixty Thousand** Dollars (\$160,000) for the purpose of **erecting, furnishing or equipping buildings for a skating rink.**

AND WHEREAS by the Municipal Affairs Act such sum shall in the discretion of the City Council be borrowed or raised in one sum at one time or in instalments at different times and the sum required shall be borrowed or raised by the issue and sale of debentures of the City to such an amount as the Council thereof deems necessary to raise such sum;

AND WHEREAS pursuant to Section 227 of the Dartmouth City Charter it is deemed expedient to authorize an officer of the City to borrow from time to time on behalf of the City by way of promissory note or overdraft pending the issuing of debentures such sum not to exceed **One Hundred and Sixty Thousand** Dollars (\$ 160,000) for the purpose aforesaid from the **Royal Bank of Canada** at Dartmouth, the sum so borrowed to be repaid to the said Bank from the proceeds of the debentures when sold;

BE IT THEREFORE RESOLVED that under and by virtue of said the Municipal Affairs Act the City of Dartmouth do, subject to the approval of the Minister of Municipal Affairs, borrow or raise by way of loan on the credit of the City a sum not exceeding **One Hundred and Sixty Thousand** Dollars (\$160,000) for the purpose aforesaid;

THAT under and in accordance with said the Municipal Affairs Act such sum be borrowed or raised by the issue and sale of debentures of the City to such an amount as the Council deems necessary to raise such sum;

THAT the issue and sale of such debentures be postponed and that the said City do, under and by virtue of the provisions of Section 227 of the Dartmouth City Charter and subject to the approval of the Minister of Municipal Affairs, authorize the Clerk-Administrator of the City to borrow from time to time on behalf of the City by way of promissory note or overdraft pending the issue of debentures, a sum of money not exceeding **One Hundred and Sixty Thousand** Dollars (\$ 160,000) from the **Royal Bank of Canada** at Dartmouth;

THAT such sum or sums be borrowed from said Bank for a period not exceeding twelve months from the date on which this resolution shall have been approved by the Minister of Municipal Affairs, with interest thereon to be paid said Bank at such rate as shall be agreed upon and that the amount so borrowed be repaid the said Bank from the proceeds of the debentures when sold;

THIS IS TO CERTIFY that the resolution of which the foregoing is a true copy was duly passed at a duly called meeting of the City Council of the City of Dartmouth duly held on the **24** day of **June** A.D., 19 **69**.

GIVEN under the hands of the Mayor and City Clerk and under the corporate seal of the said City this **26** day of **June** A.D., 19 **69**.

R. J. Marshall
.....
MAYOR

[Signature]
.....
CLERK-ADMINISTRATOR

DEPARTMENT OF MUNICIPAL AFFAIRS
Recommended for approval of the Minister
[Signature]
.....
Deputy Minister
APPROVED this *15th* day of *July* 19 *69*
[Signature]
.....
Minister of Municipal Affairs

City of Dartmouth
Temporary Borrowing
\$50,000 - "Dartmouth II" - Ferry

WHEREAS by Section 10 of Chapter 81 of the Statutes of Nova Scotia 1958, An Act Relating to the Town of Dartmouth, it is enacted among other things, in effect, that the Town shall have power to provide suitable ferry accommodation for the inhabitants of the Town of Dartmouth and vicinity, and to purchase, construct, complete, own and operate one or more ferries between Dartmouth and Halifax, and for that purpose may purchase, rent, lease or hire all such boats and fittings, materials and appliances, and all such other real and personal property as may in the judgement of the Council be requisite for the proper establishment and equipment of one or more ferries between Dartmouth and Halifax, and construct all such works, as may by the Council be deemed necessary for the establishment, equipment and operation of such ferry of ferries;

AND WHEREAS by Section 8 of Chapter 193 of the Revised Statutes of Nova Scotia, 1967, the Municipal Affairs Act, it is enacted among other things, in effect, that no money shall be borrowed under the provisions of the said Act until such proposed borrowing has been approved by the Minister of Municipal Affairs;

AND WHEREAS the City Council of the City of Dartmouth deems it necessary to borrow a sum not exceeding Fifty Thousand Dollars (\$50,000) for the purpose of repairing, altering and improving the ferry boat known as "Dartmouth II";

AND WHEREAS by the Municipal Affairs Act such sum shall in the discretion of the City Council be borrowed or raised in one sum at one time or in instalments at different times and the sum required shall be borrowed or raised by the issue and sale of debentures of the City to such an amount as the Council thereof deems necessary to raise such sum;

AND WHEREAS pursuant to Section 227 of the Dartmouth City Charter it is deemed expedient to authorize an officer of the City to borrow from time to time on behalf of the City by way of promissory note or overdraft pending the issuing of debentures such sum not to exceed Fifty Thousand Dollars (\$50,000) for the purpose aforesaid from the Royal Bank of Canada at Dartmouth, the sum so borrowed to be repaid to the said Bank from the proceeds of the debentures when sold;

BE IT THEREFORE RESOLVED that under and by virtue of said the Municipal Affairs Act the City of Dartmouth, do, subject to the approval of the Minister of Municipal Affairs, borrow or raise by way of loan on the credit of the City a sum not exceeding Fifty Thousand Dollars (\$50,000) for the purpose aforesaid;

THAT under and in accordance with said the Municipal Affairs Act such sum be borrowed or raised by the issue and sale of debentures of the City to such an amount as the Council deems necessary to raise such sum;

THAT the issue and sale of such debentures be postponed and that the said City do, under and by virtue of the provisions of Section 227 of the Dartmouth City Charter and subject to the approval of the Minister of Municipal Affairs, authorize the Clerk-Administrator of the City to borrow from time to time on behalf of the City by way of promissory note or overdraft pending the issue of debentures, a sum of money not exceeding Fifty Thousand Dollars (\$50,000) from the Royal Bank of Canada at Dartmouth;

THAT such sum or sums be borrowed from said Bank for a period not exceeding twelve months from the date on which this resolution shall have been approved by the Minister of Municipal Affairs, with interest thereon to be paid said Bank at such rate as shall be agreed upon and that the amount so borrowed be repaid the said Bank from the proceeds of the debentures when sold;

THIS IS TO CERTIFY that the resolution of which the foregoing is a true copy was duly passed at a duly called meeting of the City Council of the City of Dartmouth duly held on the 24 day of June A.D., 19 69.

GIVEN under the hands of the Mayor and City Clerk and under the corporate seal of the said City this 26 day of June A.D., 19 69.

[Signature]
.....
MAYOR
[Signature]
.....
CLERK-ADMINISTRATOR

DEPARTMENT OF MUNICIPAL AFFAIRS
Recommended for approval of the Minister
[Signature]
Deputy Minister
APPROVED this 26th day of July 1969
[Signature]
Harvey A. Veniot
Minister of Municipal Affairs

WHEREAS by Section 5 of Chapter 193 of the Revised Statutes of Nova Scotia, 1967, the Municipal Affairs Act, it is enacted among other things, in effect, that subject to the provisions of Section 8 of said Act every city other than the City of Halifax shall have full power and authority to borrow or raise by way of loan from time to time on the credit of the city such sum or sums as the Council thereof deems necessary for the purpose of **acquiring or purchasing or improving land for any city purpose;**

AND WHEREAS by Section 8 of said the Municipal Affairs Act, it is enacted among other things, in effect, that no money shall be borrowed under the provisions of the said Act until such proposed borrowing has been approved by the Minister of Municipal Affairs;

AND WHEREAS the City Council of the City of Dartmouth deems it necessary to borrow a sum not exceeding **Two Hundred and Forty-seven Thousand Five Hundred Dollars (\$ 247,500)** for the purpose of **improving land for commercial, industrial or institutional development in the City of Dartmouth for the year 1969;**

AND WHEREAS by the Municipal Affairs Act such sum shall in the discretion of the City Council be borrowed or raised in one sum at one time or in instalments at different times and the sum required shall be borrowed or raised by the issue and sale of debentures of the City to such an amount as the Council thereof deems necessary to raise such sum;

AND WHEREAS pursuant to Section 227 of the Dartmouth City Charter it is deemed expedient to authorize an officer of the City to borrow from time to time on behalf of the City by way of promissory note or overdraft pending the issuing of debentures such sum not to exceed **Two Hundred and Forty-seven Thousand Five Hundred Dollars (\$ 247,500)** for the purpose aforesaid from the **Royal Bank of Canada** at Dartmouth, the sum so borrowed to be repaid to the said Bank from the proceeds of the debentures when sold;

BE IT THEREFORE RESOLVED that under and by virtue of said the Municipal Affairs Act the City of Dartmouth do, subject to the approval of the Minister of Municipal Affairs, borrow or raise by way of loan on the credit of the City a sum not exceeding **Two Hundred and Forty-seven Thousand Five Hundred Dollars (\$ 247,500)** for the purpose aforesaid;

THAT under and in accordance with said the Municipal Affairs Act such sum be borrowed or raised by the issue and sale of debentures of the City to such an amount as the Council deems necessary to raise such sum;

THAT the issue and sale of such debentures be postponed and that the said City do, under and by virtue of the provisions of Section 227 of the Dartmouth City Charter and subject to the approval of the Minister of Municipal Affairs, authorize the Clerk-Administrator of the City to borrow from time to time on behalf of the City by way of promissory note or overdraft pending the issue of debentures, a sum of money not exceeding **Two Hundred and Forty-seven Thousand Five Hundred Dollars (\$ 247,500)**

from the **Royal Bank of Canada** at Dartmouth;

THAT such sum or sums be borrowed from said Bank for a period not exceeding twelve months from the date on which this resolution shall have been approved by the Minister of Municipal Affairs, with interest thereon to be paid said Bank at such rate as shall be agreed upon and that the amount so borrowed be repaid the said Bank from the proceeds of the debentures when sold;

THIS IS TO CERTIFY that the resolution of which the foregoing is a true copy was duly passed at a duly called meeting of the City Council of the City of Dartmouth duly held on the **24** day of **June** A.D., 19**69**.

GIVEN under the hands of the Mayor and City Clerk and under the corporate seal of the said City this **26** day of **June** A.D., 19**69**.

DEPARTMENT OF MUNICIPAL AFFAIRS	
Recommended for approval of the Minister	
<i>[Signature]</i>	
Deputy Minister	
APPROVED this <i>26</i> day of <i>July</i> 19 69	
<i>[Signature]</i>	
Minister of Municipal Affairs	

[Signature]
MAYOR

[Signature]
CLERK-ADMINISTRATOR

17

WHEREAS by Section 5 of Chapter 193 of the Revised Statutes of Nova Scotia, 1967, the Municipal Affairs Act, it is enacted among other things, in effect, that subject to the provisions of Section 8 of said Act every city other than the City of Halifax shall have full power and authority to borrow or raise by way of loan from time to time on the credit of the city such sum or sums as the Council thereof deems necessary for the purpose of **erecting, acquiring, purchasing, altering, adding to, improving, furnishing, or equipping buildings for fire department and acquiring or purchasing or improving land for such buildings;**

AND WHEREAS by Section 8 of said the Municipal Affairs Act, it is enacted among other things, in effect, that no money shall be borrowed under the provisions of the said Act until such proposed borrowing has been approved by the Minister of Municipal Affairs;

AND WHEREAS the City Council of the City of Dartmouth deems it necessary to borrow a sum not exceeding **One Hundred Thousand** Dollars (\$100,000) for the purpose of **erecting, furnishing or equipping buildings for Fire Station Number 4 in the city and acquiring or purchasing or improving land for such buildings;**

AND WHEREAS by the Municipal Affairs Act such sum shall in the discretion of the City Council be borrowed or raised in one sum at one time or in instalments at different times and the sum required shall be borrowed or raised by the issue and sale of debentures of the City to such an amount as the Council thereof deems necessary to raise such sum;

AND WHEREAS pursuant to Section 227 of the Dartmouth City Charter it is deemed expedient to authorize an officer of the City to borrow from time to time on behalf of the City by way of promissory note or overdraft pending the issuing of debentures such sum not to exceed **One Hundred Thousand** Dollars (\$ 100,000) for the purpose aforesaid from the **Royal Bank of Canada** at Dartmouth, the sum so borrowed to be repaid to the said Bank from the proceeds of the debentures when sold;

BE IT THEREFORE RESOLVED that under and by virtue of said the Municipal Affairs Act the City of Dartmouth do, subject to the approval of the Minister of Municipal Affairs, borrow or raise by way of loan on the credit of the City a sum not exceeding **One Hundred Thousand** Dollars (\$ **100,000**) for the purpose aforesaid;

THAT under and in accordance with said the Municipal Affairs Act such sum be borrowed or raised by the issue and sale of debentures of the City to such an amount as the Council deems necessary to raise such sum;

THAT the issue and sale of such debentures be postponed and that the said City do, under and by virtue of the provisions of Section 227 of the Dartmouth City Charter and subject to the approval of the Minister of Municipal Affairs, authorize the Clerk-Administrator of the City to borrow from time to time on behalf of the City by way of promissory note or overdraft pending the issue of debentures, a sum of money not exceeding **One Hundred Thousand** Dollars (\$ **100,000**)

from the **Royal Bank of Canada** at Dartmouth;

THAT such sum or sums be borrowed from said Bank for a period not exceeding twelve months from the date on which this resolution shall have been approved by the Minister of Municipal Affairs, with interest thereon to be paid said Bank at such rate as shall be agreed upon and that the amount so borrowed be repaid the said Bank from the proceeds of the debentures when sold;

THIS IS TO CERTIFY that the resolution of which the foregoing is a true copy was duly passed at a duly called meeting of the City Council of the City of Dartmouth duly held on the **24** day of **June** A.D., 19 **69**.

GIVEN under the hands of the Mayor and City Clerk and under the corporate seal of the said City this **26** day of **June** A.D., 19 **69**.

[Signature]
.....
MAYOR

[Signature]
.....
CLERK-ADMINISTRATOR

DEPARTMENT OF MUNICIPAL AFFAIRS	
Recommended for approval of the Minister	
<i>[Signature]</i>	
Deputy Minister	
APPROVED this 26 day of July 19 69	
<i>[Signature]</i>	
Minister of Municipal Affairs	

WHEREAS by Section 5 of Chapter 193 of the Revised Statutes of Nova Scotia, 1967, the Municipal Affairs Act, it is enacted among other things, in effect, that subject to the provisions of Section 8 of said Act every city other than the City of Halifax shall have full power and authority to borrow or raise by way of loan from time to time on the credit of the city such sum or sums as the Council thereof deems necessary for the purpose of **equipping a fire department or acquiring or purchasing apparatus, machinery, and implements for use in extinguishing fires in the city;**

AND WHEREAS by Section 8 of said the Municipal Affairs Act, it is enacted among other things, in effect, that no money shall be borrowed under the provisions of the said Act until such proposed borrowing has been approved by the Minister of Municipal Affairs;

AND WHEREAS the City Council of the City of Dartmouth deems it necessary to borrow a sum not exceeding **Seventy-five Thousand** Dollars (\$ **75,000**) for the purpose of **acquiring or purchasing apparatus, machinery, and implements for use in extinguishing fires in the city;**

AND WHEREAS by the Municipal Affairs Act such sum shall in the discretion of the City Council be borrowed or raised in one sum at one time or in instalments at different times and the sum required shall be borrowed or raised by the issue and sale of debentures of the City to such an amount as the Council thereof deems necessary to raise such sum;

AND WHEREAS pursuant to Section 227 of the Dartmouth City Charter it is deemed expedient to authorize an officer of the City to borrow from time to time on behalf of the City by way of promissory note or overdraft pending the issuing of debentures such sum not to exceed **Seventy-five Thousand** Dollars (\$ **75,000**) for the purpose aforesaid from the **Royal Bank of Canada** at Dartmouth, the sum so borrowed to be repaid to the said Bank from the proceeds of the debentures when sold;

BE IT THEREFORE RESOLVED that under and by virtue of said the Municipal Affairs Act the City of Dartmouth do, subject to the approval of the Minister of Municipal Affairs, borrow or raise by way of loan on the credit of the City a sum not exceeding **Seventy-five Thousand Dollars (\$75,000)** for the purpose aforesaid;

THAT under and in accordance with said the Municipal Affairs Act such sum be borrowed or raised by the issue and sale of debentures of the City to such an amount as the Council deems necessary to raise such sum;

THAT the issue and sale of such debentures be postponed and that the said City do, under and by virtue of the provisions of Section 227 of the Dartmouth City Charter and subject to the approval of the Minister of Municipal Affairs, authorize the Clerk-Administrator of the City to borrow from time to time on behalf of the City by way of promissory note or overdraft pending the issue of debentures, a sum of money not exceeding **Seventy-five Thousand Dollars (\$75,000)** from the **Royal Bank of Canada** at Dartmouth;

THAT such sum or sums be borrowed from said Bank for a period not exceeding twelve months from the date on which this resolution shall have been approved by the Minister of Municipal Affairs, with interest thereon to be paid said Bank at such rate as shall be agreed upon and that the amount so borrowed be repaid the said Bank from the proceeds of the debentures when sold;

THIS IS TO CERTIFY that the resolution of which the foregoing is a true copy was duly passed at a duly called meeting of the City Council of the City of Dartmouth duly held on the **24** day of **June** A.D., 19 **69**.

GIVEN under the hands of the Mayor and City Clerk and under the corporate seal of the said City this **26** day of **June** A.D., 19 **69**.

DEPARTMENT OF MUNICIPAL AFFAIRS	
Recommended for approval of the Minister	
<i>G. Christie</i> Deputy Minister	
APPROVED this <i>24th</i> day of <i>July</i> 19 <i>69</i>	
<i>George A. Sims</i> Minister of Municipal Affairs	

K. J. Marshall
.....
MAYOR

[Signature]
.....
CLERK-ADMINISTRATOR

Dartmouth, N.S.

July 8/69

Regularly called meeting of Dartmouth City
Council held this date at 12:30 p.m. at Beazley Field.

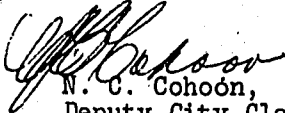
Present: Mayor Thornhill
Ald. Stockall
Barber
Davis
Stubbs
Wambolt
Marvin
McDonah
Weldon
Paul Wendt, Consulting Engineer,
Representative of W. Eric Whebby Limited,
Contractor.
C.A. Moir, Clerk-Administrator
Don Lynch, Recreation Director
Len Atkinson, Asst. Recreation Director

Beazley Field
House

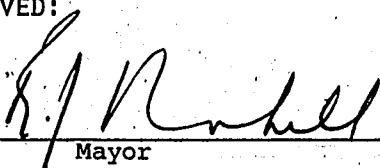
The purpose of this meeting was to inspect the
new Beazley Field House and to accept the structure from
the Contractor. After a tour of the new facility it
was moved by Ald. Barber and Wambolt and carried that
the following resolution be adopted:

"No. 24 RESOLVED that the City of Dartmouth accept as
of July 8th, 1969, from W. Eric Whebby Limited the
Beazley Field House as completed; subject to the guarantees
called for in the contract; subject to the holdbacks under
the Mechanics Lien Act; and also subject to the completion
of work at an estimated value of \$500."

Meeting adjourned.


N. C. Cohoon,
Deputy City Clerk

APPROVED:



Mayor

Dartmouth, N. S.

July 9/69.

Regularly called meeting of City Council held this date
at 7:30 p.m.

Present - Mayor Thornhill, Chairman

Ald. Marvin	Fredericks
Weldon	Stubbs
Wambolt	Sanford
McDonah	Barber
Davis	Granfield
Smith	Hampson
Stockall	

City Solicitor, S. Drury
Clerk-Administrator, C. A. Moir

APPROVE MINUTES On motion of Ald. Barber and Wambolt, the minutes of the
June 10th, 17th, and 24th meetings were approved as circulated.

RECONSIDERATION: At the June 10th meeting, Ald. Weldon gave notice of recon-
EXPROPRIATION OF sideration of a motion approving expropriation proceedings for
ERNST PROPERTY the acquisition of land owned by Mr. Percy Ernst at Lake Major.
He stated a number of reasons why he felt Council had erred in
this decision and moved that the motion now be reconsidered;
his motion was seconded by Ald. Granfield and carried. Ald.
Fredericks and Davis supported the action taken by Council in
deciding to expropriate, but Ald. Smith and Granfield felt the
property should be purchased for the \$25,000. price set by the
owner. Discussion centered mainly on the value of the dam itself
and the difficulty in determining a price in accordance with its
value. The motion, authorizing expropriation, resulted in a
tie vote and carried, with the Mayor voting in favour.

RECONSIDERATION: At the June 24th meeting, Ald. Davis gave notice of recon-
NORTH STAR CLUB sideration of a motion approving the lease of a portion of the
LEASE Oakwood property to the North Star Rowing Club on a twenty-year
basis. It was moved by Ald. Davis and Stubbs and carried that
the motion now be reconsidered by Council (Ald. McDonah voting
against). An amendment to the original motion was then intro-
duced by Ald. Davis and Stubbs to the effect that the location
of the property to be leased be changed from Oakwood to the
recently-acquired Graham's Grove property. With the exception

of Ald. Fredericks and McDonah, Council remained generally opposed to both the amendment and the motion and appeared to favour instead a suggestion put forward by Ald. Weldon that the North Star Club consider locating on Third Lake, making use of a portion of the Casavechia property now owned by the City. Ald. Marvin suggested the possibility of the City and the Club developing the Graham's Grove property jointly, but most of the Council members who spoke on the amendment preferred to see this land reserved strictly for public use. Ald. Fredericks questioned the absence of the Recreation Director and the lack of a report from him on the subject, but he was assured by the Mayor that Mr. Lynch has been involved in the staff discussions which preceded the original recommendation to Council. The amendment was defeated, after which it was moved in amendment by Ald. Weldon and Barber that staff be authorized to negotiate with the North Star Club a site other than one on Lake Banook.

A number of letters and petitions, objecting to the additional use of Oakwood property by another Club, have been received from Crichton Ave. property owners and from the Oakwood House Committee. In this connection, Council also heard Mr. R. D. Thompson of 85 Crichton Ave. and Mr. Don Walker of 92 Crichton Ave., both of whom expressed concern about the present noise and traffic congestion problems which they felt would be aggravated further with the presence of the North Star Club membership. Mr. Waterfield, the Solicitor representing North Star, and Mr. Sawler, President of the Club, addressed Council as well, indicating that Third Lake would be unsatisfactory for rowing purposes and urging favourable consideration of the Graham's Grove site as an alternative to the Oakwood property location. Mr. Lahey, President of the MicMac Club, agreed with Mr. Sawler's opinion that North Star should be allowed to remain on Lake Banook if the sport of rowing is to survive in Dartmouth.

The Mayor asked for further clarification of the area designated in Ald. Weldon's amendment and when it was not provided, indicated that he would not be prepared to put the amendment without clarification of this ambiguity. Ald. Weldon objected to the Mayor's decision but did not appeal it. At this point, it was moved in amendment by Ald. Sanford and McDonah that the North Star Club be granted permission to locate on the Graham's Grove property. Ald. Fredericks and Sanford spoke in support of the amendment, but it was opposed by Ald. Smith, Granfield, Davis, and Weldon, and was defeated by a vote of 7 - 5. It was moved in amendment by Ald. Davis and Smith that staff be instructed to meet with the North Star Rowing Club to investigate various areas for development of the Club and to recommend an alternate location in any area of the City except on the water surface designated as lying to the west of the Circumferential Highway which runs through the lakes near the Rotary. The amendment was defeated with Ald. Smith and Davis voting in favour. The original motion, approving the lease of Oakwood property to the Club, was also defeated, with Ald. Sanford and McDonah voting in favour.

In conclusion, it was moved by Ald. Granfield and Stubbs and carried that the North Star Club be permitted to remain in their present quarters (for storage of their boats) until May 1st, 1970, with the hope that the Club will be able to relocate elsewhere before expiration of this extension in their lease.

PETITION: LAKEFRONT ROAD TENANTS On motion of Ald. Weldon and Stubbs, Council agreed to add to the agenda a petition received from tenants of the apartment buildings at #56, 54, and 12 Lakefront Road, protesting the objectionable language and behaviour of young people loitering in the area, particularly during the evening and night-time hours. Ald. McDonah stressed the need for a firm stand by the City so that problems of this nature are not

permitted to get out of hand, especially with the Summer Games being held here in August. On motion of Ald. Sanford and Stubbs, the matter was referred to the Public Safety Committee for consideration.

The Mayor welcomed to the meeting, a Journalism Class from Mount St. Vincent University, accompanied by their professor, Dr. Jones of Penn State University.

BARBER BY-LAW #62 At the request of Ald. Sanford, Council agreed to move forward for consideration, the item on the agenda dealing with the Barber Shop By-law #62. Ald. Weldon asked to be excused from participation in the debate and withdrew from the Council Chamber.

The Finance & Executive Committee has considered a request from the owners of the Modern Razor Shop to have By-law 62 amended with the addition of the following section:

"This by-law shall not prohibit anyone from carrying on the business of hair styling or razor cutting by appointment on Saturday between the hours of 9:00 in the forenoon and 6:00 in the afternoon."

The Committee has recommended instead that Council consider repealing By-law 62 altogether. Contrary to the recommendation, it was moved by Ald. Stockall and Sanford that the By-law remain as presently constituted. It was moved in amendment by Ald. Wambolt and Hampson that the By-law be amended as requested by insertion of the paragraph proposed. Mr. Sinclair Allen, representing the Canadian Labor Congress, of which the Barbers' Association is a local member (Local 2011), addressed Council in support of the existing By-law, while Mr. Bruce, representing Mr. McInnes and the other owners of the Modern Razor Shop, questioned the right of the Association to put forward a recommendation in this instance, suggesting that the rights of an individual are being overlooked. Ald. Sanford pointed out that the majority of the barbers in Dartmouth, represented by the Association, do not wish to see the By-law changed, and

said he had no doubt as to the legality of the correspondence from the union local before Council. Ald. Fredericks also supported the motion, but Ald. Hampson felt that barber shops, like other commercial establishments in the City, should be permitted hours of operation at the discretion of the owners. It was moved by Ald. Davis and Stubbs that the matter be deferred for six months or until after it has been brought before the convention of the Barber's Association, as Mr. Allen had suggested in his presentation that it would be. The motion to defer was defeated by a vote of 7 - 5.

Council heard Mr. Roy Arthur, speaking in support of trade unionism, and Mr. Joseph Carmichael, answering questions raised by Ald. McDonah, after which the amendment was put and defeated. The motion carried with Ald. Hampson, McDonah, and Davis voting against.

LETTER: MR. FULCHER
RE PORTER PROPERTY

Council considered a letter from Mr. R. E. Fulcher of 85 Newcastle Street, requesting that action be taken to have the Porter property on Pleasant Street connected to the City sewer system, thereby alleviating the seepage problem which has existed for some time and been brought to Council's attention on previous occasions. The letter was accompanied by a report from Mr. Tonary, a Certified Public Health Inspector, stating that a dye test applied on May 30th to the plumbing system at 144 Pleasant Street has produced negative results to date. It was moved by Ald. Granfield and Smith that the appropriate resolution, ordering connection of the Porter property to City sewer, be prepared. Mr. Fulcher's contention that the sewage is flowing from this property was substantiated by Mr. Warren Walker of 91 Newcastle Street who explained similar problems experienced at his address since 1951; the drainage, diverted from his land, is now creating the situation about which Mr. Fulcher has complained. Ald. Smith, Barber, and Granfield supported the motion, but it was suggested by

Ald. Weldon and Davis that Council should have definite proof from the Health Inspector before ordering Mr. Porter to take the action called for in the motion. After hearing Mr. Fulcher, the motion was put and carried.

TAXI ASSOCIATION: BY-LAW C-102 A letter has been received from the Dartmouth Taxi Association, requesting a revision in By-law C-102, relating to the operation of taxis, with regard to the establishment of a more adequate rate structure. On motion of Ald. Stockall and Stubbs, the matter was referred to the Public Safety Committee for consideration.

DOWNTOWN PARKING LTD.: QUEEN ST. PARKING LOT Council considered a letter from Downtown Parking Ltd., outlining two proposals for (1) leasing the Queen Street parking lot and (2) selling the lot to the City. At the Mayor's suggestion, the letter was referred to the Finance & Executive Committee on motion of Ald. Stockall and Weldon.

DELEGATES: NOVA SCOTIA MUNICIPALITIES CONFERENCE Council was asked to consider the appointment of five voting delegates to the 1969 conference of the Union of N. S. Municipalities. It was moved by Ald. McDonah and Wambolt and carried that the delegates be appointed by the Mayor.

MONTHLY REPORTS It was moved by Ald. Hampson and Granfield that the following five monthly reports be adopted:

Medical Health Officer
Victorian Order of Nurses
Chief of Police
Fire Chief
Building Inspector

Ald. Fredericks inquired about the status of the new Building Permit schedule requested by Council some time ago, and was advised by the Clerk-Administrator that an attempt will be made to have it ready for the July 15th meeting. The motion carried.

BILL 89: NEW PLANNING ACT

The Town Planning Board has recommended that upon proclamation of the new Planning Act, which confers the power to deal with subdivision applications to the Development Officer with an appeal to a Provincial Appeal Board, and gives Council the

power to adopt an official development plan and to make zoning and subdivision regulations subject to the approval of the Minister, the City's present Planning Board be abolished and that Council not exercise its right to appoint a Planning Advisory Committee, but instead, deal with planning matters directly. It was moved by Ald. Weldon and Wambolt that the Board's recommendation be adopted. Ald. Fredericks, Smith, and Sanford were concerned about the affect of these changes on the right to appeal which citizens presently have, but despite their comments about the new legislation, the motion was approved by Council.

WALKWAY
REGULATIONS

A proposed amendment to City Subdivision Regulations, prescribing standards for walkways, was presented with a recommendation from the Planning Board that Council request the Minister of Municipal Affairs to prescribe the Subdivision Regulations amendment in accordance with Section 28, subsection (1) of Chapter 308 of the Revised Statutes of Nova Scotia, 1967, The Town Planning Act. It was moved by Ald. Weldon and Wambolt that the Board's recommendation be adopted.

Questions raised about the requirements stipulated in the three sections of the amendment centered mainly around the best type of surface for walkways and the advisability of including a restriction specifying chain link fencing to the exclusion of other types. A motion, introduced by Ald. Granfield and Fredericks, to have the amendment referred to the Works Committee for further consideration, was defeated as was an amendment proposed by Ald. Stockall and McDonah, requiring that walkways be paved to City street specifications. After considerable debate, the matter was referred back to the Planning Board on motion of Ald. Sanford and Davis.

PERMIT TO BUILD: The Town Planning Board has recommended to Council approval
TOLON CONSTRUCTION
LAKEFRONT RD. of an application from Toulon Construction Co. to build a
50-unit apartment building on Lot 17, Lakefront Road; estimated

value of construction is \$325,000. On motion of Ald. Weldon and Stubbs, the Board's recommendation was adopted.

PERMIT TO BUILD: The Planning Board has also recommended approval of an
MACDOUGALL & SONS
FRANKLYN COURT application for permit to build a 123-unit apartment building at #4 Franklyn Court, submitted by J. M. MacDougall & Sons Ltd.; estimated value of construction is \$861,000. On motion of Ald. Weldon and Barber, the Board's recommendation was adopted.

ACQUISITION:
CALEDONIA RD.
LAND

As requested by Council, the Clerk-Administrator has negotiated with the Ford Motor Company for acquisition of a small portion (10,800 sq. ft.) of their property on Caledonia Road to accommodate construction of the new rink in accordance with the alternate site chosen at the June 10th Council meeting; Mr. Moir was authorized to negotiate to a maximum of \$5,000. Council was advised by the Mayor that the Company is asking \$5500. for the portion of land involved, and on motion of Ald. Barber and Sanford, the additional \$500. was authorized by Council.

AUGUST MEETING The Mayor noted that August 5th, the date of the first regular August Council meeting, falls on the evening preceding Dartmouth Natal Day. It was therefore moved by Ald. Fredericks and Sanford and carried that the meeting be re-scheduled to Monday, August 4th.

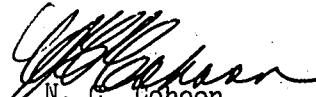
LAND: ELWIN GRES. The Finance & Executive Committee has recommended to Council denial of a request from Thomas and Ernest Cross to have the width of Elwin Crescent reduced from 60 to 50 feet, thereby permitting the construction of houses on two lots located between Brigadoon Ave. and Jayden Drive; the ten feet of land involved would be deeded by the City for this purpose. Ald. Weldon supported the request and recommended approval in his presentation to Council. After considering a plan of the area, it was moved by Ald. Stockall and Smith that the land be deeded by the City as requested. Ald. Sanford maintained, however, that payment should be received by the City and moved

that the matter be referred back to staff to determine a price for the land; the motion was seconded by Ald. Stubbs and carried with Ald. Weldon voting against.

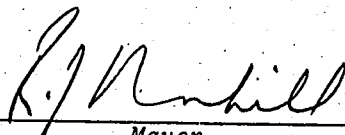
LAND: ALDERNEY DR.
AND NORTH ST.

The Finance & Executive Committee has recommended that no action be taken by Council to acquire a property located at the corner of Alderney Drive and North Street, owned by R. J. Ferguson and offered for sale to the City for the total sum of \$14,250. It was moved by Ald. Barber and Wambolt that the Committee's recommendation be adopted. Ald. Davis suggested that it might be advisable to purchase the land while the opportunity is available, but the motion carried by a vote of 8 - 5.

Meeting adjourned.


N. C. Cochran,
Deputy City Clerk.

APPROVED:



Mayor

Dartmouth, N.S.

July 15/69

Regularly called meeting of City Council held this date at 7:30 p.m.

Present - Mayor Thornhill, Chairman

Ald. Granfield	Stockall
Barber	Smith
Brownlow	Davis
Sanford	Wambolt
Stubbs	Weldon
City Solicitor, S. Drury	
Planning Director, M.Lloyd	
Clerk-Administrator, C.A.Moir	
Auditors, Mr. Renouf	
Mr. Robertson	

Council was informed by the Mayor of the death of Ald. Marvin's mother and on motion of Ald. Barber and Wambolt, agreed to forward an expression of sympathy to the family.

REZONING REQUEST:
ALFA SUBDIVISION

This date was set by Council for public hearing in connection with an application from S. Jachimowicz Ltd. to rezone Block 'D' of the Alfa Subdivision from R-1A Zone to R-4 Zone to permit the construction of a Limited Dividend Housing project. Approval of the request has been recommended by the Planning Board and no objections have been received to date. The appropriate amendment to By-law #74 was presented for Council's approval.

It was moved by Ald. Weldon and Brownlow and carried that leave be given to introduce the said amendment to By-law # 74 and that it now be read a first time.

It was moved by Ald. Barber and Brownlow that the amendment to By-law # 74 be read a second time.

Ald. Smith said he objected to this type of spot zoning, particularly when it involves a change from R-1A to R-4 development, and Ald. Granfield indicated that he would vote against second reading because certain questions relating to limited dividend housing have not yet been discussed by Council. He requested permission to have this item (limited dividend housing) added to the agenda. Ald. Weldon suggested that the land use proposed by the developer represents a logical extension of existing development

in the area and utilizes swampy land which would otherwise be of little use to the City. The motion for second reading carried with Ald. Granfield voting against. Unanimous consent was not given by Council for third reading of the amendment.

REZONING REQUEST:
PENHORN SUBDIVISION

This date was also set by Council for public hearing in connection with an application to rezone a portion of the Penhorn Subdivision (Lots W7 to W12 inclusive) on Langley Avenue from R-1A to R-2A to permit the construction of multiple-family dwellings. Approval of the request has been recommended by the Planning Board and the appropriate amendment to By-law #74 was presented for Council's consideration.

It was moved by Ald. Barber and Wambolt and carried that leave be given to introduce the said amendment to By-law #74 and that it now be read a first time. (Ald. Weldon voting against)

It was moved by Ald. Sanford and Brownlow that the amendment to By-law #74 be read a second time.

A petition, signed by 173 residents opposed to the rezoning was presented by Mr. Larry Cainen and it was noted that similar zoning proposals were rejected by Council in 1962 and 1963. The petition suggested that to rezone for and allow duplex housing on one side of a City street, with single-family housing on the other, does not appear to be in line with the City's overall planning policy, and it was requested that the area concerned be definitely and irrevocably proclaimed an R1A Zone by order of Council so that the developer cannot come forward in the future with a further rezoning proposal. Council also heard Mr. John Webber on the subject of a rezoning application recently approved by Council for land located on Woodland Road. He noted that the request was approved in this instance on the basis of a development proposal submitted by the applicant, who has since placed the land up for sale, and suggested that the reliability of an applicant should be taken into consideration when zoning changes are being considered Council.

Generally, the members of Council supported the position

taken by the R-1A home owners involved and it was stated by Ald. Granfield and Smith that residents of a single-family-dwelling area have a right to expect protection from zoning changes. In answer to a question from Ald. Davis about the development proposal which has occasioned a request for rezoning, the Planning Director advised that single-family residential development does not appear to be economically feasible for the swampy lots concerned. The motion for second reading was defeated by a unanimous vote of Council.

1968 FINANCIAL
STATEMENT

The Auditors were present to review with Council the City's 1968 financial statement, tabled at a previous meeting. Details of a summation presented by Mr. Renouf were explained by him and Council was informed that the excess of expenditure over revenue for the year 1968 was \$95,000.; this amount was occasioned on revenues of \$8,000,000. The present accumulated deficit stands at \$456,000. and it was pointed out by the Mayor that provision to write off \$226,000. has been included in the 1969 budget, with the hope that the remainder will be written off in 1970. In answer to a question from Ald. Granfield about the possibility of maintaining a stable tax rate with our built-in debt factor by stabilizing or reducing expenditures, Mr. Renouf said he did not see how this could be accomplished with the City's continually increasing population and with the inflationary situation facing the entire country. He pointed out that if the City's unfunded debt were all to be refunded in 1969, the debt charges would add a maximum of approx. 40¢ to the tax rate. On motion of Ald. Sanford and Weldon Council agreed to meet as a Committee-of-the-Whole for freer discussion purposes.

After reconvening later as Council, it was moved by Ald. Brownlow and Wambolt and carried that the 1968 Financial Statement be adopted as presented by the Auditors.

MERIT AWARE

The Finance & Executive Committee has recently considered a suggestion put forward by Ald. Fredericks that a merit award be

established for presentation annually to an outstanding citizen in the City; the Committee has recommended to Council that no action be taken on the proposal. On motion of Ald. Weldon and Barber, the recommendation was adopted by Council.

SALE OF LAND:
MT. EDWARD RD.

The Finance & Executive Committee has recommended to Council approval of a request from Mr. C.B.E. Smith to purchase 15' of land from the City adjacent to his Mount Edward Road property at a price of 50¢ per sq. ft.; the area concerned is 950 sq. ft. in size. On motion of Ald. Barber and Smith, the Committee's recommendation was adopted.

WATER DELIVERY

The Finance & Executive Committee has recommended for adoption a policy outlined in a report from the Clerk-Administrator on delivery by the City of water to residents using wells for their main water supply. It has been recommended that water delivery not be made to any property which can be connected to City domestic water service and, in addition, that water deliveries be made by renting a truck and driver on an hourly basis, with a charge of \$11.70 being levied for each delivery. It was moved by Ald. Smith and Wambolt that the policy recommended be approved by Council. Ald. Sanford and Weldon were opposed to the introduction of a charge for this service and it was moved in amendment by Ald. Weldon and Davis that no charge be levied in areas which are not and cannot be serviced with City water. Ald. Stubbs, Davis and Granfield were opposed to the amendment, although Ald. Stubbs agreed that there might be some merit in Ald. Davis' idea for reviewing the cost factors (ie. basing cost on the amount of water actually delivered). Discussion centered mainly on the responsibility which residents have to share equally in the cost of a water service and on Ald. Weldon's contention that a lack of water constitutes an emergency situation and a health problem for which the City should accept responsibility, particularly in the case of dry wells resulting from the work being carried out to extend water lines into the Port Wallis area. It was pointed out that completion of this major water installation should alleviate many of the existing water shortages in Port Wallis, although there will

continue to be unserviced porperties beyond the reach of the water extension. Council generally agreed that provision for receiving water in suitable tanks should be expected so that the water delivered is retained for use rather than being lost in wells which are above the water table level. The amendment and the motion, as amended, carried with Ald. Davis, Stubbs, and Granfield voting against in each case.

EXCHANGE OF LAND: On motion of Ald. Sanford and Barber, Council agreed to **CLEMENT ST. (DEFERRED)** defer consideration of the next item on the agenda, dealing with a land exchange involving properties on Crichton Ave. and Clement Street, until such time as one or both of the Ward 7 Aldermen are able to be present for the discussinn.

SEWER FRONTAGE CHARGES: The Finance & Executive Committee has recommended the cancellation of sewer frontage charges levied against the properties of (1) Mr. Gordon Trevor of 38 Major St. (\$562.50); (2) Mr.C.W. Burchell of Glen Manor Drive (\$750.) and (3) Dr. D.A.Weir, 6 Glen Manor Drive (\$750.) as compensation for sewer easements taken by the City over these properties. On motion of Ald. Weldon and Barber, the Committee's recommendation was adopted by Council.

SEWER FRONTAGE CHARGE: DR. JOSENHANS The Finance & Executive Committee has considered a request from Dr. W. H. Josenhans for an adjustment in sewer frontage charges levied against his property, 30 Boutilier's Land, and has recommended that no adjustment be made in this case. Dr.Josenhans request for the application of a sewer lien to only one of his lots at this location is made on the grounds that (a) the sewer does not go far enough to service the lot at the end of Boutilier's Lane, and (b) application will be made to the Planning Board to have the two parcels of land joined to form one lot. Ald. Weldon questioned the right which the Board has to approve the joining of lots, and was advised by the City Solicitor that such jurisdiction is not given for the combination of lots under the Planning Act. Ald. Sanford pointed out, however, that applications to join lots have received approval from the Board for a number of years. On motion of Ald. Wambolt and Sanford, the Committee's recommendation was adopted by council.

TAX AGREEMENT:
BRIDGE COMMISSION

The Finance & Executive Committee has considered a proposal submitted by the Halifax-Dartmouth Bridge Commission for a tax agreement whereby the Commission would pay to the City the sum of \$1. in lieu of taxes for the year 1969 on all properties acquired for eventual transfer to the City, and has recommended that the City enter into such an agreement with the Commission. This proposal relates specifically to land purchased by the Commission upon which streets would be constructed by the Commission, forming part of the street system of the City. The Commission will, on completion of construction of the streets, convey them to the City by a single deed containing descriptions of all lands acquired and accompanied by a plan identifying each parcel of land. On motion of Ald. Sanford and Wambolt, the Committee's recommendation was adopted by Council with Ald. Weldon abstaining from the vote.

GRANT: KIWANIS CLUB

The Finance & Executive Committee has recommended to Council approval of a request from the Kiwanis Club of Dartmouth for a financial contribution in 1969 toward the operation of their Youth Band; a \$300. grant has been recommended. On motion of Ald. Weldon and Wambolt, the Committee's recommendation was adopted.

SALE OF LAND:
ELLIOTT ST.

The Finance & Executive Committee has recommended against a request from Mr. Harold F. Graham to purchase a portion of the Findlay School property adjacent to his own property at 20 Elliott Street. Adoption of the recommendation was moved by Ald. Barber and Wambolt, but a motion to refer the matter to the School Board for report and recommendation, introduced by Ald. Stockall and Smith was adopted by Council.

REPORT:
CHURCHILL DR.

In a report made to Council by the Clerk-Administrator for information purposes, it was noted that the complete street construction authorized in accordance with Resolution #59, passed at the Council meeting of December 3/68, as called for in the subdivision Agreement with S. Jachimowicz Ltd., should be finished to the satisfaction of the Engineering Dept. during the construction season.

COST SHARING:
COMMODORE PARK
STREETS

The Clerk-Administrator advised Council of a request from Commodore Commercial Estates, through their Solicitor, A.W.Cox.

to have the City share in the cost of developing MacDonald St., Wright Ave., and Wright Ave. Extension, with a total financial contribution of \$33,050.95. After several discussions held with Commodore representatives, City staff have recommended refusal of their request based on the requirements of City Subdivision Regulations under which streets must be built to Subdivision standards established by City Council and access provided to adjoining properties. It was pointed out in the Clerk-Administrator's report that the development of Wright Ave. was necessary to service existing industries located in Commodore Industrial Park, including the installation of flashing lights at the level crossing on Wright Ave. The report further recommended the acquisition from Commodore Commercial Estates of 280,000 sq. ft. of land on which to locate the new five-million-gallon water reservoir at a total cost of \$56,000. or 20¢ per sq. ft., the price being asked by Commodore.

Mr. Sawyer, representing Commodore, stated his company's position, explaining his understanding of the verbal agreement reached with City staff and suggesting the City's moral commitment to participate in the cost-sharing proposal on the basis of that understanding, particularly in view of the realignment of MacDonald Street to provide access to the City-owned Lynch property. Several members of Council shared the opinion that if a commitment has in fact been made on the City's behalf, it should now be honoured, but both the Clerk-Administrator and the Planning Director indicated that to the best of their knowledge, no such firm agreement has been reached since a commitment of this nature could not be made without the approval of Council. The Mayor suggested that a misunderstanding has occurred during negotiations with Commodore representatives and recommended the appointment of a three-member committee to negotiate a mutually-satisfactory agreement between the City and the company. It was moved by Ald. Stockall and Smith that the matter be referred to the works Committee for negotiation as recommended and report

back to Council. After further debate, the motion to refer carried with Ald. Sanford and Davis voting against. Mr. Sawyer will be notified when the item is to be dealt with by the Committee.

**WATER EXTENSION:
COLE HARBOUR AREA**

As requested by Council, City staff have considered the request from the Municipality of the County of Halifax for City water extension to the Cole Harbour-Caldwell Road area. While the original request submitted by the County was for a water supply system to serve the new Jr. High School being constructed on Hugh Allen Drive in the Highland Acres Subdivision, the need for a water extension to other areas of Cole Harbour and Caldwell Road has also been indicated by County representatives. It is felt by staff that appropriate action should be taken by Council to (1) assure orderly development of land on the fringes of the City's boundary, and (2) establish that the City of Dartmouth water utility be the utility to service the eastern side of Halifax Harbour. In order to accomplish this, it has been recommended:

- (1) (1) That water facilities be extended on Cole Harbour Road from Dorothea Drive to Hugh Allen Dr. in the Highland Acres Subdivision, and that only those existing dwellings on Cole Harbour Road and Hugh Allen Drive be serviced from this extension;
- (2) That the Municipality of the County of Halifax be asked to present as soon as possible to the City its plan of development for this area, and that City Council be permitted to make recommendations regarding the development plan before it is implemented.
- (3) That any further requests for extension of water facilities to that area be denied until the development plan is approved.
- (4) That the extension of water service to Hugh Allen Drive be contingent on the approval of the Public Utilities Board, and that any capital contributions for this service be made by the Municipality of the County of Halifax,

Ald. Stubbs expressed concern that the situation created prior to amalgamation is likely to be repeated and similar problems experienced by the City with the extension of water service into County areas. This opinion was shared by the Planning Director and several other members of Council as well. Ald. Stockall and Sanford moved the adoption of the Clerk-Administrator's first

recommendation but Ald. Weldon wondered whether the City might not be committing itself beyond a point of no return by approving even the Hugh Allen Drive extension. The Solicitor was asked to comment and stated that while the Public Utilities Board might have the power to do so, he could not conceive of the City being ordered to supply water in contradiction to basic planning principles of the community. The motion was put and carried unanimously.

FARQUHARSON
PROPERTY

The Clerk-Administrator has prepared a report on the development of the Farquharson property as an historical site in accordance with the principle of preserving the site as originally requested by the Dartmouth Museum Society in their presentation to Council. Negotiations have been conducted by the Clerk-Administrator for the acquisition of property which could be used for the purpose of constructing a roadway to provide access to the Farquharson Farm from Caledonia Road, but it has been suggested that since the homestead has recently suffered damage from fire and vandalism, consideration should perhaps be given to determining the Museum Society's interest in proceeding with restoration of the Farm at this point. It was therefore moved by Ald. Sanford and Smith and carried that the matter be referred to the Finance & Executive Committee for a report on the acquisition cost of the land required for access, the cost of services required, for an indication as to whether the Museum Society is still interested in going ahead with the project.

DOWNTOWN SHOPPING
MALL

Before proceeding to the next item on the agenda - the awarding of a tender for the installation of parking meters in the downtown area of the City - Council was advised by the Mayor that a property owner on Portland Street has questioned the City's right to close that portion of the street designated for the creation of a shopping mall. After consulting with the Federal Deputy Minister of Municipal Affairs and the Solicitor for the City of Ottawa, where a shopping mall is already in operation, the City Solicitor has stated that in his opinion, legislation

is required before the City can legally close off a portion of Portland Street for this purpose.

AWARD TENDER:
PARKING METERS

Since the Planning Director has indicated that new parking meters would be advantageous in the central City area, even without the shopping mall, Council agreed to proceed with consideration of Mr. Lloyd's report on the tenders received. A summary of the quotations (as per the attached list) was presented, together with a comparison of the Rhodes and MacKay meters, and, in the final analysis, it was recommended that if the downtown merchants wish to implement a validation system in the future, it would be advisable to purchase the Duncan meter (McKay submission) with a split housing which could, if desired, accommodate the validation mechanism. If, however, the merchants do not favour a validation system, approval of the Rhodes meter is recommended. As recommended by Mr. Lloyd, representatives of the Downtown Merchants Association were asked for an expression of opinion at this time and Mr. Warner, representing the Association, indicated that the merchants favour a uniform validated meter system for the downtown area, including the Queen Street parking lot for which a lease/purchase proposal has already been submitted to the City by the owners, Downtown Parking Ltd.; the merchants are not prepared, however, to assume responsibility for the additional cost of the token mechanism. It was suggested by Mr. Warner that perhaps a firm decision on the validation system should be delayed in view of the legal problem which has arisen in connection with the closing of Portland Street.

Mr. Lockhart of J.J. MacKay Co. Ltd. was present and stated that his company would be prepared to defer the additional \$5.50 charge for each meter (which takes a token attachment) until and if token attachments are purchased at a later time. On the basis of this understanding, it was moved by Ald. Davis and Granfield that Council award the tender for purchase of the Duncan meter, capable of the additional token mechanism, and that the Planning Director be authorized to arrange for the


purchase of either the single or double-headed meters (ie. up to the maximum recommendation of 355 meters)..

In answer to questions raised by members of Council, Mr. Lloyd explained that the total cost of the 355 meters, taking in trade 180 of our present meters, will be \$32,102.50, to be paid in 36 monthly installments of \$1030.19 per month. Ald. Smith said he would like to have some additional information on the projected costs and revenues involved, while Ald. Sanford took exception to the attitude of the merchants in their reluctance to participate in cost-sharing as indicated by Mr. Warner. Ald. Stubbs was opposed to purchasing the meters and questioned whether free parking can substantially increase downtown shopping without other necessary improvements being undertaken as well. Ald. Barber and Davis supported the motion which carried with Ald. Sanford and Stubbs voting against.

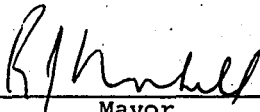
RESOLUTION #22
9 Clarence St.

Before adjournment, Council considered Resolution #22, pertaining to unsightly premises at 9 Clarence Street; it was moved by Ald. Wambolt and Smith that the resolution be adopted by Council. The five buildings located on the property are assessed to Mr. John Murray, but Mr. Murray, who was present for the meeting, maintained that the buildings are in fact located on land owned by the City of Dartmouth. It was agreed that Mr. Murray should not be held responsible for demolition of the buildings if the land is not owned by him, and it was moved in amendment by Ald. Sanford and Wambolt and carried that the City assume responsibility for demolishing the buildings if it is determined that they are on city land. The motion, as amended, carried.

Meeting adjourned.


N. C. Cohoon,
Deputy City Clerk

Approved



Mayor

Dartmouth, N.S.

July 15/69

1968 FINANCIAL STATEMENT

Council met as a Committee-of-the-Whole to discuss with the Auditors the 1968 Financial Statement and other aspects of the City's general financial situation.

Mr. Renouf began by answering questions from Ald. Sanford and Granfield about the affect of the City's present debt and debt charges on our ability to borrow money and in summary, stated that debt charges should not exceed 25% of the City's expenditures. He agreed with the Mayor that we are fast approaching the 25% mark, but pointed out the difficulty in maintaining or reducing the level of expenditures with our growth factor and built-in costs. Ald. Davis asked why the owners of equivalent properties in other Canadian municipalities of Dartmouth's size are paying approximately one-third less in municipal taxes. Mr. Renouf said he has not analized the factors involved, but pointed out that some provincial governments provide services which in Nova Scotia are provided by the urban governments. British Columbia and Ontario residents also have a greater dispoable income and a greater ability to pay and the cost of certain basic services is spread over a larger population in these provinces.

Ald. Stubbs inquired about the feasibility of the City undertaking a program of planned priority budgeting. Mr. Renouf explained that this type of program is not merely a moreso:histicated method of controlling budget expenditures, but is, in fact, a system for making the maximum use of the resources available to a government or corporation. After describing the concept involved in considerable detail, he said he would not suggest that the City go directly into a system of program budgeting.

The subject of improved budgetary control was discussed in this connection. Mr. Renouf stated that control over the budget, once it has been produced, is essential, but determination of a budget in which provision has been made for unforeseen

contingencies is also essential.

**STREET CONSTRUCTION
& PAVING PROPOSAL**

At the Mayor's suggestion, the Committee agreed to discuss with the Auditors the feasibility of a street construction and paving proposal introduced some time ago by the Deputy City Clerk. The proposal, rejected by the Works Committee, was deferred by Council for consideration in conjunction with the various financial matters under discussion at this time. In essence, it is proposed that the City stop borrowing the yearly amount of \$500,000. allocated for street construction and spend instead the amount saved by not borrowing the \$500,000. Under this arrangement, it would be possible to accomplish the same amount of street paving within the next ten year period at a total saving to the City of two and a half million dollars. Ald. Granfield and Brownlow indicated their support for the proposal, but Ald. Sanford felt it would have to be effected in combination with a certain amount of capital spending for work in Wards 5, 6 and 7. Ald. Stockall suggested that the program would be effective if combined with a priority listing of streets designated for paving throughout the City rather than on a ward basis.

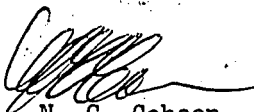
Mr. Renouf agreed that the proposal has merit, but referred to the problem of converting from credit borrowing to a pay-as-you-go system, since the City would have to continue payment for the debt incurred for prior paving, while at the same time, financing the new expenditures out of revenue. In summary, he stated that if the conversion difficulty could be overcome, the proposal would be satisfactory. Ald. Davis suggested that such a proposal might eventually be extended to other City programs as well.

On motion of Ald. Sanford and Barber, the Committee agreed to reconvene as Council to approve the Financial Statement.

Meeting adjourned.

Approved:


Mayor


N. C. Cohoon,
Deputy City Clerk.

Dartmouth, N. S.

July 22/69

Regularly called meeting of Dartmouth City Council
held this date at 8:00 p.m.

Present: Mayor Thornhill

Ald. Stockall
Granfield
Marvin
McDonah
Smith
Sanford
Wambolt
Barber
Stubbs

Clerk-Administrator, C.A. Moir
City Solicitor, J.S. Drury

FINANCE & EXECUTIVE COMMITTEE
CHANGE LAND - CLEMENT ST.

Council considered a report from the Finance and Executive Committee regarding the exchange of land on 243 Crichton Avenue owned by Ronald Beals and land on Clement Street owned by the City of Dartmouth. Recently, Mr. & Mrs. Beals, owners of the property at 243 Crichton Avenue, approached the City to obtain a Building Permit for their lot. The lot does not comply with City regulations in that it does not have frontage on a City street and sanitary sewer services not readily available. The land at 243 Crichton Avenue abuts City owned land on the former dump site. The Planning Department proposed that land be exchanged on Clement Street so that Mr. & Mrs. Beals would be in a position to construct a dwelling. The Finance and Executive Committee recommended the exchange.

It was moved by Ald. Marvin and Sanford that the recommendation of the Finance and Executive Committee not be accepted. During discussion, Ald. Marvin pointed out that last year another resident had requested the City to sell a lot on Clement Street for residential development and was refused on the grounds that the land should be retained for park purposes. Ald. Marvin also pointed out the shortage of park land in the Clement Street area and strongly urged Council to support the retention of this

land for public purposes. Motion carried.

ENQUIRIES
Ald. Barber

Ald. Barber asked the Clerk-Administrator if an estimate had been obtained of the cost of completing the fence surrounding the Dartmouth Park. The Clerk-Administrator indicated that a report was being prepared for the Finance and Executive Committee concerning this matter. Ald. Barber enquired as to the present status of the Y.M.C.A. Building Fund. Mayor Thornhill advised that no new information had been received within the last two weeks, but that it was his understanding that a considerable sum of money was still required. Ald. Barber enquired as to whether Caledonia Rd. would be completed in time for the Summer Games. He was assured that the work would be completed.

ALD. SANFORD

Ald. Sanford asked whether the cafeteria at the Dartmouth High School will be operable during the 1969-70 school year. The Chairman of the School Board replied that the cafeteria facilities will be in use. Ald. Sanford enquired whether the facilities at Beazley Field will be available for use prior to the Canada Summer Games. The Clerk-Administrator indicated that the softball diamonds are presently being used on a regular basis, but that the remaining facilities will only be used by the Nova Scotia Team for practice sessions. Ald. Sanford asked whether any further word had been heard from the Sydney Steel Company concerning an automobile crusher which was to be made available in various locations throughout the Province. The Clerk-Administrator replied that no answer had been received to our letter concerning this matter. Ald. Sanford requested a further letter to the Company.

ALD. STOCKALL

Ald. Stockall enquired as to when the Director of Planning's report would be ready with respect to the sale of the Rink property. The Clerk-Administrator indicated that he would check this matter. Ald. Stockall also noted that sods had been laid on a small piece of property at the Dartmouth Bridge-Head and noted that these sods had not

been watered and suggested that the matter be brought to the attention of the appropriate officials.

ALD. SMITH

Ald. Smith requested a report on the amount of revenue received from rental parking on the following properties: (1) Rink property; (2) north-west corner of Ochterloney Street and Alderney Drive; (3) corner of Queen Street and Ochterloney Street; (4) Ferry property; (5) lands to the south of City Hall; (6) former Leaman and Simmons Hardware property. Ald. Smith asked what action had been taken concerning unsightly premises at 61 Hawthorne Street and 2 Hume Street. The Clerk-Administrator replied that no action has been taken concerning the Hawthorne Street property, but advised that the Fire-Inspectors had examined the property at 2 Hume Street within the past week. Ald. Smith requested that Elliott and Erskine Streets be swept.

ALD. McDONAH

Ald. McDonah asked why the sidewalk in front of Victoria Road Confectionery had not been cleaned. Ald. McDonah enquired as to when curb and gutter would be installed on the upper end of Albro Lake Road. Ald. McDonah noted that sidewalks had been installed on Simonds Street and Chappell Street and expressed his appreciation to the Chairman of the Works Committee and the Works Department.

ALD. WAMBOLT

Ald. Wambolt asked if the City has a launching site on Halifax Harbour for private boats. The Mayor advised that there is no launching site available at present, but that Ald. Davis has been working with a Committee of the Chamber of Commerce concerning this matter. The Mayor suggested that Ald. Davis be requested to report at the next meeting of Council. Ald. Wambolt asked the Clerk-Administrator how the land acquisition was progressing for the Yorkshire Avenue extension. The Clerk-Administrator advised that cost estimates are being obtained and should be available for the August meeting. Ald. Wambolt asked whether the tender has been awarded for the Farrell Road

storm sewer. Mr. Moir advised that easements are being obtained and applications for approval have been submitted to the various Provincial Departments. As soon as these matters have been cleared up a tender can be awarded. Ald. Wambolt noted that the City has been carrying out a clean-up campaign in the central City, but that no work had been done in Ward 5. He requested that City crews be directed to this area. Ald. Wambolt noted that the storm sewer had been installed in the Brule Street extension, but that the street had been left in poor condition and requested that the street be improved.

ALD. MARVIN

Ald. Marvin requested information as to when the drainage would be installed in the McKenzie and Provost Street areas. The Clerk-Administrator advised that he could not give a definite date, but that the work had been approved as part of the 1969 program. Ald. Marvin noted that residents of Brock Street had complained of poor visibility at the intersection of Brock Street, Esson Road and Johnstone Avenue. He requested that the Police Department check this matter. Ald. Marvin enquired when the second Ferry would be back in service. The Mayor advised that it is expected on July 25th.

ALD. STUBBS

Ald. Stubbs noted that she had received complaints concerning the charges imposed at the Dartmouth Heritage Museum. She requested that this matter be reviewed by the Museum Board. Ald. Stubbs noted that some property owners on Alderney Drive and Portland Street were putting out garbage on week-ends for Monday morning pick up, and that streets were becoming littered with this garbage as a result of either bad weather or vandalism. She asked whether any action could be taken to require property owners to place their garbage out just prior to pick up. Ald. Stubbs asked when the water and sewer services would be available on Belvedere Drive. The Clerk-Administrator explained that

part of the delay in this general area was due to difficulties encountered while testing water pipes. He also noted that Belvedere Drive cannot be connected until the end of August when the current contract is intended to be completed. Ald. Stubbs also enquired about the availability of water and sewer on Crest Drive. The Clerk-Administrator advised that applications have been submitted to the appropriate Provincial authorities for approval of this project. As soon as approvals have been obtained the work can proceed. Ald. Stubbs asked the Mayor if the Bridge Commission's decision on naming the new Bridge is irrevocable. The Mayor stated that he could not give a definite answer, but assumed that any decision could be changed. Ald. Stubbs asked the Mayor if he supported the name proposed. The Mayor declined to answer on the grounds that the meeting of the Bridge Commission was in camera.

ALD. MCDONAH

Ald. McDonah requested that the waste barrels at Howe Street ball field be emptied. Ald. McDonah also noted that billboards had been erected in the area of Shannon Park ball field, and in his opinion, created a potential traffic hazard. He requested that this matter be looked into.

ALD. STOCKALL

Ald. Stockall noted that because of the proximity of the baseball diamond to the track at Beazley Field that it was possible for fowl balls to reach the track area and cause a potential hazard to competitors in the track and field events. Ald. Stockall wondered if some measures could be taken to ensure that the track is screened sufficiently to protect competitors. The Clerk-Administrator indicated that this matter is under consideration and that plans are being made to erect a hood over the backstop. Ald. Stockall questioned whether this measure would be satisfactory and suggested that consideration be given to erecting a screen on the upper most portion of the new Field House.

EXTRA CONSTABLE

On motion of Ald. Wambolt and Sanford the following resolution was unanimously adopted:

No. 20 Resolved that the following be and is hereby appointed Special Constable in and for the City of Dartmouth to hold office until January 30th, 1970: John Joseph Hilton.

TAX AGREEMENTS
GRINNELL SALES

It was moved by Ald. Barber and Sanford that the following resolution be adopted:

No. 21 Whereas Grinnell Sales Limited is a new industry in the City of Dartmouth and it was agreed by the City in order to encourage its establishment in Dartmouth that its tax rate on real property should be fixed at \$4.75 per hundred dollars of assessment for a period of five years;
And Whereas pursuant to Section 215A of the Dartmouth City Charter the City may fix a tax rate in these circumstances;
Resolved that a tax rate on all real property of Grinnell Sales Limited in the Dartmouth Industrial Park at Burnside in Dartmouth is hereby fixed at \$4.75 per one hundred dollars of assessment for the years 1970 to 1974 inclusive, and further resolve that on the completion of the reassessment now being carried out by the City Assessor's Department on all real estate in the City of Dartmouth that City Council will set a new fixed rate for Grinnell Sales Limited which shall be the equivalent of the above mentioned rate on the present assessment and City Council will rely on the opinion of the City Assessor in establishing the equivalent rate.

During discussion of this resolution Ald. Stockall questioned whether Council was setting a precedent in granting a tax agreement to this industry. The Mayor explained that this measure was motivated by competition from adjoining municipalities who are offering tax incentives to new industries. It was pointed out that Grinnell Sales are not competing with any other industry in the City. Ald. Stockall enquired if such tax agreements would be available to industries who would be locating in areas other than the

City's Industrial Park. The Mayor indicated that such agreements could be negotiated. The resolution was put and carried.

ADVERTISING:
AIRPORT

It was moved by Ald. Barber and Sanford that the following resolution be adopted:

No. 23 Whereas the City of Dartmouth wishes to lease one display cabinet at the Halifax International Airport for advertising purposes;

Resolved that the Mayor and Clerk-Administrator are hereby authorized to execute on behalf of the City a lease substantially in the form of the schedule hereto and to affix to it the seal of the City.

During discussion of this matter Ald. Sanford pointed out that a model of Scotia Square has been displayed in the Nova Scotia Booth in Montreal and wondered if the Urban Renewal Model of Dartmouth could not be displayed in the same location. He suggested that Mr. Aston, the Industrial Promotion Officer, enquire into this matter. The resolution was put and carried.

MUNICIPAL
GOLF COURSE

It was moved by Ald. Barber and Granfield that the Mayor appoint a committee of three members of Council to study the feasibility of locating a municipal golf course on City watershed land and prepare a recommendation to City Council. The Special Committee is to include the Planning Director and Recreation Director. During discussion of this matter Ald. Barber pointed out the restricted facilities that are available at Brightwood Golf and Country Club and the growing popularity of golf. He also noted that municipal golf courses are operated by many municipal corporations throughout North America and most are profitable ventures. The motion carried.

REDUCE NUMBER OF
ALDERMEN

Ald. Stockall moved that City Council request the Public Utilities Board to study Aldermanic Representation in Dartmouth. Ald. Granfield questioned an earlier motion

of Council which deferred this matter for one year. The item appears on the Continuing Agenda. The City Solicitor advised that Ald. Stockall's motion was out of order. It was then moved by Ald. Stockall that City Council create eight Wards with one Alderman from each Ward. The eighth Ward would be created by splitting Ward 6. There was no seconder to this motion.

**REZONING PENHORN
MALL**

It was moved by Ald. Stockall and Stubbs that the Town Planning Board be requested to report to Council in accordance with the Town Planning Act regarding proposed rezoning of the Penhorn Mall property back to R-1 Residential. During discussion of this matter the Mayor advised that the uncertainty of the Penhorn Mall development had tended to stifle development in other areas of the City since prospective builders may be competing for the same tenants. Ald. Sanford questioned the legality of Council initiating rezoning of this property. The Solicitor indicated that he would consider this matter at the time the rezoning by-law was before Council. The motion carried.

**RECREATION AREA:
WOODLAWN**

Ald. Stockall introduced a plan which had been prepared at his request by the Planning Department showing a proposed recreational complex behind the Woodlawn Shopping Center and adjacent to properties on Langley Avenue. The proposal would require the acquisition of additional lands from the developer. It was moved by Ald. Stockall and Marvin that the Clerk-Administrator, Director of Planning and Recreation Director, consider this plan and prepare a report including estimated cost of land acquisition. Ald. Stockall noted that the land in question was boggy and difficult to develop residentially, but pointed out that the City could fill the area with surplus material that is available from time to time. The motion was put and carried.

**PUBLIC ACCESS TO
LOCKS AND LOCKS AREA**

This item was deferred in the absence of Ald. Fredericks who had given a notice of motion at an earlier meeting.

PROTEST RE REGISTRATION S.S. CAPE BRETON MINER It was moved by Ald. Sanford and Stockall and

carried that the following motion be adopted:

Whereas Upper Lake Shipping Limited, Toronto, Ontario intends to place the Canadian built and registered ship, the S.S. Cape Breton Miner, under the Liberian registration employing a foreign crew to replace a Canadian crew; And Whereas the Canadian taxpayer has contributed four million dollars in construction subsidies towards the building of this vessel, and provides another two dollars a ton subvention in transporting coal from Sydney to Toronto;

And Whereas by placing the vessel under Liberian registration, it not only takes away Canadian jobs from Canadian seamen, but also relieves the company of paying corporation tax to the Government of Canada.

Therefore Be It Resolved that City Council go on record as condemning the actions of the Company in transferring this vessel from Canadian registry and strongly urges the Government to amend legislation which will prevent this situation from taking place in the future.

BEAUTIFICATION CIRCUMFERENTIAL HIGHWAY It was moved by Ald. Sanford and Barber and carried that City Council request the Department of Highways to beautify the slopes of the approaches to the Micmac Rotary preferably before the commencement of the Summer Games.

NOTICES OF MOTION:

ALD. STOCKALL Ald. Stockall gave notice that at the next meeting of City Council he would move that the City of Dartmouth lease a portion of the Graham's Grove property to the North Star Rowing Club. Ald. Stockall gave a notice that at the next meeting he would move that land on Woodlawn Road owned by Maritime Divers be rezoned to R-1. Ald. Stockall gave notice that at the next meeting he would move that Subdivision Regulations be amended to provide that the developer would be required to sod the area between the curb and the front of the dwelling.

NOTICE OF RECONSIDERATION
ALD. SANFORD

Ald. Sanford gave notice that he would move a motion of reconsideration of a motion adopting a report from the Town Planning Board concerning proposed Bill 89, the new Planning Act.

BY-LAW C-140

By-law C-140 being a by-law of the City of Dartmouth establishing the Dartmouth Industrial Commission was introduced for approval by Council. It was moved by Ald. Sanford and Stubbs and carried that leave be given to introduce this By-law C-140 and that it now be read a first time. It was moved by Ald. Sanford and Barber and carried that the By-law C-140 be read a second time. Unanimous consent was given by Council for third reading of the By-law. It was moved by Ald. Granfield and Wambolt and carried that By-law C-140 be read a third time and that the Mayor and Clerk-Administrator be authorized to sign and seal the said By-law on behalf of the City.

BY-LAW C-153

By-law C-153 which was given first and second readings on May 20th, 1969, and has subsequently been considered by the Finance & Executive Committee, was presented for third reading with the following amendments recommended by the Committee:

- (1) that provision be made to exempt service clubs selling door-to-door during fund raising campaigns; and (2) exempting vendors from commercial establishments paying personal taxes in Dartmouth.

It was moved by Ald. Sanford and Barber and carried that By-law C-153 be read a third time, as amended, and that the Mayor and the Clerk-Administrator be authorized to sign and seal the said By-law on behalf of the City.

BY-LAW C-155

By-law C-155 renumbering two properties on Wyse Road was introduced. It was moved by Ald. Wambolt and Barber and carried that leave be given to introduce By-law C-155 and that it now be read a first time. It was moved by Ald. Barber and Sanford and carried that By-law C-155 be read a second time. Unanimous consent was given by Council

for third reading of the By-law. It was moved by Ald. Sanford and Wambolt and carried that By-law C-155 be read a third time, and that the Mayor and Clerk-Administrator be authorized to sign and seal the said By-law on behalf of the City.

BY-LAW C-156

By-law C-156 amending By-law C-7 Respecting Administrative Departments and the appointment of certain officers was introduced. The purpose of the By-law is to change the title of Director of Planning to Director of Planning and Development, and in addition, to name him Traffic Engineer, and also to place the Building Inspection Department under the direction of the Director of Planning and Development. It was moved by Ald. Sanford and Wambolt and carried that leave be given to introduce By-law C-156 and that it now be read a first time. It was moved by Ald. Stockall and Sanford and carried that By-law C-156 be read a second time. Unanimous consent was given by Council for the third reading of the By-law. It was moved by ALD. Wambolt and Sanford and carried that By-law C-156 be read a third time and that the Mayor and Clerk-Administrator be authorized to sign and seal the said By-law on behalf of the City.

BY-LAW C-157

By-law C-157, being a by-law to alter the interest rates chargeable under by-law Nos. C-54, C-111 and C-123 was introduced. It was moved by Ald. Wambolt and Sanford and carried that leave be given to introduce By-law C-157 and that it now be read a first time. It was moved by Ald. Stockall and carried that By-law C-157 be read a second time. Unanimous consent was given by Council for third reading of the By-law. It was moved by Ald. Wambolt and Sanford and carried that By-law C-152 be read a third time and that the Mayor and the Clerk-Administrator be authorized to sign and seal the said By-law on behalf of the City.

BY-LAW C-158

By-law C-158 to establish the post of City Administrator, a Department of Finance and a Department of the City Clerk was introduced. This By-law was considered by the Finance and Executive Committee on June 25th and was recommended to City Council for approval. It was moved by Ald. Sanford and Stockall and carried that leave be given to introduce By-law C-158 and that it now be read a first time. Before second reading, the City Solicitor recommended the addition of the following Section:

17. By-law C-5 is hereby repealed.

It was moved by Ald. Stockall and Sanford and carried that By-law C-158 be read a second time, as amended. Unanimous consent was given by Council for third reading of the By-law. It was moved by Ald. Granfield and Wambolt and carried that By-law C-158 be read a third time and that the Mayor and the Clerk-Administrator be authorized to sign and seal the said By-law on behalf of the City.

BILLS

It was moved by Ald. Wambolt and Barber and carried that all bills be passed for payment.

G. & G. REALTY LTD.
LINDEN LEA

Council considered a letter from Paton & Paton, solicitors for G. & G. Realty Ltd., as a result of recent rezoning of land on Linden Lea. The solicitors advised that their clients are claiming the sum of \$23,000.00 less costs of site preparation, plus their development costs, making a net claim of \$23,000.00. It is contended that the claim results from the illegal and unreasonable action of City Council in rezoning the lands and effectively taking away the use that had been intended. Ald. Smith stated that he felt the City had some obligation in this matter since the developer had incurred some expenditures in relation to his application for a building permit. It was moved by Ald. Smith and Granfield that the City negotiate with the owners with a view to acquisition of the land, but that the City not pay in excess of \$5,000.00 for the land. Ald.

Sanford spoke against the motion indicating that by making an offer of this type we would be admitting liability and suggested that if the developer has a proper claim that he should initiate the proper legal proceedings. After further discussion the motion was put and carried, with Ald. Marvin, Stubbs and Sanford voting against.

ALDERNEY PLAZA LTD. Council considered a request from Walker, Dunlop, Bushell & Caldwell on behalf of Alderney Plaza Limited. The solicitors advised that because the City has not completed its negotiations with the C.N.R. and, therefore, all the land involved in the lease to Alderney Plaza Limited is not in the City's possession. The construction company has advised that in application for a Performance Bond, the Bonding Company is unwilling to permit the entering into of a contract under these conditions. It is suggested that Alderney Plaza Limited grant the City an extension of 90 days in which to cure this defect in title. It is also requested that a reciprocal extension be granted by the City if at the end of the period of delay, their financing or leasing positions had been substantially changed.

It was moved by Ald. Stockall and McDonah and carried that the City grant Alderney Plaza an extension of 90 days from the date that title is cleared if Alderney Plaza Limited's financing or leasing position has been substantially changed.

TEMPORARY BORROWING RESOLUTION On motion of Ald. Sanford and Stubbs the following temporary borrowing resolution, a copy of which is attached, was approved by Council:

\$500,000.00 streets 1969

EXPROPRIATION: LAKE MAJOR - ERN ST. On motion of Ald. Stockall and Sanford the following resolution was adopted.

No. 25 Whereas the Council of the City of Dartmouth desires to acquire the lands described in the schedule hereto for the purpose of ensuring an adequate water supply

for the City of Dartmouth;

And Whereas the City has negotiated with the owner for the acquisition of the land and is unable to obtain a clear title to the land at a fair price by agreement;

And Whereas the Clerk-Administrator has caused a plan and a description of the land and a list of the owners thereof according to the last revised Assessment Roll to be prepared;

Be It Therefore Resolved that the City now expropriate the land in the schedule hereto.

The owner of the land, according to the last revised Assessment Roll, is Percy R. Ernst. The amount of compensation to be paid for the land is \$5,000.00. The land is required for the purpose of providing an adequate water supply for the City of Dartmouth.

REZONING
BLOCK D:
ALFA SUBDIVISION

An amendment to By-law No. 74, being the Zoning By-law of the City, by creating May A-88 in which the area coloured in yellow is rezoned from R-1A to R-4, was introduced for third reading. The purpose of this amendment is to permit the construction of limited dividend housing units on land adjacent to the Alfa Subdivision owned by S. Jachimowicz Limited.

It was moved by Ald. Sanford and Stockall that this By-law amendment be read a third time and that the Mayor and Clerk-Administrator be authorized to sign and seal the said By-law amendment on behalf of the City. It was moved in amendment by Ald. Granfield and Smith that the By-law amendment be referred to the Finance & Executive Committee to consider the cost implications to the City. In supporting the amendment Ald. Granfield suggested that this type of housing accommodation produces a high ratio of school students and that, in effect, other taxpayers in the City are required to subsidize the cost of providing educational and other community services. He suggested that representation be made to the Province for assistance for additional

municipal costs. Ald. Stubbs and Sanford spoke in support of the rezoning on the grounds that this kind of housing is needed in the community, and they also stressed the difference between limited dividend and low rent housing. Ald. Granfield indicated that he was not opposed to limited dividend housing as such, but is opposed to the City incurring additional costs for educational and other services. The amendment was put to a vote and defeated, with Ald. Granfield and Smith voting for. The motion was put to a vote and carried, with Ald. Granfield voting against.

It was moved by Ald. Stubbs and Wambolt and carried that the Finance & Executive Committee be asked to study the affect of limited dividend housing projects on the tax rate, with a view to possible representation to the Provincial Government for additional financial assistance.

CERTIFICATION
DARTMOUTH POLICE
ASSOCIATION

Council was advised that the Dartmouth Police Association has applied for certification under the Trade Union Act. Ald. Stubbs referred to an objection which had been made by the Union of Nova Scotia Municipalities to the Provincial Government concerning the right of Police Departments to strike. Ald. Sanford noted that now that legislation has been adopted permitting Police Associations to be certified, we have no grounds for objections to the proposed certification.

It was moved by Ald. Stockall and Sanford and carried that no objection to the proposed certification be filed.

EXPROPRIATION:
FERGUSON LANDS

It was moved by Ald. Wambolt and Sanford and carried that resolution No. 26 be added to the agenda.

It was moved by Ald. Wambolt and Stockall and carried that the following resolution be adopted:

No. 26 Whereas the Council of the City of Dartmouth desires to acquire the lands described in the schedule hereto for the purpose of an Urban Renewal scheme and for street purposes;

And Whereas the City has negotiated with the owner for the acquisition of the land and is unable to obtain a clear title to the land at a fair price by agreement;
And Whereas the Clerk-Administrator has caused a plan and a description of the land and a list of the owners thereof according to the last revised Assessment Roll, to be prepared;
Be It Therefore Resolved that the City now expropriate the land in the schedule hereto.

The owner of the land, according to the last revised Assessment Roll, is Ralph J. Ferguson. The amount of compensation to be paid for the land is \$9,500.00. The land is required for the purpose of an Urban Renewal scheme and for street purposes.

LIEUTENANT GOVERNOR: WARRANT CASES

Ald. Stubbs advised Council that the McKeen Commission has recommended that the Province of Nova Scotia assume the cost of Lieutenant Governor Warrant Cases, effective March 31st, 1969. She has stated that there are outstanding accounts for patients in mental hospitals under Lieutenant Governor Warrants prior to this date. In the case of the City of Dartmouth, the account payable to the County of Halifax is some \$9,000.00. The Union of Nova Scotia Municipalities has discussed this matter and is suggesting that the Provincial Government assume the responsibility from January 1st, 1966, which is the same date that other mental patient costs were assumed by the Province.

It was moved by Ald. Stubbs and Sanford and carried that City Council request the Provincial Government and the Hospital Insurance Commission to assume the costs of Lieutenant Governor Warrant Cases from January 1st, 1966, to March 31st, 1969.

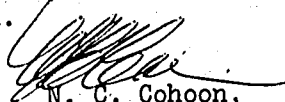
DRAPES

Ald. Stubbs noted that the drapes which had been installed in the Council Chamber had been removed, and questioned the authority for this removal. Council discussed the matter thoroughly and reached general agreement that the drapes that

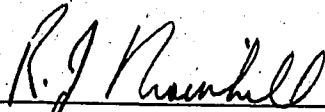
had been installed were unsatisfactory. It was moved by Ald. Stockall and Smith that the drapes that had been installed in the Council Chamber be removed. It was moved in amendment by Ald. Granfield and Stubbs that the Mayor appoint a special committee to investigate a more suitable type of drape and make a recommendation to Council. The amendment was put and carried. The motion, as amended, was put and carried.

Ald. Stockall introduced a motion that Council's desks be modified by reducing the height of the units and levelling the desk tops. There was no seconder for this motion, but Council unanimously agreed to ask the special committee to consider this possibility.

Meeting Adjourned.


N. C. Cohoon,
Deputy City Clerk.

Approved:



Mayor

WHEREAS by Section 5 of Chapter 193 of the Revised Statutes of Nova Scotia, 1967, the Municipal Affairs Act, it is enacted among other things, in effect, that subject to the provisions of Section 8 of said Act every city other than the City of Halifax shall have full power and authority to borrow or raise by way of loan from time to time on the credit of the city such sum or sums as the Council thereof deems necessary for the purpose of **laying out, opening, constructing, widening, making and draining streets, roads, bridges, culverts or retaining walls in the city and acquiring or purchasing materials, machinery, implements and plant deemed requisite or advisable therefor, or for maintaining, clearing or improving such streets, roads, bridges, culverts or retaining walls;**

AND WHEREAS by Section 8 of said the Municipal Affairs Act, it is enacted among other things, in effect, that no money shall be borrowed under the provisions of the said Act until such proposed borrowing has been approved by the Minister of Municipal Affairs;

AND WHEREAS the City Council of the City of Dartmouth deems it necessary to borrow a sum not exceeding **Five Hundred Thousand** Dollars (\$ 500,000) for the purpose of **laying out, opening, constructing, widening, making and draining streets, roads, bridges, culverts or retaining walls in the city and acquiring or purchasing materials, machinery, implements and plant deemed requisite or advisable therefor, or for maintaining, clearing or improving such streets, roads, bridges, culverts or retaining walls;**

AND WHEREAS by the Municipal Affairs Act such sum shall in the discretion of the City Council be borrowed or raised in one sum at one time or in instalments at different times and the sum required shall be borrowed or raised by the issue and sale of debentures of the City to such an amount as the Council thereof deems necessary to raise such sum;

AND WHEREAS pursuant to Section 227 of the Dartmouth City Charter it is deemed expedient to authorize an officer of the City to borrow from time to time on behalf of the City by way of promissory note or overdraft pending the issuing of debentures such sum not to exceed **Five Hundred Thousand** Dollars (\$ 500,000) for the purpose aforesaid from the *Royal Bank of Canada* at Dartmouth, the sum so borrowed to be repaid to the said Bank from the proceeds of the debentures when sold;

BE IT THEREFORE RESOLVED that under and by virtue of said the Municipal Affairs Act the City of Dartmouth do, subject to the approval of the Minister of Municipal Affairs, borrow or raise by way of loan on the credit of the City a sum not exceeding **Five Hundred Thousand Dollars (\$500,000)** for the purpose aforesaid;

THAT under and in accordance with said the Municipal Affairs Act such sum be borrowed or raised by the issue and sale of debentures of the City to such an amount as the Council deems necessary to raise such sum;

THAT the issue and sale of such debentures be postponed and that the said City do, under and by virtue of the provisions of Section 227 of the Dartmouth City Charter and subject to the approval of the Minister of Municipal Affairs, authorize the Clerk-Administrator of the City to borrow from time to time on behalf of the City by way of promissory note or overdraft pending the issue of debentures, a sum of money not exceeding **Five Hundred Thousand Dollars (\$500,000)** from the *Royal Bank of Canada* at Dartmouth;

THAT such sum or sums be borrowed from said Bank for a period not exceeding twelve months from the date on which this resolution shall have been approved by the Minister of Municipal Affairs, with interest thereon to be paid said Bank at such rate as shall be agreed upon and that the amount so borrowed be repaid the said Bank from the proceeds of the debentures when sold;

THIS IS TO CERTIFY that the resolution of which the foregoing is a true copy was duly passed at a duly called meeting of the City Council of the City of Dartmouth duly held on the *22nd* day of *July* A.D., 19*69*.

GIVEN under the hands of the Mayor and City Clerk and under the corporate seal of the said City this *22nd* day of *July* A.D., 19*69*.

DEPARTMENT OF MUNICIPAL AFFAIRS
Recommended for approval of the Minister
<i>[Signature]</i> Deputy Minister
APPROVED this <i>31st</i> day of <i>July</i> 19 <i>69</i>
<i>[Signature]</i> Minister of Municipal Affairs
This is not an approval of the project under the Municipal Services Act.

[Signature]
MAYOR

[Signature]
CLERK-ADMINISTRATOR