

Dartmouth, N. S.

May 2/78.

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

Present - Mayor Brownlow

Ald. Thompson	Kavanaugh
Cote	Valardo
Brennan	Crawford
Smith	Williams
Irvine	Greenough
Hart	Backewich
Fredericks	
City Solicitor, S. Drury	
Deputy City Clerk, G. Brady	

The Mayor advised Council of several items to  
be added to the agenda at the beginning of the meeting.

MINUTES

On motion of Ald. Fredericks and Greenough, Council  
approved the minutes of meetings held on April 1st, 3rd,  
4th, 5th, 6th, 8th, 17th, 18th and 25th. Ald. Valardo  
made follow-up inquiries on items from the meetings  
of April 4th, April 8th and April 18th, and these were  
discussed with the Mayor.

Further to the minutes of April 17th, with  
reference to the Regional Authority legislation, Ald.  
Hart indicated that she would propose to introduce the  
following motion for Council's consideration at this  
time:

That Council direct its Regional Authority  
representatives, at the next Regional Authority  
meeting, to put forward a motion directing the  
Authority to redraft the transit by-law in  
accordance with the legislation in the Provincial  
House, in order that City Council can deal with  
the by-law at the May 16th meeting of Council.

The vote taken to add the motion to the agenda  
was defeated by 7 to 6 and Council proceeded to the next  
item of business.

MOTIONS:

ALD. KAVANAUGH

Notice of motion having been duly given, the  
following motions were presented for the consideration  
of Council:

1) Ald. Kavanaugh moved, seconded by Ald. Fredericks,  
that staff be asked to review the various means by which  
we could assess any quarrying operation in the City a fee  
in relation to such quarrying. Ald. Kavanaugh explained  
the intent of his motion, which is that a fee of some kind

should be levied for quarry operations to cover the administrative costs and services involved for the City as a result of inspections and other regulatory measures required. Mr. Drury explained that the City does not have authority to set a royalty charge and the alternative would be a licensing fee as proposed in the motion.

Ald. Smith, Valardo, Crawford, Brennan and Backewich spoke against the motion, considering it unfair to impose further additional costs on quarry operators in the form of a license fee. Ald. Greenough said he supported the idea of a staff review but not necessarily the setting of a fee for quarry permits. Ald. Fredericks agreed with the intent of the motion and felt that the owners of land being quarried benefit from the services provided by the City to insure that proper protective measures are being followed and the lands are reinstated for future use. When the vote was taken on the motion, it was defeated with Ald. Greenough, Kavanaugh, Cote and Fredericks voting in favour.

ALD. IRVINE

2) Further to Ald. Irvine's notice of motion, the Mayor informed Council of the feasibility study being undertaken by the W.D.C. into all aspects of locating an aquarium in the Halifax/Dartmouth area. Ald. Irvine therefore introduced the following revised motion, which was seconded by Ald. Crawford:

Whereas the Provincial Government has now indicated co-operation and assistance in providing a multi-use sports and exhibition centre;

And whereas it appears to be desirable for the City of Dartmouth to be prepared to put forward a proposal with respect to any aquarium, marina and heritage museum which may be established in the metropolitan area;

Therefore, that City staff be directed to commence preparation of the necessary reports, including approximate costs, revenue sources and location options with respect to an aquarium, marina and heritage museum, and report to Council within three months.

Debate on the motion dealt mainly with the best approach to take, in conjunction with the W.D.C., to insure the kind of information required in support of

Dartmouth's position, if an aquarium is being considered for inclusion somewhere in the waterfront development. It was suggested that the involvement of City staff in the W.D.C. feasibility study should be specifically requested, and Ald. Kavanaugh moved in amendment, seconded by Ald. Valardo, that the Mayor be asked to officially correspond with the W.D.C. to insure that City staff are heavily involved in the study being conducted by the W.D.C. Mr. Bayer was asked to comment and he pointed out that staff would not duplicate information available through W.D.C. personnel but would work in co-operation with them. The amendment was supported by Council and it carried; the amended motion carried.

ALD. FREDERICKS

3) Ald. Fredericks introduced the following resolution, seconded by Ald. Backewich:

Because of the developments taking place in Dartmouth on the waterfront and in our Industrial Park;

Because of the fact that Dartmouth has a lot to offer business, industry and tourists;

Because we as a City should make a 'major promotional' effort to attract business, industry and tourism to our City;

Because an extraordinary effort at promotion and celebration of our City's attractions will be beneficial to our present citizens, both private and corporate and to the Province of Nova Scotia;

Therefore, be it resolved that Dartmouth City Council establish a committee to plan special celebrations/exhibitions, etc. for its 230th anniversary in the year 1980,

That the committee be made up of two aldermen and the Mayor, plus three or four business people from the community,

That these celebrations take place during the first week of August of 1980,

That the committee be established during the next few months in order that planning may begin on the activities and finances involved in a week-long celebration, including an industrial exhibition, music, arts festival and athletic events.

The motion was put and carried.

Notices of motion given by Ald. Ritchie and Brennan were deferred to the next Council meeting.

TEMPORARY BORROWING  
RESOLUTION

On motion of Ald. Backewich and Greenough, Council approved Temporary Borrowing Resolutions in the amount of

\$132,000. (Works Centre) and \$70,000. (Water), copies of which are attached.

ISSUING RESOLUTION

An Issuing Resolution for \$6,000,000. (General Purposes) was also approved by Council, on motion of Ald. Greenough and Valardo.

BUILDING PERMIT:  
MAPLE HURST APTS.

An application for permit to build an eight-storey 72-unit addition to the existing Parker Plaza apartment building, located at Parker and Newcastle Street, was approved on motion of Ald. Valardo and Brennan, subject to compliance with City requirements as set out in the staff report to Council. Ald. Kavanaugh objected to an item such as this being added to the agenda and he voted against the motion which carried.

PUBLIC HEARING:  
MUNICIPAL DEVELOP-  
MENT PLAN

On motion of Ald. Hart and Greenough, Council adopted a recommendation from Committee, setting June 27th as the date for public hearing of the proposed Municipal Development Plan and amendments to the Zoning By-law.

WATER & SEWER:  
PORT WALLIS AREA

As required by the Public Utilities Board, property owners in the Port Wallis area have been contacted to determine the percentage of residents willing to become water customers if service is provided. Results of the staff survey, for both water and sewer services, have been compiled and reported to Council by the City Clerk, indicating 67% in favour of water service and 69% in favour of sewer service. Based on this indication, Ald. Greenough and Irvine moved that Council approve the extension of services in the Port Wallis area, as outlined in Scheme II of the consultant's report, and that Project Planning Consultants Ltd. be engaged to prepare plans for a public tender call. Ald. Kavanaugh questioned the cost-sharing provisions negotiated with the other two government levels and favoured a one or two-month deferral of Council's decision until all possible efforts have been exhausted to secure additional funding from other government sources. Ald. Smith and Cote supported this position as well, but most other members of Council who spoke on the motion did not want to see the project delayed any further.

Ald. Brennan said that while he could sympathize with the residents, he did not feel that Council has received substantial information from Health Dept. officials on which to base a decision involving such a major expenditure. Some members of Council expressed the opinion that water and sewer are basic services that all residents should expect to receive, regardless of where they live in the City. When the vote was taken on the motion, it carried with Ald. Kavanaugh, Smith and Cote voting against.

DART. BOYS &  
GIRLS CLUB

A report from Mr. Moir was before Council on the subject of the buildings on Main Street formerly used for the Dartmouth Boys & Girls Club activities and now available for disposition by the Club. They are requesting sufficient time to offer the buildings for sale and removal from the site, in an effort to recoup some of the \$7500. debt currently outstanding against the Main St. operation. Once the buildings are removed from the property, the Recreation Dept. intends to use the land for outside recreation purposes and as an open area available to the local residents. On motion of Ald. Kavanaugh and Fredericks, Council adopted the report and the recommendation that the City terminate the lease with the Dartmouth Rotary Club for the property and request the removal of the buildings as soon as possible.

RESOLUTION #78-10

On motion of Ald. Backewich and Cote, Council adopted Resolution #78-10, renewing the provisions of an agreement with DND for an easement over property on the west side of Windmill Road at the Dockyard Annex Naval Armament Depot; a copy of the resolution is attached.

SIGN APPLICATION:  
6 DAWN DRIVE

Mr. Moir has reported to Council on a sign permit application submitted by Claude Neon Ltd. for a location at 6 Dawn Drive; a copy of the plot plan and report from the Building Inspector were both included as well. Mr. Moir has indicated in his report that the Planning Dept. and the Chief of Police do not object to the location

proposed for the billboard and Council approved the sign permit request, on motion of Ald. Kavanaugh and Smith.

NIP AREA SELECTION:  
RESOLUTION #78-12

A report from the NIP Co-ordinator, dealing with site selection for two Neighborhood Improvement Programs (1977 funding), and Resolution #78-12 prepared in this connection, have been recommended by Mr. Moir for approval, the NorthWoodside and Austenville-Downtown Areas having been recommended for the planning phase related to this program. Council adopted the recommendation, on motion of Ald. Kavanaugh and Backewich. A copy of Resolution #78-12 is attached.

ACQUISITION:  
29 WINDMILL RD.

On motion of Ald. Kavanaugh and Valardo, Council approved the acquisition of the property 29 Windmill Road for the negotiated price of \$30,000., in keeping with the policy decision to protect the viewplanes from Synott's Hill. The settlement negotiated is also subject to the two conditions set out by the Solicitors representing the Estate of Vera Conrad in their letter of April 20/78.

RESOLUTION #78-13

The Solicitor explained the intent of Resolution #78-13 , added to the agenda at this point in the meeting, and authorizing a land exchange between the City of Dartmouth and J. C. Trites Holding Ltd. The City will be exchanging approx. 20,000 sq. ft. for a triangular piece of land 40,000 sq. ft. in size. A plan showing the lands involved was available for Council's further information, and the resolution was adopted, as attached, on motion of Ald. Valardo and Williams.

KINSMEN RINK

As requested by Council, the Parks & Recreation Dept. and the Engineering Dept. have conducted an investigation into the cause of the mechanical failure of the ice-making plant at the Kinsmen Rink and into the general condition of the rink. A detailed report, outlining the repairs and renovations required, has been submitted by Mr. Rix and Mr. Atkinson, the total cost involved being in the area of \$200,000. Mr. Atkinson responded to questions on the extent of the repairs

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required to put the rink back in a satisfactory condition and several Council members questioned the wisdom of attempting to do this in view of the major expenditure involved and the location of the building in a swampy area which will continue to aggravate existing problems with the floor and the boards and supports. The general feeling was that some inexpensive 'band-aid' measures should be taken to keep the rink operating next year until the new multi-use sports/convention complex is available as another alternate rink facility. Reference was made by Mr. Atkinson to the fact that the premium for fire insurance will be increased if the walls of the rink are not covered with gyproc, as indicated in his report; there is a possibility that the building cannot be insured against fire at all without this protection.

It was felt by some of the members that the rink could be kept in operation for another year at less cost than has been projected in the report, and Ald. Crawford and Fredericks moved referral to Committee for further information on the costs involved and additional details, including the exact figures estimated to operate the rink for one more year. Ald. Cote suggested that perhaps Council should be exploring the possibility of replacing the rink with a new one in the east end of the City, in view of the major concentration of population in this area; Ald. Greenough said he concurred with this suggestion. The motion to refer carried.

#### TRANSIT REPORTS

The transit report dated April 18/78 was adopted on motion of Ald. Irvine and Fredericks.

The report dated April 26/78 was also adopted by Council, moved by Ald. Kavanaugh and seconded by Ald. Fredericks. Ald. Hart proposed a motion that would have the Transit Advisory Board look into the hiring procedures of the Dartmouth transit operation, but Council did not agree to add the motion at this time. Ald. Irvine asked if the bus serving the Port Wallis area is to be replaced with a vehicle in better condition, and Mr. Russell said



this is a priority item.

EXCAVATION PERMIT:  
STEED & EVANS

Several reports and proposed terms for a four-year permit to excavate, submitted in connection with the Steed & Evans quarry application, were before Council, the recommendations being in favour of granting the permit subject to the various stipulations set out by the Quarry Committee (and endorsed by the Lakes Advisory Board) and the City Engineer. Ald. Fredericks and Backewich moved that the permit be granted by Council, subject to the conditions and terms drafted and recommended by the City Engineer and the Quarry Committee, as endorsed by the Lakes Advisory Board. Ald. Kavanaugh proposed two additional requirements and moved in amendment as a first one that item 6 of Part One of the Quarry Committee terms include the words 'at the expense of the quarry operator'. The amendment was seconded by Ald. Fredericks but it was defeated by a vote of 7 to 6.

The second amendment moved by Ald. Kavanaugh, seconded by Ald. Brennan, changed the wording of item 19 (Part One) by deleting the word 'above' and replacing it with the words 'Part One and Part Two'. This amendment carried and the amended motion was adopted by Council. Ald. Crawford suggested that a letter be forwarded to Dr. Charles Castell, thanking him for the work he has done in carrying out water samples and compiling his lake report. The Mayor said that a note has been made of this suggestion.

EXCAVATION PERMIT:  
CRICHTON ENTERPRISES  
LTD.

An excavation permit application has been received from Crichton Enterprises Ltd for lands in north Dartmouth, east of Windmill Road and south of the A. Murray MacKay Bridge approach. The City Engineer recommends that the permit be granted, subject to the conditions stipulated in his report; Ald. Smith and Fredericks moved the adoption of the recommendation. Concern was expressed by Ald. Backewich that no provision has been included to require the company to keep the roadway free of dirt

and gravel in the area of the intersection with their driveway onto Windmill Road. The Solicitor was asked if this type of condition could be incorporated in the conditions set out by Mr. Fougere, and he suggested the following wording, which was moved in amendment by Ald. Backewich and Kavanaugh: 'The applicant shall be responsible for the cost of cleaning any materials from the site which are deposited on the public highway'. Mr. Fougere said he did not feel there would be any problem with the company because these situations are also covered under the provisions of the Motor Vehicle Act. The amendment carried, along with a second one introduced by Ald. Valardo and Backewich, requiring that dust-control measures be taken to keep the dust down on the roadway into the site. Ald. Valardo also commented on the unsatisfactory traffic control in this area previously and suggested that this point should be brought to the attention of the company. The amended motion carried.

ENVIRON. PROTECTION:  
TWINNING OF HIGHWAY 118

The Lakes Advisory Board has submitted a report to Council, indicating three main areas of concern with respect to protective measures planned for implementation during the construction phase of the twinning of Lakeview Drive (Highway 118). Ald. Fredericks and Irvine moved the adoption of the report. Ald. Kavanaugh said it is important for Council to go on record as endorsing the concerns expressed by the Board, and he moved this in amendment, also that a letter to this effect be forwarded to the Minister of the Environment with a copy to the Minister of Highways. The amendment was seconded by Ald. Fredericks and it carried.

Ald. Brennan questioned whether it is possible to implement the stabilization and grade provisions proposed by the Board, and Ald. Greenough moved in amendment that the words 'where possible' be inserted in item one of the report. The amendment was seconded by Ald. Valardo, but it was defeated. The amended motion was then put and carried (Ald. Brennan abstaining from the vote).

HERITAGE FARM MARSH

The Lakes Advisory Board has considered a proposal from the Cole Harbour Rural Heritage Society for developing a Heritage Farm complex on a site located on the Cole Harbour Road just below Bel Ayr Park, the Board's particular area of interest being the marsh area proposed for retention as part of the overall development plan. The Board recommends to Council that the Planning Dept. be requested to prepare a feasibility report, outlining methods by which this valuable marsh area could be protected and preserved for the benefit of the citizens of Dartmouth. The recommendation was adopted on motion of Ald. Irvine and Valardo. Ald. Brennan suggested that the staff study should include consideration of an amalgamation of the marsh lands under the jurisdiction of either the City or the County, as a protective measure for them.

SOCIAL SERVICES POLICY

On motion of Ald. Fredericks and Greenough, Council adopted the Metropolitan Regional Municipal Social Services Policy - Information & Procedure Manual, circulated previously in February.

NOTICES OF MOTION:

The following notices of motion were given for the next regular Council meeting:

ALD. BACKEWICH

1) Ald. Backewich: That the sum of \$20,000. be allocated to complete the corner of Albro Lake Road and Victoria Road to ease a deplorable traffic situation which affects all of the travelling public.

ALD. IRVINE

2) Ald. Irvine: To seek Council's approval to establish a committee to pursue with the Premier and the Minister of Education, the transfer of the Dept. of Education to Queens Square.

ALD. BRENNAN

3) Ald. Brennan: That funds allocated for the two NIP areas, as approved by Council on the 2nd of May, 1978, be divided on a per-capita basis.

ALD. HART

4) Ald. Hart: (a) A motion requesting Council's support in directing the Museum Co-ordinator to investigate the feasibility of moving the historic Cape Cod house located on Portland Street, and further, that a report be submitted to Council with regard to an alternate site within the City, the costing of such a venture and all possible funding sources.

(b) A motion requesting Council's support to direct staff to draw up terms of reference for the Transit Advisory Board, to include its relationship to Council in terms of decision-making, hiring practices and so on.

Council adjourned to meet in camera as Committee-of-the-Whole, on motion of Ald. Williams and Thompson. Having reconvened in open Council, the action taken in camera was ratified, on motion of Ald. Crawford and Thompson.

Meeting adjourned.

G. D. Brady,  
Deputy City Clerk.

April 1978

Resolution No. 78-10

WHEREAS an Agreement exists between the Department of National Defence and the City of Dartmouth dated the 1st day of December, 1959 granting the city the right to pass over Department of National Defence lands;

AND WHEREAS the fee for this licence is to be increased from \$188 annually to \$200 annually;

BE IT THEREFORE RESOLVED that the Mayor and City Clerk are hereby authorized and instructed to execute on behalf of the City the document attached as Schedule "A" to this resolution.

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## SUPPLEMENTARY AGREEMENT made in duplicate

BETWEEN:

HER MAJESTY THE QUEEN in right of  
Canada, represented herein by the  
Minister of National Defence (here-  
inafter referred to as "the Licensor")

AND

THE CORPORATION OF THE CITY OF  
DARTMOUTH in the Province of Nova  
Scotia (hereinafter referred to as  
"the Licensee")

SUPPLEMENTARY to an agreement dated the first day of  
December, 1959 and made between the parties hereto (hereinafter  
referred to as "the principal agreement");

WHEREAS the parties hereto wish to amend the principal  
agreement in the manner hereinafter provided;

NOW THEREFORE THIS AGREEMENT WITNESSETH that it is  
mutually agreed as follows:

1. In lieu of the words in clause 1(a) of the principal  
agreement:

"to pay to the Licensor by way of acknowledgement  
that this leave and licence exists only by leave  
of the Licensor and not by any right or title  
whatsoever the annual sum of One Hundred and  
Eighty-Eight Dollars (\$188.00) in advance; PROVIDED  
THAT on or after the first day of November 1973,  
the said annual payment of One Hundred and Eighty-  
Eight Dollars (\$188.00) may from time to time be  
increased not more often than once during any  
consecutive twelve-month period in an amount to  
be determined by the Licensor, whereupon the  
Licensee shall pay the Licensor such increased  
amount effective the date specified by the Licensor  
upon notice to that effect received from the  
Licensor;"

there shall be substituted the following:

"to pay to the Licensor by way of acknowledgement  
that this leave and licence exists only by leave  
of the Licensor and not by any right or title  
whatsoever the annual sum of Two Hundred Dollars  
(\$200.00) in advance; PROVIDED THAT on or after  
the first day of November 1977, the said annual  
payment of Two Hundred Dollars (\$200.00) may from  
time to time be increased not more often than  
once during any consecutive twelve-month period  
in an amount to be determined by the Licensor,  
whereupon the Licensee shall pay the Licensor such  
increased amount effective the date specified by  
the Licensor upon notice to that effect received  
from the Licensor;"

2. The effective date of this substitution shall be the first day of November, 1976.

IN WITNESS WHEREOF this agreement has been executed by the Deputy Minister of National Defence on behalf of the Minister of National Defence representing Her Majesty the Queen in right of Canada and by The Corporation of the City of Dartmouth by the affixing hereto of its corporate seal attested by the hands of its officers duly authorized in that behalf, this \_\_\_\_\_ day of 1976.

SIGNED, SEALED AND DELIVERED )  
on behalf of Her Majesty the )  
Queen in right of Canada, in )  
the presence of: )

..... )

Witness

DEPARTMENT OF NATIONAL DEFENCE

.....

Deputy Minister

) THE CORPORATION OF THE CITY OF  
) DARTMOUTH

.....

.....

May, 1978

RESOLUTION NO. 78-12

WHEREAS under amendments to the National Housing Act and pursuant to the Housing Development Act, financial assistance by way of loans and grants may be made to municipalities for the purposes of improving selected neighbourhoods in those municipalities;

AND WHEREAS the City of Dartmouth wishes to continue its participation in the Neighbourhood Improvement Program established pursuant to an agreement entered into between Central Mortgage and Housing Corporation and the Province of Nova Scotia dated the 24th day of August, 1977.

BE IT THEREFORE RESOLVED by the Council of the City of Dartmouth as follows:

1. that the City Administrator, on behalf of the City of Dartmouth, be and is hereby authorized to make applications to Central Mortgage and Housing Corporation for grants to assist in the planning of a neighbourhood or neighbourhoods in the municipality;
  2. that the City Administrator, on behalf of the City of Dartmouth, be and is hereby authorized to make applications to the Nova Scotia Housing Commission for grants for the purpose of planning a neighbourhood or neighbourhoods in the municipality.
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RESOLUTION NO. <sup>#78-13</sup>

2 MAY 1978

WHEREAS the City has agreed to convey to J.C. Trites Holding Limited the land formerly intended to be used for a railway spur line and more particularly described in Schedule "B" hereto in exchange for a deed to the City for land described in Schedule "A" hereto.

BE IT RESOLVED that the Mayor and the City Clerk are hereby authorized to execute on behalf of the City a Deed conveying to J.C. Trites Holding Limited the land described in Schedule "B" hereto provided that J.C. Trites Holding Limited grants to the City the lands described in Schedule "A" hereto.

SCHEDULE "A"

DESCRIPTION OF LOT L-1C3X  
J. C. TRITES HOLDINGS LTD. & CITY OF DARTMOUTH

All that certain lot, piece or parcel of land situate, lying and being in Burnside in Dartmouth, Nova Scotia, said lot being shown as Lot L-1C3X on a plan entitled "Resubdivision of lands of J. C. Trites Holdings Ltd. & City of Dartmouth" prepared by John A. McElmon & Associates Ltd., dated December 19, 1977, which said plan was approved by the City of Dartmouth and is on file at the Registry Office for Halifax County, said lot being more particularly described as follows:

Beginning at a point on the northwestern boundary of lands of Shell Oil Company Ltd. said point being distant three hundred forty-six and seven hundredths feet (346.07') from the southwestern boundary of MacDonald Avenue;

Thence S  $37^{\circ}-08'-02''$  W along the northwestern boundary of said lands of Shell Oil Company Ltd., five hundred thirty and twenty-one hundredths feet (530.21') to the northeastern boundary of a proposed industrial lead track owned by the City of Dartmouth;

Thence N  $26^{\circ}-17'-52''$  W along the northeastern boundary of said proposed industrial lead track one hundred fifty-nine and twenty-six hundredths feet (159.26') to the most southerly angle of Lot W;

Thence N  $52^{\circ}-47'-50''$  E along the southeastern boundary of Lot W, four hundred twenty-three and eighty-eight hundredths feet (423.88') to an angle in said boundary;

Thence N  $65^{\circ}-56'-06''$  E and continuing along the southeastern boundary of Lot W, fifty-eight and two hundredths feet (58.02') more or less to point of beginning, all bearings being astronomic (grid) referenced to Meridian  $64^{\circ}-30'$  W, being the central meridian for Zone 5 of the  $3^{\circ}$  transverse mercator projection, the herein described lot containing an area of 40,567 square feet more or less.

SCHEDULE "B"

ALL that certain lot of land situate, lying and being southwest of MacDonald Avenue in the district of Burnside, City of Dartmouth, Province of Nova Scotia, shown as Portion L-1A on a plan of lands owned by J. C. Trites Holding Limited and the City of Dartmouth, signed by Granville Leopold, N.S.L.S., dated May 1, 1975 and described as follows:

BEGINNING at a point in the northwestern boundary of Lot 5 of the Dartmouth Industrial Park, said point being S 37° 07' 42" W a distance of 283.54 feet from the southwestern boundary of MacDonald Avenue at the most northern corner of Lot 5;

THENCE S 37° 07' 42" W, 54.54 feet along the northwestern boundary of Lot 5;

THENCE S 84° 18' 06" W, 397.3 feet to the beginning of a curve to the right;

THENCE Westerly following the said curve to the right which has a radius of 403.06 feet for a distance of 125.77 feet to the intersection of the said curve with the eastern boundary of a proposed industrial lead track right-of-way as shown on the above-mentioned plan;

THENCE N 26° 17' 54" W, 53.01 feet along the said right-of-way boundary;

THENCE Northeasterly following a curve to the left which has a radius of 363.06 feet for a distance of 146.31 feet;

THENCE N 84° 18' 06" E, 434.88 feet to the place of beginning.

ALL bearings are referred to a transverse mercator grid, 3° Zone.

CONTAINING an area of 22,086 Square Feet.



Province of Nova Scotia

## Department of Municipal Affairs

P.O. Box 216, Halifax, Nova Scotia B3J 2M4

### ADVISORY SERVICES DIVISION

May 10, 1978

Mr. N. C. Cohoon  
City Clerk  
City of Dartmouth  
P. O. Box 817  
Dartmouth, Nova Scotia  
B2Y 3Z3

Dear Mr. Cohoon:

RE: Issuing Resolution - \$ 6,000,000 - General Purposes

Enclosed please find one copy of the above mentioned resolution, which was passed by your Council on May 2, 1978, and bears the approval of the Minister of Municipal Affairs dated May 4, 1978.

Sincerely,

A. A. Cameron  
DIRECTOR

/dab  
encl. (1)

City of Dartmouth  
Issuing Resolution

\$6,000,000

for General Purposes

1. WHEREAS the City of Dartmouth is authorized by law to borrow by the issue and sale of debentures of the City a sum not exceeding Fifty Thousand Dollars (\$50,000) for the purpose of erecting, acquiring, purchasing, altering, adding to, improving, furnishing or equipping buildings for school and acquiring or purchasing or improving land for such buildings;

2. AND WHEREAS pursuant to a resolution passed by the City Council on the 13th day of August, 1974, the Council postponed the issue of debentures and, with the approval of the Minister of Municipal Affairs dated the 18th day of March, 1975, borrowed from the Canadian Imperial Bank of Commerce at Dartmouth a sum not exceeding Fifty Thousand Dollars (\$50,000) for the purpose set out above, for a period not exceeding twelve months;

3. AND WHEREAS pursuant to the resolution hereinbefore recited and pending the issue and sale of debentures, the City of Dartmouth has borrowed by way of temporary loan from the Canadian Imperial Bank of Commerce in Dartmouth for the purpose set out in paragraph one above the sum of Fifty Thousand Dollars (\$50,000) for the purpose hereinafter set forth:

For the purpose set out in paragraph one (1)  
hereof the sum of Fifty Thousand Dollars

\$50,000

4. AND WHEREAS the City of Dartmouth is authorized by law to borrow by the issue and sale of debentures of the City a sum not exceeding One Hundred Sixty-seven Thousand Five Hundred Dollars (\$167,500) for the purpose of acquiring, or purchasing materials, machinery, equipment, apparatus, implements and plant deemed requisite or advisable for the carrying out of any city purpose; namely for acquiring equipment for maintaining the streets and roads and water system of the City;

5. AND WHEREAS pursuant to a resolution passed by the City Council on the 6th day of September, 1977, the Council postponed the issue of debentures and, with the approval of the Minister of Municipal Affairs dated the 21st day of September, 1977, borrowed from the Royal Bank of Canada at Dartmouth a sum not exceeding One Hundred Sixty-seven Thousand Five Hundred Dollars (\$167,500) for the purpose set out above in paragraph four, for a period not exceeding twelve months;

6. AND WHEREAS the City of Dartmouth is authorized by law to borrow by the issue and sale of debentures of the City a sum not exceeding One Million Fifteen Thousand Dollars (\$1,015,000) 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; namely for the purpose of constructing streets in the City, specifically for the purpose of completing the 1977 Capital Works Program;

7. AND WHEREAS pursuant to a resolution passed by the City Council on the 6th day of September, 1977, the Council postponed the issue of debentures and, with the approval of the Minister of Municipal Affairs dated the 22nd day of September, 1977, borrowed from the Royal Bank of Canada at Dartmouth a sum not exceeding One Million Fifteen Thousand Dollars (\$1,015,000) for the purpose set out in paragraph six above for a period not exceeding twelve months;

...../2

8. AND WHEREAS pursuant to the resolutions hereinbefore recited and pending the issue and sale of debentures, the City of Dartmouth has borrowed by way of temporary loan from the Royal Bank of Canada in Dartmouth for the purposes set out in paragraphs four and six above the sum of One Million One Hundred Eighty-two Thousand Dollars (\$1,182,000) for the purposes hereinafter set forth:

For the purpose set forth in paragraph four hereof the sum of One Hundred Sixty-seven Thousand Dollars \$ 167,000

For the purpose set forth in paragraph six hereof the sum of One Million Fifteen Thousand Dollars 1,015,000

\$1,182,000

9. AND WHEREAS the City of Dartmouth is authorized by law to borrow by the issue and sale of debentures of the City a sum not exceeding Eighty-five Thousand Dollars (\$85,000) for the purpose of equipping a fire department for the City or acquiring or purchasing apparatus, machinery and implements for use in extinguishing fires in the City, specifically for the purpose of completing the 1977 capital works program;

10. AND WHEREAS pursuant to a resolution passed by the City Council on the 6th day of September, 1978, the Council postponed the issue of debentures and, with the approval of the Minister of Municipal Affairs dated the 21st day of September, 1978, borrowed from the Royal Bank of Canada at Dartmouth a sum not exceeding Eighty-five Thousand Dollars (\$85,000) for the purpose set out in paragraph nine above, for a period not exceeding twelve months;

11. AND WHEREAS pursuant to the resolution hereinbefore recited and pending the issue and sale of debentures, the City of Dartmouth has borrowed by way of temporary loan from the Royal Bank of Canada in Dartmouth for the purpose set out in paragraph nine above the sum of Eighty-five Thousand Dollars (\$85,000) for the purpose hereinafter set forth:

For the purpose set forth in paragraph nine hereof the sum of Eighty-five Thousand Dollars \$ 85,000

12. AND WHEREAS the City of Dartmouth is authorized by law to borrow by the issue and sale of debentures of the City a sum not exceeding Fifty Thousand Dollars (\$50,000) for the purpose of improving land in the City of Dartmouth by landscaping an area of the waterfront;

13. AND WHEREAS pursuant to a resolution passed by the City Council on the 4th day of July, 1972, the Council postponed the issue of debentures and, with the approval of the Minister of Municipal Affairs dated the 1st day of August, 1972, borrowed from the Royal Bank of Canada at Dartmouth a sum not exceeding Fifty Thousand Dollars (\$50,000) for the purpose set out in paragraph twelve above, for a period not exceeding twelve months;

14. AND WHEREAS pursuant to the resolution hereinbefore recited and pending the issue and sale of debentures the City of Dartmouth has borrowed by way of temporary loan from the Royal Bank of Canada in Dartmouth for the purpose set out in paragraph twelve above, the sum of Fifty Thousand Dollars (\$50,000) for the purpose hereinafter set forth:

For the purpose set forth in paragraph twelve hereof the sum of Fifty Thousand Dollars \$ 50,000

15. AND WHEREAS the City of Dartmouth is authorized by law to borrow by the issue and sale of debentures of the City a sum not exceeding One Hundred Thirty-three Thousand Dollars (\$133,000) for the purpose of acquiring or purchasing or improving land for a city purpose;

16. AND WHEREAS Section 161(a) of Chapter 89 of the Statutes of Nova Scotia, 1970, the Dartmouth City Charter, provides that the City Council may authorized the establishing purchasing or otherwise obtaining, controlling, improving, maintaining or extending parks athletic or exhibition grounds or buildings or other properties for the use in the City, either within or without the limits of the City;

17. AND WHEREAS pursuant to resolutions passed by the City Council on the 13th day of August, 1974, the Council postponed the issue of debentures, and with the approval of the Minister of Municipal Affairs dated the 18th day of March, 1975, the Council borrowed from the Bank of Nova Scotia at Dartmouth a sum not exceeding Five Hundred Twenty Thousand Dollars (\$520,000) for the purpose set out in paragraph fifteen above, for a period not exceeding twelve months;

18. AND WHEREAS pursuant to a resolution passed by the City Council on the 29th day of June, 1976, and approved by the Minister of Municipal Affairs dated the 8th day of July, 1976, the Council issued debentures in the total principal amount of Three Million Six Hundred Thousand Dollars (\$3,600,000) of which the sum of Three Hundred Eighty-seven Thousand Dollars (\$387,000) was applied to the said purpose leaving a balance of One Hundred Thirty-three Thousand Dollars (\$133,000) still authorized to be borrowed for the purpose set out in paragraph fifteen above;

19. AND WHEREAS pursuant to the resolutions hereinbefore recited and pending the issue and sale of debentures, the City of Dartmouth has borrowed by way of temporary loan from the Bank of Nova Scotia at Dartmouth a sum not exceeding One Hundred Thousand Dollars (\$100,000) for the purpose hereinafter set forth:

For the purpose set forth in paragraph fifteen above hereof the sum of One Hundred Thousand Dollars

\$100,000

20. AND WHEREAS the City of Dartmouth is authorized by law to borrow by the issue and sale of debentures of the City a sum not exceeding Seven Hundred Twenty-five Thousand Dollars (\$725,000) for the purpose of constructing, altering, extending and improving public sewers or drains for the City and acquiring or purchasing materials, machinery, implements or plant deemed requisite or advisable therefor, or for maintaining such public sewers or drains;

21. AND WHEREAS pursuant to a resolution passed by the Council on the 15th day of July, 1975, the Council postponed the issue of debentures and, with the approval of the Minister of Municipal Affairs dated the 11th day of September, 1975, borrowed from the Royal Bank of Canada at Dartmouth a sum not exceeding Seven Hundred Twenty-five Thousand Dollars (\$725,000) for the purpose set out in paragraph twenty above, for a period not exceeding twelve months;

22. AND WHEREAS the City of Dartmouth is authorized by law to borrow by the issue and sale of debentures of the City a sum not exceeding Two Hundred Forty-one Thousand Dollars (\$241,000) for the purpose of constructing, altering, extending and improving public sewers or drains for the City and acquiring or purchasing materials, machinery, implements and plant deemed requisite or advisable therefor, or for maintaining such public sewers or drains;

23. AND WHEREAS pursuant to a resolution passed by the Council on the 21st day of September, 1976, the Council postponed the issue of debentures, and with the approval of the Minister of Municipal Affairs dated the 14th day of October, 1976, borrowed from the Royal Bank of Canada at Dartmouth a sum not exceeding Two Hundred Forty-one Thousand Dollars (\$241,000) for the purpose set out in paragraph twenty-two above, for a period not exceeding twelve months;

24. AND WHEREAS the City of Dartmouth is authorized by law to borrow by the issue of debentures of the City, a sum not exceeding Nine Hundred Sixty-six Thousand Three Hundred Dollars for the purpose of constructing, acquiring, altering, extending and improving public sewers or drains for the City, or any part thereof, and acquiring or purchasing materials, machinery, implements or plant deemed requisite or advisable therefor or for maintaining such public sewers or drains, specifically for the purpose of completing the 1977 capital works program;

25. AND WHEREAS pursuant to a resolution passed by the City Council on the 6th day of September, 1977, the Council postponed the issue of debentures and, with the approval of the Minister of Municipal Affairs dated the 21st day of September, 1977, borrowed from the Royal Bank of Canada at Dartmouth a sum not exceeding Nine Hundred Sixty-six Thousand Three Hundred Dollars (\$966,300) for the purpose set out in paragraph twenty-four above, for a period not exceeding twelve months;

26. AND WHEREAS pursuant to the resolutions hereinbefore recited and pending the issue and sale of debentures, the City of Dartmouth has borrowed by way of temporary loan from the Royal Bank of Canada for the purposes set out in paragraphs twenty, twenty-two, and twenty-four above the sum of One Million Eight Hundred Forty-seven Thousand Dollars (\$1,847,000) for the purposes hereinafter set forth:

For the purpose set out in paragraph twenty hereof the sum of Seven Hundred Twenty-five Thousand Dollars	\$ 725,000
For the purpose set out in paragraph twenty-two hereof the sum of Two Hundred Forty-one Thousand Dollars	241,000
For the purpose set out in paragraph twenty-four hereof the sum of Eight Hundred Eighty-one Thousand Dollars	881,000
	<u>\$1,847,000</u>

27. AND WHEREAS the City of Dartmouth is authorized by law to borrow by the issue and sale of debentures of the City a sum not exceeding One Million Nine Hundred Ninety-seven Thousand Dollars (\$1,997,000) for the purpose of erecting, acquiring, purchasing, altering, adding to, improving, furnishing or equipping buildings for City purposes;



28. AND WHEREAS pursuant to a resolution passed by the Council on the 13th day of August, 1974, the Council postponed the issue of debentures and, with the approval of the Minister of Municipal Affairs dated the 18th day of March, 1975, borrowed from the Canadian Imperial Bank of Commerce at Dartmouth a sum not exceeding Fifty Thousand Dollars (\$50,000) for the purpose set out above, for a period not exceeding twelve months;

29. AND WHEREAS pursuant to a resolution passed by the Council on the 15th day of July, 1975, the Council postponed the issue of debentures and, with the approval of the Minister of Municipal Affairs dated the 11st day of September, 1975, borrowed from the Canadian Imperial Bank of Commerce at Dartmouth a sum not exceeding Eight Hundred Thousand Dollars (\$800,000) for the purpose set out above, for a period not exceeding twelve months, establishing a balance of Eight Hundred Fifty Thousand Dollars (\$850,000) authorized to be borrowed;

30. AND WHEREAS pursuant to a resolution passed by the Council on the 21st day of September, 1976, the Council postponed the issue of debentures and, with the approval of the Minister of Municipal Affairs dated the 14th day of October, 1975, borrowed from the Canadian Imperial Bank of Commerce at Dartmouth an additional sum not exceeding One Million Fifteen Thousand Dollars (\$1,015,000) establishing a balance of One Million Eight Hundred Sixty-five Thousand Dollars (\$1,865,000) authorized to be borrowed for the purpose set out in paragraph twenty-seven above, for a period not exceeding twelve months;

31. AND WHEREAS pursuant to a resolution passed by the Council on the \_\_\_\_\_ day of \_\_\_\_\_, 1978, the Council postponed the issue of debentures and, with the approval of the Minister of Municipal Affairs dated the \_\_\_\_\_ day of \_\_\_\_\_, 1978, borrowed from the Canadian Imperial Bank of Commerce at Dartmouth a sum not exceeding One Hundred Thirty-two Thousand Dollars (\$132,000) establishing a balance of One Million Nine Hundred Ninety-seven Thousand Dollars (\$1,997,000) authorized to be borrowed for the purpose set out in paragraph twenty-seven above, for a period not exceeding twelve months;

32. AND WHEREAS pursuant to the resolutions hereinbefore recited and pending the issue and sale of debentures, the City of Dartmouth has borrowed by way of temporary loan from the Canadian Imperial Bank of Commerce at Dartmouth a sum not exceeding One Million Nine Hundred Ninety-seven Thousand Dollars (\$1,997,000) for the purpose hereinafter set forth:

For the purpose set forth in paragraph twenty-seven hereof the sum of One Million Nine Hundred Ninety-seven Thousand Dollars \$1,997,000

33. AND WHEREAS the City of Dartmouth is authorized by law to borrow by the issue and sale of debentures of the City a sum not exceeding Three Hundred Thousand Dollars (\$300,000) for the purpose of acquiring or purchasing or improving land for any City purposes;

34. AND WHEREAS pursuant to a resolution passed by the City Council on the 15th day of July, 1975, the Council postponed the issue of debentures, and with the approval of the Minister of Municipal Affairs dated the 11th day of September, 1975, the Council borrowed from the Bank of Nova Scotia at Dartmouth a sum not exceeding Three Hundred Thousand Dollars (\$300,000) for the purpose set out in paragraph thirty-three above, for a period not exceeding twelve months;

35. AND WHEREAS the City of Dartmouth is authorized by law to borrow by the issue and sale of debentures of the City a sum not exceeding Five Hundred Nineteen Thousand Dollars (\$519,000) for the purpose of constructing, acquiring, altering, extending or improving waterworks or water system for the City, and acquiring or purchasing materials, machinery, implements or plant deemed requisite or advisable therefor or for maintaining such water works or water system; specifically for the purpose of completing the 1977 capital works program;

36. AND WHEREAS pursuant to a resolution passed by the City Council on the 6th day of September, 1977, the Council postponed the issue of debentures and, with the approval of the Minister of Municipal Affairs dated the 22nd day of September, 1977, borrowed from the Bank of Nova Scotia in Dartmouth a sum not exceeding Five Hundred Nineteen Thousand Dollars (\$519,000) for the purpose set out in paragraph thirty-five above, for a period not exceeding twelve months;

37. AND WHEREAS the City of Dartmouth is authorized by law to borrow by the issue and sale of debentures of the City a sum not exceeding Seventy Thousand Dollars (\$70,000) for the purpose of constructing, acquiring, altering, extending or improving waterworks or water system for the City, and acquiring or purchasing materials, machinery, implements and plant deemed requisite or advisable therefor or for maintaining such water works or water system;

38. AND WHEREAS pursuant to a resolution passed by the City Council on the 2nd day of May, 1978, the Council postponed the issue of debentures and, with the approval of the Minister of Municipal Affairs dated the 4th day of May, 1978, borrowed from the Bank of Nova Scotia at Dartmouth a sum not exceeding Seventy Thousand Dollars (\$70,000) for the purpose set out in paragraph thirty-seven above, for a period not exceeding twelve months;

39. AND WHEREAS pursuant to the resolutions hereinbefore recited and pending the issue and sale of debentures, the City of Dartmouth has borrowed by way of temporary loan from the Bank of Nova Scotia in Dartmouth for the purposes set out in paragraphs thirty-three, thirty-five and thirty-seven above the total sum of Six Hundred Eighty-nine Thousand Dollars (\$689,000) for the purposes hereinafter set forth:

For the purpose set out in paragraph thirty-three hereof the sum of One Hundred Thousand Dollars	\$100,000
For the purpose set out in paragraph thirty-five hereof the sum of Five Hundred Nineteen Thousand Dollars	519,000
For the purpose set out in paragraph thirty-seven hereof the sum of Seventy Thousand Dollars	70,000
	<u>\$689,000</u>

40. AND WHEREAS it is now deemed necessary to issue and sell debentures and to repay to the Bank a portion of the sum so borrowed;

BE IT THEREFORE RESOLVED

41. THAT Six Thousand (6,000) debentures for One Thousand Dollars (\$1,000) each be issued and sold;

42. THAT the debentures be numbered consecutively 78-J-001 to 78-J-6000 inclusive;

43. THAT the debentures be dated the 1st day of July, 1978;

44. THAT the debentures be payable as follows:

Debenture Numbers:

78-J- 001 to 78-J- 300 incl., in one year from date thereof;  
78-J- 301 to 78-J- 600 incl., in two years from date thereof;  
78-J- 601 to 78-J- 900 incl., in three years from date thereof;  
78-J- 901 to 78-J-1200 incl., in four years from date thereof;  
78-J-1201 to 78-J-1500 incl., in five years from date thereof;  
78-J-1501 to 78-J-1800 incl., in six years from date thereof;  
78-J-1801 to 78-J-2100 incl., in seven years from date thereof;  
78-J-2101 to 78-J-2400 incl., in eight years from date thereof;  
78-J-2401 to 78-J-2700 incl., in nine years from date thereof;  
78-J-2701 to 78-J-3000 incl., in ten years from date thereof;  
78-J-3001 to 78-J-3300 incl., in eleven years from date thereof;  
78-J-3301 to 78-J-3600 incl., in twelve years from date thereof;  
78-J-3601 to 78-J-3900 incl., in thirteen years from date thereof;  
78-J-3901 to 78-J-4200 incl., in fourteen years from date thereof;  
78-J-4201 to 78-J-4500 incl., in fifteen years from date thereof;  
78-J-4501 to 78-J-4800 incl., in sixteen years from date thereof;  
78-J-4801 to 78-J-5100 incl., in seventeen years from date thereof;  
78-J-5101 to 78-J-5400 incl., in eighteen years from date thereof;  
78-J-5401 to 78-J-5700 incl., in nineteen years from date thereof;  
78-J-5701 to 78-J-6000 incl., in twenty years from date thereof;

45. THAT the debentures be payable at any office of the Royal Bank of Canada in Nova Scotia, and at the principal office of the Bank in Saint John, Charlottetown, Montreal or Toronto at the option of the holder;

46. THAT debentures numbered 78-J-001 to 78-J-1500 inclusive shall bear interest at the rate of nine and one half per centum (  $9\frac{1}{2}$  %) per annum, and debentures numbered 78-J-1501 to 78-J-3000 inclusive shall bear interest at the rate of nine and three quarters per centum (  $9\frac{3}{4}$  %) per annum, and debentures numbered 78-J-3001 to 78-J-6000 inclusive shall bear interest at the rate of ten per centum ( 10 %) per annum, payable semi-annually at the offices of the Bank set out above;

47. THAT the Finance Committee of the City be hereby authorized to change the rate of interest from the rate set out in this resolution, on behalf of the City, pursuant to Section 11 of the Municipal Affairs Act;

48. THAT a resolution of this Committee changing the interest rate must be passed before the debentures are sold and shall not be effective unless a true copy thereof certified by the Clerk as having been duly passed unanimously, or certified by members purporting to be all the members of the Committee, has been filed with the Minister of Municipal Affairs, and the Minister has approved of the resolution unless the change in the interest rate is not more than one quarter of one per cent in which case the Minister's approval is not required, pursuant to Section 11 of the Municipal Affairs Act;

49. THAT the Mayor of the City sign the debentures or have them impressed with a printed facsimile of his signature and the Clerk countersign the debentures, that they seal them with the seal of the City, and that the Clerk sign the interest coupons or have them impressed with a facsimile of his signature;

50. THAT the Mayor and Clerk of the City sell and deliver the debentures at such price, to such person and in such manner as they shall deem proper;

51. THAT the Mayor and Clerk be hereby authorized to change the sums of the debentures from the sums set out in this resolution provided that they shall not change the total principal amount payable in any one year, pursuant to Section 11 of the Municipal Affairs Act;

52. THAT pursuant to Section 11 of the Municipal Affairs Act the Mayor and Clerk are authorized to exchange for debentures falling due in any one year debentures of equal face value and at the same rate of interest but in different denominations falling due in the same year;

53. THAT the City Clerk be the Registrar of the Debentures;

54. THAT the amount borrowed from the Bank be repaid to the Bank out of the proceeds of the debentures when sold.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution duly passed at a duly called meeting of the Council of the City of Dartmouth held on the 2nd day of May 1978 .

GIVEN under the hands of the Mayor and Clerk and under the seal of the City this 3rd day of May , 1978 .

APPROVED  
AS TO FORM  
*[Signature]*  
SOLICITOR

*[Signature: Daniel P. Bourne]*

MAYOR

*[Signature]*

DEPUTY CLERK

DEPARTMENT OF MUNICIPAL AFFAIRS

Recommended for  
approval of the Council

*[Signature]*

APPROVED this *3rd* day  
of *May* 1978

*[Signature]*  
Municipal Affairs

<u>PURPOSE</u>	<u>FILE #</u>	<u>AMOUNT</u>	<u>PAGES</u>	<u>PARAGRAPHS</u>
PAVING				
Street Equipment	77-2	\$ 167,000	1, 2	4, 5, 8
7 Street Paving	77-10	1,015,000	1, 2	6, 7, 8
-----				
SEWER				
1975 Storm Drainage	75-24	725,000	3, 4	20, 21, 26
1976 Storm Drainage	76-12	241,000	3, 4	22, 23, 26
1977 Sewer and Storm Drainage	77-5	881,000	4	24, 25, 26
-----				
WATER				
Watershed Land	75-9	100,000	5, 6	33, 34, 39
1977 Water	77-12	519,000	6	35, 36, 39
Water	78-2	70,000	6	37, 38, 39
-----				
GENERAL				
Park - Greenvale School	74-20	50,000	1	1, 2, 3
Fire Equipment	77-4	85,000	2	9, 10, 11
Landscaping	72-4	50,000	2	12, 13, 14
Park Land Purchase	74-18	100,000	3	15, 16, 17, 18, 19
Works Centre	74-27 75-17 76-6	1,997,000	4, 5	27, 28, 29, 30, 31, 32
-----				
TOTAL		<u>\$6,000,000</u>		

City of Dartmouth  
Temporary Borrowing Resolution

\$70,000

for Water - 78-2

WHEREAS the Municipal Affairs Act provides that the City of Dartmouth may, subject to the approval of the Minister of Municipal Affairs, borrow for the purpose of constructing, acquiring, altering, extending or improving waterworks or water system for the City, and acquiring or purchasing materials, machinery, implements and plant deemed requisite or advisable therefor or for maintaining such water works or water system;

AND WHEREAS clause 8(1)(b) of the Municipal Affairs Act provides that no money shall be so borrowed until the City Council has obtained the approval of the ratepayers to the proposed borrowing at a public meeting, and by Chapter 64 of the Acts of 1961, the City of Dartmouth Act, it is enacted that the said provision shall not apply to a borrowing unless the Minister of Municipal Affairs so requires;

AND WHEREAS the Minister of Municipal Affairs has not required that the approval of the ratepayers be obtained;

BE IT THEREFORE RESOLVED

THAT under the authority of the Municipal Affairs Act the City of Dartmouth borrow a sum not exceeding Seventy Thousand Dollars (\$70,000) for the purpose set out above, subject to the approval of the Minister of Municipal Affairs;

THAT this sum be borrowed by the issue and sale of debentures of the City to such an amount as the City Council deems necessary;

THAT the issue of debentures be postponed pursuant to Section 236 of the Dartmouth City Charter and that the City Council authorized the City Treasurer to borrow from time to time on behalf of the City a sum not exceeding Seventy Thousand Dollars (\$70,000) from the Bank of Nova Scotia in Dartmouth;

THAT the sum be borrowed from the Bank for a period not exceeding twelve months from the date of the approval of the Minister of Municipal Affairs of this resolution;

THAT the interest payable on the borrowing be paid to the Bank at a rate to be agreed upon; and

THAT the amount borrowed be repaid to the Bank from the proceeds of the debentures when sold.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution duly passed at a duly called meeting of the Council of the City of Dartmouth held on the 2nd day of May, 1978.

GIVEN under the hands of the Mayor and Clerk and under the seal of the City this 4th day of May, 1978.

*[Handwritten signatures and stamps in the bottom left corner, including a date stamp 'MAY 19 1978' and a stamp 'Municipal Affairs']*

*[Handwritten signature]*

*[Handwritten signature: Samuel P. Brantford]*  
MAYOR

*[Handwritten signature]*  
DEPUTY CLERK

City of Dartmouth  
Temporary Borrowing Resolution

\$132,000

for Works Centre - 76-6  
(additional)

WHEREAS the Municipal Affairs Act provides that the City of Dartmouth may, subject to the approval of the Minister of Municipal Affairs, borrow for the purpose of erecting, acquiring, purchasing, altering, adding to, improving, furnishing or equipping buildings for City purposes;

AND WHEREAS clause 8(1)(b) of the Municipal Affairs Act provides that no money shall be borrowed until the City Council has obtained the approval of the ratepayers to the proposed borrowing at a public meeting, and by Chapter 64 of the Acts of 1961, the City of Dartmouth Act, it is enacted that the said provision shall not apply to a borrowing unless the Minister of Municipal Affairs so requires;

AND WHEREAS the Minister of Municipal Affairs has not required that the approval of the ratepayers be obtained;

BE IT THEREFORE RESOLVED

THAT under the authority of the Municipal Affairs Act the City of Dartmouth borrow a sum not exceeding One Hundred Thirty-two Thousand Dollars (\$132,000), in addition to the amount previously authorized to be borrowed for the purpose set out above, subject to the approval of the Minister of Municipal Affairs;

THAT this sum be borrowed by the issue and sale of debentures of the City to such an amount as the City Council deems necessary;

THAT the issue of the debentures be postponed pursuant to Section 236 of the Dartmouth City Charter and that the City Council authorized the City Treasurer to borrow from time to time on behalf of the City an additional sum not exceeding One Hundred Thirty-two Thousand Dollars (\$132,000) from the Canadian Imperial Bank of Commerce at Dartmouth;

THAT the sum be borrowed from the Bank for a period not exceeding twelve months from the date of the approval of the Minister of Municipal Affairs of this resolution;

THAT the interest payable on the borrowing be paid to the Bank at a rate to be agreed upon; and

THAT the amount borrowed be repaid to the Bank from the proceeds of the debentures when sold.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution duly passed at a duly called meeting of the Council of the City of Dartmouth held on the 2nd day of May, 1978.

GIVEN under the hands of the Mayor and Clerk and under the seal of the City this 4th day of May, 1978.

APPROVED  
CITY CLERK  
*[Signature]*  
CITY CLERK

DEPARTMENT OF MUNICIPAL AFFAIRS  
Recommended for  
signature of the Minister  
*[Signature]*  
Deputy Minister  
This resolution was passed on the 4th day  
of May, 1978  
*[Signature]*  
Minister of Municipal Affairs

*[Signature]*  
MAYOR  
*[Signature]*  
DEPUTY CLERK



Province of Nova Scotia

## Department of Municipal Affairs

P.O. Box 216, Halifax, Nova Scotia B3J 2M4

### ADMINISTRATION DIVISION

May 18, 1978

Mr. Neil C. Cohoon,  
City Clerk-Treasurer,  
City of Dartmouth,  
P.O. Box 817,  
Dartmouth, Nova Scotia,  
B2Y 3Z3.

Dear Mr. Cohoon:

Re: Resolution No. 78-13  
Exchange of Lands - J. C. Trites Holding Limited

This Resolution, concerning the exchange of City lands for lands owned by J. C. Trites Holding Limited, was passed at a meeting of City Council held on May 2, 1978. The Minister of Municipal Affairs has approved the Resolution and I return a copy bearing his approval dated May 15, 1978. I wonder if, in future, you could submit plans of areas being sold or exchanged so that it would be easier for us to identify the location and size of the properties.

Yours very truly,

F. Robertson (Mrs.)  
Departmental Solicitor.

Encl.

FR/gml



WHEREAS the City has agreed to convey to J.C. Trites Holding Limited the land formerly intended to be used for a railway spur line and more particularly described in Schedule "B" hereto in exchange for a deed to the City for land described in Schedule "A" hereto.

BE IT RESOLVED that the Mayor and the City Clerk are hereby authorized to execute on behalf of the City a Deed conveying to J.C. Trites Holding Limited the land described in Schedule "B" hereto provided that J.C. Trites Holding Limited grants to the City the lands described in Schedule "A" hereto.

I, N. C. Cohoon, City Clerk of the City of Dartmouth, do hereby certify that the foregoing is a true and correct copy of Resolution 78-13 of the City of Dartmouth, passed by City Council on May 2, 1978.

DEPARTMENT OF MUNICIPAL AFFAIRS	
Recommended for approval of the Minister	
<i>J.R. Robertson</i>	
APPROVED <i>15th</i>	
of <i>May 15 1978</i>	
<i>[Signature]</i>	
Minister of Municipal Affairs	

*[Signature]*  
N. C. Cohoon  
City Clerk

DESCRIPTION OF LOT L-1C3X  
J. C. TRITES HOLDINGS LTD. & CITY OF DARTMOUTH

All that certain lot, piece or parcel of land situate, lying and being in Burnside in Dartmouth, Nova Scotia, said lot being shown as Lot L-1C3X on a plan entitled "Resubdivision of lands of J. C. Trites Holdings Ltd. & City of Dartmouth" prepared by John A. McElmon & Associates Ltd., dated December 19, 1977, which said plan was approved by the City of Dartmouth and is on file at the Registry Office for Halifax County, said lot being more particularly described as follows:

Beginning at a point on the northwestern boundary of lands of Shell Oil Company Ltd. said point being distant three hundred forty-six and seven hundredths feet (346.07') from the southwestern boundary of MacDonald Avenue;

Thence S  $37^{\circ}-08'-02''$  W along the northwestern boundary of said lands of Shell Oil Company Ltd., five hundred thirty and twenty-one hundredths feet (530.21') to the northeastern boundary of a proposed industrial lead track owned by the City of Dartmouth;

Thence N  $26^{\circ}-17'-52''$  W along the northeastern boundary of said proposed industrial lead track one hundred fifty-nine and twenty-six hundredths feet (159.26') to the most southerly angle of Lot W;

Thence N  $52^{\circ}-47'-50''$  E along the southeastern boundary of Lot W, four hundred twenty-three and eighty-eight hundredths feet (423.88') to an angle in said boundary;

Thence N  $65^{\circ}-56'-06''$  E and continuing along the southeastern boundary of Lot W, fifty-eight and two hundredths feet (58.02') more or less to point of beginning, all bearings being astronomic (grid) referenced to Meridian  $64^{\circ}-30'$  W, being the central meridian for Zone 5 of the  $3^{\circ}$  transverse mercator projection, the herein described lot containing an area of 40,567 square feet more or less.

SCHEDULE "B"

ALL that certain lot of land situate, lying and being southwest of MacDonald Avenue in the district of Burnside, City of Dartmouth, Province of Nova Scotia, shown as Portion L-1A on a plan of lands owned by J. C. Trites Holding Limited and the City of Dartmouth, signed by Granville Leopold, N.S.L.S., dated May 1, 1975 and described as follows:

BEGINNING at a point in the northwestern boundary of Lot 5 of the Dartmouth Industrial Park, said point being S 37° 07' 42" W a distance of 283.54 feet from the southwestern boundary of MacDonald Avenue at the most northern corner of Lot 5;

THENCE S 37° 07' 42" W, 54.54 feet along the northwestern boundary of Lot 5;

THENCE S 84° 18' 06" W, 397.8 feet to the beginning of a curve to the right;

THENCE Westerly following the said curve to the right which has a radius of 403.06 feet for a distance of 125.77 feet to the intersection of the said curve with the eastern boundary of a proposed industrial lead track right-of-way as shown on the above-mentioned plan;

THENCE N 25° 17' 54" W, 53.01 feet along the said right-of-way boundary;

THENCE Northeasterly following a curve to the left which has a radius of 363.06 feet for a distance of 146.31 feet;

THENCE N 84° 18' 06" E, 434.88 feet to the place of beginning.

ALL bearings are referred to a transverse mercator grid, 3° Zone.

CONTAINING an area of 22,055 Square Feet.

Dartmouth, N. S.

May 11/78.

Regularly called meeting of City Council held  
this date at 5:00 p.m.

Present - Mayor Brownlow

Ald. Hart            Backewich  
         Crawford Valardo  
         Ritchie    Fredericks  
         Thompson Greenough  
City Administrator, C. A. Moir

AWARD TENDER:  
DEBENTURES

Council met to award the tender for a six-  
million-dollar General Purposes debenture issue.

AMENDING ISSUING  
RESOLUTION

The attached amending issuing resolution was  
first adopted, on motion of Ald. Valardo and Hart.

Tenders received for the debenture issue were  
as follows:

- 1) Bell, Gouinlock & Co. Ltd.  
    and syndicate of McLeod, Young, Weir & Co. Ltd.  
   Burgess, Graham Securities Ltd.  
   Molson & Rosseau Co. Ltd.  
    Bid: \$98.965
- 2) Merrill Lynch Royal Securities Ltd.  
    Bid: \$98.535
- 3) Nesbitt Thomson Bongard Inc.  
    Bid: \$98.881
- 4) Walwyn Stodgell Cochran Murray Ltd.  
    Bid: \$98.399

Mr. Cohoon advised that the cost of money,  
based on the Bell, Gouinlock & Co. bid of \$98.965,  
is 9.905%. On motion of Ald. Fredericks and Greenough,  
Council approved the following resolution, accepting the  
Bell, Gouinlock and syndicate bid:

RESOLUTION #78-14

No. 78-14

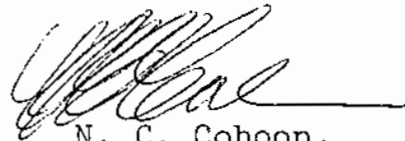
BE IT RESOLVED that the Council of the  
City of Dartmouth hereby accept a bid of  
\$98.965 per \$100 for \$6,000,000. of General  
Purpose City of Dartmouth Serial Debentures  
dated July 1, 1978, submitted by Bell, Gouinlock  
& Co. Ltd. (and syndicate as above).

PURCHASE

A second item added to the agenda was a report  
from Mr. Moir, recommending the purchase of six 1959  
fifty-three-passenger GM diesel busses from Ottawa  
Transit, at a cost of \$3,000. each. Council approved

the recommendation to purchase the busses, on  
motion of Ald. Backewich and Valardo.

Meeting adjourned.



N. C. Cohoon,  
City Clerk.

CITY OF DARTMOUTH  
 NOTICE TO CHANGE THE SUM OF DEBENTURES  
 \$6,000,000

TO: Department of Municipal Affairs  
 P. O. Box 216  
 Halifax, Nova Scotia

In accordance with Section 11(4) of the Municipal Affairs Act and a resolution of the City Council passed at a meeting held May 2, 1978, and approved by the Minister of Municipal Affairs on May 4, 1978, and as amended by resolution passed by Council on May 11, 1978, we have changed the sums of the debentures from the sums set out in the resolution of the Council as follows:

<u>DEBENTURES NUMBERED</u>	<u>PAYABLE ON</u>	<u>TO DEBENTURES NUMBERED</u>
78-J- 001 to 78-J- 300	July 1, 1979	78-J-001 to 78-J-037
78-J- 301 to 78-J- 600	July 1, 1980	78-J-038 to 78-J-074
78-J- 601 to 78-J- 900	July 1, 1981	78-J-075 to 78-J-111
78-J- 901 to 78-J-1200	July 1, 1982	78-J-112 to 78-J-148
78-J-1201 to 78-J-1500	July 1, 1983	78-J-149 to 78-J-185
78-J-1501 to 78-J-1800	July 1, 1984	78-J-186 to 78-J-293
78-J-1801 to 78-J-2100	July 1, 1985	78-J-294 to 78-J-317
78-J-2101 to 78-J-2400	July 1, 1986	78-J-318 to 78-J-320
78-J-2401 to 78-J-2700	July 1, 1987	78-J-321 to 78-J-323
78-J-2701 to 78-J-3000	July 1, 1988	78-J-324 to 78-J-326
78-J-3001 to 78-J-3300	July 1, 1989	78-J-327 to 78-J-329
78-J-3301 to 78-J-3600	July 1, 1990	78-J-330 to 78-J-332
78-J-3601 to 78-J-3900	July 1, 1991	78-J-333 to 78-J-357
78-J-3901 to 78-J-4200	July 1, 1992	78-J-358 to 78-J-416
78-J-4201 to 78-J-4500	July 1, 1993	78-J-417 to 78-J-423
78-J-4501 to 78-J-4800	July 1, 1994	78-J-424 & 78-J-425
78-J-4801 to 78-J-5100	July 1, 1995	78-J-426
78-J-5101 to 78-J-5400	July 1, 1996	78-J-427 to 78-J-431
78-J-5401 to 78-J-5700	July 1, 1997	78-J-432 to 78-J-434
78-J-5701 to 78-J-6000	July 1, 1998	78-J-435 to 78-J-437

The Debentures are in the following denominations:

<u>\$300,000</u> 78-J-426	<u>\$200,000</u> 78-J-425 78-J-431	<u>\$190,000</u> 78-J-423	<u>\$175,000</u> 78-J-434 78-J-437	<u>\$110,000</u> 78-J-416	<u>\$100,000</u> 78-J-318 to 78-J-320 78-J-321 to 78-J-323 78-J-324 to 78-J-326 78-J-327 to 78-J-329 78-J-330 to 78-J-332 78-J-424 78-J-433 78-J-436
<u>\$90,000</u> 78-J-357	<u>\$75,000</u> 78-J-037 78-J-074 78-J-111 78-J-148 78-J-185	<u>\$40,000</u> 78-J-036 78-J-073 78-J-110 78-J-147 78-J-184	<u>\$35,000</u> 78-J-035 78-J-072 78-J-109 78-J-146 78-J-183 78-J-414 & 78-J-415		
<u>\$25,000</u> 78-J-032 to 78-J-034 78-J-069 to 78-J-071 78-J-106 to 78-J-108 78-J-143 to 78-J-145 78-J-180 to 78-J-182 78-J-288 to 78-J-293 78-J-309 to 78-J-317 78-J-352 to 78-J-356 78-J-412 & 78-J-413 78-J-419 to 78-J-422 78-J-427 to 78-J-430 78-J-432 78-J-435	<u>\$20,000</u> 78-J-031 78-J-068 78-J-105 78-J-142 78-J-179	<u>\$10,000</u> 78-J-030 78-J-067 78-J-104 78-J-141 78-J-178 78-J-350 & 78-J-351	<u>\$5,000</u> 78-J-026 to 78-J-029 78-J-063 to 78-J-066 78-J-100 to 78-J-103 78-J-137 to 78-J-140 78-J-174 to 78-J-177 78-J-276 to 78-J-287 78-J-294 to 78-J-308 78-J-338 to 78-J-349 78-J-408 to 78-J-411 78-J-417 & 78-J-418		
	<u>\$1,000</u> 78-J-001 to 78-J-025 78-J-038 to 78-J-062 78-J-075 to 78-J-099 78-J-112 to 78-J-136 78-J-149 to 78-J-173 78-J-186 to 78-J-275 78-J-333 to 78-J-337 78-J-358 to 78-J-407				

*Donald P. Brown*  
 MAYOR

*[Signature]*  
 CLERK

*June 12/78*  
 DATE

Dartmouth, N. S.

May 16/78.

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

Present - Mayor Brownlow

Ald. Smith	Williams
Crawford	Brennan
Hart	Backewich
Irvine	Greenough
Ritchie	Fredericks
City Solicitor, S. Drury	
City Administrator, C. A. Moir	

Council met to complete the May 2nd agenda and to deal with additional items of business.

Ald. Irvine requested and received permission to add an item from the Tourist Commission and to introduce a motion for which notice was given at the May 2nd meeting.

INQUIRIES:

ALD. CRAWFORD

Ald. Crawford asked that repairs be made to the chain link fence at 79 Tulip Street, knocked down by Works Dept. crews in January at the time of the flooding problem at this address.

He also indicated a request for a Stop sign in the area of the YM-YWCA, for traffic coming onto MicMac Blvd.

ALD. WILLIAMS

Ald. Williams made a follow-up inquiry concerning the garbage container located in Penhorn Court.

He noted that he has not yet received a report on the overtime paid to firemen as requested some time ago.

ALD. GREENOUGH

Ald. Greenough asked about the present status of improvements proposed for the MicMac Rotary, involving Braemar Drive and the widening of Main St.. The Mayor advised that information on this project will be coming to Council shortly.

Ald. Greenough's second inquiry concerned the painting of crosswalks, and Mr. Moir said it is hoped that tenders for this program can be added to the May 17th agenda.

Ald. Greenough asked when the sand-sealing program will get underway; Mr. Moir said it cannot be started until we have higher temperatures.

ALD. HART

Ald. Hart asked to have attention given to the continuing problem with dogs in Ward 5, particularly in the area of Nivens Road, Jackson Road and Sunnydale Ave.

She also commented on the need for crosswalk painting in Ward 5 when this program gets underway.

ALD. VALARDO

Ald. Valardo asked if a permit is required to cut down trees in the City; Mr. Moir pointed out that no one can cut trees down on public property. Ald. Valardo said he has a specific situation in mind and would discuss it later with Mr. Moir.

Ald. Valardo's second inquiry had to do with the street sign program, and he was advised by Mr. Moir that provision to continue the program is included in the 1978 budget estimates.

ALD. BRENNAN

Ald. Brennan asked for a status report on discussions at the Regional Authority with respect to a transfer station in Dartmouth, and he suggested that signs be posted, indicating the location of the transfer station in Halifax for people coming from Dartmouth; also, that small vehicles be accommodated by the transfer station during off-peak hours in order to avoid the long waits they are presently having.

Ald. Brennan again asked about the regulation of oil storage tanks in the City and Mr. Moir said he noted this inquiry when it was raised at the May 9th Committee meeting.

ALD. SMITH

Ald. Smith requested that litter be cleaned up along the fence at Hawthorne School and that garbage containers be placed in this area as well.

He asked if private citizens can take garbage to the regional landfill site and the Mayor said they can whenever it is open.

ALD. COTE

Ald. Cote's first question concerned the drainage problem on Slayter Street in the area of Brightwood; Mr. Moir said that the drainage report being prepared by the Engineering Dept. should be ready for the June



Council meeting.

Ald. Cote brought up a problem involving young people who are loitering in the streets in his area, and Mr. Moir agreed to take the problem up with the Youth Squad.

ALD. IRVINE

Ald. Irvine requested that the shoulders of Waverley Road be cleaned up along the section from Red Bridge Pond to the north side of MicMac Drive; he said this work has never been done since completion of the storm drainage project and asked if provision for it was included in the contract with Casavechia, the company awarded the tender.

NOTICES OF MOTION:  
ALD. WILLIAMS

In addition to the notices of motion given at the May 2nd meeting, the following notices were presented at this time for the June meeting:

- 1) Ald. Williams: That a Stipend Committee be appointed by Council to set the annual stipend of Aldermen in the City. This Committee to be composed of tax-payers of Dartmouth with no elected members.
- 2) Ald. Greenough: That the preparation of a tender call be undertaken for installation of an air-conditioning system in the Prince Andrew Auditorium.
- 3) Ald. Brennan: That staff be instructed to call tenders as soon as possible for the supply and installation of a public address system for Lake Banook and related areas.

ALD. GREENOUGH

ALD. BRENNAN

PETITION FOR  
BALLFIELD

A petition was before Council from 1,055 people for a lighted, fenced fastball field in the City, as presented by Ald. Crawford, and Council heard Mr. Carmen DeWolfe, Pres. of the Intermediate Fastball Assn., who explained the need for this kind of facility in order that the Dartmouth <sup>team</sup> can participate in the Mainland Fastball League and host playdown games here. He commented on the lack of an adequate playing field at present and the detrimental affect this has on the sport in Dartmouth as compared with other communities in the Province. The Mayor referred to the work being done on the former dump site, where a playing field is being developed, and as discussion continued, several questions came up as to the extent of the work to be

Council meeting.

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undertaken this year and the provision included in the budget to light and/or fence the field.

Ald. Irvine asked if the teams using a field would be willing to participate in lighting costs to offset increasing electricity costs and Mr. DeWolfe indicated that they would. It was suggested that the questions raised with regard to development of the field on the former dump site - including the financial provisions, anticipated completion time, the work to be carried out in 1978, etc. - be referred to staff for a report to the May 17th meeting of Council, and there was general agreement that the status of this project should be determined as a first step in dealing with the petition submitted. Ald. Greenough and Ritchie suggested the possibility of receiving Provincial assistance as other communities have done in developing similar recreational facilities for fastball. There was general concurrence among the members with the referral to staff for a report back on May 17th.

LETTER: CHAMBER  
OF COMMERCE

A letter from the Chamber of Commerce was discussed on the subject of legislation recently passed by the Province which would permit civic officials to retain their City Council seats for a period of time after being elected to the Provincial Legislature. Ald. Brennan and Fredericks moved that the letter be received and filed, after which it was moved in amendment by Ald. Valardo and Irvine that Council endorse the Chamber's position that a period of not more than one month be allowed for retention of City Council seats following election to the legislature. During the debate on the amendment, Ald. Crawford pointed out that the City Charter presently permits members to retain their seats for six months after being elected to the legislature, although the Mayor noted that the new Provincial legislation would supercede this section of our Charter.

Rising on a point of order, Ald. Backewich questioned whether Council should be dealing with correspondence directed to an individual Alderman, in this case, Ald. Valardo (ie. as opposed to being directed to the Mayor and members of Council generally). On the advice of the Solicitor, the Mayor ruled the item out of order for the reason noted by Ald. Backewich and Council proceeded to the next item on the agenda.

## JUNE MEETING

Because of the fact that a number of Aldermen will be attending the CFM conference during the first week in June, Council decided to change the date of the first June Council meeting to June 13th from the regular date of June 6th. A motion to this effect, moved by Ald. Hart and Williams, was adopted.

APPEARANCE OF  
THE CITY

The Tourist Commission has expressed concern about the general appearance of the City prior to the start of the tourist season and recommends to Council that a concentrated effort be directed toward a clean-up campaign and awareness program aimed at improving the appearance of the City. Speaking on behalf of the Commission, Ald. Irvine said they are also requesting enforcement of City by-laws by the Building Inspection Dept., particularly in the case of commercial properties.

Council agreed to hear Mr. Vince Gully, a member of the Tourist Commission, on the recommendation initiated by him at the Commission meeting. He said it is important to create a good first impression on visitors to the City and to instill in citizens a pride in keeping their City clean; he suggested that this should start with school children and they could assist in clean-up programs carried out by the City. The adoption of the Commission's recommendation was moved by Ald. Hart and Greenough, with several Council members speaking in favour and referring to specific sections of the City in need of attention, particularly on some of the main streets that bring tourists into the City. Mr. Moir and the Mayor outlined

the clean-up program started by the City this week, involving participation by school children and the hiring of eighteen additional people who will be working for thirteen weeks as the program continues.

Ald. Brennan asked if advantage is being taken of the Development Department program through which funding can be received for the upgrading of store fronts in business areas. The Mayor advised that store owners in the downtown area are aware of the program and some discussions have already been held with members of the downtown business district along these lines. Ald. Smith said that City properties are some of the main ones requiring attention, also properties owned by absentee landlords.

Ald. Crawford felt that the central business district should not be singled out for criticism in the debate, and Ald. Valardo objected to the kind of approach taken by the Tourist Commission from a public relations point of view; he felt there were better ways of dealing with the cleanliness problem than in a public forum. The debate continued for some time, following which the vote was taken and the motion carried.

MOTION: ALD. RITCHIE

Ald. Ritchie asked to have his motion on the Provincial grant in lieu of poll tax drafted in the form of a resolution for submission to the Union of N. S. Municipalities. The Mayor said it can be brought forward when the regional meetings are held in July to draft resolutions.

MOTION: ALD. IRVINE

Having received permission to introduce his motion at this meeting instead of the June Council meeting, Ald. Irvine moved at this time that Council give approval to the establishing of a committee to pursue with the Premier and the Ministers of Education and Labour, the transfer and centralization of the Dept. of Education and a portion of the Dept. of Labour to Queen Square; the motion was seconded by Ald. Cote. Ald. Irvine said he has been made aware of requirements

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these two government departments are likely to have for additional space and the use of space available in the Queen Square building would benefit the downtown area as a whole, both from the point of view of having government offices located there and the spin-off that would result for other businesses. Ald. Cote spoke in support of the motion and said he would be willing to serve on such a committee if asked to do so. He asked the Mayor what efforts have been made to date to secure tenants for Queen Square, and the Mayor reported on the approach made to DND and to Ministers and officials of the Provincial Government in attempting to have government offices from both levels located in Dartmouth in the Queen Square building. Ald. Cote questioned whether every possible opportunity has been followed up to insure that the space in Queen Square is leased. The Mayor responded by defending his efforts to promote the rental of the complex through the various approaches made to Ministers through personal contact and by letters sent to government departments.

Ald. Crawford said the City should not be acting as a leasing agent for a private developer in the case of Queen Square any more than for other firms in similar circumstances, and he later said he would object personally if a committee is delegated to meet with the Premier. Ald. Valardo asked why the principals or the owners of Queen Square have not dealt directly with the Mayor; he raised other questions he felt the principals should be prepared to answer for Council so that the members understand all of the implications involved before coming to any decision on the motion. Ald. Crawford asked whether there was ever any written commitment by the City to do anything at any time for the owners of Queen Square. Mr. Moir said there are none he is aware of without checking the files.

Members of Council speaking in support of the

motion, besides those noted, were Ald. Brennan, Greenough and Fredericks, all of whom felt that having Queen Square occupied would benefit the downtown business section and give it the impetus needed to encourage development. When the vote was taken, the motion carried with Ald. Valardo and Crawford voting against.

REPORTS

Reports recommended by Committee were approved as follows:

- 1) Development Officer (April): adopted on motion of Ald. Backewich and Greenough.
- 2) Building Inspector (April): adopted on motion of Ald. Backewich and Irvine.
- 3) Minimum Standards (April): adopted on motion of Ald. Irvine and Valardo.
- 4) V.O.N. (February): adopted on motion of Ald. Irvine and Valardo.
- 5) Social Services (March): adopted on motion of Ald. Valardo and Smith.
- 6) Fire Chief (April): adopted on motion of Ald. Brennan and Valardo.

SEWER LATERAL  
REPAIRS

A report from Mr. Moir has been dealt with in Committee on the subject of sewer lateral repairs and responsibility for the cost of these. The recommendation to Council is that the City not take responsibility for repairs to sewer laterals, but that staff be asked to review the existing legislation with the idea of making provision whereby if the deposit could not be paid at the time the permit is obtained, the permit fee could form a lien against the property. The recommendation was adopted on motion of Ald. Valardo and Irvine.

REZONING: MANOR  
PARK

On motion of Ald. Crawford and Valardo, Council approved a recommendation from Committee, setting June 20th as the date for public hearing of a request to rezone a single lot in the Manor Park subdivision from R-1 to TH-1 Zone.

APPLICATION TO  
BUILD: KUHN RD.

On motion of Ald. Valardo and Greenough, Council adopted a recommendation from Committee that a permit to build be denied for the Kuhn Drive property located



adjacent to a swamp in the area, based on recommendation #1 of the Development Officer's report dated April 27/78/ The application submitted by Tower Masonry Ltd. was for a permit to build a 70-unit apartment building at this location.

RENOVATIONS: SOCIAL SERVICES DEPT.

On motion of Ald. Brennan and Valardo, Council referred to Committee a report from Mr. Moir on the subject of renovations proposed for the Social Services Dept.

OIL SPILL: MAPLE & MYRTLE STS.

A second report referred to Committee, on motion of Ald. Brennan and Hart, was from Mr. Moir and deals with the oil spill in the area of Maple and Myrtle Streets.

AWARD TENDERS: FERRY DOCKS & TERM. BLDG. FOUNDATIONS

Tenders have been received, as per the attached report, for the construction of ferry docks (Contract #7713) and for construction of the ferry terminal building foundations (Contract #7714). It is recommended by Mr. Moir that the tender submitted by Robert McAlpine Ltd., in the amount of \$2,408,975., for Contract 7713, and \$495,075. for Contract 7714 be accepted - subject to the approval of the Provincial Dept. of Development and the Dept. of Regional Economic Expansion, also subject to finalization of the acquisition of land from the City of Halifax. The tender was awarded as recommended, on motion of Ald. Greenough and Ritchie.

LAKE MAJOR WATERSHED

Mr. Moir has submitted a report, accompanied by an information package, on the Lake Major watershed and recommends that Council indicate concurrence with the information package and the terms of reference it includes, and authorize the staff committee to proceed with a call for proposals from various consultants in accordance with the terms of reference. Council adopted this recommendation, on motion of Ald. Valardo and Greenough.

REQUEST: HMCS SHEARWATER

The Mayor gave a verbal report on the four items requested of the City in connection with the air show to be held at Shearwater on June 10th. He advised that

the City Police Dept. will assist with traffic control; (2) the use of City barricades and similar equipment will be permitted; (3) If permission is received from the Public Utilities Board, bus transportation will be made available, the fare to be 40¢ each way to and from the Shearwater Base; and (4) the City would bear the cost of the civilian flying performers known as the Canadian Reds up to a maximum cost of \$2,000. - their fee is expected to be approx. \$1,400. Council approved the four items requested, as reported by the Mayor, on motion of Ald. Crawford and Valardo.

TRANSIT REPORTS

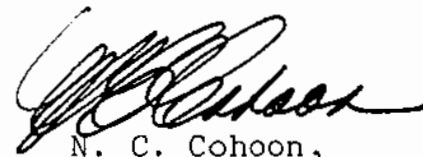
The report from the Transit Operations Manager for the week of April 24th was adopted, on motion of Ald. Greenough and Fredericks.

His report dated May 10th was also approved, on motion of Ald. Irvine and Hart.

DOWNTOWN STUDY:  
PHASE II

On motion of Ald. Hart and Valardo, Council referred to Committee two items relating to the Downtown Study Phase II, as recommended by the Downtown Planning Advisory Board. The motion to refer carried by a vote of 6 to 4 and the Mayor suggested that Council could meet in Committee to deal with the items on May 23rd.

Meeting adjourned.

  
N. C. Cohoon,  
City Clerk.

Dartmouth, N. S.

May 17/78.

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

Present - Mayor Brownlow

Ald. Hart	Backewich
Ritchie	Fredericks
Smith	Crawford
Irvine	Greenough
Cote	Williams
City Solicitor, S. Hood	
City Comptroller, D. McBain	
Deputy City Clerk, G. Brady	

Council met to deal with the grant requests for 1978 and agreed to add two reports from Mr. Moir, the first having to do with the awarding of the tender for street line painting and the second, with the request for a lighted and fenced ballfield for which a petition was received at the May 16th meeting.

WARD TENDER:  
STREET LINE  
PAINTING

The following tenders have been received for street line painting for 1978; this work includes crosswalks, stop bars, intersection blocks, etc.

Maritime Pavement Marking	\$13,500.00
Parker Brothers 1972 Ltd.	28,500.00

The recommendation is that the tender be awarded to the low bidder, Maritime Pavement Marking at their quoted price of \$13,500.00. The recommendation was adopted on motion of Ald. Fredericks and Cote. Ald. Williams said he had previously received complaints about the paint used on crosswalks being slippery in the rain and snow, and Mr. Brady was asked by the Mayor to check on this inquiry in relation to the paint being used for this year's painting.

BALLFIELD FACILITY

Mr. Moir has provided a report with additional information on the subject of a lighted and fenced ballfield being available for fastball games during the current season, the MicMac Park having been suggested as the location where a field might be provided in time for use this year. The request from Council for such a report also asked for a list of the diamonds available in the City and a list prepared by the Recreation Dept. accompanied Mr. Moir's report. The recommendations to

Council includes the following:

- (a) That it be recognized by City Council that no funds are provided in Capital or Operating Budgets in the year 1978 to cover the cost of developing a diamond for the installation of lighting and fencing. Therefore, in all probability, this facility will not be available for the 1978 season.
- (b) That this item be referred to City staff for the study of available sites for such a facility.
- (c) That cost estimates be prepared on any sites selected for presentation to City Council.

The recommendations contained in Mr. Moir's report were approved, on motion of Ald. Smith and Crawford. Ald. Fredericks asked that a copy of the report be forwarded to Mr. DeWolfe, President of the Dartmouth Fastball Association, by way of explaining to him the action taken by Council on the petition submitted at the May 16th meeting.

On motion of Ald. Ritchie and Hart, Council agreed to meet in Committee to discuss the grant applications. After all of these had been decided, Council reconvened and ratified the action taken in Committee, on motion of Ald. Hart and Williams.

The meeting then adjourned.



G. D. Brady,  
Deputy City Clerk.

Council met as Committee-of-the-Whole to deal with the grant requests for 1978.

## GRANT REQUESTS: 1978

The Mayor noted that the amount included in this year's estimates for grants is \$200,000. (gross) and the members were provided with a list of the organizations submitting requests for financial assistance from the City, with an indication in each case of the amount contributed in 1977; Provincial cost-sharing has also been indicated where applicable. The Committee agreed to consider the hospital requests first and these were approved as follows:

- 1) Dartmouth General Hospital: A grant in the amount of \$30,000. was approved, on motion of Ald. Ritchie and Greenough.
- 2) Izaak Walton Killam Hospital: A \$12,500. grant was approved on motion of Ald. Ritchie and Greenough.
- 3) Grace Maternity Hospital: A grant of \$10,000. was approved, on motion of Ald. Hart and Smith. (The request was for \$16,200. in 1978.)

Ald. Williams then proposed that a \$5,000. grant be made to the Victorian Order of Nurses; he made a motion to this effect, seconded by Ald. Crawford. Ald. Fredericks and Cote moved in amendment that the grant to the VON be in the amount of \$3,000., as requested by the organization. Mrs. Doreen Havey, President of the Local VON Association, responded to questions from members of the Committee on the Association's financial position, advising that their deficit at the end of 1977 was \$9,000. and another deficit up to this amount will be faced for 1978. Ald. Smith suggested that the Provincial Government should be providing additional funding for the services provided by the VON, and Ald. Hart felt that the possibility of amalgamating the services of Public Health nurses with those of the VON should be followed up with the Province. She discussed this point further with Mrs. Havey. The amendment was defeated and the motion carried, with Ald. Hart, Greenough and Fredericks voting against.


The remaining requests were dealt with as follows:

- 1) Dartmouth Boys & Girls Club: Grant requested and approved in the amount of \$48,000., on motion of Ald. Irvine and Crawford. (City's share will be \$12,000.)
- 2) Canadian Paraplegic Association: Grant requested and approved in the amount of \$1,100., on motion of Ald. Irvine and Smith.
- 3) Association for Family Life: Ald. Cote and Greenough moved approval of the \$10,000. amount requested, but an amendment put forward by Ald. Crawford and Smith, reducing the grant to \$8,800. (the amount of the 1977 grant), was adopted. The amended motion carried.
- 4) Atlantic Child Guidance Centre: Grant requested and approved in the amount of \$1,852., on motion of Ald. Greenough and Ritchie.
- 5) Can. Association for Mentally Retarded: Grant requested and approved in the amount of \$5,000., on motion of Ald. Smith and Williams.
- 6) Canadian Cancer Society: Grant of \$1,000. approved on motion of Ald. Hart and Greenough. (Request was for \$2,500. in 1978.)
- 7) Canadian National Institute for Blind: Grant requested and approved in the amount of \$2,332. on motion of Ald. Fredericks and Greenough
- 8) Canadian Red Cross Society: Grant of \$5,000. approved on motion of Ald. Fredericks and Smith. (Request was for \$12,000. in 1978.)
- 9) Dartmouth Community Contact Assn.: Ald. Fredericks and Smith moved the approval of a \$50,000. grant for Community Contact, this organization having requested \$60,700. from the City for 1978. It was noted by the Mayor that the City has also been asked to cover the \$7,500. deficit outstanding from the year 1977 (to be cost-shared by the Province), and discussion from this point dealt mainly with the best approach to take in providing for this deficit over and above the outright grant to be authorized. Mr. Kevin McNamara, Chairman of the Board for Community Contact, was available to answer questions from the members and to describe the type of services being provided to senior citizens and disabled persons in the community. Mr. Paul Greene agreed that the organization is providing essential services and indicated that the Social Services Dept. is satisfied with changes that have been made in the program within the past year. Ald. Greenough and Hart moved in amendment that the grant to Community Contact for 1978 be in the amount of \$48,000. plus \$7,500. to cover the 1977 deficit. The amendment carried and the amended motion carried with Ald. Williams and Crawford voting against.
- 10) Bide-a-While Shelter Society: This organization has requested a \$15,000. grant in 1978 and the Committee heard Miss Faye Bradley

the President, who described the kind of work the volunteers do who staff the Shelter. Their work is mainly with stray cats, a service not provided by the City pound facility, and part of their request is for the purchase of a euthanasia chamber for the disposal of cats; this equipment is estimated to cost \$2,500. Ald. Fredericks and Hart moved that \$1,000. be granted to the Bide-a-While Shelter Society, but a grant of \$5,000. was moved in amendment by Ald. Backewich and Crawford. Ald. Fredericks and Greenough spoke against the amendment, while Ald. Cote spoke in favour. When the vote was taken on the amendment, it resulted in a tie and was defeated with the Mayor voting against. The motion was also defeated with Ald. Hart, Fredericks and Smith voting in favour. On motion of Ald. Fredericks and Crawford, a grant in the amount of \$2,500. was then approved. The Mayor said that additional efforts will be made to assist the organization through the use of some type of City vehicle, one of the main needs referred to by Miss Bradley in her presentation.

- 11) Joseph Howe Festival: Grant of \$500. approved on motion of Ald. Hart and Fredericks. (The request was for \$2,000. in 1978.)
- 12) Planned Parenthood: Grant of \$1200. approved on motion of Ald. Hart and Greenough. (Request was for \$5,000. from this organization.)
- 13) Ecology Action Centre: Grant of \$500. approved on motion of Ald. Hart and Greenough. (Request was for \$1200. in 1978.)
- 14) Salvation Army: Grant in the amount of \$1500. approved as requested, on motion of Ald. Smith and Irvine.
- 15) Neptune Theatre: Grant of \$2,500. approved on motion of Ald. Smith and Hart. (The amount requested for 1978 was \$5,000.)
- 16) Nova Scotia Heart Foundation: Grant of \$1,000. approved on motion of Ald. Fredericks and Smith. (The request was for \$2,000. in 1978.)
- 17) Asthma Allergy Clinic: A motion approving a \$500. grant, moved by Ald. Smith and Crawford, resulted in a tie vote and was defeated with the Mayor voting against. The Committee subsequently authorized a grant of \$350. for the Clinic, on motion of Ald. Crawford and Irvine, just prior to going back into Council.
- 18) Volunteer Bureau/Help Line: Grant of \$3,500. approved, on motion of Ald. Greenough and Ritchie. (The request for 1978 was for \$6,680.)
- 19) Paralegal Information Centre: Ald. Hart and Fredericks moved the approval of a \$700. grant but on an amendment introduced by Ald. Crawford and Irvine, this amount was reduced to \$350. The amended motion carried.

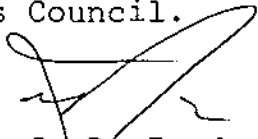
On motion of Ald. Greenough and Smith, the Committee adjourned to reconvene as Council.

  
G. D. Brady,  
Deputy City Clerk.

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- 19) Paralegal Information Centre: Ald. Hart and Fredericks moved the approval of a \$700. grant but on an amendment introduced by Ald. Crawford and Irvine, this amount was reduced to \$350. The amended motion carried.

On motion of Ald. Greenough and Smith, the Committee adjourned to reconvene as Council.

  
G. D. Brady,  
Deputy City Clerk.



Dartmouth, N. S.

May 24/78.

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

Present - Mayor Brownlow

Ald. Thompson	Valardo
Smith	Williams
Brennan	Crawford
Hart	Backewich
Irvine	Greenough
Ritchie	Fredericks
City Solicitor, S. Hood	
City Administrator, C. A. Moir	

CAPITAL STREET  
CONSTRUCTION  
PROGRAM 1978

Council was asked to consider the proposed street construction program for 1978, along with projects recommended by Mr. Moir to be carried out under the Municipal Incentive Grants Program, as detailed in his report of May 19th. Ald. Greenough and Williams moved approval of the report and the street construction program as presented by the Engineering Dept. Ald. Valardo indicated to Council that he has received a petition for sidewalk from residents of Symonds Street (between Slayter and Sheridan Streets), and he moved in amendment that sidewalk be installed along this section of Symonds Street in the 1978 program, funding to come from two items deleted last year (sidewalk on Crichton Ave. and Lawnsdale Drive, estimated to cost \$7,700.), with the addition of <sup>the</sup> remaining cost (\$2,300.) as item #10 under the Municipal Incentives Grant Program; the amendment was seconded by Ald. Fredericks and it carried. The amended motion carried. Ald. Fredericks discussed the status of the work to be done on Lyon Street, involving land expropriation, with Mr. Purdy.

ITEMS REFERRED  
FROM COUNCIL

The Mayor has asked that Council consider rescinding action taken at the May 16th meeting in referring several items to Committee, so that those items can be dealt with directly by Council at this session. The first item had to do with renovations proposed for the Social Services Department, as recommended in a report from Mr. Moir.

RENOVATIONS: SOCIAL  
SERVICES DEPARTMENT

On motion of Ald. Fredericks and Crawford, Council rescinded the motion adopted on May 16th, referring the renovations item to Committee. Council was then able to proceed with consideration of Mr. Moir's report which recommends a number of renovations in the Social Services building, in order to provide office accommodation for three additional employees in that department. The total cost of the work required is \$4,809., provision having been included in the Social Services estimates for this expenditure. On motion of Ald. Fredericks and Irvine, Council adopted Mr. Moir's recommendation that staff be authorized to call for proposals for the renovations as outlined.

OIL SPILL:  
MAPLE STREET

On motion of Ald. Crawford and Williams, Council rescinded the motion adopted on May 16th, referring an item concerned with the oil spill on Maple Street to Committee. Council was then able to deal with Mr. Moir's report on this matter, recommending: (a) that an over-expenditure of \$4,000. be authorized to replace funds expended by the City in investigating and cleaning up oil spills at three locations in the City; and (b) recommending against Council recognizing any responsibility for the total cleanup of properties affected in the case of the oil spill on Maple Street. Ald. Brennan and Crawford expressed their disagreement with the recommendation on the Maple Street properties, suggesting that the City has an obligation to restore the five backyards involved to a condition where they can be used again by the residents. Ald. Crawford said he felt that the oil problem could be attributed to the 200-gallon tank at Civic #15 Maple Street and he referred to a water line break at this address which contributed substantially to the problem, spreading the oil in large amounts over the other properties below #15. Both he and Ald. Brennan wanted to see the backyards reinstated by the City and favoured an authorization of the additional \$7,000. amount required to remove the contaminated soil in the yards

and replace it with clean soil. They moved that the City agree to restore the properties on Maple Street to their former condition prior to the oil spill.

During the debate on the motion, one of the main concerns expressed was that the source of the oil has not yet been identified and oil could continue to affect the properties after money has been spent to have them cleaned up and restored. Mr. Bayer explained that it would be necessary to remove all the contaminated soil in the yards before an investigation could proceed further, and several members felt that once this has been done, the City would have no alternative but to fill in the excavated areas with new soil. Discussion centered around the responsibility this places on the City and the precedent set if similar situations occur again in other parts of the City in future. Ald. Valardo did not agree that the City should become involved in reinstating the properties and felt Council should look for some kind of a compromise that would help the residents and still protect the City from setting a precedent in these situations. Suggestions were made for approaching the Federal Dept. of the Environment, E.M.O. and the Bedford Institute as possible sources of assistance in restoring the properties.

Ald. Greenough and Valardo introduced an amendment authorizing whatever steps are necessary to identify the source of the contamination, but requiring detailed estimates of the cost involved to restore the properties before Council proceeds further with a decision on this aspect of the problem. In debating the amendment, it was recognized that a difficulty arises from the fact that the source of the oil leak cannot be established without first removing all the soil from the contaminated backyards and replacement of the soil is then required. After the vote was taken on the amendment and it carried, questions were raised as to whether or not it would be contrary to the motion, and both were subsequently ruled

out of order by the Mayor.

The idea of having the residents participate in restoring their properties was suggested by Ald. Greenough and Hart. Ald. Irvine and Ritchie moved that Council commence an investigation into the source of the oil spill on Maple Street immediately, and that staff enter into discussions with the property owners as to any possible cost-sharing arrangements. This motion carried and on motion of Ald. Crawford and Brennan, Council went on to approve a \$12,000. over-expenditure, covering the \$4,000. already spent (as per Mr. Moir's report), and the work required on the Maple Street properties. Second approval for the over-expenditure will be given by Council at a meeting called for May 26th.

DOWNTOWN STUDY:  
PHASE II

On motion of Ald. Valardo and Smith, Council rescinded the motion adopted on May 16th, referring items dealing with the Downtown Study, Phase II, to Committee. Council was then able to deal with reports from the Downtown Planning Advisory Board, the first recommending approval of the goals and objectives set out for Phase II of the Study. The recommendation was adopted, on motion of Ald. Fredericks and Williams.

Ald. Williams and Crawford moved the adoption of the proposal for the Downtown Study, Phase II, and authorizing the firm of Development Planning Associates Ltd. to undertake the Study, based on a recommendation to this effect from the Downtown Planning Advisory Board. Ald. Valardo moved in amendment, seconded by Ald. Brennan, that the section of the proposal entitled 'Concept Plan Alternatives' be amended by changing the words 'each alternative' to read 'some alternatives', and adding to the end of the same paragraph the words 'Other alternatives will be explored which are not necessarily tied to present projections'. The amendment carried and the amended motion carried.

OFFICE STATION

On motion of Ald. Smith and Irvine, Council

adopted a report from Mr. Moir on changes and additions required at the Police Station, in accordance with requirements specified by the Fire Marshal's office following an inspection carried out at the Station. The recommendation is that Council authorize an expenditure not to exceed \$10,000. to carry out the recommendations as outlined in the Fire Marshal's report. The motion carried.


WARD TENDERS  
FOR VEHICLES

Tenders, as attached, have been received for five compact cars, one full-size car, and five vans; these vehicles are for use in the Police Department, the Fire Department and the Recreation Dept. Mr. Moir's recommendation is that the low tender be accepted in each case, and the recommendation was adopted on motion of Ald. Irvine and Williams.

At the suggestion of the Mayor Council agreed to meet again on May 26th at 5:30 p.m. to deal with the regional transit by-law.

Council then adjourned to meet in camera, on motion of Ald. Crawford and Williams, and later reconvened in open meeting to ratify the action taken. The action taken in camera was approved on motion of Ald. Hart and Backewich.

Meeting adjourned.

  
N. C. Cohoon,  
City Clerk.

RESOLUTION 78-15

WHEREAS the Council of the City of Dartmouth desires to acquire the land described and outlined in red in the plan and description attached hereto.

AND WHEREAS the Owner is unknown, the City is unable to negotiate for the acquisition of the land and to obtain a clear title to the land at a fair price by agreement.

AND WHEREAS the City Clerk has caused a plan and description of the land and a list of the owner's thereof, according to the last revised assessment roll to be prepared.

BE IT THEREFORE RESOLVED that the City now expropriates the land described in Schedule "A" hereto and shown on the plan attached hereto as Schedule "B".

The Owner of the land according to the last revised assessment roll is not known.

The interest intended to be expropriated is the fee simple and such interest is subject to any and all rights of the Nova Scotia Power Corporation, Maritime Telegraph & Telephone Company Limited and the City of Dartmouth that may exist in the land.

The land is being expropriated for industrial development purposes.

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Dartmouth, N. S.

May 26/78.

Regularly called meeting of City Council  
held this date at 5:30 p.m.

Present - Mayor Brownlow

Ald. Irvine	Brennan
Cote	Williams
Ritchie	Fredericks
Hart	Backewich
Thompson	Kavanaugh
City Solicitor, S. Drury	
City Administrator, C. A. Moir	

SECOND APPROVAL:  
OIL CLEAN-UP

On motion of Ald. Ritchie and Hart, Council gave second approval to an over-expenditure of \$12,000. for the oil clean-up in the back yards of properties on Maple Street; first approval was given at the Council meeting held on May 24th.

REGIONAL TRANSIT BY-LAW

The proposed Regional Transit By-law (C-355) was before Council, with an accompanying report from the Mayor and a copy of Bill #58, recently passed by the Provincial Legislature with respect to the Metropolitan Authority.

It was moved by Ald. Hart and Williams and carried that leave be given to introduce the said By-law C-355 and that it now be read a first time.

It was moved by Ald. Hart and Williams that By-law C-355 be read a second time.

Ald. Kavanaugh felt that the legislation before Council is basically the same as the draft which was considered several weeks ago, and the areas of concern expressed (ie. the organizational structure, lack of budgetary control, inability to get out of the transit agreement) are still valid. However, the City cannot afford not to approve the by-law in view of the position we will be placed in financially if we opt out and the other two municipalities proceed without us. Other members agreed that the City has little alternative at this point except to participate in regional transit under the terms of the by-law, Council's main areas of concern having been presented when Bill 58 was before the Law Amendments Committee.

One of the points raised by Ald. Fredericks and Ritchie during the debate on second reading, had to do with the operation of the Dartmouth Ferry system by the Regional Authority and the implications of this for the City. The Mayor advised that the City will continue to own the assets of the ferry system (the boats, terminal, etc.), but the system will be operated and maintained by the Authority. Ald. Ritchie and Brennan also questioned the borrowing power of the Regional Authority, and Ald. Ritchie asked if the individual municipal Councils will be informed when money is to be borrowed. The Mayor said the Councils will receive this information and it is his understanding that meetings of the Authority will be open to the public in future, so that information will be more readily accessible.

Ald. Cote stated his reservations about the way in which the City has been pressured to enter regional transit and said he would like to have seen the process take place in another manner. Several of his concerns and those of Ald. Brennan dealt with the provisions there will be for consultation about levels of service, the viability of certain transit routes, and how such decisions will be reflected in the budgetary processes. Another point raised by Ald. Fredericks pertained to the possible raising of transit fares to keep down the subsidies from the municipalities.

Ald. Thompson made an inquiry about the pension benefits for employees transferring to work for the Regional Authority, and the Mayor suggested that the Alderman put his question in writing for further consideration.

After hearing the questions from the members of Council, the vote was taken on second reading and it carried. Unanimous consent was not given by Council for third reading of the by-law.

Meeting adjourned.

  
N. C. Cohoon, City Clerk.



Dartmouth, N. S.

June 13/78.

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

Present - Mayor Brownlow

Ald. Thompson	Kavanaugh
Smith	Williams
Brennan	Crawford
Hart	Backewich
Ritchie	Fredericks
Greenough	Valardo <i>VB</i>

Acting City Administrator, N. Cohoon  
City Solicitor, S. Hood

The Mayor asked Council to add two items to the agenda, one being a letter from Mr. J. Zatzman under Original Communications, and the second, a petition re drainage problems on Dunrobin Drive.

On motion of Ald. Valardo and Greenough, Council approved the minutes of meetings held on May 2nd, May 11th, May 16th, May 17th, May 24th and May 26th.

TRANSIT BY-LAW

The Transit By-law, C-355, was before Council for third reading, having received first and second reading at the May 26th meeting. It was moved by Ald. Backewich and Greenough that By-law C-355 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the said by-law on behalf of the City. Ald. Fredericks felt there should be a policy decision on the part of the Regional Authority whereby the Authority would go to the market on behalf of the Transit Commission when capital borrowing is required. The Mayor agreed to bring the point raised by Ald. Fredericks to the attention of the Authority. Ald. Valardo asked about the degree of control the participating Councils will have over regional transit from a financial point of view, and the Mayor commented on some of the ways in which spending control can be exercised by Council, including a regular monthly meeting of the chief administration officers that is to be instituted to review expenditures and operating details. Ald. Ritchie requested information as to whether the regional landfill operation is on budget at this point in the year. The motion to approve

third reading carried.

At Ald. Hart's suggestion and on her motion, seconded by Ald. Kavanaugh, Council's representatives on the Regional Authority were asked to request through the Authority that the Minister now proclaim the Metropolitan Authority legislation.

A petition has been received from Main St. residents for sewer services to be extended to their properties, and on motion of Ald. Greenough and Crawford, it was referred to staff for a cost estimate and feasibility study, with a report from staff to go to Committee for possible inclusion in the 1979 budget.

The petition from Dunrobin Drive residents was added to the agenda at this time and Ald. Greenough commented on the damage caused to the back yards of properties in the area, resulting from drainage off the adjacent City-owned park property at the rear of the lots. On his motion, seconded by Ald. Crawford, the petition was referred to staff for possible inclusion in the drainage program being projected for this year.

The Chairman of the Waterfront Development Corp. Ltd. has forwarded a letter concerning the name selected for the new park being developed on the south side of the WDC project in Dartmouth. He has suggested a reconsideration of the name chosen which is 'Ferry Terminal Park'. Ald. Fredericks and Crawford moved that the letter be received and filed. Both members were opposed to any change in the name decided on, but Ald. Kavanaugh, Valardo and Greenough were in favour of taking another look at it with the WDC. When the vote was taken on the motion, it carried by a vote of 7 to 6.

On motion of Ald. Greenough and Crawford, Council received and filed a letter from Mr. Joseph Zatzman on the subject of Queen Square and efforts to secure tenants for the complex.

PETITION: SEWER  
SERVICE MAIN ST.

PETITION: DRAINAGE  
DUNROBIN DRIVE

NAME OF PARK

PETITION: QUEEN SQ.

MOTIONS:

ALD. BRENNAN

The following motions were introduced, notice having been given for them at a previous meeting:

(1) Ald. Brennan moved, seconded by Ald. Crawford, that the Solicitor and staff draft a by-law regarding the licensing and minimum standards of operation for non-owner occupied rooming houses; the standards to consolidate all existing relevant regulations under one by-law and to include additional recommendations to make the legislation workable. Ald. Brennan outlined some of the reasons for his concern about the unsatisfactory condition of many non-owner occupied rooming houses in the City, particularly in Ward 3, and he expressed concern that the City is in fact subsidizing these conditions by placing people on social assistance in sub-standard buildings. He questioned the adequacy of existing City regulations and by-laws with respect to decent standards for rooming houses and suggested there should be a planning review process when a rooming house is being proposed for any particular neighborhood. Ald. Kavanaugh and Crawford moved referral to staff for a report back on existing legislation applicable to rooming houses, with the views of staff on its effectiveness and enforcability and also, recommendations as to what steps should be taken to bring about more effective controls. Ald. Cote suggested staff should take into account any action that can be taken under the Residential Tenancies Act in these situations. Ald. Smith said he was in agreement with the intent of Ald. Brennan's motion and he was aware of the intolerable conditions that exist in buildings being converted to rooming houses without the necessary provisions for safety and comfort of the tenants. The motion to refer carried.

ALD. BACKEWICH

(2) Ald. Backewich's motion was withdrawn in view of the T.M.G recommendation adopted on completion of the corner improvements at Albro Lake and Victoria Road.

D. BRENNAN

(3) Ald. Brennan moved, seconded by Ald. Crawford, that funds allocated for the two NIP areas, as approved by City Council on May 2, 1978, be divided on a per-capita basis, and that a request go to the cost-sharing agencies to support that decision. Speaking in support of his motion, Ald. Brennan provided a number of statistics for comparison purposes between the Austinville and North Woodside NIP areas, pointing out that Austinville has a larger number of residents and dwelling units, with a lower average income, and therefore requires a greater proportion of the \$1,140,000. allocation for these two NIP projects. Ald. Ritchie and Fredericks considered the motion to be unfair, while other members, including Ald. Kavanaugh, Greenough and Cote, wanted to see both programs developed to the point where proposals will come to Council and the appropriate allocation of funds will then be made, based on priorities. Ald. Greenough proposed an amendment to this effect but it was ruled contrary to the motion and therefore out of order. Ald. Crawford spoke in support of the motion and Ald. Valardo spoke against. When the vote was taken, the motion was defeated with Ald. Williams, Crawford and Brennan voting in favour.

C. HART

(4) Ald. Hart's motion to move the historic Cape Cod house located on Portland St., was withdrawn due to the fact that the house has since been demolished. Concern was expressed that the house was demolished before Council had an opportunity to consider moving it, but it was pointed out by Mr. Cohoon that the owner, Petersen Pontiac, offered the house at no cost to the Cole Harbour Heritage group and it was available for some time to anyone wishing to move it.

(5) Ald. Hart moved, seconded by Ald. Backewich, that staff be directed to draw up terms of reference for the Transit Advisory Board, to include its relationship to Council in terms of decision-making, hiring

practices and so on. Ald. Hart said she felt this Board should have specific terms of reference under which to function, as other advisory boards presently do, and that the Board should be meeting on a more regular basis than at present. The motion was supported by Ald. Ritchie, Cote and Greenough; Ald. Valardo noted that the Board is required to meet to deal with any expenditure over \$1,000. and this requirement has constituted a reference term. Ald. Kavanaugh suggested that Council should be receiving periodic financial reports on the transit operation, and Mr. Cohoon said a statement could be prepared whenever it is required. When the vote was taken on the motion, it carried.

D. WILLIAMS

(6) Ald. Williams moved, seconded by Ald. Hart, that a Stipend Committee be appointed by Council to set up the annual stipend of Aldermen in the City; this committee to be composed of tax-payers of Dartmouth with no elected members. Explaining the intent of his motion, Ald. Williams suggested that members of Council are open to criticism when they determine salary adjustments for themselves. Reference was made by several Aldermen to the amount of time spent at meetings and on City business, and they felt it would be informative to citizens serving on a committee if they were made aware of these facts. Ald. Fredericks was not in favour of the motion and he said that ultimately Council would have to make the salary decision, even though a recommendation would come from the committee. The question was called and the motion carried with Ald. Thompson and Fredericks voting against.

Council went on to discuss the composition of the committee and there was general agreement that it should include a former Council member (or Mayor) who would be able to assess the implications of time spent in dealing with ward issues and problems of constituents. It was moved by Ald. Crawford and Williams that the Mayor and two Aldermen be designated to recommend a

Stipend Committee for Council's consideration, the Committee to include a former member of Council as suggested. The motion carried.

D. GREENOUGH

(7) Ald. Greenough moved, seconded by Ald. Thompson, that the preparation of a tender call be undertaken for installation of an air-conditioning system in the Prince Andrew auditorium. Ald. Kavanaugh and Fredericks commented on the fact that this item is included in the Prince Andrew modifications and it would probably be more costly and cause additional delay if one project is separated from the total package at this time. Plans for the modifications will be going to a meeting of the Building & Sites Committee on June 19th. In view of the information received, Ald. Greenough moved deferral until plans for the renovations come to Council. The motion to defer was seconded by Ald. Williams and it carried.

E. BRENNAN

(8) Ald. Brennan moved, seconded by Ald. Crawford, that staff be instructed to call tenders as soon as possible for the supply and installation of a public address system for Lake Banook and related areas. Ald. Brennan explained the funding arrangements worked out with the Province to cover the \$21,000. expenditure involved, requiring the City to carry the \$7,000. difference between what will have been received (\$14,000.) and the total cost (\$21,000.). The difference will be picked up by the Province next year. The motion was not opposed by any of the members and it carried.

RESOLUTION #78-16

On motion of Ald. Fredericks and Greenough, Council adopted the attached Resolution #78-16, authorizing the installation of water and sewer services in the Port Wallis area so that application can be made to C.M.H.C. for cost-sharing.

AMENDMENTS TO  
-LAW C-297

On motion of Ald. Greenough and Backewich, Council approved amendments made to By-law C-297 (Tax Deferral By-law) by the Minister of Municipal Affairs, this by-law having been approved by Council

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in its original form some time ago.

CURB & GUTTER:  
( FIRST PROPERTY

A report was considered from Mr. Cohoon on the request for relief from a portion of the curb and gutter assessment on the Dewhirst property at 20 Mountbatten Ave., which has frontage on three streets, Mountbatten Ave., Andover Street and Beverley Street. The recommendation is that no adjustment be made in this case, the Dewhirst property being in no different position than all corner lots and lots with more than one frontage that have been assessed under Council's former policy; all such properties were assessed for total frontage if the services were installed on more than one side. The recommendation was adopted, on motion of Ald. Backewich and Valardo with Ald. Greenough voting against.

SEASONAL OPERATION:  
GRAY ARENA

Mr. Moir has submitted a report on the proposed summer operation of the Gray Arena, including projected operating costs, a schedule, and a recommended fee structure. Ald. Valardo and Brennan moved the adoption of the report. Ald. Fredericks said he would like to have seen an income projection included as well so that Council would know whether to expect any over-expenditure from the summer rink operation. Mr. Cohoon said that it is likely the fee structure recommended would have been projected on at least a break-even basis. The motion carried.

PURCHASE: LOON ISLAND

The owner of Loon Island, located in Lake MicMac, has offered to sell this property to the City and a purchase price of \$5,000. has been negotiated with him. Mr. Moir's recommendation is to acquire the island from Mr. McClelland for the figure of \$5,000. and the recommendation was adopted on motion of Ald. Backewich and Greenough.

EMERGENCY NUMBER

Reports were before Council from Mr. Rath and Mr. Moir on the subject of a resolution introduced some time ago by Ald. Fredericks on the feasibility of adopting a single emergency telephone number 911



in place of the several existing emergency numbers. Mr. Moir's report advises that Maritime Tel & Tel is prepared to undertake a detailed study outlining the type of equipment which would be necessary and total costs, on the understanding that, when the study is completed, the City of Dartmouth would move towards establishing one central dispatch location. Therefore, it is recommended that Council authorize Maritime Tel & Tel to carry out the survey, based on the understanding that when the report is filed, Council will act to implement this program. Ald. Fredericks and Crawford moved the adoption of the recommendation, but Ald. Hart felt the Regional Authority should be asked to look at the matter, with the idea of having an emergency reporting service throughout the total metropolitan area in which all three municipalities would participate. Other members tended to agree with the approach suggested by Ald. Hart and referred to in Mr. Rath's report, and on motion of Ald. Fredericks and Crawford, the item was deferred until the July Council meeting so that in the interim it can be taken up at the Regional Authority.

On motion of Ald. Crawford and Valardo, Council approved a report from Mr. Moir recommending that the City donate the 1940 Seagrave 75' aerial ladder truck, which is no longer used for fire-fighting purposes, to the N. S. Fire Fighters School for training purposes.

The following tenders have been received for the canteen concession at Birch Cove for the period July 1st to September 5/78:

Ray Peters, 371 Prince Albert Rd.	\$410.
Beaver Foods Ltd., 5121 Sackville St.	400.
Pizza Place, Woodside Shopping Plaza	375.

Mr. Moir recommends awarding the tender to the high bidder, Mr. Peters, and the recommendation was adopted on motion of Ald. Valardo and Backewich.

On motion of Ald. Cote and Brennan, Council referred to Committee the report of the Housing Advisory

SEAGRAVE  
AERIAL TRUCK

WARD TENDER:  
BIRCH COVE CANTEEN  
CONCESSION

HOUSING REPORT

Board, as submitted by the Chairman, Ald. Hart. Ald. Fredericks asked if staff would be able to report on the Board's recommendations in time for the Committee meeting; Mr. Cohoon said that some verbal comments could be offered by staff but there is not time to prepare a written report.

TRANSIT REPORTS

Reports from the Transit Operations Manager were approved as follows:

- 1) Report dated May 15th: adopted on motion of Ald. Backewich and Greenough.

Ald. Ritchie and Fredericks asked that the Transit Advisory Board look at the possibility of a bus route on Gaston Road.

- 2) Report dated May 23rd: adopted on motion of Ald. Valardo and Greenough.

- 3) Report of May 29th: adopted on motion of Ald. Ritchie and Williams.

In response to a question from Ald. Greenough about the condition of the bus on the Port Wallis run, Mr. Russell advised that it is being replaced as of today with bus #133.

- 4) Report dated June 6th: adopted on motion of Ald. Crawford and Williams.

DEVELOPMENT OFFICER'S REPORT

Ald. Valardo and Thompson moved the adoption of the Development Officer's report for May and the main area of concern discussed in connection with the report had to do with the splitting of duplex units and the fact that wherever this occurs, trenches have to be cut into the street to make the separate sewer connections. Mr. Bayer pointed out that these are units already in existence before the by-law which now requires separate connections when the building is being constructed. Ald. Fredericks referred to instances where two units are being split into four and he asked Mr. Bayer to take a look at item 6 under section A. of his report; in these situations, two additional living units are being created in the basement of the building.

PERMIT TO BUILD:  
DARTMOUTH ACADEMY

On motion of Ald. Valardo and Crawford, Council approved a building application for an addition to the Dartmouth Academy, subject to the conditions set out in the staff report from the Planning Director's office.

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PERMIT TO BUILD:  
900 WINDMILL PLACE

On motion of Ald. Crawford and Backewich, an application for permit to build a one-storey commercial building as Phase 2 of Windmill Place (900 Windmill Road) was approved by Council, subject to compliance with all of the staff requirements indicated in the report from Mr. Bayer's office.

PERMIT TO BUILD:  
MICMAC SHOPPING CENTRE

On motion of Ald. Crawford and Valardo, Council also granted a building permit application for a third-storey addition to MicMac Mall, subject to the requirements in the staff report from the Planning Director's office.

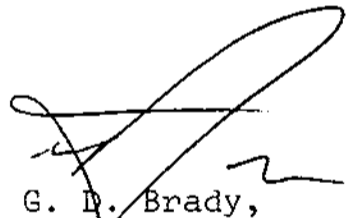
On motion of Ald. Fredericks and Backewich Council adjourned to meet in camera as Committee-of-the-Whole to deal with several additional items of business.

Council later reconvened in open meeting and ratified the action taken in camera, on motion of Ald. Crawford and Hart.

NOTICE OF MOTION:  
ALD. RITCHIE

Written notice of motion was given by Ald. Ritchie for the next Council meeting, that Council give consideration to setting a rate of 20 cents as a bus fare for senior citizens instead of the regular fare.

Meeting adjourned.

  
G. D. Brady,  
Deputy City Clerk.

June 13, 1978

RESOLUTION 78-16

WHEREAS Dartmouth City Council has authorized the installation of water and sewer services in the Port Wallace Area of Dartmouth.

BE IT THEREFORE RESOLVED that application be made to Central Mortgage and Housing Corporation for cost sharing for the Port Wallace Servicing Project.

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June 1978

Resolution 78-17

WHEREAS the Council of the City of Dartmouth desires to acquire the land described in the plan and description attached hereto,

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 City Clerk 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 expropriates the land described in Schedule "A" hereto and shown on the plan attached hereto as Schedule "B"

The owner of the land according to the last revised assessment roll is Cyril J. O'Hearn of Dartmouth.

The interest intended to be expropriated is the fee simple and such interest is not to be subject to any existing interest in the land.

The land is being expropriated by the City for waterfront development and parking purposes.

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SCHEDULE "A"

ALL that certain lot, piece or parcel of land and land covered with water situate, lying and being near the western end of North Street at Halifax Harbour in the City of Dartmouth, Nova Scotia, and being Parcel "C.J.O." shown on a plan showing Parcel "C.J.O." at Dartmouth in the County of Halifax, Province of Nova Scotia and signed by Frank Longstaff, N.S.L.S., and dated November 10, 1977 and said parcel being more particularly described as follows:

BEGINNING at a point on the southwestern boundary of lands of Canadian National Railways and said point being the most northern corner of lands of the City of Dartmouth and said point being shown as letter "J" on the above mentioned plan;

THENCE S 39° 26' 28" W, 404.87 feet along the northwestern boundary of lands and lands covered with water of the City of Dartmouth to a point being shown as letter "H" on the above mentioned plan;

THENCE N 50° 33' 32" W, 120.0 feet to a point being shown as letter "E" on the above mentioned plan;

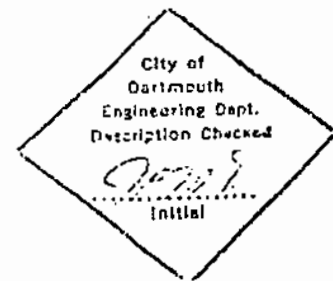
THENCE N 39° 26' 28" E, 378.10 feet along the southwestern boundary of lands and lands covered with water of a Public Dock to a point being shown as letter "B" on the above mentioned plan;

THENCE S 74° 41' 57" E, 65.75 feet along the southwestern boundary of lands of the Canadian National Railways to a point being shown as letter "K" on the above mentioned plan;

THENCE S 50° 26' 35" E, 60.0 feet along the southwestern boundary of lands of the Canadian National Railways to the point of beginning.

ALL bearings being referred to a Transverse Mercator Grid 3° Zone.

CONTAINING an area of 1.097 acres.



Dartmouth, N. S.

June 20/78.

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

Present - Mayor Brownlow

Ald. Smith	Williams
Hart	Backewich
Thompson	Kavanaugh
Cote	Valardo
Crawford	Brennan
Ritchie	Greenough
City Solicitor, S. Hood	
City Administrator, C. A. Moir	

REZONING:  
MANOR PARK

This meeting of Council constituted a public hearing for the rezoning application to have a single property in Manor Park rezoned from R-1 Zone to TH-1 Zone. Approval has been recommended by the Planning Dept., subject to the developer, prior to the public hearing, entering into an agreement with the City, guaranteeing: (1) he will, at his own expense, construct to City street standards that portion of Portland Street from the site through to the Joffre Street connection, and (2) he will assume 100% of any other off-site costs required for this project. A report from Mr. L'Esperance on the voluntary public meeting at Southdale School, indicates that no area residents attended.

The appropriate amendment to the Zoning By-law was before Council in the form of By-law C-353. It was moved by Ald. Hart and Cote and carried that leave be given to introduce the said By-law C-353 and that it now be read a first time.

It was moved by Ald. Thompson and Greenough that By-law C-353 be read a second time.

In the debate on second reading, Ald. Smith and Williams spoke against the rezoning. Ald. Williams said that area residents did not receive notification of the public meeting and for that reason, did not have an opportunity to express their opposition. Reference was made by several Aldermen to the Planning Appeal Board's decision which reversed Council's action on the previous Manor Park rezoning request, and it was generally felt that the Appeal Board would take a similar



position in this case if the application were to be denied by Council. Ald. Kavanaugh said the developer should recognize, however, that if he plans to have any additional land to the north-east rezoned from the present R-1 zoning, Council would be prepared to oppose it.

Council heard Mr. McDonah, representing the developer, and he indicated the developer's compliance with the two conditions specified in the Planning Dept. report, as referred to previously in the minutes. He stated that hand notices were delivered to residents living in the immediate area of Parcel C, the land holding involved, and the voluntary public meeting was also advertised in the local daily newspaper. There was no one else wishing to be heard during the course of this public hearing. When the vote was taken on second reading, it carried with Ald. Smith, Williams and Crawford voting against.

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

EDGING: CORNER  
MAPLE & THISTLE STS.

This date was also set by Council for public hearing of a request to rezone property at the corner of Maple and Thistle Streets from C-1 Zone to R-4 Zone to permit construction of a three-storey apartment building containing thirty units, with one storey of underground parking. The Planning Dept. has recommended in favour of the application, subject to the developer posting a \$10,000. bond and entering into an agreement with the City, guaranteeing the building will be constructed as proposed. A report on the voluntary public meeting indicates strong opposition to the rezoning on the part of area residents, their concerns being: (1) decreased water pressure; (2) insufficient parking; (3) deterioration of the neighborhood; and (4) lack of play and open space. A petition, signed by 249 residents opposed to the rezoning and proposed development, has been received and copies of a brief submitted by the

Chairman of the Austenville NIP Committee, have been circulated. Opposition has also been expressed in a letter received from Mr. MacIntosh of 22 Tulip Street.

By-law C-354, an amendment to the Zoning By-law, has been prepared in connection with the proposed zoning change. It was moved by Ald. Backewich and Thompson and carried that leave be given to introduce the said By-law C-354 and that it now be read a first time.

It was moved by Ald. Thompson and Backewich that By-law C-354 be read a second time.

Mr. Spicer, Solicitor representing the owner of the property, Mr. Joseph Arab, commented on the present C-1 zoning, which would permit a number of commercial uses, and suggested that the type of residential use proposed would be preferable and would not generate the kind of traffic that some type of commercial use would. He did not consider traffic or the other areas of concern expressed by area residents to be sufficient reasons for refusing the rezoning application, and he maintained that the \$10,000. bond required of Mr. Arab would insure that construction and landscaping plans are adhered to as presented. He provided information on improvements made by Mr. Arab to buildings he has acquired in Dartmouth, a point disputed in the brief submitted by the Austenville NIP group.

Plans for the proposed development were presented by the architect, Mr. Lucien Ledaire, and during his presentation, he made the suggestion that concerns about the traffic situation on Maple Street might be alleviated somewhat by prohibiting left turns into and out of the site. Mr. Arab was also heard by Council in defense of the properties he presently owns in Dartmouth and the condition of them.

Speaking on behalf of the citizens present for this item, Mr. Rutherford reviewed the objections set out in the brief he presented, and stressed in particular

the concerns about any increase in vehicular traffic at what is already a dangerous intersection, the adequacy of the sewer system to accommodate the proposed development, protection of the view planes from Thistle Street and the affect of such a development on the NIP plans underway to stabilize and improve one of the older residential areas of the City. He made specific reference to several properties already owned by Mr. Arab in this neighborhood, suggesting that they are not being properly maintained and represent the kind of problems typical of buildings owned by absentee landlords. He said Mr. Arab does not have the interest of the community at heart and this lack of concern would be reflected again in the apartment building proposed.

Mr. B. Williams of 44 Dahlia Street expressed similar concerns and felt that a traffic study is required at the Maple/Thistle Street intersection before any development would be considered for the site being discussed; also, the capacity of the existing sewer system should be looked at as well. Mr. S. Moir, a resident of Thistle Street, did not feel that an R-4 density development should be permitted on the property and he wished to see the view planes protected from the point of view of Thistle Street property owners.

Ald. Ritchie and Williams indicated they would be unwilling to support the rezoning and Ald. Crawford also spoke against it. He made reference to the fact that there have been fifty traffic accidents, of both a major and minor nature, at the Maple/Thistle St. intersection within a six-month period. He also questioned the fact that a portion of property owned by Mr. & Mrs. Mason has been included in the rezoning description. Ald. Greenough took this point up further with Mr. L'Esperance and was advised that it was included by the Planning Dept. and not by the applicant.

Mr. Spicer responded to some of the points brought out during the hearing, suggesting that a decision on the

the concerns about any increase in vehicular traffic at what is already a dangerous intersection, the adequacy of the sewer system to accommodate the proposed development, protection of the view planes from Thistle Street and the affect of such a development on the NIP plans under-way to stabilize and improve one of the older residential areas of the City. He made specific reference to several properties already owned by Mr. Arab in this neighborhood, suggesting that they are not being properly maintained and represent the kind of problems typical of buildings owned by absentee landlords. He said Mr. Arab does not have the interest of the community at heart and this lack of concern would be reflected again in the apartment building proposed.

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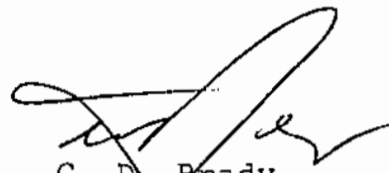
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Mr. Spicer responded to some of the points brought out during the hearing, suggesting that a decision on the

rezoning application should be based on planning principles; he noted that the Planning Dept. has recommended to Council in favour of the request.

When the vote was taken on second reading, the motion was unanimously defeated and the Mayor declared the rezoning request to be denied.

Meeting adjourned.



G. D. Brady,  
Deputy City Clerk.

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

Present - Mayor Brownlow

Ald. Thompson	Kavanaugh
Hart	Valardo
Brennan	Crawford
Ritchie	Williams
Smith	
City Solicitor, S. Hood	
City Administrator, C. A. Moir	

PUBLIC HEARING:  
M.D.P. & ZONING BY-LAW

This meeting of Council constituted the official public hearing for the Dartmouth Municipal Development Plan (1978) and the City of Dartmouth Zoning By-law (1978), copies of which have been circulated to all members of Council.

In an accompanying report to Council, Mr. Zwicker of the Planning Dept. has reviewed the public exposure given the proposed Municipal Development Plan since April, and he has also indicated certain amendments required for incorporation as follows:

- 1) On page 103, the first sentence in the third paragraph has been rewritten, removing the words 'within the City to protected land uses', and replacing them with 'outside the development boundary'. This change is necessary to be consistent with earlier statements in the Plan.
- 2) Spelling, punctuation, and typing errors have been corrected.

In accordance with a procedure schedule set out by the Solicitor for processing the M.D.P. and the Zoning By-law, Council first proceeded to give first and second reading to the proposed By-law C-356, under which the Municipal Development Plan will be adopted.

-LAW C-356

It was moved by Ald. Crawford and Ritchie and carried that leave be given to introduce the said By-law C-356 and that it now be read a first time.

It was moved by Ald. Ritchie and Crawford that By-law C-356 be read a second time. Ald. Brennan and Kavanaugh moved in amendment that the changes referred to above be incorporated in By-law C-356 in second reading.

Council agreed to hear submissions from interested groups and citizens at this point in the public hearing.

Presentations were made as follows:

- 1) By Gail Kerr of Bicycle Nova Scotia: this group would like to see recommendations in the M.D.P. for the creation of bicycle networks and commuter ways, along the lines of one of the three alternatives suggested, involving either the provision of bikeways separate from City streets, a separate lane for bicycles within existing roadways, or a bicycle route identified as such by signs.

Mr. Bayer suggested that this is an area for consideration in the Recreation Master Plan and if recommendations come out of that study, the M.D.P. can be amended accordingly at a later time, rather than holding it up by attempting to include all such amendments in the initial approval of the Plan. The Mayor suggested that the recommendations coming from the various submissions will be referred to staff for further study and subsequently, amendments will come back to Council as they are prepared. Ald. Kavanaugh and Smith spoke in favour of this procedure and of having the briefs reviewed at the staff level in due course, instead of trying to draft amendments while the by-law is being processed. Some of the other Aldermen later expressed a difference of opinion on the approach suggested and felt that the time to make amendments is during the course of second and third reading of the by-law and not after the M.D.P. has been formally accepted.

- 2) Nova Scotia Assn. of Architects: the main recommendation from this group was their proposal that the City establish a Design Review Panel, as outlined in their written brief of June 14/78. Mr. Bayer indicated that the Planning Dept. would appreciate an opportunity to meet with members of the Assn. to discuss their idea and bring a report back to Council.
- 3) Housing & Urban Development Assn.: Mr. Gillespie, Chairman of the Liaison Committee, made the presentation on behalf of HUDAC and requested a 30-day postponement of a decision by Council on the M.D.P., to give the organization time to prepare a detailed brief on the two main areas of concern referred to in their letter of June 26/78. He suggested that there is not enough direction in the Plan to indicate where residential development is going to take place in the City within the next twenty years and just how people are to be housed.

Mr. Bayer noted that his department does not agree with the points raised by HUDAC, and he went on to clarify several points which he felt may be creating confusion as to the availability of serviced land for residential development, commenting particularly on the holding zone category intended for development as a total package concept. Ald. Valardo also questioned the population projections contained in the M.D.P.; he felt that any kind of development impetus, such as the free port idea being discussed, would greatly alter the population figures. The Mayor suggested that HUDAC proceed with their brief as quickly as possible and perhaps it could be ready for consideration at the time of third reading.

4) Urban Development Institute of Nova Scotia:

Mr. Russell was heard on behalf of U.D.I. and he said that while the Institute supports the major policy recommendations contained in the Municipal Development Plan, there are several areas they feel should receive further consideration, as outlined in their written brief, dated July 26/78. Mr. Bayer said that many relevant points have been brought out in the submission from U.D.I. and they will be reviewed by staff in detail.

5) Community Planning Assn. of Canada: Their presentation was made by Joanne Lamey and a number of recommended policies are contained in a detailed brief submitted, dealing with individual sections of the M.D.P. Mrs. Lamey felt that there has not been sufficient opportunity for public input prior to the official hearing of this date, and she said it was the understanding of Community Planning that amendments would be considered for inclusion in the Plan before it was adopted and not afterward. She indicated that the organization would be prepared to work with the City and other groups on the recommendations that have been proposed by Community Planning.

6) Mr. Mike Marshall, speaking as a private citizen, expressed the opinion that the Plan should have allowed for a section in which there is an assessment of past history and development patterns, as reflected in existing conditions in present-day Dartmouth. He suggested that when consideration is being given to future amendments, some account should be taken of the uniqueness of Dartmouth as a community within the larger metropolitan region and the philosophy we would like to see evolve in order to retain a sense of community within the City.

7) Ecology Action Centre: Represented by Don Chard of the Urban Committee of Ecology Action. His



contention was that the M.D.P. tends to reflect the legal requirements of the Planning Act and does not reflect the aspirations of the citizens of Dartmouth. He objected to the emphasis on highway construction, as opposed to provisions for pedestrians, bicycles, etc., and suggested that Council and staff should be considering a study to determine just what the pedestrian needs are in Dartmouth. One of the other main points made in this presentation was that a section of the M.D.P. should have been included to deal with the City's heritage resources and the preservation of these resources. Ald. Valardo asked for a copy of the Ecology Action brief and the Mayor said other members of Council could receive copies as well if they so wished.

- 8) Mr. Eldon Oja, another private citizen heard by Council, expressed concern about the population figures projected for the City in the M.D.P. and wanted to see a more positive emphasis directed toward either halting or reversing the flow of people from the City to outlying County areas. His other concern had to do with the increasing commuter traffic using Portland Street and the difficulties and hazards this presents for local residents when they are trying to cross the street on foot or enter it in their cars.

Further along the lines of the points raised by Mr. Oja with reference to the commuter traffic on Portland Street, Ald. Crawford and Brennan stated their dissatisfaction with the lack of recommendations in the M.D.P. for improving the situation on Portland Street and resolving problems associated with the north/south movement of traffic in the core area of the City generally. Mr. Bayer explained that a widening of Portland Street would only encourage more commuter traffic to use this route through residential sections instead of directing it to the outside arterial traffic ring as we are trying to do. Ald. Ritchie asked if consideration is being given to another exit from Gaston Road and was advised by Mr. Bayer that no further connection is planned with the Circumferential from Gaston Road. Ald. Kavanaugh suggested that the situation at Gaston Road would be alleviated somewhat with traffic lights at the corner of Gaston Road and Portland Street. The concerns raised by Ald. Brennan with regard to north/south traffic patterns were discussed by him with Mr. Bayer.

- 9) Mr. Bill Young, speaking on behalf of the MacCulloch interests, commented favourably on the M.D.P. and indicated his endorsement of it.
- 10) Mr. Dick Rutherford, Chairman of the Austenville NIP group, said he felt strongly that there was not enough time for public input into the M.D.P. and that it bears further consideration before being adopted.
- 11) Mr. Gerald Mossman commended the Plan and spoke in favour of it.
- 12) Mr. Steven Townsend, another resident, questioned the population projections and his other inquiries had to do with the Downtown Planning Study.
- 12) Mr. John Osborne suggested that the Plan does not take into account the continuing impact of the cost of gas and oil and the fact that people will want to be located closer to their jobs to avoid increasing transportation costs; also, more people will be wanting to use transit, bicycles and other less costly means of getting to and from work, including walking.
- 13) Mr. Roger Eckoldt, a developer and resident of Dartmouth, made several comments on the advantages of creative and multi-unit development techniques to maximize the use of land available for residential development.

Ald. Valardo questioned the affect that population projections in the M.D.P. could have on the expansion of the City generally and on the development of specific areas such as the downtown which we are attempting to revitalize. He expressed concern that development could be stifled within the business community as a result and said he would like to see a better balance between the encouragement of development and restrictions sufficient to protect the City at the same time.

Ald. Brennan referred to an area of conflict in the M.D.P. on page 96 under Policy D-2, which would preclude the rezoning proposed in the Austenville NIP plan, and he suggested that an amendment is required to resolve this difficulty. On motion of Ald. Kavanaugh and Hart, an amendment was adopted, adding to the policy statement the words: 'provided that Council may consider zoning amendments in this area to implement detailed plans of specific development proposals'. Ald. Brennan also maintained that policy statements contained in the

Transportation section of the Plan are in conflict with Council's decision to participate in regional transit; Mr. Bayer considered the policies to be compatible, however.

Ald. Hart was in favour of giving more time for public input and felt that a 30-day delay in adopting the Plan would not have a detrimental effect on it.

When the vote was taken on second reading as amended, it carried but unanimous consent was not given by Council for third reading of By-law C-356.

Y-LAW C-357

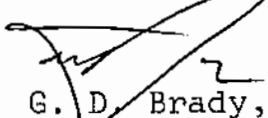
The proposed Zoning By-law, C-357 was then presented for consideration. It was moved by Ald. Kavanaugh and Valardo and carried that leave be given to introduce the said By-law C-357 and that it now be read a first time.

It was moved by Ald. Williams and Kavanaugh that By-law C-357 be read a second time.

The following amendments, recommended in Mr. Zwicker's report, were then adopted in second reading, on motion of Ald. Kavanaugh and Williams:

- 1) Definitions for the words 'apartment hotel' and 'City' are necessary additions.
- 2) Section 35 (1) (d) basement apartments have been revised to plug a potential loophole in the R-2 Zone.
- 3) Section 40 (1) (a) remove R-3 from the permitted uses to retain the local nature of the C-1 Zone.
- 4) Section 41 (1) (a) remove R-4 from the permitted use to control high density multiple family developments in the C-2 Zone.
- 5) Spelling, punctuation, and typing errors have been corrected.

There was no one wishing to be heard on the Zoning By-law at this public hearing and Council did not want to proceed with the Planning Dept. presentation because of the lateness of the hour. The meeting therefore adjourned with the by-law still in second reading, without the vote on second reading being taken.

  
G. D. Brady,  
Deputy City Clerk.