

Dartmouth, N. S.

January 3/79.

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

Present - Mayor Brownlow

Ald. Ibsen	Thompson
Williams	Cunningham
Brennan	Crawford
Cote	Valardo
Hart	Backewich
Irvine	Greenough
Ritchie	Fredericks
City Solicitor,	S. Drury
City Clerk-Treasurer,	N. C. Cohoon

MINUTES

On motion of Ald. Ritchie and Thompson, Council
approved the minutes of the Dec. 4th, 5th and 12th meetings.

Ald. Fredericks noted that he was to have received
information on a piece of City property at the corner of
Portland Street and Caldwell Road; he asked to have this
in writing for the next meeting.

Ald. Ibsen made an inquiry about the promotion of
Atlantic products as proposed in a motion adopted at the
Dec. 5th meeting; Ald. Fredericks said it is intended that
the Chamber of Commerce would initiate the promotion and
not individual companies themselves.

BY-LAW C-367:
THIRD READING

By-law C-367 (Lord's Day By-law) was before Council
for third reading at this time. It was moved by Ald.
Backewich and Greenough and carried that By-law C-367
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. Crawford raised a number of questions in
connection with the by-law, specifically in relation to
the cancellation or suspension of permits for violation
of the by-law provisions, the possibility of limiting the
number of permits issued, and the imposition of stricter
penalties that would serve as a deterrent against violating
the by-law. He discussed these points with Mr. Drury and
it was pointed out to Council that the City does not have
authority over the license fees or the penalties imposed,
the former being set by the Province and the latter being
described in the Federal statute. The matter of suspending

Dartmouth, N. S.

January 3/79.

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

Present - Mayor Brownlow

Ald. Ibsen	Thompson
Williams	Cunningham
Brennan	Crawford
Cote	Valardo
Hart	Backewich
Irvine	Greenough
Ritchie	Fredericks
City Solicitor,	S. Drury
City Clerk-Treasurer,	N. C. Cohoon

MINUTES

On motion of Ald. Ritchie and Thompson, Council
approved the minutes of the Dec. 4th, 5th and 12th meetings.

Ald. Fredericks noted that he was to have received
information on a piece of City property at the corner of
Portland Street and Caldwell Road; he asked to have this
in writing for the next meeting.

Ald. Ibsen made an inquiry about the promotion of
Atlantic products as proposed in a motion adopted at the
Dec. 5th meeting; Ald. Fredericks said it is intended that
the Chamber of Commerce would initiate the promotion and
not individual companies themselves.

BY-LAW C-367:
THIRD READING

By-law C-367 (Lord's Day By-law) was before Council
for third reading at this time. It was moved by Ald.
Backewich and Greenough and carried that By-law C-367
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. Crawford raised a number of questions in
connection with the by-law, specifically in relation to
the cancellation or suspension of permits for violation
of the by-law provisions, the possibility of limiting the
number of permits issued, and the imposition of stricter
penalties that would serve as a deterrent against violating
the by-law. He discussed these points with Mr. Drury and
it was pointed out to Council that the City does not have
authority over the license fees or the penalties imposed,
the former being set by the Province and the latter being
described in the Federal statute. The matter of suspending

or cancelling licenses could be studied further, however, and a section drafted to cover this provision, for inclusion at a later time. Ald. Valardo suggested that Council should be requesting the Provincial and Federal authorities to change their legislation with respect to the licensing fees and penalties we are able to impose; he asked that Mr. Drury, in conjunction with the City Clerk, look at his suggestion in more detail and make some recommendations to Council, upon which action could be taken.

Ald. Crawford also questioned the 1800 sq. ft. requirement for retail space in relation to the storage space a store is permitted to have; Mr. Drury said it is his opinion that when items are visible to customers in open shelves, etc., this forms part of the selling space and would have to be included in the 1800 sq. ft. provision. Ald. Crawford wanted to have consideration given by the Solicitor to the items he raised during third reading, and he seconded a motion of deferral moved by Ald. Ritchie for this purpose. Ald. Fredericks, Backewich and Cote spoke against the motion to defer and when the vote was taken, it was defeated. The motion on third reading carried.

The Mayor noted that Mr. Drury will give further consideration to the following items:

- (a) the cancellation and suspension of permits.
- (b) the duration of the term of the permit.
- (c) a recommendation Council could consider on the licensing fees and penalties in order to request that these be amended.

BY-LAW C-369:
THIRD READING

By-law C-369 (Pension Plan) was also presented for third reading at this meeting. It was moved by Ald. Backewich and Thompson and carried that By-law C-369 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.

MOTIONS:
ALD, IRVINE

Notice of motion having been previously given, the following motions were introduced for consideration:

1) Ald. Irvine moved, seconded by Ald. Crawford, that a minimum of one million dollars be included in the

capital works budget for street construction in 1979. Ald. Irvine explained why it would be advantageous for the Engineering Dept. to have an indication at this time of the year as to the extent of the street construction planned for 1979. Other members of Council tended to favour the motion in principle, suggesting that the item can be reduced or deleted at capital budget time if necessary. Mr. Cohoon recommended tabling the motion until it can be considered in conjunction with other capital spending demands, but when the vote was taken, the motion carried as presented. Mr. Purdy was available to answer questions from the Aldermen during the debate.

ALD. RITCHIE.

2) Ald. Ritchie moved, seconded by Ald. Crawford, that Council ask Industrial Estates Ltd. to have money put in their budget in 1979 to keep their properties in the City in a tidy condition. Copies of a letter from I.E.L. with respect to Ald. Ritchie's motion were circulated, expressing concern about it and commenting on the efforts being directed toward the improvement and maintenance of I.E.L. properties in the Woodside area. Ald. Hart questioned whether the City can, in fact, ask I.E.L. to put money in their budget for such a purpose, and Ald. Greenough said it might be advisable to table the motion for a period of time to see if the I.E.L. properties show signs of improvement. Debate proceeded further along these lines until it was moved in amendment by Ald. Hart and Backewich that the Mayor be requested on behalf of Council to correspond with I.E.L. to encourage them to maintain their properties in the City in a tidy condition. The vote was taken on the amendment and it was defeated; the motion carried with Ald. Greenough and Hart voting against.

ALD. BRENNAN

3) Ald. Brennan moved, seconded by Ald. Valardo, that the City request the Tourist Commission to investigate the feasibility and sources of funding for a satellite tourist bureau to be set up and operated in the downtown area during

summer of 1979. The motion carried.

NEGOTIATIONS:
FERRY EMPLOYEES

On motion of Ald. Greenough and Thompson, Council received and filed a report from Mr. Moir, advising that the Union representing employees of the Dartmouth Ferry service wishes to commence negotiations for their 1979 contract, based on the list of items set out for discussion.

MEMBERSHIP:
TOURIST COMMISSION

In a report to Council, Mr. Moir has recommended approval of a list of members proposed for appointment to the Dartmouth Tourist Commission to serve during a two-year period. Ald. Cunningham has been named to represent Council on the Commission and Mr. Lynch, the Recreation Director, is suggested as the staff representative. Ald. Thompson and Backewich moved the adoption of the recommendation from Mr. Moir. Ald. Crawford asked why the Downtown Merchants Assn. is not represented on the Commission and was advised that the by-law establishing the Commission does not provide for membership from this organization. Ald. Brennan felt the by-law should be amended to provide for inclusion of the Merchants Assn., and he went on to suggest that further consideration should be given to the staff appointment at the Committee level. He moved referral to Committee for this purpose; Ald. Crawford seconded the amendment. The role of Mr. Lynch in relation to tourism and the tie-in with his department was explained by Ald. Irvine and Mr. Cohoon. Several members of Council spoke against referral and the motion was defeated.

Ald. Valardo questioned membership on the Commission in the case of people who are not Dartmouth residents, but Council did not wish to introduce a restriction to City residents only and the motion carried without any amendment to this effect.

UNCOLLECTABLE
WATER ACCOUNTS

Mr. Cohoon has submitted a list of uncollectable water accounts, with the recommendation that they be written off, as provided for in the reserve set up in 1977. It is noted in his report that if the opportunity to collect any of the accounts presents itself in the future, efforts will be made to recover the outstanding amounts. Council

adopted the recommendation on motion of Ald. Williams and Crawford. Questions regarding various individual accounts contained in the list were answered for the members by Mr. Cohoon.

FINAL PLANS:
HIGH SCHOOL
MODIFICATIONS

The School Board has recommended approval of the final plans for modifications to the two high schools and authorization of the tender calls. The recommendation was adopted on motion of Ald. Irvine and Crawford. Ald. Greenough asked if the modifications include improvements to the air-conditioning system at Prince Andrew; Mr. Cohoon advised that they do.

SPECIAL RATES:
TRANSIT

The Transit Advisory Board has considered a motion introduced by Ald. Backewich that special fares be established for students and senior citizens using the transit system. In view of the fact that the Metropolitan Transit Commission will be assuming responsibility for transit in the near future, the Committee recommends that no change in policy be made at this time, but that the following recommendations be forwarded to the M.T.C. for incorporation into the new fare structure:

- 1) that senior citizens be permitted to travel free during non-peak periods (hours to be determined), and that full fares apply for peak period travel.
- 2) that any adopted students' fare apply to any person with a student identification card certifying attendance at public schools.

Ald. Williams and Thompson moved the adoption of the recommendation, but several of the Aldermen, including Ald. Backewich, Fredericks, Ritchie and Crawford, did not feel the City should have to wait to introduce special fares, particularly in the case of senior citizens. When the vote was taken, the motion carried with all of the above members voting against.

TRANSIT SERVICE:
GASTON ROAD

The Transit Advisory Board has also considered a motion made by Ald. Ritchie, to the effect that transit service be established on Gaston Road, and the recommend-

ation to Council is that no changes in the Dartmouth Transit schedule be attempted prior to take-over by the M.T.C. Since transit on Gaston Road has already been identified as one of Dartmouth's priorities when regional transit comes into being, it is further recommended that this priority be endorsed by Council. The recommendation of the Committee was approved on motion of Ald. Irvine and Valardo.

NOTICE OF MOTION:
ALD. BACKEWICH

The following notice of motion was given for the next regular Council meeting:

Ald. Backewich: that the City Solicitor be instructed to amend the appropriate by-laws and/or regulations to make mandatory the installation of smoke and heat detectors in all apartment buildings, rooming houses or premises that are rented for the purpose of being lived in.

Council then adjourned to meet in camera on motion of Ald. Williams and Thompson. Having reconvened in open meeting, the action taken in camera was ratified on motion of Ald. Valardo and Greenough.

Meeting adjourned.

G. D. Brady,
Deputy City Clerk.

Dartmouth, N. S.

January 10/79.

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

Present - Mayor Brownlow


Ald. Ibsen	Thompson
Williams	Cunningham
Brennan	Crawford
Cote	Valardo
Hart	Backewich
Irvine	Greenough
Ritchie	Fredericks
City Solicitor, S. Drury	
City Clerk-Treasurer, N. C. Cohoon.	

NEGOTIATIONS:
FIRE FIGHTERS

This meeting of Council was called to hear a brief from the Fire Fighters' negotiating committee. The Mayor called the meeting to order and advised that there has been a new development in the strike situation; he asked Council to meet in camera to deal with the matter further.

On motion of Ald. Irvine and Crawford, Council agreed to meet in Committee and went into camera on motion of Ald. Crawford and Thompson. After a lengthy in camera session, Council reconvened in open meeting and ratified the action taken, on motion of Ald. Irvine and Crawford (Ald. Valardo voting against).

The meeting then adjourned.


G. D. Brady,
Deputy City Clerk.

Dartmouth, N. S.

Jan. 15/79.

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

Present - Mayor Brownlow

Ald. Thompson	Ibsen
Williams	Cunningham
Hart	Backewich
Cote	Valardo
Irvine	Greenough
Ritchie	Fredericks
Crawford	
City Solicitor, S. Hood	
City Clerk-Treasurer, N. C. Cohoon	

PROPOSED REVISION:
MUNICIPAL ELECTIONS
LEGISLATION

As requested by Council, Mr. John Cameron of the Dept. of Municipal Affairs was present to explain some of the details of the procedures being followed in preparing legislation intended to bring about uniform municipal election practices throughout the Province, as outlined in the communication received from the Executive Director for the Union of Nova Scotia Municipalities, brought before the Committee meeting of January 9th.

Mr. Cameron indicated to Council that the decision to proceed with revisions to the Election Act was prompted by requests from various municipalities for such changes, presented through a number of resolutions adopted at Nova Scotia Municipalities conferences and through specific individual requests as well. From that point, Mr. Ralph Stoddard was engaged to undertake a study and his report was considered and amended by the Union committee appointed for this purpose. Copies of the amended proposal will ultimately be forwarded to all municipalities for input and comment prior to the introduction of the legislation in the Provincial House sometime in the spring. Representation can also be made at that time to the Law Amendments Committee by anyone wishing to have further input. At this time, the Union committee is seeking a response from the municipalities to only one section of the draft proposal they are in the process of putting together; that section has to do with transitional elections and the question of whether the terms of councillors already

Dartmouth, N. S.

Jan. 15/79.

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

Present - Mayor Brownlow

Ald. Thompson	Ibsen
Williams	Cunningham
Hart	Backewich
Cote	Valardo
Irvine	Greenough
Ritchie	Fredericks
Crawford	
City Solicitor,	S. Hood
City Clerk-Treasurer,	N. C. Cohoon

PROPOSED REVISION:
MUNICIPAL ELECTIONS
LEGISLATION

As requested by Council, Mr. John Cameron of the Dept. of Municipal Affairs was present to explain some of the details of the procedures being followed in preparing legislation intended to bring about uniform municipal election practices throughout the Province, as outlined in the communication received from the Executive Director for the Union of Nova Scotia Municipalities, brought before the Committee meeting of January 9th.

Mr. Cameron indicated to Council that the decision to proceed with revisions to the Election Act was prompted by requests from various municipalities for such changes, presented through a number of resolutions adopted at Nova Scotia Municipalities conferences and through specific individual requests as well. From that point, Mr. Ralph Stoddard was engaged to undertake a study and his report was considered and amended by the Union committee appointed for this purpose. Copies of the amended proposal will ultimately be forwarded to all municipalities for input and comment prior to the introduction of the legislation in the Provincial House sometime in the spring. Representation can also be made at that time to the Law Amendments Committee by anyone wishing to have further input. At this time, the Union committee is seeking a response from the municipalities to only one section of the draft proposal they are in the process of putting together; that section has to do with transitional elections and the question of whether the terms of councillors already

elected should be shortened or lengthened to facilitate this transition. Also involved is the matter of standardizing all elections so that all members of a Council are elected at one time for a three-year term rather than on the present rotating basis.

Mr. Cameron went on to explain some of the reasons why it is considered desirable to standardize municipal election procedures and to bring them in line with those for Provincial elections. He noted that the proposal now in preparation has not yet been released as a public document and copies have therefore not been made available to individual municipal Councils until the amendments have been completed by the Union committee working on it.

The general response of Council toward the legislation and in particular to the specific section noted, was negative. Ald. Fredericks considered the Province to be tampering with the City Charter and infringing further on municipal jurisdictions through the legislative changes proposed. He favoured a retention of the present rotating system we have, under which half the Council is elected during one year and the other half, in the year following. Ald. Valardo and Crawford expressed similar viewpoints and the other main concern among the members of Council had to do with the opportunity Council will have for input before the legislation goes to the Province. Mr. Cameron again outlined the procedure to be followed in dealing with the draft proposal but most of Council were not convinced of adequate assurance that their feelings on the subject will be conveyed to the Municipal Affairs Dept. or taken into consideration before the proposal is dealt with in the Legislature. Ald. Greenough said he was not so concerned about the communication from the Union, because Council has in fact been simply asked for an opinion at this time in order for the committee to arrive at a consensus

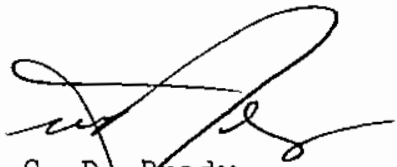
from the municipalities; later, we will have a chance to express opposition to any section of the legislation on which strong views are held by the Council.

Following a lengthy discussion, a resolution was proposed for consideration and it was subsequently moved by Ald. Crawford and Cote that the Union committee be advised as follows:

- a) that City Council is in favour of retaining its own legislation relating to elections in Dartmouth;
- b) that Council is in favour of the practice of off-year elections in the interests of maintaining continuity;
- c) if legislation is passed requiring Dartmouth to hold elections as proposed, we are in favour of full implementation in 1982.

Ald. Ibsen and Fredericks moved in amendment the deletion of section (c) from the motion. The amendment carried with Ald. Hart, Greenough, Ritchie and Irvine voting against. The amended motion carried with Ald. Hart, Greenough and Irvine voting against.

Meeting adjourned.


G. D. Brady,
Deputy City Clerk.

Dartmouth, N. S.

January 16/79.

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

Present - Mayor Brownlow

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

Ald. Valardo asked permission to add an item to the agenda dealing with the use of swimming facilities at the YM/YWCA by handicapped children; Council agreed to add the item to the end of the agenda. Tenders were also added for furniture and equipment for the two high schools.

REZONING REQUEST:
FORBES CHEV-OLDS

This meeting of Council constituted a public hearing of the rezoning application involving lands on Portland Street which Forbes Chev-Olds are requesting to rezone from H (Holding Zone) to C-3 (General Business) Zone, to permit use of the properties for employee parking and new car and truck storage. Approval of the application is recommended by the Planning Dept. for the land use purpose being proposed, under the contract zoning provisions of the Municipal Development Plan, which permits Council to enter into an agreement with the applicant to allow only the use applied for. Resolution #79-1, setting out the terms of the contract and the conditions for land use, was before Council in this connection. The Planning Dept. report on the voluntary public meeting held in the area by Forbes Chev-Olds has indicated that no one attended. Further, there was no one wishing to be heard by Council at this time. Council therefore proceeded with the adoption of Resolution #79-1, as attached, on motion of Ald. Crawford and Valardo.

RESOLUTION #79-1

REPORTS

Reports recommended from Committee were approved as follows:

- 1) Building Inspector (November & December):
adopted on motion of Ald. Backewich and Ritchie

- 2) Minimum Standards (November & December): adopted on motion of Ald. Backewich and Thompson.
- 3) V.O.N. (October): adopted on motion of Ald. Hart and Valardo.
- 4) Plumbing report (Sept., October, Nov. & Dec.): adopted on motion of Ald. Backewich and Valardo.
- 5) Fire Chief (November & December): adopted on motion of Ald. Ibsen and Thompson.
- 6) Social Services (October & November): adopted on motion of Ald. Valardo and Hart.
- 7) Development Officer (November & December): adopted on motion of Ald. Ibsen and Hart. Ald. Fredericks made an inquiry concerning the workload of the Building Inspection staff, in light of the declining number of building permits being issued. Mr. Moir said this matter is being discussed with Mr. Bayer. One aspect is that inspections of unsightly premises are being increased.
- 8) Transit Operations Manager: adopted on motion of Ald. Williams and Backewich. Ald. Fredericks asked why the K-Mart stop was relocated further away from the building, and this situation was explained by Mr. Moir and Ald. Hart. Ald. Ritchie suggested that people who have complaints about the change should make them to the owners of the store.
Ald. Valardo said that some of the transit drivers are improperly dressed when they are on duty. Ald. Irvine asked that members of Council report any specific instances of this to the Transit Advisory Board.

PORT WALLACE STUDY

A Planning Dept. report on the Port Wallace study has been recommended from Committee and Mr. Zwicker was present to give details of the report. He identified for Council those areas of Port Wallace where development can be allowed to occur as a result of the extension of water and sewer services into the area. He pointed out that it is not intended that development be encouraged in this instance but rather controlled, in accordance with existing services and facilities available. The two main recommendations to Council are:

- 1) that a date be set for public hearing to amend the Municipal Development Plan for the purpose of extending the Development Boundary to include the existing developed areas and areas where infilling can occur along the Waverley Road as far as, and including Lake Charles Drive, and all side streets, including a portion of Montague Road; excluded from the above area is the large central portion of the Craighburn Subdivision.

- 2) that Council approve Resolution #78-36, amending the subdivision regulations incorporating the development boundary and forward this amendment to the Minister of Municipal Affairs for his approval.

On motion of Ald. Greenough and Irvine, Council set Feb. 20th as the date for the public hearing (recommendation #1), and Resolution #78-36 was adopted on motion of Ald. Ibsen and Greenough (recommendation #2); a copy of the resolution is attached. During Mr. Zwicker's presentation, he answered questions from the members, and Ald. Crawford expressed his concern about damage caused by the easement taken over the property at 389 Waverley Road where a storm outfall to the lake was installed. He discussed this situation further with Mr. Purdy before the motions were adopted.

PERMIT TO BUILD:
FAST FOOD OUTLET
WOODLAWN MALL

On motion of Ald. Crawford and Ritchie, Council approved an application for permit to build a fast food outlet at 114 Woodlawn Road (Woodlawn Mall), submitted by Glenn Restaurants Ltd. Approval has been recommended from Committee and is subject to compliance with conditions set out in the staff report. Ald. Thompson asked that adequate provision be required for garbage to be contained so that it does not add to a problem already existing in the area with garbage from the mall which becomes scattered around the immediate neighborhood.

22 ALFRED ST.

On motion of Ald. Hart and Valardo, Council adopted the following recommendation from Committee with respect to the request from the Tuft's Cove NIP people for permission to purchase the property at 22 Alfred Street:

'That the entire staff study (on this subject) be referred back for further study and report to the February Committee-of-the-whole meeting; with the study staff should:

- 1) meet with the Tuft's Cove NIP group to establish the needs of the group.
- 2) assess as to whether space is available in the John Martin School to meet these needs.
- 3) estimate the cost factor of having John Martin become a community school.

Further, that the purchase of 22 Alfred St. be tabled until such time as the staff report is available and be brought forward again at that time; referral to the School Board is also included.'

REZONING REQUEST:
MAPLE & THISTLE STS.

On motion of Ald. Irvine and Greenough, Council adopted a recommendation from Committee that a request to rezone the Arab property at the corner of Maple and Thistle Streets from C-1 to R-4 Zone be denied.

AWARD TENDERS:
FURNITURE &
A/V EQUIPMENT

The School Board has recommended the awarding of tenders for furniture and audio-visual equipment for the two City high schools, as per the attached list and report from the Purchasing Dept. Ald. Fredericks and Backewich moved the adoption of the recommendation from the Board and the awarding of tenders as recommended. Ald. Crawford felt that Ven-Rez, which is a manufacturing company, is competing unfairly with other suppliers locally who are agents for companies, and he suggested that in some cases, the specifications for certain items can only be filled by Ven-Rez and not by other companies, giving an unfair advantage to one particular firm. He indicated that he has been approached with this complaint by a local person and later requested a meeting with the Mayor and Mr. Moir to hear the relevant information this person has on the matter; the Mayor and Mr. Moir agreed to the meeting. Other members of Council did not feel there have been any undue irregularities in the tendering procedures followed, or that Ven-Rez has monopolized the furniture tenders by supplying directly without a local agent. When the vote was taken on the motion, it carried with Ald. Crawford voting against.

POOL FACILITIES:
YM/YWCA

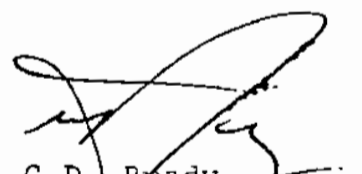
Having received permission to add an item to the agenda, Ald. Valardo proceeded to read a series of letters pertaining to difficulties which are experienced in getting handicapped children in to the pool facilities at the Dartmouth YM/YWCA, due to the lack of a driveway and level entry to the building where they are required. Children presently have to be carried from whatever

vehicle brings them for the swim program (particular reference here is to the fifteen handicapped students who participate in a swim program at the Y, through the City school system). The request is to the City for funding assistance to provide such a driveway entrance at the Y., and Ald. Valardo moved that the Engineering Dept. be asked to indicate what is involved to provide a walkway and to give Council a cost estimate; the motion was seconded by Ald. Crawford. Ald. Hart felt that the letter quoted by Ald. Valardo should have come to all members of Council and she suggested that the School Board should be looking at this request as well. Ald. Thompson wanted to see the request go to the Recreation Dept. Mr. Grinner, a volunteer worker who assists with getting these handicapped children into the Y. when they come for the swim program, was heard by Council on the reasons for his concern that something be done to assist these children and any other paraplegic or handicapped persons who require wheelchair access to the Y. pool. The motion on the floor was then put and carried.

APPOINTMENT: LAKES
ADVISORY BOARD

On a motion of Alderman Williams and Alderman Thompson, Council approved the appointment of Mr. Harris Dunn to the Lakes Advisory Board replacing William Young who was representing the Austenville Owl's Club. Motion carried.

Meeting adjourned.



G.D. Brady
Deputy City Clerk

January 1979

Resolution 79-1

WHEREAS Section 18 of By-law C-357, the Zoning By-law, provides that Council may, after a Public Hearing, approve a development request which would not otherwise be permitted by the Zoning By-law, as long as it is not inconsistent with the Municipal Development Plan;

AND WHEREAS Dartmouth City Council has given notice of its intention to grant such approval with respect to a parcel of approximately six acres to be acquired by Forbes Chevrolet Oldsmobile Limited abutting on the Circumferential Highway, Baker Drive, lands of W. Eric Wheby Ltd. and lands of Forbes Chevrolet Oldsmobile Ltd. in the City of Dartmouth and has inserted notice of this intention in the Halifax Chronicle Herald and Mail Star once a week for two consecutive weeks;

AND WHEREAS at the time and place set out in the notice, Council has met and heard all persons desiring to be heard in respect of the proposed development approval.

BE IT THEREFORE RESOLVED that the development proposal be approved to permit use of the said six acre parcel for a new car dealership and accessory uses only;

AND BE IT FURTHER RESOLVED that this approval is subject to the condition that Forbes Chevrolet Oldsmobile Limited enter into the agreement attached hereto as Schedule "A".

BR

1. The Developer is the registered owner of the lands known as Parcel W-5 and lands of Dept. of Highways in the City of Dartmouth and described in Schedule "A" attached hereto (hereinafter called the "lands").

2. The Developer shall develop the lands, as proposed on drawings numbered . . . , filed in the City of Dartmouth Planning and Development Department, as a new car dealership and accessory uses, and shall not develop or use the lands for any other purpose than a new car dealership and accessory uses

3. Notwithstanding any other provision of this agreement, the Developer shall not undertake or carry out any development on the lands which does not comply with all City By-laws, including, without restricting the generality of the foregoing, The Building By-law and The Fire Prevention By-law, and no permits shall be issued for any such development which does not so comply.

4. The City shall issue the necessary permits for the development upon the expiration of the appeal period provided by Section 35 of the Planning Act, Stats. N.S. 1969 c.16 or upon the withdrawal or dismissal of any appeal which may be taken.

5. (a) Should the Developer breach any of the conditions or covenants of this agreement, the City may serve written notice on the Developer requiring the Developer to comply with the conditions or covenants of this agreement immediately.

(b) If the Developer fails to do so within thirty (30)

days after the service of the notice, the City may enter and perform any of the conditions or covenants contained herein.

6. All reasonable expenses incurred, arising from the entry and the performance of the conditions or covenants, if not paid by the Developer immediately, may be recovered from the Developer by the City by direct suit and shall form a charge upon the lands.

7. A fifty (50) foot buffer strip shall be preserved along the southern boundary of the lands, from Baker Drive to the Circumferential Highway. When commercial development on the lands is two hundred (200) feet from the outermost boundary of the buffer strip, the buffer strip shall be landscaped according to the terms of an agreement signed by the Developer and the City. To ensure compliance with the landscaping agreement, security shall be given to the City by the Developer.

8. Before any development occurs on the lands, the landscaping plans for the entire development shall be approved.

9. A Development Agreement shall be entered into between the City and the Developer setting out the details of the development and the conditions under which it is to be permitted. To ensure compliance with the development plans, security shall be given by the Developer to the City in an amount equal to the estimated value of the project.

Dartmouth, N. S.

January 25/79.

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

Present - Mayor Brownlow

Ald. Ibsen	Thompson
Williams	Cunningham
Brennan	Crawford
Cote	Valardo
Hart	Backewich
Irvine	Greenough
Ritchie	Fredericks
City Solicitor, S. Hood	
City Comptroller, D. McBain	
City Administrator, C. A. Moir	

Council agreed to add to the agenda, a rezoning request involving the Marvin property, in order to set a date for public hearing at this time.

AWAK TENDER:
FERRY TERMINAL
BUILDING

Tenders have been received as follows for construction of the Dartmouth Ferry Terminal Buildings on the Dartmouth and Halifax sides of the harbour:

Dineen Construction	\$3,004,000.
Boyd & Garland	3,013,000.
Robert McAlpine	3,066,000.
Cameron Contracting	3,115,077.
Fundy Construction	3,237,000.
Collavino-McCall	3,242,000.
Foundation Construction	3,245,000.
Lundrigans Ltd.	3,249,000.
Pentagon Construction	3,280,000.

Mr. Moir's recommendation to Council is that the contract be awarded to Dineen Construction Atlantic Ltd., subject to the approval of the Management Committee representing the Dept. of Regional Economic Expansion and the Provincial Dept. of Development. Ald. Valardo and Brennan moved the adoption of the recommendation, following which there were a number of questions from the members and these were discussed with City staff present for the meeting and with the architect, Mr. Sperry. Ald. Ibsen requested further information on the amount of space required for City Hall purposes; Mr. Moir said the Planning Dept. can provide this information and would have made a presentation at a previous meeting but there was not sufficient time to do so. The vote was taken on the motion and it carried.

SCHOOL BUS SYSTEM

A letter from the Metropolitan Transit Commission with regard to the possible take-over by the Commission of the Dartmouth School Bus system, has been considered by the Transit Advisory Board and the following recommendations made to Council:

- 1) that the City of Dartmouth advise the MTC that the City wishes to retain the operation of its school bus system;
- 2) that the City explore all avenues of cost-sharing of the acquisition of these capital assets;
- 3) that the MTC be requested to negotiate with the City of Dartmouth regarding a rental of the maintenance garage facilities for its transit operation until the new Regional Maintenance facility is available.

Ald. Hart and Crawford moved the adoption of the Board's recommendations and there was a general indication of Council's support for retention by the City of the school bus system. The Chairman of the Board, Ald. Irvine, commented on the recommendations and the motion to adopt them carried.

DEVELOPMENT:
LYNCH ESTATE

A report from Mr. Moir was before Council, with related correspondence and material, in connection with the City's financial participation in the development of the Lynch Estate. The recommendation contained in the report is that Council confirm to the Dept. of Development its willingness to proceed with this development and advise that the City has allocated \$2,570,000. as Dartmouth's share towards the cost of the development. Approval of the recommendation was moved by Ald. Valardo, seconded by Ald. Backewich.

The Mayor and Mr. Moir responded to questions from Ald. Fredericks on the status of the Bedford/Sackville Expressway; he felt this project should be expedited to provide an alternate access route from the Burnside Park. Ald. Greenough's questions had to do with the reserve funds established from the sale of industrial lands and the use of these for further industrial purposes. Mr. Moir pointed out that the funds can only be spent with the approval of the Municipal Affairs Minister and they

can only be used for capital purposes. After more discussion with Mr. Cohoon along these lines, the vote was taken on the motion and it carried.

REZONING REQUEST:
MARVIN PROPERTY

On motion of Ald. Irvine and Crawford, Council set Feb. 20th as the date for public hearing of a request to rezone lands in south Dartmouth known as the Marvin property from the present S Zone to R-1, TH Zone, R-3, and P Zone, to permit a mixed residential development, as outlined in the Planning Dept. report.

CAPITAL ESTIMATES 1979

The next item on the agenda was the Capital Estimates for 1979, accompanied by a report from Mr. Moir recommending that Council establish for the year 1979, a capital expenditure level of seven and one-half-million dollars; this recommended guideline is reflected in the presentation of the capital projections in that they have been ranked on a priority basis, taking into consideration those items already committed by previous Council decisions. Mr. Moir's report also makes note of the fact that there is no provision in the capital budget for acquiring land for park purposes, historical purposes, etc. The recommendation here is that if any of these sites come on the market, Council look at the possibility of acquiring the same by utilizing available Reserve Funds.

Ald. Backewich indicated his wish to add a motion to the effect that budget meetings will be convened at 7:00 p.m. and adjourn at 10:00 p.m. Ald. Crawford seconded the motion to add this item to the agenda but it was defeated.

Council then proceeded with an item-by-item review of the priority list prepared by staff; the decisions made were as follows:

- 1) Ferry Terminal, Dartmouth: \$1,200,000
Approved by Council on motion of Ald. Fredericks and Irvine.
- 2) Ferry Terminal, Halifax: \$300,000
Approved on motion of Ald. Thompson and Irvine.

- 3) Sports Complex: \$500,000.
Approved on motion of Ald. Brennan and Crawford. An amendment, moved by Ald. Irvine and Hart, to reduce this item to \$200,000. in 1979, was defeated.
- 4) Downtown Program: \$325,000.
Approved on motion of Ald. Thompson and Crawford. Questions as to the degree of cost-sharing by other levels of government and through government agencies, were answered by Mr. Bayer; these would include the W.D.C., the Provincial Dept. of Development, and the Nova Scotia Housing Commission.
- 5) Windmill - Victoria Intersection: \$113,000.
Approved on motion of Ald. Backewich and Fredericks.
- 6) Mount Edward Reservoir: \$1,000,000.
Approved on motion of Ald. Crawford and Valardo.
- 7) Lake Lamont Low Service Water Intake: \$50,000.
Approved on motion of Ald. Valardo and Crawford.
- 8) Equipment Water Tapping Machine: \$23,000.
Approved on motion of Ald. Crawford and Brennan.
- 9) Water Service Lines & Meters: \$100,000.
Approved on motion of Ald. Crawford and Williams.
- 10) Neighbourhood Improvement: \$254,000.
Approved on motion of Ald. Crawford and Backewich. Mr. Bayer gave a review of the NIP projects that comprise this total, for Council's information.
- 11) School Busses: \$120,000.
Approved on motion of Ald. Fredericks and Thompson.
- 12) Lyngby Ave. Extension: \$103,000.
Approval was moved by Ald. Crawford and Backewich, but Ald. Greenough and several other members opposed the allocation of funds for services in a new area when older sections of the City are still without services. Ald. Fredericks, Valardo and Brennan considered the servicing of City-owned properties on Lyngby Ave. to be a good investment from the City's point of view, because they can be sold at a profit later. When the vote was taken, the motion was defeated with Ald. Crawford, Backewich, Brennan, Fredericks and Valardo voting in favour.

Ald. Irvine and Ritchie then moved that the \$103,000. amount be allocated for Small Drainage Projects, and approved in conjunction with the next item, \$500,000. for Curbing, Paving & Street Drainage. Ald. Crawford was not in favour of having a complete reallocation of the \$103,000. for drainage purposes, and moved in amendment

that \$7,000. of the amount be allocated for the Newcastle Street Park/Playground; the amendment was seconded by Ald. Valardo and was defeated. The main motion carried with Ald. Crawford, Backewich and Valardo voting against.

- 13) Industrial Park - Lynch Estate: \$2,730,000.
Approved on motion of Ald. Williams and Thompson.
- 14) South Woodside - Furniture: \$40,000.
Approved on motion of Ald. Williams and Fredericks.
- 15) T.M.G. Traffic Lights: \$160,000.
Approved on motion of Ald. Williams and Thompson.

Having reached the guideline maximum suggested in the priority list submitted by staff, Council did not approve any further capital items beyond this point and the meeting adjourned.

N. C. Cohoon,
City Clerk.

Dartmouth, N. S.

January 30, 1979

Regularly called meeting of City Council held this date at 7:30 P.M.

Present - Deputy Mayor Jack Greenough

Ald. Ibsen	Valardo
Thompson	Hart
Cunningham	Backewich
Williams	Irvine
Brennan	Ritchie
Crawford	Fredericks

Acting City Administrator, D. A. Bayer
City Solicitor - S. Hood

Having received approval in principle at the December 19, 1978 Council meeting, Phase 2 of the Downtown Dartmouth Development and Revitalization Plan was before Council for final approval. As directed by Council at its December meeting, the Downtown Planning Advisory Board has prepared and circulated a final report outlining the activities and recommendations of the Board for consideration.

Alderman Ibsen moved, seconded by Alderman Fredericks that Council approve the plan as presented and instruct staff to prepare the amendment of the Municipal Development Plan and the proper Zoning By-law for implementation.

At the request of Council, Mr. Lukan of the Planning Department provided a brief presentation of the Planning Department's opinion of the plan. He said the Department agrees with the concept of the plan, and while some of the projects and implementation tools suggested will require more thought, a full analysis of each project will be presented for Council's consideration before final approval of the individual elements of the plan. He explained that the basic premise of the plan is to have a greater residential population in downtown Dartmouth. In order to achieve population increases, the plan suggests stabilization of the solid neighbourhood core in the vicinity of Christ Church, refurbishing of Portland Street, develop new high-density neighbourhoods in the blighted area along Alderney Drive, improve vehicular and pedestrian movement, improve street scape of Portland

Street and increase and rationalize the parking for the downtown merchants. Mr. Lukan explained the need for the merchants of the downtown area to take a stand and promote their businesses.

Council proceeded to debate various areas of the plan.

In answer to an inquiry by Alderman Fredericks regarding panoramic and corridor views, Mr. Bayer explained that although proposed scale and design of buildings should not obstruct the view corridors, both panoramic and corridor views are of equal importance. Other questions raised by the Alderman concerned the consolidation and grouping together of merchants in the downtown area, the abrupt pitch at the corner of King and Portland Streets, pedestrian crosswalks and pedestrian overhead walkways. Mr. Bayer gave a brief outline of the intentions of the Planning Department with regard to the above points.

Alderman Ibsen said he would like to see City Council request the appropriate members of staff to come up with a tax structure incentive for downtown development. He felt that with prices of approximately twelve dollars per square foot at present for property in the downtown area, it is not attractive for people to locate downtown.

Alderman Ritchie asked for an explanation on the improvement of parking lots. Mr. Lukan explained the intent of the plan to locate new lots, while at the same time enlarging, landscaping and lighting existing lots.

Council proceeded to deal with the following amendments to the Plan as recommended by the Downtown Dartmouth Planning Advisory Board:

A1 Portland Street East: That detailed evaluation of the Maitland Street Bypass (traffic) and the rezoning and park development for Parcel "Z" should be undertaken prior to implementation and consideration be given to a public parking lot to service the needs of the local retail outlets on the east end of Portland Street.

A2 Parcel D-11 - (former Young Property) - Del Holdings - That this parcel of land be included in the proposed rezoning package from existing MF-4 to R-U-C and that prospective developers be encouraged to develop under a Contract Zoning which would be compatible with the adjacent neighbourhood and reflect a sensitivity of "scale".

A3 Page III - 26 - last paragraph - Change 2.2 FAR to 2.5 FAR (floor area to land area ratio).

A4 Page III - 32 - last paragraph - Add: Section (5) Parking Package P-5 - that the area behind Central and Eastern Trust Company and running through to the former medical building on King Street be considered as an optional parking lot to accommodate approximately 60 cars.

A5 Page III - 21 - last paragraph - Amend last sentence to read "from Alderney Manor on the north to Parcel D-4 on the south".

It was moved in amendment by Aldermen Irvine and Thompson that the above recommendations be incorporated in the Plan as presented. Lengthy discussion took place with respect to Amendment #A2 of the report. Alderman Fredericks expressed concern that with a proposed downzoning of the property, the idea of a possible senior citizens housing unit would be out of the question. The alderman told Council of the discussions taking place within the Dartmouth Community Services Advisory Board to explore possible land sites for a new senior citizens complex, and that the site in question was one possibility.

Mr. Lukan explained that Council was not being asked to rezone the property at this time and that the Planning Department would bring a packaged rezoning of sections in the downtown area to City Council at a later date. At that time, Council could make amendments to the rezoning proposals as they so wish. Mr. Lukan agreed to ensure that the Planning Department would consider the Alderman's remarks made about a senior citizen's housing unit on the property and would consider alternate sites for new housing.

Mr. Bayer went on to explain that the underlying principle to downzoning and contract zoning is one of control. He said downzoning is a process where City Council would have more control over any development. At present, if a developer complies with regulations, as

is the case with the MF4 Zoning, then Council has no alternative than to grant a building permit. However,

the RUC Zoning allows for controls under which a developer should become compatible with the existing people in the area, thereby building a proper balance between new developments and existing structures.

Mr. Bayer said that contract zoning would take into consideration the people surrounding the area of the property to be rezoned.

Several members of Council expressed agreement with the proposal, with Alderman Crawford expressing concern that Council should act quickly in order to protect the land should a large development proposal be filed in the near future.

Council agreed to hear members of the audience as follows:

Mr. John Bell - Wentworth Street - Chairman of the
Downtown Residents' Association

Mr. Bell called on Council to take immediate steps to ensure that the decay in the downtown area stops. He said the Committee feels the downtown area has potential and that the retention of the character of the downtown area is vital. He said the proper intermixture of older houses and new larger developments will attract people to the downtown core, and therefore it should be protected.

Mr. Bill Young - Former Downtown Resident - Developer

Mr. Young pointed out to Council that the former Young property is the only piece- of land left in the downtown core which is adjacent schools, a parkland and a largely residential area. He stressed the importance of developing a proper tenant mix which he felt was imperative to the revitalization of the area. Mr. Young felt there was a lack of specifics in the downtown plan which must be reviewed before it is workable.

Ms. Francois Howard - North Street Resident

Ms. Howard expressed concern that uncontrolled development of high-rise buildings in the downtown area would likely ruin the present character existing with the well-maintained older homes.

When the vote was taken on the amendment, it carried unanimously, and the amended motion passed unanimously.

Alderman Brennan requested that City Council act as quickly as possible in considering the points brought out in the final report of the Planning Advisory Board and that Council immediately set a date for Public Hearing

to consider the rezoning of the former Young Property and surrounding areas.

Alderman Hart noted that the item was not on the Council agenda, and a two-thirds majority vote of Council was necessary in order to add the item to the agenda.


Alderman Brennan requested that Council either allow the item to be added, or allow him to give a Notice of Motion for the next Council meeting respecting the Public Hearing.

It was moved by Alderman Fredericks and seconded by Alderman Thompson that the remainder of the report from the Downtown Dartmouth Planning Advisory Board which includes the implementation of the Plan and the suggested Terms of Reference for a Downtown Dartmouth Revitalization Commission, be tabled and brought forth with comments from staff as necessary at the next Committee-of-the-Whole meeting. The motion passed unanimously.

Alderman Brennan moved, seconded by Alderman Crawford that the matter of a Public Hearing on the former Young property be added to the present agenda. The motion was ruled out of order by the Deputy Mayor.

The Deputy Mayor brought a letter regarding a dinner for retiring Municipal County Clerk, Harry Bensted to the attention of Council members and asked that they indicate their intentions to attend the dinner to the City Administrator's Office before February 9.

On motion of Aldermen Ibsen and Backewich, the meeting adjourned, with four Council members voting against adjournment.



G. D. Brady
Secretary

January, 1979

Resolution #79-2

WHEREAS Section 272(1) of the Dartmouth City Charter, as amended, provides that Council may authorize the City Clerk-Treasurer to borrow from time to time such sums, not at any time to exceed fifty percent of the taxes levied in the previous year, as may be required by the City for its current expenditures and obligations.

AND WHEREAS the taxes for the year 1978 were \$23,542,400.

BE IT THEREFORE RESOLVED that -

1. The City Clerk-Treasurer is authorized to borrow from any person or bank, in the calendar year 1979, sums of money not exceeding in the aggregate of \$11,771,200, and
2. The City Clerk-Treasurer is authorized to sign on behalf of the City, Promissory Notes with respect to such borrowings.

Mayor

City Clerk

January 29, 1979

RESOLUTION NO. 79-3

RESOLVED that the City Council of the City of Dartmouth declare a civic holiday on Monday, August 6, 1979, for Dartmouth Natal Day and a civic half holiday on Halifax Natal Day.

January 31, 1979

RESOLUTION #79-4

RESOLVED that the following be and are hereby appointed
SPECIAL CONSTABLES in and for the City of Dartmouth:

G. E. Bellefontaine
M. Ingram
Leonard A. Bourque
David A. Gillis
Daniel Crampsie
Lorne E. Settle
Daniel E. Meekins
Douglas O. Thornton
Silas H. Wilson
Leslie Foote
Albert Edward McKeag
Stanley R. Daniels
Harold B. Dixon
George E. Attwells
Francis Earl McSweeney
Daniel Jacklyn
Doreen Cordeiro
Lois Seaboyer
Allison Gordon
Ralph McCarthy
Clarence Barkhouse
Albert James Woods
Philip Hinson
Welson Arnold

RECEIVED

Dartmouth, N. S.

Feb. 6/79.

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

Present - Mayor Brownlow

Ald. Ibsen	Thompson
Williams	Cunningham
Brennan	Crawford
Cote	Valardo
Hart	Backewich
Irvine	Greenough
Ritchie	Fredericks
City Solicitor, S. Drury	
City Administrator, C. A. Moir	

MINUTES

On motion of Ald. Backewich and Thompson,
Council approved the minutes of meetings held on
Dec. 19/78, January 3rd, 10th, 15th, 16th, and 25th/79.

Ald. Ibsen asked that in future, the circulated
portion of in camera minutes give some indication of
the item being ratified in open meeting.

LETTER: MINISTER
OF HIGHWAYS

On motion of Ald. Valardo and Hart, Council
received for information purposes, a letter from
the Minister of Highways, advising that no provision
has been made by his department to install traffic
signals at the intersection of Portland Street and
Caldwell Road; this letter is in response to a request
from Council that lights be installed at the intersection.

PRESENTATION: YOUTH
SCREENING AUTHORITY

Council has been provided with a pamphlet on
the formation of the Halifax County Youth Screening
Authority, a pilot project involving first-time non-
violent juvenile offenders who would have an opportunity
to go before a Screening Committee rather than to court
and to make restitution through a contract, as outlined
in section E. of the pamphlet. Mr. Trevor Townsend and
Ms. Cheryl Picard, the Co-ordinator, were present to
answer questions from Council about the objectives of
this pilot project, the funding provisions, etc.
Ultimately, funding assistance will be sought from
the three metropolitan municipalities, but initially
the project is to be funded jointly by the Solicitor

General's department and the Nova Scotia Dept. of Social Services.

Members of Council speaking in favour of the project were Ald. Brennan, Fredericks and Cote, but Ald. Crawford expressed some doubts about the processes involved, which he felt would tend to further erode the authority of the courts; he raised a number of questions along these lines and they were responded to by the representatives present. He made the suggestion that the item be included in the next Police Commission agenda for consideration, with members of the Police Dept. juvenile squad being invited to attend the meeting, to take part in the discussion. The Mayor agreed to have the item on the next Commission agenda for the meeting planned for Feb. 21st.

REZONING REQUEST:
DOWNTOWN RESIDENTS
ASSN.

On motion of Ald. Williams and Hart, Council set March 20th as the date for public hearing of a rezoning request from the Downtown Dartmouth Residents Assn. to rezone a number of blocks located in the Central Business District from the existing multiple family zones to TH and R-2 Zones, in conformity with policies contained in the 'Downtown Dartmouth Development & Revitalization Report'.

REQUEST FOR GRANT:
COMMUNITY CONTACT

A request was before Council from Dartmouth Community Contact Assn. for a \$10,000. grant for the months of February and March, \$5,000. having already been provided by the City in the way of interim funding, pending a decision by the Provincial Dept. of Social Services on the extent of their funding provisions for this organization. It is understood that the \$10,000. amount requested and the \$5,000. grant received, will be deducted from the total City grant, if one is required in the event that the Province does not agree to fund the organization completely.

Mr. Kevin McNamara, Chairman of Community Contact, was available to answer questions from Council on the services provided by the homemakers employed by the organization, the number of staff involved, and the extent of cost-sharing received through Social Assistance, etc. Initially, it was felt that no decision should be made on the funding request until the position of the Province is clarified, but after discussion with Mr. McNamara, some members were willing to proceed with the grant and approval was moved by Ald. Greenough, seconded by Ald. Irvine. Ald. Hart did not feel that a one-week delay would be detrimental and she moved referral to the next Committee meeting (Feb. 13th), with a request that Mr. MacNeil correspond with Mr. Moody, the Director of Financial Services (Provincial department), expressing concern about the status of the funding for Community Contact and seeking clarification of the letter of Jan. 12/79, forwarded by Mr. Moody: Ald. Backewich seconded the motion to refer.

The majority of Council did not agree with the one-week delay in coming to a decision and when the vote was taken, the motion to refer was defeated. The main motion was then put and it carried.

MOTION: ALD. BACKEWICH

In accordance with notice of motion previously given, Ald. Backewich now moved that the City Solicitor be instructed to amend the appropriate by-laws and/or regulations to make mandatory the installation of smoke and heat detectors in all apartment buildings, rooming houses or premises that are rented for the purpose of being lived in; Ald. Ritchie seconded the motion. Ald. Backewich commented on the intent of his motion and debate proceeded, with the following questions being raised:

- 1) who would be responsible for having these devices installed - ie. individual apartment dwellers or the landlord.
- 2) if a private single-family residence were rented, would it come under the definition of premises for the purpose of the motion.

- 3) how would enforcement of the regulation be policed and would additional Fire Dept. staff be required to make inspections of the buildings concerned.
- 4) would the requirement be for both a smoke and a heat detector in each building, also where in the building would they be located.

Ald. Crawford considered that any such regulation would be discriminatory, in that single-family home owners would not be expected to comply in the same way that the owners of apartment buildings and rooming houses would have to do. Ald. Cote suggested that the basic idea is a good one, but Council should have a total staff report before deciding to have changes drafted in our Fire Code and Building Code regulations. He therefore moved in amendment, referral to staff for a total report that would come back to Committee-of-the-Whole for consideration. The amendment was seconded by Ald. Valardo and it carried; the amended motion also carried.

RESOLUTION #79-2

On motion of Ald. Hart and Thompson, Council approved the attached Resolution #79-2, authorizing financial borrowing by the City Clerk-Treasurer on behalf of the City, as required in the year 1979.

RESOLUTION #79-3

Resolution #79-3, setting August 6/79 as the date for Dartmouth Natal Day, has been recommended to Council by the Natal Day Committee. Ald. Irvine and Greenough moved the adoption of the resolution, a copy of which is attached. Ald. Valardo was not in favour of a half holiday for civic employees on Halifax Natal Day, and moved in amendment that this provision be deleted from the resolution; the amendment did not receive a seconder. There was some debate on the date chosen, in relation to the date set for Halifax Natal Day, after which the vote was taken and the motion carried.

RESOLUTION #79-4

On motion of Ald. Backewich and Thompson, Council passed the attached Resolution #79-4, appointing Special Constables as listed.

- 3) how would enforcement of the regulation be policed and would additional Fire Dept. staff be required to make inspections of the buildings concerned.
- 4) would the requirement be for both a smoke and a heat detector in each building, also where in the building would they be located.

Ald. Crawford considered that any such regulation would be discriminatory, in that single-family home owners would not be expected to comply in the same way that the owners of apartment buildings and rooming houses would have to do. Ald. Cote suggested that the basic idea is a good one, but Council should have a total staff report before deciding to have changes drafted in our Fire Code and Building Code regulations. He therefore moved in amendment, referral to staff for a total report that would come back to Committee-of-the-Whole for consideration. The amendment was seconded by Ald. Valardo and it carried; the amended motion also carried.

RESOLUTION #79-2

On motion of Ald. Hart and Thompson, Council approved the attached Resolution #79-2, authorizing financial borrowing by the City Clerk-Treasurer on behalf of the City, as required in the year 1979.

RESOLUTION #79-3

Resolution #79-3, setting August 6/79 as the date for Dartmouth Natal Day, has been recommended to Council by the Natal Day Committee. Ald. Irvine and Greenough moved the adoption of the resolution, a copy of which is attached. Ald. Valardo was not in favour of a half holiday for civic employees on Halifax Natal Day, and moved in amendment that this provision be deleted from the resolution; the amendment did not receive a seconder. There was some debate on the date chosen, in relation to the date set for Halifax Natal Day, after which the vote was taken and the motion carried.

RESOLUTION #79-4

On motion of Ald. Backewich and Thompson, Council passed the attached Resolution #79-4, appointing Special Constables as listed.

DARTMOUTH FERRIES

A report from Mr. Moir was considered on the disposition of the Dartmouth ferries once our new boats come into service. The report proposes that staff be authorized to negotiate with Halifax Water Tours, who have expressed an interest in the ferries, but in view of interest subsequently indicated by another company, Council decided to have the ferries advertised for sale by public tender, once they become available. A motion to this effect, moved by Ald. Irvine and Cote, was adopted.

MTC GARAGE FACILITY

Mr. Moir has submitted a report on the request from the Metropolitan Transit Commission regarding the availability of a site in the Lynch Estate for a Regional Maintenance Garage Facility. The recommendation is that Council make the site available for the purpose requested and that the land be leased to the Metropolitan Authority on the same terms and conditions as the City of Halifax made its lands available for the transfer station. It is also understood that the City of Halifax will make the land available for the Halifax Ferry Terminal building on similar terms and conditions. Council approved the recommendation on motion of Ald. Valardo and Greenough.

TENDERS: SURPLUS
CITY-OWNED LAND

Tenders received for the acquisition of surplus City-owned lands at the following locations are considered to be insufficiently high, and it is Mr. Cohoon's recommendation that the bids be rejected and the properties placed on an MLS listing through a Dartmouth realtor for a period of ninety days; the properties involved are:

- 61 Courtney Rd.
- 9 Locks Rd.
- 15 Birchdale Ave.
- 17 Birchdale Ave.

Council adopted the recommendation from Mr. Cohoon, on motion of Ald. Valardo and Backewich.

PEDESTRIAN WALKWAY:
HAZELHURST & NEWCASTLE
STREETS

On motion of Ald. Backewich and Valardo, Council adopted a report from Mr. Cohoon on the subject of possible sites for a pedestrian walkway between Hazelhurst and Newcastle Streets, the staff conclusion being that under the present circumstances, construction of such a walkway would be impractical; expropriation would be required and in the opinion of staff, is not warranted in this instance.

R.R.A.P. UPDATE

Mr. Bayer has provided an informational report on the loans and amounts of money spent to date under the R.R.A.P. program associated with N.I.P. He responded to questions from Council on the status of funding for the program, and Ald. Brennan requested a presentation on the scope and terms of the Federal Community Services grant program; his other request was for comparative data on the N.I.P. and R.R.A.P. programs among the various municipalities. A motion to receive Mr. Bayer's report for the information of Council, moved by Ald. Irvine and Backewich, was adopted.

GUIDELINES: PANTRY SALES

Council has been advised of the guidelines recently approved by the Board of Health for the convenors of pantry sales, as set out in a report from the Secretary of the Board, Mr. Brady. Ald. Thompson and Backewich moved that the report be received and filed for information purposes. Discussion had to do mainly with the procedure that organizations will be required to follow in future when they hold pantry sales, and members of the Board of Health explained the intent of the guidelines in terms of protecting the general public and providing the Health Department with information in case follow-up measures are required where food poisoning cases may occur. The motion to receive and file carried with Ald. Crawford voting against.

LETTERS: DEPT. OF
SOCIAL SERVICES

The Mayor has made recommendations to Council in connection with two letters received from the Provincial Dept. of Social Services concerning: a) comfort allowances and b) Family Allowance & Child Tax Credits. With reference to the first subject and the Guaranteed Income Supplement increase of \$20., the recommendation is that the Social Services Dept. be authorized to go up to the \$60. maximum referred to in the letter. This recommendation was adopted, on motion of Ald. Thompson and Irvine.

The recommendation on the second item is to the effect that Council establish the policy whereby the child tax credit referred to would be directly available and that it be ignored as part of the individual recipient's budget. Council approved the recommendation on motion of Ald. Fredericks and Backewich.

TRAFFIC SIGNALS

Mr. Bayer has submitted a report on behalf of the Traffic Management Group on the intersections considered for the installation of traffic signals. The recommendation of the T.M.G. is that traffic signals be installed at the following three intersections in 1979:

- 1) Portland St, & Gaston Rd. (already approved by Council)
- 2) Wyse & Windmill Rd.
- 3) Victoria & Boland Rd.

The recommendation would authorize the T.M.G. to engage consultants to prepare the necessary plans and specs. for the tender call of these signals. Ald. Backewich and Ritchie moved the adoption of the recommendation. Mr. Moir suggested that it would be advisable to defer any decision on traffic signals until Council deals with the operating budget, and deferral to budget time was moved by Ald. Greenough, seconded by Ald. Thompson. During the debate on deferral, it was noted that Council has already given approval for the lights at the Portland/Gaston Road

intersection, and particular concern was expressed by Ald. Crawford and Brennan about the traffic situation at the intersection of Wyse and Windmill Road. Ald. Williams and Ritchie also stressed the need for lights on Portland Street at Gaston Road. Ald. Greenough questioned the priority given the Victoria and Boland Road intersection and discussed this recommendation further with Mr. Bayer. The vote was taken on the motion to defer and it carried.

SWANTON DR. BARRIER

A second report from Mr. Bayer on behalf of the Traffic Management Group, dealt with the evaluation of traffic counts taken in the Swanton/Dorothea/Lucien Drive area since the barrier was removed at the end of Swanton Drive. Based on the information compiled, the T.M.G. recommends that the barrier remain down and that steps be taken by the City to finalize the land transactions required to accomplish this. A further recommendation is also made with respect to the provision of safer movements and separation between vehicular and pedestrian movements in this area. Ald. Backewich and Williams moved the adoption of the report, but a motion to defer was made by Ald. Ibsen, seconded by Ald. Thompson; deferral would be until the Committee meeting of Feb. 13th to give the local residents a chance to see the T.M.G. recommendation and to be present when the item is discussed. Deferral was opposed by Ald. Ritchie, Backewich and Williams; Ald. Hart spoke in favour. The motion to defer carried by a vote of nine to five.

INQUIRIES:

ALD. WILLIAMS

Inquiries were made by the Aldermen as follows:

1) Ald. Williams

1) what is the status of the agreement with the Fire Fighters? Mr. Moir reported that the wording of the agreement is acceptable to the City and Union representatives doing the negotiating, and it will be presented to the membership this week for ratification.

2) concerning the garbage problem on the back of Glenwood Ave. properties, caused by the apartment building in the area; wished to have the landlord contacted about this situation.

3) complaints being received about the Lakefront Green Gables, involving loitering around the building and garbage that should be cleaned up by the owners.

ALD. COTE

2) Ald. Cote

- 1) also asked about the contract with the Fire Fighters; Mr. Moir advised that the Negotiating Committee is in agreement with the wording.
- 2) requested that problems with truck traffic on Woodland Ave. be looked at by staff.

ALD. IRVINE

3) Ald. Irvine

- 1) requested an updated written report on the status and possible start-up date for improvements to the MicMac Rotary and Main Street.
- 2) asked that a drainage problem be looked at in the location of 17 Inverary Drive.

ALD. RITCHIE

4) Ald. Ritchie

- 1) asked what work was to have been done at the Red Lion Tavern to alleviate noise problems, and to have this checked out further to see if it has been completed; also, the matter of paper and garbage in the area around the tavern and on the bank where land is owned by the City.

ALD. GREENOUGH

5) Ald. Greenough

- 1) asked to have the Continuing Agenda reviewed to see if some of the items dealt with can be removed.

ALD. HART

6) Ald. Hart

- 1) requested a progress report from staff on their review and study of the Housing Advisory Board report referred from Council.
- 2) she asked if it would be possible to have some sort of progress report as well on the Lake Major Watershed study.
- 3) could the possibility of parking meters on Tacoma Drive be looked into; Mr. Moir to ask the T.M.G. about this item.

ALD. VALARDO

7) Ald. Valardo

- 1) felt the Police Commission should be meeting more often than at present; the Mayor suggested that the frequency of meetings be discussed when the Commission meets next on Feb. 21st.
- 2) a number of problems were brought up in connection with the Green Gables store on Victoria Road (ie. general lack of management and control, loitering, etc.) The City Administrator was asked to have letters sent to the store manager and the President of Green Gables about the situation.

- 3) unsightly vacant lot at the corner of Windmill Road and Albro Lake Road, with a number of derelict cars on it; asked what can be done about them and discussed the problem of abandoned cars with the Mayor further.
- 4) raised the matter of a furniture store on Main Street remaining open on Sundays and asked if action can be taken to have it closed; Mr. Moir pointed out that we would first have to get permission from the Attorney-General's office to proceed against the owner.

LD. BRENNAN

8) Ald. Brennan

- 1) inquired about the feasibility of contracting out some of the engineering and supervision required in connection with capital works projects so they can all be completed in the year they are approved; a report was requested on the projects not finished in the 1978 capital program, and that consideration be given to contracting out those still to be done.
- 2) would like the T.M.G. to take a look at the type of crosswalk signs in use in the Toronto and Ottawa areas.
- 3) when will Council begin to deal with the operating budget; Mr. Moir advised that it will probably be around the end of February before we have all the information required from the Province to present the budget.
- 4) Mr. Moir to check on an inquiry made some time ago by Ald. Brennan with regard to various highway routes within the City, on which the Dept. of Highways might be willing to cost-share.
- 5) asked that members of the Planning Dept. get together with School Admin. staff to examine possible alternatives available for expanding the parking facilities at Dartmouth High School.

LD. CUNNINGHAM

9) Ald. Cunningham

- 1) asked for information on the collection of garbage from small convenience stores; Mr. Moir explained the decision taken to continue a special garbage collection on Mondays in the downtown section of the City. Other small stores not located in the downtown area would have their garbage picked up during regular collections.
- 2) the second inquiry had to do with the Kiwanis park on Gaston Road and the fact that there is no fence along the back of properties on MacCrea Ave., adjacent to the park; Mr. Moir noted that this is not the City's responsibility and discussed the matter further with Ald. Cunningham.

ALD. IBSEN

10) Ald. Ibsen

- 1) asked about the status of a report he wanted on the water system; Mr. Moir said this information was prepared and sent out by Mr. Rath.
- 2) requested that the dog catcher make his rounds earlier in the morning than he is presently doing, in order to deal with the problem of dogs getting into garbage that has been put out for collection. He also referred to a problem with seagulls getting into garbage.

(On motion of Ald. Irvine and Thompson, Council agreed to continue meeting beyond the hour of 11:00 p.m. to hear all of the inquiries.)

- 3) asked that attention be given to the water which runs down and freezes along a section of Main street by the professional centre across from the Westphal shopping area; a problem is caused for traffic by the ice forming on the street along this section.
- 4) asked why there are no doors on the downtown bus shelter and discussed this inquiry further with Mr. Moir.

ADD. FREDERICKS

11) Ald. Fredericks

- 1) has property been turned over to the City yet by the owner of Bonnie Brae trailer park; Mr. Bayer explained that a survey dispute was involved and this has delayed the City in getting the survey plan from Mr. Whebby.
- 2) what is the survey work being done on Pleasant Street in the section from the Imperoyal overpass to the Bear Trap; Mr. Bayer said it is basically to bring survey data up-to-date.
- 3) the Mayor responded to the third question, concerning the status of discussions on the Maybank Ave. intersection with Dept. of Highways people.
- 4) asked if it would be in order to have a committee set up to deal with the minibike problem; the Mayor said it would first be advisable to see what has been done with this item.
- 5) have all of the obligations been fulfilled by the owner of the Red Lion Tavern? Mr. Moir noted that the owner was not ordered by Council to make specific improvements - there were certain things he agreed to undertake himself.
- 6) asked for a report from the Solicitor on the rights of oil companies to use City streets other than for local oil deliveries; Mr. Drury said they can use City streets except for those on which truck traffic is prohibited.

- 7) has any word been received from the Province on their participation in the recreation complex; the Mayor noted that he has expressed Council's concern about this matter and it is hoped we will receive word on the complex before too long.
- 8) asked if the windows will be replaced in the bus shelter in front of the Moirs' plant; discussed with Mr. Moir.
- 9) has action been taken by staff on the energy-saving plan; Mr. Moir said staff have been acting on it.
- 10) asked that a meeting be called of the committee appointed to work on 1980 celebrations for the City.

ADD. CRAWFORD

12) Ald. Crawford

- 1) questioned the status of the City incinerator and discussed the inquiry further with Mr. Moir and the Mayor.
- 2) requested that the agenda for the Police Commission meeting include an item on the subject of a reduction in the number of members.
- 3) has a report been received on the Shubenacadie Canal from the Federal or Provincial agencies involved in the Canal study; the Mayor said that only data-based material has been received so far.
- 4) asked that the Director of Social Services submit a report on the motion put forward by him in November of 1977 with respect to finding work for able-bodied social assistance recipients.
- 5) asked if the street sweeper could cover the section of Portland Street through to Five Corners to clean up the sides of the street.
- 6) have the City by-laws been reviewed by the Solicitor's office as requested some time ago? Mr. Drury said the review was undertaken of the Charter and the completed revision will be going to the Queen's Printer.
- 7) inquired as to the staff member who replaced Mr. Bryson as Environmental Control Officer and the work that is being done in connection with oil storage tanks, their location and controls that could be introduced to prevent oil leaks and spills; discussed with Mr. Moir. Mr. Mark Bernard is doing the environmental control work and his position comes under the Engineering Dept. now instead of Planning.

LD. THOMPSON

13) Ald. Thompson

- 1) asked about the cost-sharing provisions relating to the operation of the Correction Centre and discussed this inquiry with the Mayor and Mr. Moir.

2) asked about any review of employee benefits that will be coming to Council; Mr. Moir said the Pension Plan is up for review.

3) asked why bushes are being cut on the lands around the reservoir.

NOTICES OF MOTION:

The following notices of motion were given for

ALD. THOMPSON

the next regular Council meeting:

Ald. Thompson: to change the name of Penhorn Drive on the east side of the Circumferential Highway to Merrick Drive.

ALD. VALARDO

Ald. Valardo: that Council approve a study by a qualified independent person or persons into the present system of working hours in the Dartmouth Fire Dept., with the aim of producing a more productive system of duty shifts and also, to look into ways of better utilizing non-productive working hours of the same Fire Dept.

ALD. RITCHIE

Ald. Ritchie: to have a by-law drawn up to have children off the streets by 10:00 p.m. in the City of Dartmouth.

ALD. IRVINE

Ald. Irvine: (a) that a committee be established whose prime responsibility will be to investigate all avenues with regard to the feasibility of Dartmouth hosting the 1984 Canada Winter Games.

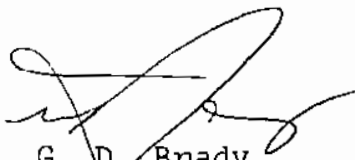
(b) that our Recreation Advisory Board be directed to research and make recommendations to Council with respect to hosting the 1981 Canadian Figure Skating Championships in Dartmouth.

ALD. IBSEN

Ald. Ibsen: In order to provide incentive for the revitalization of the central core of Dartmouth, as defined in a report to Council entitled 'Downtown Dartmouth Planning Study', prepared by Development Planning Associates Ltd., Feb. 1978, it is proposed that new construction undertaken within the guidelines of the planning scheme be given tax concessions to the maximum extent of 25% in the first year, reducing by 5% each year until full payment is achieved after five years.

And to encourage modernization, refurbishing and alterations to existing structures, within the physical guidelines above referred to; Where the value shown in the building permit issued for work, exceeds 50% of the assessed value of the property, the same tax concessions will be applied.

Meeting adjourned.


G. D. Brady,
Deputy City Clerk.

Dartmouth, N. S.

Feb. 20/79.

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

Present - Mayor Brownlow

Ald. Ibsen	Thompson
Williams	Cunningham
Brennan	Crawford
Cote	Valardo
Hart	Backewich
Irvine	Greenough
Ritchie	Fredericks
City Solicitor, S. Drury	
City Administrator, C. A. Moir	

Council agreed to add two Resolutions to the agenda, #79-6 and #79-8.

PORT WALLACE HEARING

Council previously set this date for public hearing to amend the Municipal Development Plan for the purpose of extending the Development Boundary in the Port Wallace area, in light of the extension of water and sewer services on Waverley Road. The proposed new boundary would include the existing developed areas and areas where infilling can occur along the Waverley Road as far as and including Lake Charles Drive, and all side streets, including a portion of the Montague Road; excluded from the above area is the large central portion of the Craighburn Subdivision. By-law C-371, which would amend the M.D.P. By-law C-356 accordingly, was before Council for approval.

It was moved by Ald. Irvine and Thompson and carried that leave be given to introduce the said By-law C-371 and that it now be read a first time.

It was moved by Ald. Brennan and Ibsen that By-law C-371 be read a second time.

Mr. Zwicker reviewed the presentation given when Council set the date for a public hearing of the proposed boundary change, and he responded to questions from the Council members, having to do

mainly with the future implications of permitting additional development to occur in sections of Port Wallace. Ald. Brennan also questioned the adequacy of existing facilities and services to accommodate a population increase, in terms of school classrooms, Police and Fire protection etc. Mr. Zwicker said there is no definitive additional cost to the City or impact that can be identified, as a result of permitting this additional development to take place.

Mr. Hawley, an area resident, was the only member of the public heard during second reading and his questions to the Planning Dept. were answered by Mr. Zwicker. The vote was taken on second reading and the motion carried.

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

REZONING REQUEST:
MARVIN PROPERTY

This Council meeting also constituted a public hearing for a rezoning application involving lands in North Woodside known as the Marvin property. The request is to rezone these lands from the present Park & Institutional to R-1, R-3 and TH Zones to permit a development proposal that would produce 18 single-family units, 54 town housing units, and 72 medium-density units (two apartment buildings). The streets involved are Marvin (the R-1 development), Chadwick and Renfrew, and in making the presentation on behalf of the developer, Mr. Dave Jenkins showed Marvin Street ending in a cul-de-sac and Chadwick and Renfrew Streets being connected by a loop system so that traffic from the new development would have two means of exiting to Pleasant Street. Mr. Jenkins noted that the development proposal, in its present form, evolved through discussions with the Planning Dept. and changes were incorporated on their recommendation.

The Planning Dept. report to Council on the rezoning request recommends in favour of it, subject to:

- a) the Park Zone being removed and replaced with an extension of the R-1 Zone 50' to the south. The remainder of the park lands should be incorporated into the R-3 area; the small TH-1 area which penetrates the R-3 site should be removed.
- b) Although the R-3 area is enlarged, the maximum number of units permitted will not exceed 72 as outlined in the present proposal. This enlarged area will permit freedom of design and a better siting of the building and parking areas. The town-house grouping is a permitted use within the R-3 and can be incorporated into this site. The overall densities, however, will not exceed that presently indicated on the proposal.
- c) the developer shall be required to enter into a contract with the City insuring the above.

In the report from Mr. L'Esperance on the voluntary public hearing held at the North Woodside School, Council was advised that the concerns expressed by area residents were in relation to the following items:

- (1) improper storm drainage, with potential flooding of existing housing.
- (2) the possible overloading of the existing sanitary sewer system.
- (3) additional vehicular and pedestrian overloading on the existing street systems.
- (4) the improper placement of the proposed open space.
- (5) possibility of high-rise apartment buildings being constructed.

At this public hearing, a petition from North Woodside residents (130) opposed to the rezoning was presented by Ald. Fredericks on their behalf, and Council also received copies of a brief submitted by the North Woodside NIP Committee, questioning four aspects of the proposed development, namely, the provisions for drainage; the land being reserved for park and recreational purposes; the possibility of higher densities than those proposed; and the

situation, particularly as it will affect Chadwick and Renfrew Streets. It was noted that the area residents would be more receptive to the proposal if an exit road were connected to Acadia Street and through via this route to the Woodside Industrial Park. Basically, these points, along with the concerns raised at the voluntary public meeting, formed the basis for the debate and discussion that took place during the course of this hearing.

Speaking on behalf of the Chadwick and Renfrew Street residents, whose petition was opposed to rezoning and the development proposal, Ald. Fredericks pointed out that both these streets are without sidewalks and the additional traffic generated by development of the Marvin property would result in a further hazard to pedestrians using the streets. He said the introduction of multiple-family units is not in compliance with the concept of the North Woodside NIP plan recently approved, and his other points had to do with the question of adequate drainage provisions, the adequacy of a park and play area, and the feasibility of giving the Chadwick and Renfrew Street people an alternate access street by connecting the new development with the Industrial Park. Mr. Bayer noted that industrial traffic would then have an access route through a residential community, and while this situation might not be too serious at present, it could become a problem as industrial growth continues in the Woodside Park. Mr. L'Esperance commented on the decision taken to incorporate the park and open space within the multiple-family development itself, rather than trying to make use of the parcel of land originally designated for park purposes and considered by the Planning Dept. to be unacceptable. Mr. Purdy was present to respond to questions about the adequacy of the sanitary sewer

lines that would serve the development, and both he and Mr. Jenkins dealt with the concerns about drainage and the kind of provisions that would not only take care of surface water from the new development, but at the same time alleviate existing problems the residents have with water coming into their homes.

Mr. Joudrey, one of the developers, commented on the marketability of the housing units planned, pointing out that they will be in a reasonable price range and will therefore meet the needs of families with average incomes. Mr. Bruce Hetherington was heard by Council on behalf of the North Woodside NIP Committee, and he followed up further on the points contained in their brief. He wanted to see the proposal given further study with respect to the questions raised by his group, before it receives approval. Other citizens who spoke during the hearing were Mr. Gallant and Mr. Dunn.

Ald. Ibsen was one of the members of Council who was in favour of looking at an alternate access route to and from the new development, in order to relieve the traffic on Chadwick and Renfrew Streets. Ald. Greenough also asked about the possibility of reserving a section of land for a future link up with Acadia Street. Mr. Bayer explained the T.M.G recommendation that the residential community not be connected with an industrially-based area because of the ultimate disadvantage to the residents; he said that insofar as possible, residential and industrial traffic should be kept separate from each other.

Ald. Ritchie was in favour of permitting the development to go ahead, provided the residents can be assured of certain safeguards with respect to densities and adequate drainage for surface water. Most other Council members were prepared to support the rezoning request on the basis that the development

is a reasonable compromise and represents an acceptable mix of housing units, with densities that should not adversely affect the existing community. Ald. Brennan noted that the City needs additional housing development at this point, and it was his opinion that considerable effort has been made to resolve potential problem areas through the continuing discussions between the developers and the Planning Dept.

As Chairman of the voluntary public meeting in North Woodside, Ald. Crawford outlined the main issues raised by residents at that time, and while he supported the rezoning, his opinion was that access to it should be permitted via Acadia Street to help the traffic situation on Chadwick and Renfrew Streets, also the problem of additional traffic trying to get onto Pleasant Street from these two points.

By-law C-372, enacting the zoning changes to permit the proposed development, was presented for Council's consideration in conjunction with the public hearing. It was moved by Ald. Crawford and Brennan and carried that leave be given to introduce the said By-law C-372 and that it now be read a first time.

It was moved by Ald. Valardo and Thompson that By-law C-372 be read a second time.

There was further debate on second reading, many of the points being those already discussed earlier in the hearing. Generally, Council was willing to proceed with the rezoning, except in the case of Ald. Fredericks who remained opposed to the development mainly on the basis of the additional traffic it will generate and place on two steep streets without adequate sidewalk protection for pedestrians. When the vote was taken on second reading, it carried with Ald. Fredericks voting against. Unanimous consent was not given for third reading of the by-law by Council.

In order to expedite the approval process, it was agreed that the contract with the developers could come to Council for consideration when By-law C-372 comes back for third reading.

RESOLUTION #79-5

On motion of Ald. Williams and Irvine, Council adopted Resolution #79-5, authorizing rental of a safety deposit box from the Royal Bank (Portland St.) and access to it by any two of the City officials designated in the resolution; a copy is attached.

RESOLUTION #79-6

Resolution #79-6 was also approved by Council, on motion of Ald. Thompson and Crawford, as attached. This resolution dismisses the appeal of Cst. Kennedy from the decision of the Police Commission.

RESOLUTION #79-8

On motion of Ald. Irvine and Thompson, Resolution #79-8 was adopted, extending the deadline for establishing the 1979 tax rate to the end of March, 1979. A copy of Resolution #79-8 is attached.

REPORTS

Reports recommended from Committee were approved by Council as follows:

- 1) Development Officer: adopted on motion of Ald. Backewich and Ritchie.
- 2) Building Inspector: adopted on motion of Ald. Valardo and Thompson.
- 3) Building Inspector (yearly): adopted on motion of Ald. Hart and Greenough.
- 4) Minimum Standards: adopted on motion of Ald. Valardo and Greenough.
- 5) Fire Chief: adopted on motion of Ald. Valardo and Greenough.
- 6) Social Services: adopted on motion of Ald. Greenough and Hart.
- 7) Transit Operations: adopted on motion of Ald. Irvine and Williams.

STREET PROGRAM

The street improvement and paving program recommended for 1979 from Committee was approved on motion of Ald. Williams and Thompson.

WATERFRONT DEVELOPMENT PLAN

On motion of Ald. Valardo and Greenough, Council adopted a recommendation from Committee that City staff be permitted to work with the Waterfront Development Corp. in connection with the Down-

town Development Plan, and also, permitted adequate time to meet with Ald. Brennan and one other member of the Downtown Planning Advisory Board, to review with them the contents of the final reports and its recommendations.

TAX REQUEST:
GROUP HOMES ASSN.

On motion of Ald. Williams and Greenough, Council adopted a recommendation from Committee to defer until budget time, a request for tax relief on property at 70 Victoria Road, from the Metropolitan Mental Health Group Homes Association.

GUYSBOROUGH AVE.
RETENTION POND

An Engineering Dept. proposal for a retention pond in the Guysborough Ave. area has been considered at Committee, and the recommendation to Council is in favour of the Department going to a public hearing in the area and proceeding with all the necessary approvals and land acquisition required in connection with this project. Council adopted the recommendation from Committee, on motion of Ald. Thompson and Williams.

PURCHASE OF
POLICE VEHICLES

Mr. Moir has made a recommendation concerning the purchase of police vehicles required by the Police Dept. for 1979, to the effect that Council authorize the preparation of tender documents and also a call for tenders for these vehicles. Council approved the recommendation, on motion of Ald. Williams and Valardo.

PURCHASE: 24 RENFREW ST.

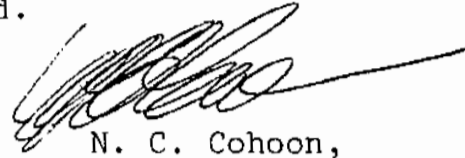
Council considered a report from Mr. Moir on negotiations for a lot owned by Mr. Dwight Miller at 24 Renfrew Street, to be acquired in connection with the North Woodside NIP program. An acquisition price of \$8,000. has been negotiated and funds are provided in the NIP budget to cover this cost. On motion of Ald. Backewich and Williams, Council approved Mr. Moir's recommendation that the property be acquired for the price negotiated.

Council then adjourned to meet in camera on motion of Ald. Hart and Thompson to deal with an additional item on the agenda (acquisition, downtown

properties).

Having reconvened in open meeting, Council approved the action taken in camera, on motion of Ald. Backewich and Irvine.

Meeting adjourned.



N. C. Cohoon,
City Clerk.

February, 1979

RESOLUTION #79-5


WHEREAS the Charter of the City of Dartmouth, S.190 (1) provides that the City Treasurer shall be responsible for the safe custody of all monies belonging to or accruing to the City from whatever source;

AND WHEREAS it is desirable that certain bearer bonds and other securities owned by the City be maintained in a safety deposit box or a Chartered Bank;

THEREFORE BE IT RESOLVED by the Council of the City of Dartmouth that the City Clerk is authorized to rent from the Royal Bank of Canada, Portland Street Branch, a safety deposit box for the purpose of maintaining in safe custody all securities owned by the City.

AND BE IT FURTHER RESOLVED that the said Bank is authorized to permit access to the said safety deposit box any two of the following City Officials:

The Mayor or in his absence, his Deputy
The City Treasurer
The City Administrator
The Deputy City Clerk
The City Comptroller



RESOLUTION #79-6

February 20, 1979.

WHEREAS on the 18th of October, 1978 the Dartmouth Board of Police Commissioners dismissed the appeal of Constable Robert Laird Kennedy and confirmed the punishment awarded to him by Chief Roger Smith.

AND WHEREAS at the request of Constable Kennedy City Council has agreed to decide his appeal to City Council without a hearing.

RESOLVED that City Council hereby dismisses the appeal of Constable Robert Laird Kennedy from the decision of the Dartmouth Board of Police Commissioners and the punishment awarded by Inspector Frederick Henry Wright as confirmed by Chief of Police Roger Smith is upheld.

RESOLUTION #79-6

February 20, 1979.

WHEREAS on the 18th of October, 1978 the Dartmouth Board of Police Commissioners dismissed the appeal of Constable Robert Laird Kennedy and confirmed the punishment awarded to him by Chief Roger Smith.

AND WHEREAS at the request of Constable Kennedy City Council has agreed to decide his appeal to City Council without a hearing.

RESOLVED that City Council hereby dismisses the appeal of Constable Robert Laird Kennedy from the decision of the Dartmouth Board of Police Commissioners and the punishment awarded by Inspector Frederick Henry Wright as confirmed by Chief of Police Roger Smith is upheld.



City of Dartmouth

P.O. BOX 817
DARTMOUTH, NOVA SCOTIA
B2Y 3Z3

CITY OF DARTMOUTH
C. A. MOIR
ADMINISTRATOR

Date: February 20, 1979
To: His Worship the Mayor and
Members of City Council
From: C. A. Moir, City Administrator
Re: 1979 Tax Rate


Attached is Resolution No. 79-8 extending the deadline for establishing a tax rate to the end of March, 1979.

Normally, by this time of year, we would be in a position to present projected estimates to you for consideration. However, we are not in this position. You will recall that most City departments, excepting Boards and Commissions, are being rated on the Zero Base Budget process. This is not yet finalized. More importantly, we have not as yet heard from the Provincial Government confirming grants for the current year. Therefore, revenues and tax rates cannot be projected.

We hope to be in a position to present a preliminary budget to Council early in the month of March.

It is respectfully recommended that City Council adopt Resolution #79-8.

Respectfully submitted,


C. A. Moir,
City Administrator

CAM:mgm
enc.

February 20, 1979

RESOLUTION #79-8

BE IT RESOLVED that Dartmouth City Council sets March 31, 1979 as the final date for the preparation and approval of the detailed estimates of the probable revenues and expenditures of the City for the year 1979 and for the establishment of a tax rate in accordance of Section 274 of the Dartmouth City Charter.

Dartmouth, N. S.

March 6/79.

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

Present - Mayor Brownlow

Ald. Ibsen	Thompson
Williams	Cunningham
Brennan	Crawford
Cote	Valardo
Hart	Backewich
Irvine	Greenough
Ritchie	Fredericks
City Solicitor, S. Drury	
City Administrator, C. A. Moir	

Council was asked to add three Resolutions to the agenda, #79-7, #79-9 and #79-10; these were dealt with later in the meeting.

On motion of Ald. Irvine and Ritchie, Council approved the minutes of meetings held on January 30th, February 6th and 20th.

By-law C-371 was before Council for third reading, having been given first and second readings at the Feb. 20th meeting. By-law C-371 will amend the Municipal Development Plan by extending the Development Boundary in the Port Wallis area in accordance with the extension of sewer and water services on Waverley Rd.

It was moved by Ald. Irvine and Thompson and carried that By-law C-371 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.

The other By-law before Council for third reading at this time was C-372, which would rezone lands known as the Marvin property to permit a residential development; plans for the development were presented at the time of the public hearing on Feb. 20th.

It was moved by Ald. Crawford and Thompson that By-law C-372 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 reported to Council on the meeting held with residents on March 5th to discuss

Y-LAW C-371:
HIRD READING

Y-LAW C-372:
HIRD READING

further the concerns they have about the development, particularly in relation to the additional traffic that will be placed on Chadwick and Renfrew Streets, and their desire for a third access route from the new development via the Woodside Industrial Park. He asked that a 50' right-of-way be reserved in case a roadway to the Industrial Park is required at some future time, and moved in amendment that there be a reserved area between Renfrew Street and the Industrial Park for a future roadway, if one is required; Ald. Ritchie seconded the amendment.

Debate on the amendment consisted mainly of the pros and cons of an access route from a residential community into an industrial area, and the affect on the proposed development if the developer is required to retain a fifty-foot width for a street reserve. Mr. Jenkins said the developer would be willing to have the right-of-way designated as part of the park land requirement allocated, but if this is not acceptable, two building lots would be lost to provide the street reserve, and in this case, the developer would ask that the money taken by the City in lieu of park land be reduced accordingly.

Members of Council who spoke on the amendment did not oppose the idea of making provision at this time for an alternate access route, provided the details can be worked out satisfactorily with the developer. Ald. Brennan, Valardo and Greenough felt that the developer's \$15,000. contribution in lieu of park land should be reduced by the amount he will lose in giving up two building lots (ie. as opposed to including the right-of-way as part of the land already being retained for park purposes). It was noted that the amendment on the floor does not spell out how the street reserve is to be allocated, and with the unanimous consent of Council, it was withdrawn in favour of another amendment to the effect that provision for the 50' roadway be made in the development, but that the \$15,000. park reserve

contributed by the developer be reduced accordingly by \$13,400., this representing the cost of the two lots that will be lost in creating the street reserve. The amendment was moved by Ald. Valardo and Brennan and it carried with Ald. Hart voting against.

Ald. Fredericks said the second concern still bothering the residents is the matter of traffic congestion in getting on and off Pleasant Street from Renfrew, Marvin and Chadwick Streets; he asked that the Planning Dept. look at this problem to see what can be done to alleviate the situation. The Mayor referred this request to Mr. Bayer. The amended motion for third reading was then put and carried.

LETTER RE ATLANTIC
WINTER FAIR

Members of Council have received copies of a letter from the Exhibition Association of Nova Scotia, containing a resolution adopted with regard to securing a permanent facility to accommodate the Atlantic Winter Fair. Ald. Hart moved, seconded by Ald. Thompson, that Council indicate to the Exhibition Assn. in writing, endorsement of the resolution set out in the letter of Feb. 6/79, and indicate that Council would consider it appropriate for the Executive members of the Assn. to organize a meeting with the Premier and the Ministers of Development and Agriculture, to which Dartmouth Council would send a delegate as well.

MOTIONS:
ALD. THOMPSON

At the request of Ald. Thompson and with Council's concurrence, his motion to change the name of Penhorn Drive was deferred at this time.

In accordance with other notices of motion given, the following motions were introduced and considered by Council:

ALD. VALARDO

1) Ald. Valardo moved, seconded by Ald. Thompson, that Council approve a study by qualified independent persons or person into the present system of working hours in the Dartmouth Fire Department, with the aim of producing a more productive system of duty shifts, and also, to look into ways of better utilizing non-

productive working hours in the same Fire Department. Ald. Valardo gave his reasons for wanting to see the present shift system in the Fire Dept. looked into and studied by some independent outside person or persons, suggesting that a better system of shifts would result in an improvement in morale and in the efficiency of the department generally. He said he has had an indication from a number of citizens that they consider such a study is warranted at this time. The motion was not opposed by Council and it carried.

ALD. RITCHIE

2) Ald. Ritchie moved, seconded by Ald. Valardo, that a curfew by-law be drawn up, to have children off the streets by 10:00 p.m. in the City of Dartmouth. Ald. Ritchie explained why he felt that this kind of by-law is required to deal with loitering and vandalism problems involving children and young people in several areas of the City. Ald. Cote asked if Council has the authority to enact such a by-law; Mr. Drury advised that authority for it is given under Section 155 B of the City Charter.

Ald. Fredericks was opposed to what he considered to be a restriction on the freedom of children if a curfew by-law were to be enacted. He felt that problems involving youth should be dealt with through other approaches, rather than just limiting their freedom after certain hours. Ald. Hart and Cunningham questioned the enforceability of a curfew by-law, and Ald. Cunningham asked what the penalties would be for violations; he also asked if it would be enforced on weekends when there are dances and other events attended by young people that keep them out after 10:00 p.m. He moved referral to a committee that would be comprised of a teacher, a social worker, a member of the Police Dept. youth squad, parents, and possibly a lawyer, for further study of the motion. The motion to refer was seconded by Ald. Greenough and debated.

Ald. Thompson and Crawford wanted to have the subject referred to the Police Commission for discussion with the Police Chief and members of the Youth Division. Ald. Ibsen said he thought it would be a good idea to have a report from the Youth Division first on the situation as they see it so that there is some understanding of whatever problems do exist before any decision is taken on the need for a curfew by-law. Ald. Greenough suggested that a curfew could create a greater conflict between young people and the police, resulting in worse problems than we already have. He referred to various activities such as baby-sitting that involve fairly late hours for young people, and he also raised the question of enforceability if a by-law were in effect. Ald. Cote indicated that he would also be in favour of hearing from the Youth Division, as Ald. Ibsen suggested.

The general concensus was that Council would not be prepared to go along with the idea of a by-law, but would agree to referral to a committee for study. The motion to refer carried with Ald. Cote voting against. The Mayor will appoint the committee at the request of Council.

ALD. IRVINE

3) Ald. Irvine moved, seconded by Ald. Crawford, that a committee be established whose prime responsibility will be to investigate all avenues with regard to the feasibility of Dartmouth hosting the 1983 Canada Winter Games. Speaking on his motion, Ald. Irvine commented on the benefits the City would receive in terms of tourist dollars and new facilities, if the Games were hosted here. He asked that the committee be appointed by the Mayor and members of Council could suggest appointments if they wish to do so. The motion carried.

4) Ald. Irvine's second motion was that the Recreation Advisory Board be directed to research and

make recommendations to Council with respect to hosting the 1981 Canadian Figure Skating Championships in Dartmouth, or Skate Canada. The motion was seconded by Ald. Ritchie and it carried.

ALD. IBSEN

5) Ald. Ibsen introduced the following motion and it was seconded by Ald. Brennan:

In order to provide incentive for the revitalization of the central core of Dartmouth, as defined in a report to Council entitled 'Downtown Dartmouth Planning Study', prepared by Development Planning Associates Ltd., Feb. 1978, it is proposed that new construction undertaken within the guidelines of the planning scheme, be given tax concessions to the maximum extent of 25% in the first year, reducing by 5% each year until full payment is achieved after five years. And to encourage modernization, refurbishing and alterations to existing structures, within the physical guidelines above referred to; Where the value shown in the building permit issued for work exceeds 50% of the assessed value of the property, the same tax concessions will be applied.

After Ald. Ibsen had outlined the intent of his motion, Ald. Williams and Valardo moved referral to a committee for further study. Ald. Backewich said he did not agree with the idea of tax incentives for the downtown area or anywhere else in the City. Ald. Brennan and Valardo spoke in favour of referral; Ald. Brennan asked that a staff report go to the committee on the subject, indicating what other alternatives might be considered in the way of incentives to promote growth and rehabilitation downtown, so that the redevelopment program receives the impetus required. The motion to refer carried and Council requested that the Mayor appoint the committee. Ald. Brennan suggested that the Implementation Task Force could serve as the committee for this purpose.

ALD. WILLIAMS

6) Ald. Williams introduced the following Resolution, seconded by Ald. Valardo:

RESOLUTION #79-7

WHEREAS it is intolerable that people may die in fires, the sick may die from lack of medical care, the injured may die from lack of an ambulance, and that criminals may go free from lack of police protection, where essential services are unavailable because of disputes.

RESOLVED that the government of Nova Scotia be asked to amend the Trade Union Act to prohibit strikes involving essential services and to provide for the settlement of disputes involving essential services by arbitration or by a hearing before an appropriate tribunal.

Ald. Williams' remarks in connection with his resolution had to do with the loss of essential services through strike action on the part of employees in sectors such as the professions of medicine, fire and police protection, where there is a threat in any way to the health, safety or well-being of the tax-paying public. He maintained that breakdowns in contract negotiations should come before an arbitration board or tribunal and be resolved by such an independent body, rather than any resort to strike action on the part of the unions in essential services. Ald. Fredericks said the problem is really one of labor/management reform that is required, rather than placing all of the onus on unions. He considered that any infringement on the right to strike is a retrogressive step and represents an infringement on the rights of working people generally. Ald. Crawford was equally opposed to the resolution; he said that any changes in the Trade Union Act should come from the Provincial or Federal government levels and should not originate with a municipal Council. Ald. Ibsen was the other member speaking against the resolution.

Otherwise, Council indicated support for the prohibiting of strikes where essential services are involved and the lives of citizens are placed in jeopardy. Members speaking in favour stressed that there is no intent to infringe on bargaining rights, only on the right to strike among employees who provide services involving law enforcement, fire protection, and medical care. It was felt that when these services are withdrawn, the public has no recourse and is left in an untenable position with no alternate sources of help to draw from. Ald. Brennan suggested that the

resolution should also go to the Union of N. S. Municipalities conference for consideration, and that the support of other municipalities should be solicited for it.

A citizen heard during the debate was Mr. Kevin Heffler of 5 Esdaile Ave., who asked that Council not try to take away the rights of working people with this kind of action. When the vote was taken, the resolution was approved by a majority of the members with Ald. Crawford, Ibsen, Fredericks and Irvine voting against. Ald. Fredericks and Crawford then gave notice of reconsideration.

RECONSIDERATION

AWARD TENDER:
ELEVATOR ADDITION

Tenders for the elevator addition to Dartmouth High School have been received and reviewed as follows by Mettam Wright Associates:

Urban Construction	\$61,860.00
Blunden Construction	65,300.00
Sigma Construction	69,650.00
Boyd & Garland	69,784.00
Cromarty Construction	78,000.00
Woodlawn Construction	87,615.00
Fundy Construction	89,950.00

Acceptance of the low bid, received from Urban Construction, is recommended by Mr. Cohoon and Council awarded the tender as recommended, on motion of Ald. Thompson and Fredericks.

ELECTIONS ACT
PROPOSAL

On motion of Ald. Irvine and Thompson, Council referred the Municipal Elections Act proposal to Committee for consideration.

CONTRACT: FERRY
EMPLOYEES

Details of a two-year contract settlement negotiated with Local 13 of the International Union of Marine & Shipbuilding Workers of Dartmouth, representing the ferry employees, are set out in a report prepared by Mr. Moir, and before Council for consideration. Ald. Irvine and Valardo moved the adoption of the report, but Ald. Brennan questioned why this item is not included in the in camera portion of the agenda. On motion of Ald. Greenough and Valardo, it was deferred to be considered in camera at the end of the meeting.

CONTRACT: TRANSIT
WORKERS

Mr. Moir has reported to Council on the status of negotiations with the Amalgamated Transit Union, representing the Dartmouth Transit workers, advising of their rejection of the contract agreement negotiated between the City and the negotiating team representing the union. The recommendation is that the City join with the Union in an application to the Dept. of Labour for the services of a conciliation officer. Council approved this recommendation, on motion of Ald. Fredericks and Ritchie.

RESOLUTION #79-9


Resolution #79-9, authorizing the sale of City-owned land at 496 Main Street to Gerald B. Greenough, was before Council, having been added to the agenda at the beginning of the meeting. The resolution was adopted, on motion of Ald. Irvine and Thompson (Ald. Greenough abstaining from the vote). A copy of Resolution #79-9 is attached.

RESOLUTION #79-10

Resolution #79-10 was also added to the agenda and received consideration at this point in the meeting. This resolution attempts to correct a situation with regard to the term of office for Dartmouth School Board members elected in 1978, and it was approved on motion of Ald. Thompson and Ibsen. A copy of the resolution is attached.

On motion of Ald. Irvine and Greenough, Council adjourned to meet in camera as Committee-of-the-Whole. After reconvening in open meeting, the action take in camera was ratified (Starr Mfg. Ltd. lands and ferry employees contract) on motion of Ald. Backewich and Greenough.

Meeting adjourned.


G. D. Brady,
Deputy City Clerk

WHEREAS Dartmouth City Council is authorized to sell lands;

AND WHEREAS, Dartmouth City Council has authorized the sale of lands at 496 Main Street in the City of Dartmouth to Gerald Greenough.

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

SCHEDULE "A"

ALL that certain parcel of land situate, lying and being Parcel "43" on the south side of Main Street as shown on a plan of Main Street showing Lot "BX", a consolidation of Parcel "43", lands of the City of Dartmouth and Lot "BLY", lands of Gerald Greenough prepared by Darryl R. Spidle, N.S.L.S., dated January 5, 1978, approved by the Development Officer for the City of Dartmouth January 22, 1979, being in the City of Dartmouth, County of Halifax, Province of Nova Scotia, the said parcel being more particularly described as follows:

BEGINNING on the southern boundary of Main Street at the intersection of the eastern boundary of lands of the City of Dartmouth (Watershed);

THENCE N 61° 45' 56" E, 117.08 feet along the southern boundary of Main Street to the western boundary of Ridgecrest Drive;

THENCE S 18° 32' 32" E, 53.65 feet along the western boundary of Ridgecrest Drive to the northern boundary of Lot "BLY";

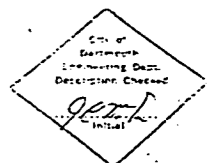
THENCE S 71° 27' 28" W, 115.41 feet along the northern boundary of Lot "BLY" to the eastern boundary of lands of the City of Dartmouth (Watershed);

THENCE N 18° 32' 32" W, 33.94 feet along the eastern boundary of lands of the City of Dartmouth (Watershed) to the point of beginning.

CONTAINING an area of 5054 square feet.

ALL bearings be 3° N.T.M. Grid Bearings, Central Meridian 64° 30' west longitude.

THE above described Parcel "43" being a portion of the lands conveyed to the City of Dartmouth and recorded at the Registry of Deeds, Halifax in Book 2931, Page 640.



...with the Grantee that the Grantee shall have quiet enjoyment of the lands that
the said Grantor has a good title in fee simple to the lands and the right to convey them as
hereby conveyed, that they are free from encumbrances and that the Grantor will procure
such further assurances as may be reasonably required.

IN WITNESS WHEREOF the said Grantor hath hereunto set its
corporate seal and subscribed these presents by the hands of
its proper officers, its Mayor and its City Clerk, in that
behalf duly authorized the day and year first above written.

SIGNED, SEALED AND DELIVERED
in the presence of

CITY OF DARTMOUTH

Mayor

City Clerk

PROVINCE OF NOVA SCOTIA
COUNTY OF HALIFAX, SS

ON THIS _____ day of _____, A.D., 19 _____
before me, the subscriber personally came _____
subscribing witness to the foregoing instrument who being by me sworn, made oath, and said
that _____ Mayor, and _____ clerk of
the City of Dartmouth signed the same and affixed the seal of the said
City thereto in his presence.

A Commissioner of the Supreme
Court of Nova Scotia

This Indenture made this

day of

A. D., 19

BETWEEN

CITY OF DARTMOUTH; a body
corporate

hereinafter called the "GRANTOR"

OF THE ONE PART

and

GERALD T. GREENOUGH of
Dartmouth, County of Halifax,
Province of Nova Scotia

hereinafter called the "GRANTEE"

OF THE OTHER PART

WITNESSETH that in consideration of One Dollars

The Grantor hereby conveys to the Grantee the lands described in the Schedule marked "A" hereto annexed.

RESOLUTION NO. 79-10

WHEREAS uncertainty exists respecting the interpretation of Section 16 of the School Board's Membership Act;

RESOLVED that the Province of Nova Scotia be asked to amend the School Board's Membership Act so as to confirm that the members of the Dartmouth School Board, elected in 1978, are elected for three years.

Dartmouth, N. S.

March 12/79.

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

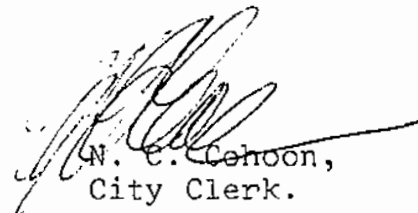
Present - Mayor Brownlow

Ald. Ibsen	Thompson
Williams	Cunningham
Crawford	Brennan
Hart	Backewich
Irvine	Greenough
Ritchie	Fredericks
Valardo	

City Administrator, C. A. Moir
City Comptroller, D. McBain

1979 BUDGET

Council went into Committee-of-the-Whole
at the beginning of the meeting, on motion of Ald.
Crawford and Thompson and adjourned while in
Committee.


W. E. Cehoon,
City Clerk.

Dartmouth, N. S.

March 13/79.

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

Present - Mayor Brownlow

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

Council met to complete the March 6th agenda, prior to the regular Committee meeting. Two items were added with Council's concurrence: (1) an Industrial Commission recommendation on the development of small sites, and (2) a letter from Ald. Fredericks re a drainage problem on Rodney Road.

MAYNARD LAKE REPORT

The Maynard Lake Water Quality report has been recommended jointly by the Lakes Advisory and Recreation Advisory Boards. With reference to the three main recommendations at the conclusion of the report, Ald. Hart indicated her intent to introduce motions on each of them, and first moved that the Recreation Dept. be advised that the use of Maynard Lake continue in such a way that the existing beach area is not over-populated, but rather, that it be used in the same way as at present and use expanded to other portions of the lake; Ald. Williams seconded the motion. It was moved in amendment by Ald. Fredericks and Irvine that the Recreation Dept. look at another section of the lake where a beach could be developed and come back with a cost estimate. Discussion was mainly concerned with the disposition of the three recommendations in the report and the best way to follow up on these so that action is taken on each of them by appropriate departments. The amendment carried and the amended motion carried with respect to recommendation #1.

Ald. Hart and Crawford moved that recommendation #2 be referred to the Board of Health, and #3, back to

the Lakes Advisory Board for suggestions as to how erosion can be prevented in this situation. The motion carried.

WORK PROGRAMS:
ABLE-BODIED
RECIPIENTS

The members of Council have received copies of a report from the Social Services Dept. on the progress being made with regard to finding work for able-bodied social assistance recipients. Mr. Paul Greene and other staff from the department were present for this item, and Mr. Greene gave a review of the various programs underway and the staff efforts being directed toward finding employment for people in the able-bodied category. When he had finished speaking, Ald. Fredericks and Crawford moved that the report submitted to Council be received and filed. Ald. Fredericks suggested that copies go to the Dept. of Municipal Affairs and the Provincial Social Services Dept.; the Mayor also felt the Dept. of Development should receive a copy for their information.

Ald. Brennan's questions about the report had to do with the 'marginally-employable' category referred to and the adequacy of day-care facilities in the City so that more people with dependents are able to go to work. After the vote was taken on the motion to receive and file, which carried, Ald. Brennan moved that the Social Services Dept. be requested to examine and report back on the aspect of day care and baby-sitting services, and the cost and advantages of having the City get involved in these services. Ald. Fredericks seconded the motion and it carried.

NOMINATIONS TO
BOARDS

A report from the Mayor was considered on several Boards and Committees to which the City nominates representatives; it was dealt with as follows:

- a) United Way of Halifax/Dartmouth Metro Area: the appointment will be made by the Mayor, on motion of Ald. Greenough and Irvine.
- b) Atlantic Child Guidance: Ald. Crawford was nominated, on motion of Ald. Thompson and Greenough.

- c) 230th Anniversary Committee: On motion of Ald. Irvine and Thompson, the composition of the committee will be as recommended: Ald. Thompson, Ald. Fredericks, the Mayor, Mr. Roy Steed, Mr. Reg Giovannetti and a member from the Chamber of Commerce.
- d) Metro Comserv Project: recommended reappointment of Ald. Ritchie and Paul Greene was approved, on motion of Ald. Thompson and Williams.
- e) Dartmouth Community Services Advisory Board: the Mayor will make the citizen-at-large appointment to replace Mr. Tim Daley; moved by Ald. Thompson and Crawford. A letter of thanks to be forwarded to Mr. Daley for his services to the Board while he was a member.

REQUIREMENT FOR
SMALL IND. SITES

Council was asked to give first reading to an over-expenditure in the amount of approx. \$277,000. for the development of Sites 41F and 41DX in the Burnside Park into small lots that can be sold to meet the demand for lots of this type. Mr. Rath's report on the subject has been adopted by the Industrial Commission and recommended to Council. First approval was given for the over-expenditure, on motion of Ald. Backewich and Thompson. Second approval will be included in the Council agenda for the March 20th meeting.

DRAINAGE PROBLEM:
RODNEY ROAD

Ald. Fredericks reported to Council on the drainage problems on Rodney Road, resulting in driveways and backyards being damaged in the area. He moved that Council authorize the Engineering staff to carry out the necessary survey and cost study to implement a proper drainage system for Rodney Road. Ald. Valardo seconded the motion and it carried.

NAMES FOR FERRIES

The Mayor advised Council that the new ferries will be christened by Ferguson Industries Ltd. on April 21st and it is being recommended that they be named the Dartmouth III and the Halifax III, in keeping with the names of the present boats. Council adopted the recommendation, on motion of Ald. Irvine and Backewich.

QUESTIONS:
ALD. THOMPSON

Ald. Thompson inquired about the delay in the bus shelter for the K-Mart area; Mr. Moir to check on the inquiry.

His second question concerned the status of

Findlay School at the present time; Mr. Moir said that the senior citizens have their facility in the building and some of the offices at the Recreation building at Graham's Grove will be transferred there. The present plan is to leave one person in the Graham's Grove office.

LD. CRAWFORD

Ald. Crawford expressed concern that the Harbourview NIP program is not proceeding fast enough; he asked about the mound of earth that has never been cleared from the area under the Angus L. Bridge. Mr. Bayer reported that tenders for two contracts involved in the program will come to Council within the next two months.

His second question was about the abandoned cars in the Fairbanks St. area and the fact that towing companies are not willing to take these old cars away when they are contacted. Mr. Moir provided information on a program in which we will be able to participate through the Dept. of the Environment as a means of dealing with the problem of abandoned vehicles.

Ald. Crawford asked when the street sweeper will be working on Portland Street; Mr. Moir said it has been on this street working already.

LD. FREDERICKS

Ald. Fredericks' inquiries:

- 1) what action has been taken with regard to the CTV new program which dealt with the recent strike by firemen in the City; the Mayor said he has not heard from the Solicitor as yet on this matter.
- 2) when will Council be meeting with builders and developers, as requested; Mr. Moir said that data is being prepared before the meeting takes place.
- 3) is there a lady employed by the City who is selling dog licenses; Mr. Moir said she is the License Officer for the City.
- 4) asked that the Solicitor look into our legal position with respect to the commitment the Province has to financial assistance with the sports complex for Dartmouth; the Mayor did not feel that there is any question about the legality involved. Mr. Moir noted that Dart. Recreation Ltd. will be meeting next week to deal with a further report.
- 5) suggested that some time this year a showing take place of an NFB film produced which dealt with the impact of the North Sea oil development on local Scottish communities.

- 6) broken railing reported on the stair leading from Irving and Grant Streets, which has still not been repaired.
- 7) money was allocated for work on a brook in the Belmont/Carlton Street area; what is the status of this project?

LD. CUNNINGHAM

Ald. Cunningham asked if a crosswalk would be feasible at the intersection of Portland St. with Chestnut Lane and the Manor Park entrance, where people are having difficulty catching busses during busy traffic periods because of not being able to cross the street. Mr. Bayer agreed to bring this up at the next T.M.G. meeting; he pointed out that overhead signalization would be required for a crosswalk at this particular location.

Ald. Cunningham asked if Dartmouth residents are permitted to put their garbage out in the small plastic grocery bags recently approved for use in Halifax. Mr. Moir said these are being permitted and our City regulations covering garbage collection will be amended accordingly.

LD. BRENNAN

Referring to his previous inquiry on the status of capital works projects approved in 1978 and the subsequent report prepared by Engineering with information on the various projects, Ald. Brennan said he would like additional information from the City Administrator, with his comments on the Engineering Dept. report.

LD. VALARDO

Ald. Valardo's inquiries:

- 1) he commended the Building Inspection Dept. for their response in getting a property cleaned up, which was brought to their attention by Ald. Valardo.
- 2) asked Mr. Moir to bring to the attention of the Inspection Dept., the property at 400 Windmill Road (apt. building) with unsightly premises.
- 3) asked when the street sweeping program will begin; Mr. Moir said it will be as soon as the cold weather is over and a service level is decided upon in the budget.
- 4) asked when the sections of curb torn up during winter street plowing are to be repaired; Mr. Moir said these repairs will be made when the asphalt plant opens. Repairs to concrete curbing will take longer.

- 5) will some of the City lakes be stocked with fish and what is the fishing season? Mr. Moir advised that the Fisheries Dept. will be stocking some of them and they are open for fishing all year round.
- 6) asked if there is a policy with regard to the attendance of department heads at Council and Committee meetings; Mr. Moir explained that they are present as required for items on the agenda, but are not required to attend every Council and Committee meeting. They do not receive time off for attendance at meetings.
- 7) commented on the fatality-free record that the City had during Safe Driving Week; the Mayor noted that a certificate of commendation is to be received from the Canadian Safety Council in recognition of the City's record.

ALD. HART.

Ald. Hart included Pinecrest Drive as a street where the street sweeper is required and she referred to crosswalk painting work that is required in her ward also.

Her second question dealt with the need for repairs to the asphalt around the manhole covers on Windmill Road; Mr. Moir pointed out that there will be a certain amount of settling around the manholes as the frost comes out of the ground and suggested waiting for a period of time until the frost is completely out before working on them.

ALD. GREENOUGH

Ald. Greenough's first inquiry was about the proposed improvements to the MicMac Rotary and whether plans by the Province for this project have been abandoned in favour of another look at the 107 By-pass; he expressed concern that the City has not been consulted about any of this. The Mayor said he has received no official word from the Minister of Highways about the situation and said he would be willing to forward a letter, asking what the status of the project is. Ald. Greenough asked that the communication with the Minister take the form of a meeting as a more direct approach in trying to find out some answers from the Department.

ALD. RITCHIE

Ald. Ritchie's inquiry concerned emergency measures procedures to be worked out in conjunction with Dartmouth General, and Mr. Moir outlined the discussions taking place by the study group who are working on such a plan; the group is headed up by Mr. Rath and other department heads are involved as well.

ALD. IRVINE

Ald. Irvine asked for information on the date of the tender calls and tentative starting date for the Tam O'Shanter drainage project.

Ald. Irvine asked if there is a policy for recouping costs involved when the City cleans up areas adjacent to unsightly premises such as the properties on which convenience stores are situated. Mr. Moir said we do not have a by-law that gives us the right to charge for such costs, and Ald. Irvine suggested that staff take a look at the subject and bring back a recommendation.

Ald. Irvine asked that when weather permits, the earth piled at Ira Settle Field be levelled off by the City.

ALD. BACKEWICH

Ald. Backewich commented on a liquor license application notice received, pointing out that it involves a group using Farrell Hall and is not an application on behalf of the Farrell Hall itself.

ALD. FREDERICKS

Ald. Fredericks had an additional question, concerning the proposed establishment of an emergency phone number for the metropolitan area; the Mayor advised Ald. Fredericks of the status of this item at present.

NOTICES OF MOTION:

ALD. HART

Notices of motion were given as follows for the next regular Council meeting:

1) Ald. Hart:

- (a) That staff be directed to assess the need for traffic lights at the Windmill Road/Princess Margaret Blvd. interchange.
- (b) That City Council identify transit as a major priority and strongly encourage the Provincial Government, through the Premier, to assign a high priority to transit, with a view to the immediate establishment of a Dept. of Transportation, in order that negotiations can be reopened with regard to transit demonstration projects, improve-

ments to major roadways to accommodate busses, and increased per capita cost-sharing with the municipalities.

- (c) That City Council reexamine its support of the concept of a Stipend Committee for 1979, and that the Committee be established not later than the 30th of April, 1979; further, that explicit terms of reference be drafted for such a committee to assist them in their task - these terms of reference to be approved by Council.

ED. GREENOUGH

- 2) Ald. Greenough: In view of problems with licensed establishments and associated noise complaints, that the Building Code be examined and updated to insure that adequate sound insulation is required in discos, lounges, etc., to safeguard the peace and quiet of neighbouring residents.

Ald. Brennan and Ald. Williams gave notice of their intent to be absent from the City for three-week periods in April while on vacation.

RESOLUTIONS:

CONFERENCE

ED. HART

The following Resolutions were presented at this time for consideration to be forwarded by Council to the 1979 C.F.M. Conference:

- 1) Ald. Hart:

WHEREAS the Federal Government has instituted programs to ensure an adequate supply of new rental housing in Canada, namely MURB (for Multiple Unit Residential Building) and ARP (for Assisted Rental Program), now replaced by the GPM (Graduated Payment Mortgage) Program;

AND WHEREAS there continues to be a need to supply affordable housing in the low and moderately-low income ranges;

THEREFORE BE IT RESOLVED that the F.C.M. be encouraged to pass a resolution requesting the Federal Government, through CMHC programs, to give the same equitable treatment to municipal non-profit and co-op sectors, as they presently provide to the private sector.

ED. FREDERICKS

- 2) Ald. Fredericks:

- (a) WHEREAS there is a need to do all possible by all governments of Canada, to work to preserve this great country, as one country, 'Canada';

AND WHEREAS, as reported by the news media, many of the Provincial Governments appear to want economic gains for their Provinces above all else, and that this may cause Canada to become a balkanized state with no strong centre;

THEREFORE, BE IT RESOLVED that the City Council of Dartmouth requests the Canadian Federation of Mayors, at its annual conference in June 1979, to make representations to all Provincial Premiers to redouble their efforts toward the sole aim of Canada remaining a strong and united country.

(b) WHEREAS Canada is a large trading nation;


WHEREAS Canada has a very small merchant marine;

WHEREAS Canada has the shipyards and the skilled labour presently out of work, to build ships;

WHEREAS there is a drain on Canadian dollars to the amount of some three billion dollars for transporting goods to and from Canada in foreign ships;

THEREFORE, BE IT RESOLVED that the Council of the City of Dartmouth requests the Canadian Federation of Mayors at its annual conference in June 1979, to make representation to the Federal Government to establish a Merchant Marine in Canada so as to put our people to work and to spend our monies at home.

On motion of Ald. Thompson and Crawford, Council then adjourned to meet in Committee for the purpose of dealing with the agenda for the regularly scheduled Committee meeting.


N. C. Cohoon,
City Clerk.

Dartmouth, N. S.

March 19/79.

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

Present - Mayor Brownlow

Ald. Ibsen	Thompson
Williams	Cunningham
Brennan	Crawford
Hart	Backewich
Cote	Greenough
Irvine	Fredericks
Ritchie	
City Solicitor, S. Hood	
City Administrator, C. A. Moir	
City Comptroller, D. McBain	

RESOLUTION #79-12

At the request of the Mayor, Council agreed to add Resolution #79-12, which would extend the deadline for setting the 1979 tax rate from March 31st to the 30th of April, with the permission of the Governor-in-Council. The Resolution was approved on motion of Ald. Irvine and Crawford, as attached.

Referring to a recent newspaper item on the 107 By-pass, the Mayor said he has been informed by the Minister of Highways that construction of this highway has not yet been approved as reported and there is to be further clarification on the status of this project.

REVENUE SOURCE
REPORT

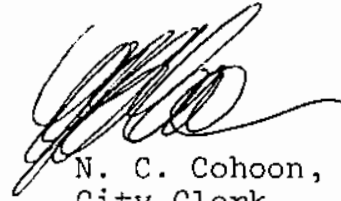
Mr. Cohoon and Mr. McBain were present in connection with the Revenue Source report they have prepared in accordance with a resolution adopted in December of 1978, calling for a staff study of alternate sources of revenue that could be considered to assist the City financially. Presentation of the report was made by Mr. Cohoon and he first explained the need to find new and additional revenue sources if major property tax increases are to be avoided in the next ten years. He went on to identify segments of the population, other than property owners, who should be helping to pay for their use of municipal services; these include wage earners, income spenders, and direct users of services under the fee-for-service concept. Basically, an attempt is made in the report to recommend

revenue-producing measures that draw from these other segments so that the full burden of providing municipal services does not have to be borne by the property owner, with the associated yearly increases in taxation. Twenty-six recommendations are made in total and the indication of their financial impact is given in each case, for future years and specifically for 1979. Also, the Solicitor has indicated the by-law changes and/or legislation necessary in order to be able to proceed with implementation of the recommendations.

Ald. Fredericks, who introduced the original resolution calling for the staff study, spoke in support of the report and the approach it has taken toward more self-reliant means of producing revenue for the City and thereby relying less on Provincial assistance. He wanted to see copies forwarded to various Provincial departments, the local MLA's and the Premier, to indicate the attempt being made in Dartmouth to come to grips with our financial problems; the Mayor said that it is planned to have copies forwarded as suggested. Ald. Fredericks felt that sewer frontage charges and the licensing of mobile signs are two items that should have received consideration for inclusion in the report, and he questioned in particular recommendation #22, which proposes an expansion of the Provincial sales tax (reduced from 8% to 6%) to include food and clothing (ie. the Province would then pay 20% of the proceeds into a grant fund as a source of funding for urban municipalities). The main concerns expressed by other members tended to be about this same recommendation and about recommendation #8, proposing that legislation be sought to impose an employment tax. It was suggested that such a tax, to be workable and practical, would have to be applicable on a metropolitan basis and efforts to introduce it should be directed through the Metropolitan Authority.

At the suggestion of the Mayor and on motion of Ald. Crawford and Greenough, Council agreed to meet in Committee for the remainder of the meeting to discuss the report more informally.

Adjournment took place in Committee.



N. C. Cohoon,
City Clerk.

March 19, 1979

RESOLUTION NO. 79-12

WHEREAS the Governor in Council when requested by the City to do so, may extend the time within which the City of Dartmouth may establish a tax rate by authority of the Municipal Taxation Time Extension Act, 1970 Statutes of Nova Scotia, Chapter 9.

AND WHEREAS the amount of money which may be available to the City for its 1979 budget is not now known and there may be insufficient time for this amount to become fully known and taken into consideration by City Council in its budget considerations prior to March 31, 1979.

THEREFORE, be it resolved that the Governor in Council be requested to extend the time within which the City of Dartmouth may establish a tax rate for the year 1979 to the 30th day of April, 1979.

Dartmouth, N. S.

March 20/79.

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

Present - Mayor Brownlow

Ald. Hart	Backewich
Irvine	Greenough
Ritchie	Fredericks
Williams	Cunningham
Crawford	Brennan
Cote	Ibsen
Thompson	
City Solicitors, S. Hood	
	S. Drury
City Administrator, C. A. Moir	

At the opening of the meeting, Ald. Crawford asked permission to have a brief read by a spokesman for the Halifax/Dartmouth & District Labour Council. Council agreed to add this as an item to the agenda (Ald. Ibsen voting against). The item was added as #4 on the agenda.

ZONING REQUEST:
DOWNTOWN RESIDENTS
ASSOCIATION

This meeting of Council constituted a public hearing for the rezoning application from the Downtown Dartmouth Residents Assn., to have a number of blocks in the Central Business District (basically, the area bounded by Park Ave., Edward Street, North Street, and the Christ Church Cemetery) rezoned from the existing multiple family zones to TH and R-2 Zones. While the request conforms in general with the policies of the Downtown Dartmouth Development & Revitalization Report, the Planning Dept. has recommended a deferral of any decision on the application until necessary amendments to the Municipal Development Plan and Zoning By-law amendments can come before Council; May 22nd has been suggested as the date for public hearing of these amendments.

Spokesman for the Residents Assn. was Mr. Fred Evans and he outlined the concerns which the residents have about high rise development that could take place on land that has been assembled by Dell Holdings Ltd. within the residential community encompassed by the rezoning request. He said the residents are not

opposed to high density development but to high rise buildings that will be out of character with the neighbourhood and block out the sun from reaching homes around them. At present, the residents feel threatened by the possibility of high rise development and see the need for protective zoning during this interim period until the zoning policies recommended in the Downtown Development Plan can come into effect. He submitted a petition signed by 81 names of people in favour of the rezoning, and the presentation on behalf of the Residents Assn. continued with a series of slides shown by Mr. Louis Lamoine, giving a visual idea of the kind of neighbourhood as it presently exists in the area and showing some of the alternative forms of high density developments the residents would like to see instead of high rise apartment buildings.

The third section of the presentation was given by Mr. Howard and his emphasis was on the importance of land useage and controlled development if the downtown section of Dartmouth is to reach its potential in terms of the economic contribution it can make while becoming an increasingly attractive place to live as well. His specific reference was to the land owned by Dell Holdings, which he considered to have been acquired for speculative purposes since it continues to remain in an undeveloped state without any sign of improvement or future plans. Other residents heard were a Miss Daley and Tony Karamaris, the owner of lands on Wentworth Street.

Mr. Wm. Ryan was heard as the Solicitor representing the owner of Dell Holdings Ltd. He made reference to sections of the Downtown Development Plan and the fact that the participation of private investors and developers, in conjunction with government agencies, is seen as an important factor in the success of a revitalization program. He pointed out that new residential development is one of the components of the plan and the population of the downtown section

opposed to high density development but to high rise buildings that will be out of character with the neighbourhood and block out the sun from reaching homes around them. At present, the residents feel threatened by the possibility of high rise development and see the need for protective zoning during this interim period until the zoning policies recommended in the Downtown Development Plan can come into effect. He submitted a petition signed by 81 names of people in favour of the rezoning, and the presentation on behalf of the Residents Assn. continued with a series of slides shown by Mr. Louis Lamoine, giving a visual idea of the kind of neighbourhood as it presently exists in the area and showing some of the alternative forms of high density developments the residents would like to see instead of high rise apartment buildings.

The third section of the presentation was given by Mr. Howard and his emphasis was on the importance of land useage and controlled development if the downtown section of Dartmouth is to reach its potential in terms of the economic contribution it can make while becoming an increasingly attractive place to live as well. His specific reference was to the land owned by Dell Holdings, which he considered to have been acquired for speculative purposes since it continues to remain in an undeveloped state without any sign of improvement or future plans. Other residents heard were a Miss Daley and Tony Karamaris, the owner of lands on Wentworth Street.

Mr. Wm. Ryan was heard as the Solicitor representing the owner of Dell Holdings Ltd. He made reference to sections of the Downtown Development Plan and the fact that the participation of private investors and developers, in conjunction with government agencies, is seen as an important factor in the success of a revitalization program. He pointed out that new residential development is one of the components of the plan and the population of the downtown section

cannot be enlarged unless additional units are constructed for people to move into. He asked that Council consider omitting the Dell Holdings land from the rezoning application so that it can be looked at separately and in keeping with a multiple-unit density that would make better use of the land, as intended in the Downtown Development Plan. He noted that the Planning Dept. staff feel this parcel of land should be treated differently and not lumped in with the general rezoning being requested. Mr. Evans spoke again for the residents, saying he agreed that the Dell Holdings property is different from the rest, but development on it should be low rise, even at a higher density.

As Chairman of the voluntary public meeting held at Bi-Centennial Jr. High School, Ald. Irvine reported to Council the support of residents for the rezoning request and noted that the concerns expressed were as they have been stated at this hearing.

Mr. Bayer made the presentation for the Planning Dept., explaining that the ultimate aim of the residents is basically the same as that of the City with respect to the policy decisions being made on land uses and the protection of existing residential neighbourhoods in the area involved in the rezoning request. He did indicate, however, that the Dell Holdings property should be treated in a different way and receive consideration separate and apart from the general rezoning applicable to other lands around it. He emphasized that consideration must be given to the form of the development that will take place on the Dell Holdings land; the concern has to be with the quality and not just with the density. Another area of concern involves the protection of view planes in this particular area of the City, affecting a portion of the lands owned by Dell Holdings. Because of these various factors, the Planning Dept. recommends that no decision be taken on the rezoning application before Council until

staff has an opportunity to present the total picture in the form of amendments to the Municipal Development Plan and the Zoning By-law, based on the policies contained in the Downtown Development Report. He noted that the element of control sought by the residents would not be diminished because the 120-day freeze on development permits would be in effect from now until May 22nd, the date proposed for a public hearing of the Municipal Development Plan amendments. The other point made was that no building permits have been issued for the lands of Dell Holdings at this time. A building permit application made by the company some time ago has since lapsed.

As the members of Council began to discuss the rezoning and the Planning Dept. recommendation that it be deferred, Ald. Greenough asked the Solicitor about the freeze on development of the Dell Holdings property, pending the May 22nd public hearing. Mr. Drury said he was concerned about the legal problems that could result from two rezoning applications for the same land proceeding at the same time. He suggested that in order to avoid such legal problems, the rezoning application before Council be dealt with at this meeting, and subsequently, the Planning Dept. amendments would come forward in the usual way. Council should therefore decide for or against the rezoning application from the Residents Assn. at this time.

Council was provided with copies of By-law C-390 , which would amend the Zoning By-law in accordance with the request to rezone from multiple-family zones to R-2 and TH Zones.

It was moved by Ald. Fredericks and Cote and carried that leave be given to introduce the said By-law C-390 and that it now be read a first time.

It was moved by Ald. Crawford and Ritchie that By-law C-390 be read a second time.

During the debate on second reading, Ald. Brennan, Ritchie and Crawford spoke in favour of the rezoning. Ald. Crawford referred to a letter from Mr. Thomas of the Waterfront Development Corp., indicating support for the rezoning, and considered this to be one of the most significant endorsements the application could receive. Mr. Evans had previously made reference to this letter also and copies were provided for the members of Council as the hearing proceeded. Ald. Brennan and Crawford both expressed concern for the protection and stabilization of a sound residential community in which these residents now live. When the vote was taken on second reading, it carried.

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

It was moved by Ald. Cote and Thompson and carried that By-law C-390 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.

On motion of Ald. Greenough and Thompson, Council then set May 22nd as the date for public hearing of the Municipal Development Plan amendments, as requested in the Planning Dept. report.

At this point in the meeting, Ald. Fredericks advised that the labour group present for their item wished to withdraw their paper and have it placed on the agenda at the time of the notice of reconsideration of Ald. Williams' motion on the subject of strikes in essential services. Council agreed to permit their request by a vote of seven to six.

Ald. Williams then sought permission to have an item added to the effect that a special meeting of Council would be called to deal with the notice of reconsideration, prior to the end of March, rather than having this item included in the April 3rd agenda. Council agreed to add the item with Ald. Fredericks voting against.

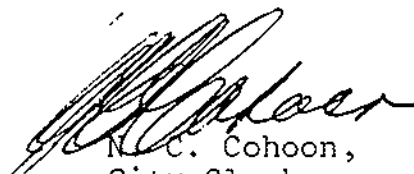
On motion of Ald. Williams and Backewich, Council approved the calling of a special meeting on March 27th (in accordance with the provision of the City Charter) to deal with the notice of reconsideration outstanding from the March 6th meeting when it was given. Ald. Cote suggested that it would be in order to hear the paper from the labour representatives before reconsideration is dealt with on the agenda. Ald. Fredericks voted against the motion, which carried.

SECOND APPROVAL:
INDUSTRIAL PARK
EXPENDITURE

On motion of Ald. Thompson and Backewich, Council gave second approval to an over-expenditure in the amount of \$277,000. (capital budget) for the development of ten small-size lots in the Burnside Industrial Park, as recommended by the Industrial Commission. Ald. Brennan considered this to be an excessive amount for developing the lots and voted against the motion, which carried.

Council then adjourned to meet in camera, on motion of Ald. Crawford and Thompson. Having reconvened in open meeting, the action taken in camera was ratified (staff resignation and sale of Birchdale Ave. lots), on motion of Ald. Hart and Crawford.

Meeting adjourned.


N.C. Cohoon,
City Clerk.

Dartmouth, N. S.

March 22/79.

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

Present - Mayor Brownlow

Ald. Ibsen	Thompson
Crawford	Brennan
Hart	Backewich
Irvine	Greenough
Ritchie	Fredericks
Williams	Cunningham
Cote	

City Administrator, C. A. Moir.

CITY COMPTROLLER D.C. McBAIRD

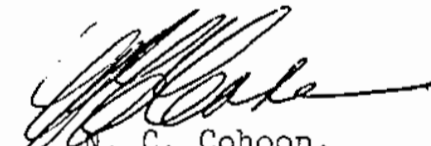
1979 ESTIMATES

Council met to deal with the 1979 operating budget and went into Committee, on motion of Ald. Crawford and Thompson.

After the meeting had adjourned in Committee, it was necessary to recall Council to deal with an in camera item. Notice of meeting was waived on motion of Ald. Backewich and Williams, and Council agreed to meet in camera, on motion of Ald. Fredericks and Ibsen.

After having reconvened in open Council, the action taken in camera was ratified (sale of land, 9 Locks Rd.), on motion of Ald. Backewich and Hart.

The meeting then adjourned.


W. C. Cohoon,
City Clerk.

Dartmouth, N. S.

March 27/79.

Regularly called meeting of City Council
held this date at 7:00 p.m.

Present - Mayor Brownlow

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

LEGATIONS:
BOUR REPRESENTATIVES

This meeting of Council was called to deal with the notice of reconsideration given when Resolution #79-7 was adopted by Council (March 6th), and also, to hear representation from the Labour group present and asking to be heard at the March 20th Council meeting.

The Labour delegation present for this meeting was led by Mr. McInnis who expressed the general opposition of union representatives to the denial of the right to strike by workers in essential services, the recommendation to the Province embodied in Ald. Williams' resolution, adopted at the March 6th Council meeting. He described a strike as being the last tool that labour has in the bargaining process and urged Council not to take away what is essentially a right that workers have earned over the years.

The next person heard by Council was Mr. John Yates, representing the N. S. Nurses' Assn. He contended that compulsory arbitration is not a workable alternative in settling labour disputes, having already been tried unsuccessfully in other countries. He said that strikes should not be banned in a free society, a point that was brought out several times during the labour presentation.

Mr. Robert Lewis spoke on behalf of the Dartmouth Fire Fighters Local 1398 and stated that instead of introducing resolutions that create controversy between Council and City employees,

the members of Council should be attempting to improve labour/management relations. He urged the City to deal with its employees in a reasonable manner and engage in more meaningful exchanges and negotiations than have been indicated by the intent of this resolution.

Mr. Robert Ansteen of the Canadian Union of Postal Workers said that workers go on strike because they have no other recourse left after all bargaining attempts have failed. He asked Council not to adopt the attitude that the Federal Government has taken toward its workers, suggesting that a denial of the right to strike will only result in more problems than in the past between labour and management.

The other two speakers were Mr. Chester Sanford and Mr. Gerald Yetman, President of the Nova Scotia Federation of Labour. Both referred to what they called the democratic right to strike, as exemplified in free countries, and they commented on the difficulty in singling out the classification of essential services in order to prohibit strikes in those working sectors. Mr. Yetman said it may become necessary for labour people to involve themselves at the political level if municipal councils take action that is considered to be detrimental and in contravention to the rights of labour. Council was asked by most of the speakers to reconsider the decision taken in approving Resolution #79-7.

Ald. Fredericks, whose notice of reconsideration brought the resolution before Council at this time, questioned the definition applied to essential services in the categories of nursing, police, fire and ambulance services. He felt that denial of the right to strike in some services would spread to other labour groups being included, and said the action Council has taken is a step backward in labour/management relations in a democratic society. His

the members of Council should be attempting to improve labour/management relations. He urged the City to deal with its employees in a reasonable manner and engage in more meaningful exchanges and negotiations than have been indicated by the intent of this resolution.

Mr. Robert Ansteen of the Canadian Union of Postal Workers said that workers go on strike because they have no other recourse left after all bargaining attempts have failed. He asked Council not to adopt the attitude that the Federal Government has taken toward its workers, suggesting that a denial of the right to strike will only result in more problems than in the past between labour and management.

The other two speakers were Mr. Chester Sanford and Mr. Gerald Yetman, President of the Nova Scotia Federation of Labour. Both referred to what they called the democratic right to strike, as exemplified in free countries, and they commented on the difficulty in singling out the classification of essential services in order to prohibit strikes in those working sectors. Mr. Yetman said it may become necessary for labour people to involve themselves at the political level if municipal councils take action that is considered to be detrimental and in contravention to the rights of labour. Council was asked by most of the speakers to reconsider the decision taken in approving Resolution #79-7.

Ald. Fredericks, whose notice of reconsideration brought the resolution before Council at this time, questioned the definition applied to essential services in the categories of nursing, police, fire and ambulance services. He felt that denial of the right to strike in some services would spread to other labour groups being included, and said the action Council has taken is a step backward in labour/management relations in a democratic society. His

other points dealt with the restriction of rights that have taken years to win and the restriction of the freedom of others. He asked Council to reconsider their decision on the right to strike in essential services, and moved reconsideration of the action taken at the March 6th meeting in approving Resolution #79-7; Ald. Crawford seconded the motion. The vote was then taken and the motion was defeated, with Ald. Cote, Irvine, Ibsen, Fredericks, and Crawford voting in favour.

Ald. Hart indicated her intent to present a motion calling for a plebiscite on the issue before Council, but after consulting with Mr. Drury on the procedural question of adding this item to the agenda, the Mayor advised that it would be in order for Ald. Hart to give notice of motion only at this time for consideration at the April 3rd meeting. The following notice of motion was then given by Ald. Hart:

That prior to Resolution #79-7 being sent to the Minister of Labour for action, a plebiscite be held in order to allow the people of Dartmouth to speak out on the merits and demerits of such a resolution; Further, that staff make recommendation to Council with regard to an appropriate date for a plebiscite.

Ald. Crawford asked when the resolution would be forwarded to the Minister and Mr. Drury advised that it would not be until the secondary motion associated with it has been considered.

Meeting adjourned.

N. C. Cohoon,
City Clerk.