

Dartmouth, N. S.

November 1/83.

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

Present - Mayor Brownlow

Ald. Sarto	Romkey
Crawford	Levandier
DeMont	Withers
Stubbs	Greenwood
Hawley	Greenough
Bregante	Hetherington
Beeler	
City Solicitor, S. Hood	
City Administrator, C. A. Moir	
City Clerk-Treasurer, B. Smith.	

Mayor Brownlow acknowledged the attendance of the
Christ Church Boy Scout troop with their leader.

On motion of Ald. Hetherington and Bregante,
Council approved the minutes of the Oct. 4th, 11th, and
25th meetings as circulated, with one notation:

Page 2 of the Oct. 25th minutes should read
\$52. and \$60. per hr. and not wk, as recorded
under the heading, 'Award tenders: Snow Plowing
Equipment'.

A letter has been received from Mr. Douglas on
behalf of the fund-raising campaign for the Dartmouth
YM-YWCA, requesting from the City a grant of \$75,000.
over a three-year period as a contribution toward the
campaign. Council heard Susan Burchell, the President
of the Board for the Y., and she outlined the programs
offered by the facility and explained its importance
in the community as a positive, healthy force. She also
stressed the significance of the Y. as a volunteer
organization and commented on the dedication of the Y.
staff over the years when financial and operational
difficulties have been experienced. She said the survival
of the Y. depends on the success of the current financial
campaign, and she went on to indicate to Council the kind
of expenditures that are required to put the Y. building
back into good condition and to pay off the present deficit
the Y. is carrying.

Ald. Hetherington said he agreed that the Y. has
to have funds to continue its work in the community, but
the request would have to be considered by the Grants

MINUTES

REQUEST:
DARTMOUTH Y.

Committee in the regular way. He moved referral to the Grants Committee to recommend the funds available to support the request from the Y.; the motion to refer was seconded by Ald. Stubbs.

Ald. Bregante, Greenwood, Hawley and Withers did not support the motion to refer and would rather have seen a decision on the request made by Council at this meeting. Other members, while recognizing the value of the Y. to the community, felt that the request has to be looked at more carefully in conjunction with the requests from other organizations and in the light of funds that will be available for grants in the 1984 budget. Ald. Crawford referred to assistance that has already been given the Y. in the form of exemptions from taxation over the years, and said he would only be prepared to support a total grant of \$30,000. over a three-year period, no matter what the Grants Committee might recommend to Council in the future.

Members speaking against referral suggested that it is important for the City to demonstrate to potential corporate donors that Council is behind the Y. campaign. Ald. Hawley pointed out that it would cost taxpayers considerably more than the amount requested to replace the many services provided by the Y. in the community if the organization were not able to function.

When the vote was taken on the motion to refer, it carried with Ald. Withers, Bregante, Greenwood and Hawley voting against.

MOTION: Moved by Ald. Hetherington and Stubbs that the funding request from the Y. be referred to the Grants Committee to recommend the funds available to support the request.

Council considered a letter from the Downtown Dartmouth Corp. Ltd., requesting permission to hold their annual Santa Claus Parade on Sat., Dec. 3/83, and to have entertainment on Portland Street before and after the parade. This would involve a request to have Portland Street closed to vehicular traffic, from King

REQUEST: DOWNTOWN
DARTMOUTH CORP.

to Alderney Drive, for the day, plus a request for bleachers to be placed at the corner of King and Portland Streets.

Council approved the requests from the Downtown Dartmouth Corp., as they have been outlined, on motion of Ald. Levandier and Crawford.

MOTION: Moved by Ald. Levandier & Crawford that Council approve the requests from the Downtown Dartmouth Corp. Ltd., in connection with their annual Santa Claus parade, to be held on Dec. 3/83, as contained in the letter to Council of Oct. 6/83.

DELL HOLDINGS LTD.
MPS AMENDMENT &

CONTRACT APPLICATION

As requested by Council, additional information has been provided by the Solicitor and by other City departments on questions raised during the public hearing on the Dell Holdings request for an amendment to the Municipal Planning Strategy and for a contract agreement that would permit multiple-family development on property owned by the company in the downtown area; the property is bordered by Park Ave., Edward Street and King Street. By-law C-491, which would amend the M.P.S. as requested, has received first and second reading at the public hearing held on Sept. 30/83. Resolution #83-46, covering the contract agreement with Dell Holdings, has not yet been dealt with by Council.

The Solicitor's report to Council makes the following points, which received particular attention during the course of Council's debate at this meeting:

- 1) On the matter of whether or not it is lawful to entertain the application for contract development in this case before the Minister of Municipal Affairs has approved the necessary amendment to the M.P.S. ("It is my opinion that Council is proceeding correctly by processing these two applications together. Council should not, however, make any decision regarding the contract development proposal until it has made its decision regarding the MPS amendment. Furthermore, Council should not give any final, unconditional approval to the proposed development contract unless and until the MPS amendment has been approved by the Minister of Municipal Affairs, and is in force. Council may, if it decides that it is appropriate to amend the MPS and to approve the development contract, approve the latter, conditional upon ministerial approval of the MPS amendment.")

- 2) On the questions with regard to compliance with Section 55 of the 1983 Planning Act. ("My own opinion is that the present MPS complies with the requirements of Section 55 (1) of the Act, but that compliance of the Land Use By-law with Section 55 (2) of the Act is very questionable. This is a very technical point, and does not relate to the planning merits of the proposed development. My advice to City Council is that on such a narrow technical question, the benefit of any doubt should be given to the applicant for the contract development and that Council address itself to the substantive planning issues. I give you this advice because the legal questions involved are unclear and will only finally be resolved by the Municipal Board or by the courts.")
- 3) "I have discussed these matters fully with the Solicitor for the developer and the developer must therefore be taken to be fully aware that there is substantial question about the validity of any contract development approval under the present MPS and Land Use By-law. If, despite his awareness of this uncertainty, the developer wishes to proceed with the application, then my advice to Council is that it permit the application to proceed, and consider it on its merits."
- 4) "I would also advise, however, that appropriate amendments be made to the MPS and to the Land Use By-law as quickly as possible, in order to deal expressly with development contracts and to remove any doubt which may exist about compliance with Section 55 of the Planning Act."

At a later point in the meeting, in response to a question as to whether the Planning Dept. is working on an amendment to the MPS, to clarify the issue of whether Council can or cannot under its present by-laws, enter into contract agreements, Mr. Bayer advised that his department is working on a short-term means of resolving this issue. Another point brought out in the debate is that ministerial approval is required for the MPS amendment and this decision is not appealable. A contract agreement is approved by Council and is appealable by aggrieved or interested parties.

Information reports from City staff dealt with:

- (a) school capacities
- (b) water & sewer capacities
- (c) amenity areas
- (d) water pressure for fire fighting purposes
- (e) potential traffic problems

Ald. Stubbs questioned why this information was not required to be made available for the public hearing. The Solicitor noted that the information has been provided in response to questions from Council to its own staff,

whereas the function of the public hearing is to listen to representations from both sides of the issue and provide a forum for public input. If, in addition to the input received from the public, Council wishes to obtain additional facts from staff to assist in reaching a decision, it is in order to do so.

Ald. Crawford considered the report to Council from the Solicitor to be a warning that a very cautious approach should be taken in dealing with this issue because of the legal questions that still remain unanswered. He expressed reservations as to whether or not the development will proceed as planned, and there was subsequent discussion as to the inclusion of a clause in the contract agreement with Dell Holdings, that would require them to complete the project within a specified period of time, thereby insuring that there is no undue delay with it. Ald. Crawford also questioned the cost of improvements to Edward Street to accommodate traffic generated by the development, and Ald. Stubbs asked if a capital contribution could not be negotiated with the developer to share in these costs. The Solicitor advised that such negotiations could not be included in the contract, which applies only to the land involved in the development, but it would be in order for Council to negotiate with the developer separately if a motion to this effect were to be adopted.

Ald. Levandier and Hetherington were opposed to the size of the development for the site proposed; they maintained that it does not fit into the community that exists in the area and that the concerns of the local residents must be taken into account.

Council proceeded with third reading of By-law C-491, first and second readings having been given at the meeting of Sept. 30th.

It was moved by Ald. Greenough and Hawley that By-law C-491 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.

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Ald. Levandier and Hetherington were opposed to the size of the development for the site proposed; they maintained that it does not fit into the community that exists in the area and that the concerns of the local residents must be taken into account.

Council proceeded with third reading of By-law C-491, first and second readings having been given at the meeting of Sept. 30th.

It was moved by Ald. Greenough and Hawley that By-law C-491 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 motion for third reading was supported by Ald. Hawley, Greenough and Beeler. They felt that questions raised by Council previously have been adequately addressed by staff, and that the downtown area can accommodate the kind of residential development being proposed. Ald. Beeler suggested that any type of development on the site would require improvements to Edward Street since its present width is already inadequate. She noted that area residents previously indicated they were not opposed to high density development, but to high rise buildings that would be out of character with the neighbourhood and block out the sun from reaching homes around them. She felt that this development proposal has attempted to comply in its design with the character of the surrounding neighbourhood.

Ald. Levandier suggested that Council is pre-judging the contract decision by making a decision on the MPS amendment, and questions were again raised as to the legalities involved in dealing with the two issues of the MPS amendment and the contract agreement in tandem. The Solicitor explained the options available to Council in approving the MPS amendment and then going on to approve the contract agreement, thereby permitting only this particular development to take place on the land. Council can also reject the amendment and the contract both; approving only the amendment would give no protection to the land. The ultimate protection Council can give is to approve both the amendment and the contract or neither. Mr. Bayer gave similar advice to Council. The Solicitor advised that the contract binds the land to the development proposed for it, and the agreement will be duly recorded in the Registry of Deeds. If this development should not proceed and a different proposal were to be subsequently received, another public hearing process would have to be followed for the new proposal.

Ald. Crawford did not agree with the Planning Dept. information on the adequacy of amenity space for the development. Mr. L'Esperance explained the basis

for the figures presented in his report, noting that Council has approved an amendment to amenity space requirements for multiple-unit buildings in the downtown area, through action taken on October 30/79. The Dell Holdings provision for amenities is in compliance with that downtown requirement and exceeds it. Observations made by staff about the proximity of the Dartmouth Commons to the site taken into consideration that they are available as open space over and above that compliance with the downtown requirements. Members speaking in favour of the motion pointed out that the Commons are available for the use of all residents and felt that this point is conveyed in the comments of the Planning Dept. report.

Ald. Crawford continued to be concerned about the points contained in the Solicitor's report to Council, particularly with reference to the statement that compliance of the Land Use By-law with Section 55 (2) of the 1983 Planning Act is 'very questionable'. His further questions about this point and the technical question that is involved, led to an explanation by the Solicitor of the right that aggrieved or interested parties have to appeal. She suggested that if the Municipal Board felt that the contract has complied in planning respects with the MPS, she felt they would be reluctant to overturn a decision on technical grounds. Council is therefore being advised to consider the application on its merits, as noted on page 2 of the report.

Ald. Crawford was not satisfied with the degree of uncertainty associated with the advice from the Solicitor, and therefore moved that the matter be tabled pending further clarification of the points at issue. The motion to table was seconded by Ald. Levandier and it was debated. Ald. Greenough asked what other information can be given over and above what Council has already received and in view of the statement made in the report that ' . . . the legal questions involved . . . will only finally be resolved by the Municipal Board or by the courts.'

Ald. Stubbs said she was not comfortable with the advice that has been given by the Solicitor and agreed that more specific information should be provided so that Council can be certain that any decision taken is based on correct procedures. When the vote was taken on the motion to table, it was defeated.

The vote was then taken on third reading of By-law C-491 and it carried with Ald. Withers, Stubbs, Levandier, Crawford and Hetherington voting against.

THIRD READING:
BY-LAW C-491
MPS AMENDMENT

MOTION: Third reading given to By-law C-491, as moved by Ald. Greenough and Hawley.

RESOLUTION #83-46:
CONTRACT AGREEMENT

Ald. Greenough and Hawley moved the adoption of Resolution #83-46, subject to ministerial approval of the MPS amendment, as contained in By-law C-491.

Since Resolution #83-46 covers the contract agreement between the City and Dell Holdings, Council proceeded to introduce at this time, a series of amendments covering points of concern for inclusion in the contract. These pertained to:

- 1) A provision for pre-blasting inspection to be carried out by the developer:

It was moved in amendment by Ald. Greenough and Crawford that the developer carry out a pre-blasting inspection of the area bounded by Thistle Street to Wyse Road and on to Alderney Drive to Portland Street, up Portland Street to Victoria Road and back to Thistle St. These details of the coverage area to be set out in accordance with a plan that will accompany the amendment when it is drafted. The amendment carried.

- 2) A provision to cover blasting procedures:

It was moved in amendment by Ald. Hawley and Crawford that where and when possible, use be made of a pneumatic rock hammer in lieu of explosives. The onus will be on the developer to advise City staff and provide an expert's report that would recommend blasting instead of the use of a pneumatic rock hammer. The amendment carried.

- 3) Provision for completion of the project within a specified time period:

It was moved in amendment by Ald. Levandier and Hawley that the project must be completed within thirty months following the issuance of the building permit (ie. excluding external conditions such as a construction strike). The amendment carried.

Ald. Crawford asked about the T.M.G. item on parking restrictions that may have to be instituted on

Edward and North Streets. Mr. Bayer said these would be applied to that portion of North Street between Alderney Drive and Edward Street and the section of Edward St. from Ochterloney to North St. This would be a 'no parking' restriction on one side only of each of the noted sections. Other points raised by Ald. Crawford had to do with the water pressure with service from the twelve-inch water pressure main, and the cost factors to be considered in any widening of Edward Street.

Ald. Stubbs asked if the developer is prepared to consider any setback provisions that would create more open space for tenants of the complex, in view of the fact that the townhouse units do not have yards. Mr. L'Esperance advised that this concern has already been addressed by the developer and the driveway originally shown in the plan has been shortened to increase the amount of open space on the site.

The Mayor advised that the amendments adopted at this time will be referred to the Solicitor for drafting and inclusion in the contract, after which they will come back to Council in their final form. On this basis, the vote was taken on the amended motion for approval of Resolution #83-46 and the amended motion carried.

MOTION : Approval of Resolution #83-46, covering the contract agreement between the City and Dell Holdings Corp. Ltd., as moved by Ald. Greenough and Hawley.

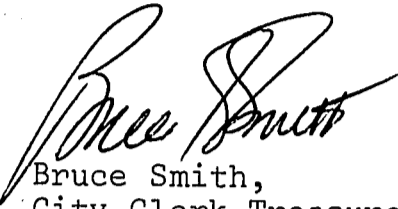
AMENDMENTS: Three amendments to the resolution for inclusion in the contract agreement, as detailed on page 8 of these minutes.

These amendments are now referred to the Solicitor for final drafting and will come back to Council for approval in that form.

Ald. Crawford and Hawley then moved that the developer be requested to cost-share on a fifty-fifty basis in any improvements to Edward Street that are required. The results of these negotiations to be brought back to Council for consideration, if possible, at the same time as the contract amendments. This motion also carried.

MOTION: Moved by Ald. Crawford and Hawley that the developer be requested to cost-share on a fifty-fifty basis in any improvements to Edward Street that are required. The results of these negotiations to be brought back to Council for consideration, if possible at the same time as the contract amendments.

Council adjourned at the hour of 11:00 p.m.


Bruce Smith,
City Clerk-Treasurer.

City Council, Nov. 1/83

ITEMS:

- 1) Request: Dartmouth YM/YWCA, page 1 and 2.
- 2) Request: Downtown Dart. Corp., page 2.
- 3) Dell Holdings Ltd: MPS Amendment & Contract Application, page 3 to 10 incl.
- 4) Third reading: By-law C-491, page 8.
- 5) Resolution #83-46: Contract agreement, page 8.

Dartmouth, N. S.

November 3/83.

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

Present - Mayor Brownlow

Ald. Sarto	Romkey
Crawford	Levandier
DeMont	Withers
Stubbs	Greenwood
Hawley	Greenough
Bregante	Hetherington
Beeler	
City Solicitor, S. Hood	
City Administrator, C. A. Moir	
City Clerk-Treasurer, B. Smith.	

Council met to complete the November 1st agenda.

MARINA PROPOSAL:
DART. BOATEL
MARINA LTD.

Mr. Moir has reported to Council on discussions that have taken place with promoters interested in developing a public marina at the foot of Ochterloney Street, north of the ferry parking lot. Permission is being requested in this connection, to lease or purchase land and water lots from the City, and Council's permission is being requested to authorize staff to continue their negotiations with the promoters (Dartmouth Boatel Marina Ltd.), in order that staff may be in a position to come to Council with a firm proposal. Council approved this request, as presented in Mr. Moir's report, on motion of Ald. Greenough and Withers.

MOTION: Moved by Ald. Greenough and Withers that staff be authorized to continue negotiations with Dartmouth Boatel Marina Ltd., that will permit staff to be in a subsequent position to come to Council with a firm proposal for a public marina.

STIPENDS:
SCHOOL BOARD
APPOINTEES

The Dartmouth District School Board has recommended to Council that Council representatives on the Board receive the same stipend for serving on the Board as other Commissioners. In view of the fact that this item was dealt with and rejected by Council within the past year, the report before Council was received and filed, on motion of Ald. Greenough and Sarto.

MOTION: Moved by Ald. Greenough and Sarto that a report from the Dartmouth District School Board, recommending stipends for Council members serving on the Board, be received and filed.

LICENSING BY-LAW:
ARCADES

A report from Mr. Smith was considered on the licensing of arcades, prepared following meetings of staff with two arcade operators, as requested by Council at the October 18th meeting. The report sets out three licensing options for consideration. Ald. Greenough and Bregante moved the adoption of Option #2 (detailed on page 2 of the report, dated Oct.26/83), and approval of the definition of an 'arcade' on page 3 of the report. The definition follows:

'An "arcade" should be defined as a business whose primary product is automatic/pinball machines, and where such an establishment has thirty or more machines; the establishment purchase automatic machine licenses only once per year for the maximum number of machines that will be on hand at any given point in time during the licensing year (as per Option 2).

Members of Council have received copies of a letter from the owner of Galaxy Video Amusements Ltd. on the present license fee structure, and requesting that the amusement license fee for replacement equipment be eliminated. Mr. Smith provided information for Ald. Stubbs on the proposal for licensing arcades, after which the vote was taken and the motion carried.

MOTION: Moved by Ald. Greenough & Bregante that Option #2 in the report on licensing of arcades, be adopted, and that the definition of an 'arcade', on page 3 of the report (dated Oct. 26/83) be approved.

COMMITTEES &
BOARDS

A review has been carried out of the City boards and committees, and a series of recommendations have been submitted to Council, accompanied by the documentation required to accomplish certain changes that are being recommended. These recommendations were dealt with as follows:

- 1) Dartmouth Regional Library Board: Recommended that the membership of the Board be changed to three Aldermanic members and four citizen-at-large members.

Ald. Hawley and Levandier moved that the present composition of the Board be retained (ie. five Aldermen and two citizens, plus the two Provincial appointees).

Ald. Greenough suggested a compromise, and moved in amendment that the membership consist of four members of Council and three citizens. The amendment was seconded by Ald. Withers and it carried. The amended motion carried.

MOTION: Moved by Ald. Hawley & Levandier that the present composition of the Library Board be retained.

AMENDMENT: Moved in amendment by Ald. Greenough and Withers that the membership of the Board consist of four Council members and three citizens-at-large (plus the two Provincial appointees).

2) Dartmouth Lakes Advisory Board: Recommended that new terms of reference be adopted with reference to the section on Board composition.

Ald. Greenough and Withers moved the adoption of the new terms of reference, as presented.

Ald. Hetherington and Sarto moved in amendment that the number of Council members on the Board be increased from one to two. The amendment carried and the amended motion carried.

MOTION: Moved by Ald. Greenough & Withers that the new terms of reference for the Lakes Advisory Board (section on Board composition) be adopted.

AMENDMENT: Moved in amendment by Ald. Hetherington and Sarto that the number of Council members on the Board be increased from one to two.

3) Finance & Program Review Committee: Recommended that revised terms of reference for the Committee be adopted.

Recommendation adopted on motion of Ald. Greenough and Bregante.

MOTION: Moved by Ald. Greenough and Bregante that revised terms of reference for the Finance & Program Review Committee be adopted.

4) Grants Committee: Recommended that terms of reference be established for the Grants Committee as presented.

Ald. Withers and Hetherington moved the adoption of the terms of reference for the Grants Committee.

Ald. Crawford and Stubbs moved in amendment that the number of Council members on the Grants Committee be increased from three to four. The amendment carried and the amended motion carried.

MOTION: Moved by Ald. Withers & Hetherington that proposed terms of reference for the Grants Committee, be adopted as presented.

AMENDMENT: Moved in amendment by Ald. Crawford and Stubbs that the number of Council members on the Grants Committee be increased from three to four.

5) Heritage Advisory Committee: Recommended that proposed By-law C-496 be approved, providing for staggered appointments to the Committee and for all appointments to be for two years, with the exception of the two Aldermen who serve on the Committee.

It was moved by Ald. Greenough and Withers and carried that leave be given to introduce the said By-law C-496 and that it now be read a first time.

It was moved by Ald. Withers and Greenwood that By-law C-496 be read a second time.

Ald. Stubbs spoke on second reading, expressing concern about jeopardizing the appointment of citizens to this Committee, in view of the major contribution that has been made by citizen members now serving. The Solicitor noted that the by-law does not preclude the reappointment of any members when their term of office on the Committee is up; the provision of the by-law is to stagger the appointments of members other than those from Council. The motion on second reading carried.

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

It was moved by Ald. Hetherington and Crawford and carried that By-law C-496 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the by-law on behalf of the City.

- MOTIONS: Three readings given by By-law C-496
- 6) Transit Advisory Board: Recommended that new terms of reference be adopted for the Transit Advisory Board as outlined in the report to Council.

The new terms of reference were adopted, on motion of Ald. Crawford and Hetherington.

MOTION: Moved by Ald. Crawford & Hetherington that new terms of reference be adopted for the Transit Advisory Board, as presented.

- 7) Housing Advisory Board: This Board has now ceased to exist and it is recommended that By-law C-497 be passed, repealing By-law C-320 which established a Housing Advisory Board.

It was moved by Ald. Hetherington and Stubbs and carried that leave be given to introduce the said By-law C-497 and that it now be read a first time.

It was moved by Ald. Hetherington and Withers and carried that By-law C-497 be read a second time.

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

It was moved by Ald. Bregante and Withers and carried that By-law C-497 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the by-law on behalf of the City.

MOTIONS: Three readings given to By-law C-497.

- 8) Board of School Commissioners: Recommended that By-law C-498 be passed, repealing By-laws C-3 and C-164, which are now redundant with the passage of the District School Board Act.

It was moved by Ald. Greenough and Withers and carried that leave be given to introduce the said By-law C-498 and that it now be read a first time.

It was moved by Ald. Gregante and Hawley and carried that By-law C-498 be read a second time.

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

It was moved by Ald. Hetherington and Bregante and carried that By-law C-498 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the by-law on behalf of the City.

MOTIONS: Three readings given by By-law C-498.

9) Industrial Commission: By-law already amended to provide for one-year terms for all members.

10) to 13) Recommendations will come to the Council meeting of Nov. 8th on:

- a) the Quarry Committee
- b) Dart. Community Services Advisory Board
- c) Canada Week Committee
- d) Winter Carnival Committee.

14) Recreation Advisory Board: Revised terms of reference for the Recreation Advisory Board have been recommended.

Recommendation adopted, on motion of Ald. Hetherington and Sarto.

MOTION: Moved by Ald. Hetherington and Sarto that revised terms of reference for the Recreation Advisory Board be adopted.

15) Dartmouth Boxing Commission: Recommended that By-law C-501 be passed, repealing By-law C-239 which established the Dartmouth Boxing Commission.

It was moved by Ald. Sarto and Hetherington and carried that leave be given to introduce the said By-law C-501 and that it now be read a first time.

It was moved by Ald. Greenough and Hetherington and carried that By-law C-501 be read a second time.

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

It was moved by Ald. Hawley and Sarto and carried that By-law C-501 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the by-law on behalf of the City.

MOTIONS: Three readings given to By-law C-501.

A special committee has been looking into the swimmer's itch problem in Lake Banook, and has made a recommendation to the Board of Health on a project to deal with the problem. The Board has recommended to Council that the project be implemented and that application be made to the Province for cost-sharing in the costs involved. Ald. Hetherington moved the adoption of the recommendation and that provision be included for the project in the 1984 budget; also, that the Province be approached for cost-sharing as recommended.

A budget figure of \$8,500. has been included in the report to Council, but other questions were raised about the cost of a wet lab, use of a boat with outboard motor, etc., so that a final figure was not included in the motion for a budget projection at this time.

WIMMER'S
ITCH PROBLEM

The motion introduced by Ald. Hetherington, was seconded by Ald. Stubbs and it carried.

MOTION: Moved by Ald. Hetherington and Stubbs that the recommendation from the Board of Health on the implementation of the swimmer's itch project, be adopted; that provision for the project be included in the 1984 budget and that application be made to the Province for cost-sharing in the project (this approach to the Province is, however, not conditional for the project to proceed).

MOTIONS:

ALD. LEVANDIER

Notice of motion having been previously given, the following motions were introduced for Council's consideration at this meeting:

1) Moved by Ald. Levandier, seconded by Ald. Romkey, that:

WHEREAS the F.C.M. have adopted a Canadian-content policy, when purchasing goods and services, and have urged all member municipalities to adopt the same;

AND WHEREAS Dartmouth is a member of the F.C.M.;

THEREFORE BE IT RESOLVED that the City of Dartmouth undertake steps to adopt the same policy and enact that policy, with all things being equal.

In presenting his motion, Ald. Levandier made the following submission:

" In June, at the annual meeting of the F.C.M. in Moncton, a resolution was adopted by the F.C.M. (of which we are of course a member). The resolution was known as the 'Canadian Purchasing Preference Policy' (copies circulated). Since June, the F.C.M. President, Mayor Ted Brady, has been urging member municipalities to take this position as part of their individual purchasing policies. We, just like any other level of government, have a direct responsibility to help stimulate the economy of the nation. We can do this. We can do our part, simply by adopting the Canadian Purchasing Preference Policy, and applying that policy when buying goods and services. We also have an opportunity to become a national leader by taking this stand, and set the pace for other municipalities to follow, and I am confident they will follow our lead. This will be our part in helping to restore the national economy at a local level. I would like to go one step further say, as an industrial centre, we will be sending a loud and clear message to manufacturers that all things being equal, we will buy Canadian content goods first, and from now on, will rank bids with this in mind. The quality, the expertise, and the resources are available here. Let's put some of that quality to work for us and by doing so, put Canadians back to work."

Ald. Withers and Stubbs felt that the scope of the motion should go beyond Canadian products to an emphasis on Atlantic Canadian goods and services. Other members were willing to support the concept of the motion with the inclusion of the phrase 'all things being equal' which provides for the condition of equal quality in the consideration of Canadian goods and services with those of other countries. Mr. Moir noted that the Purchasing Agent follows this basic policy as much as possible at present. The vote was taken on the motion and it carried.

MOTION: Re Canadian-content policy for goods and services: moved by Ald. Levandier and seconded by Ald. Romkey. Text of the motion on page 6 of these minutes.

ALD. HAWLEY

2) Moved by Ald. Hawley, seconded by Ald. Greenwood, that:

WHEREAS the City at present does not have a definite policy in regard to the provision of trunk services such as water lines, storm and sanitary sewers;

BE IT RESOLVED that the City Council develop a clear and concise policy in regard to the provision of such services.

In view of the fact that Council will soon be dealing with a staff report on trunk sewer services and the formation of a policy in this connection, Council concurred with the motion presented and it was adopted.

MOTION: Re a policy on trunk services: moved by Ald. Hawley and seconded by Ald. Greenwood. Text of the motion above.

NOTICES OF MOTION:

ALD. BREGANTE

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

1) Ald. Bregante:

(a) WHEREAS the present ward boundaries in Dartmouth have not been looked at or altered since 1974;

THEREFORE BE IT RESOLVED that this Council set up a committee of two Aldermen and one staff person, to bring back recommendations for altering our present ward boundaries from seven wards to fourteen wards, with each ward consisting of one Alderman, this being accomplished within six months.

(b) WHEREAS students who are over the age of sixteen years have to pay the adult rate on all Metro Transit buses while going to and from school;

THEREFORE BE IT RESOLVED that we set up a fare of 30¢ for students going to and from school.

ALD. CRAWFORD

Ald. Crawford:

(a) WHEREAS the cost of keeping senior citizens in nursing homes has now attained the sum of \$55. per diem or approx. \$18,500. per year, with the senior citizen population increasing;

THEREFORE BE IT RESOLVED that a committee comprising Aldermen and Social Services staff be formed to examine ways and means for reduction of costs.

(b) WHEREAS the City of Dartmouth contributes vast sums of money to the operation of the school system, and many items with respect to expenditures are only made known to City Council at budget time;

THEREFORE BE IT RESOLVED that the Supt. of Schools appear before Dartmouth City Council on a quarterly basis to report on aspects of the schools operation wherein the City's finances are concerned.

(c) WHEREAS the minutes of Committee-of-the-Whole and Council meetings are of the utmost importance in reflecting what was said by members of Council at at times, the general public;

AND WHEREAS our present system does not reflect verbatim what was said at Committee and Council;

THEREFORE BE IT RESOLVED that a committee be set to determine the use of dictaphone or recording devices similar to those in use in the Provincial judicial system, to be implemented in Dartmouth Council Chamber to support our present stenographic services.

ALD. HETHERINGTON

Ald. Hetherington:

BE IT RESOLVED that City Council set up a Planning Committee for the City of Dartmouth, as set out in the June, 1983 Planning Act, Bill #76.

INQUIRIES:

ALD. STUBBS

Ald. Stubbs asked for further investigation of the zoning violation problem at 148 Braemar Drive.

She also requested that consideration be given to the removal of the traffic island on Prince Albert Road, which causes a traffic bottleneck at present.

ALD. LEVANDIER

Ald. Levandier requested that repairs be carried out to the fence on Shore Road, between the MacDonald Bridge and Best Street.

He asked if consideration is being given to the matter of traffic and crowd control at the time of the Papal visit next year. The Mayor advised that this

matter is being addressed by staff and Mr. Moir will keep Council informed.

ALD. BREGANTE

Ald. Bregante made the following inquiries:

- 1) expressed his concerns about the safety of pedestrians when drivers fail to yield the right-of-way to them on crosswalks. Ald. Bregante made reference to a specific instance on Ochterloney Street, and Mr. Moir requested from him, information on specific dates and locations where violations have been observed.
- 2) concerning the danger caused to pedestrians on sidewalks by people on bicycles who are not driving with caution. Ald. Bregante felt that the Solicitor should look at drafting a by-law that would cover these problems for pedestrians.
- 3) asked about the property at the end of Gaston Road where a number of cars that are for sale, have been located. Ald. Bregante questioned whether this is a City-owned property or not.
- 4) inquired about Article 2 of the contract with the dog pound operator and suggested that it is not being adhered to in its requirements. Ald. Bregante referred to the need for a door-to-door inspection to be made to determine instances of dog licensing violations. Mr. Moir to look into this inquiry further, in relation to the interpretation of Article 2 of the contract.

ALD. ROMKEY

Ald. Romkey inquired about the work presently being done at the Clifford Drive pumping station. Mr. Fougere explained what this project involves.

ALD. GREENOUGH

Ald. Greenough's inquiry concerned the problem at 148 Braemar Drive, referred to earlier by Ald. Stubbs. He requested that Mr. Moir undertake a complete review of this matter, involving the Solicitor, the Building Inspection Dept., and the Police Dept., following which a meeting be arranged with the person who has made the complaints and the Aldermen for the ward to discuss the entire matter with her.

ALD. CRAWFORD

Ald. Crawford requested that a report be made to Council on our present financial standing with respect to over-expenditures for the year to date and including those that have been authorized by Council during the year.

Other inquiries made by Ald. Crawford were:

- 1) the status of the sidewalk installation on Ochterloney Street and the time being taken to complete this project. Mr. Fougere noted that the company doing the work has started pouring the sidewalks as of today.

- 2) inquired about the status of the contract for streets and landscaping in the Industrial Park, also, improvements to the railway track crossings. Mr. Fougere advised that work is progressing on the curbing, landscaping and paving. Work on the crossings is not carried out by the City, but by the CNR.
- 3) inquired about properties in the Park where chain-link fencing has been used and scrap metal behind the fences can be seen from the streets. Mr. Moir to discuss further with Mr. Rath.
- 4) asked about the removal of the taxi stand located at the City Hall parking lot. Mr. Moir explained that arrangements cannot be made to relocate the stand until the land transaction has been completed with the CNR.

WITHERS

Inquiries made by Ald. Withers were as follows:

- 1) asked that the report received in response to an inquiry from him, at the Sept. 13th Committee meeting, from the Social Services Dept. (attachment to the 'Answers to Inquiries' page), be referred to the next Committee meeting for review with Mr. McNeil or one of his staff.
- 2) asked to have attention given to the condition of the sidewalks on the section of Crichton Park Road, north of Crichton Ave.
- 3) asked that attention be given to the neglected and unsightly lot at the corner of Susan Place and Kingston Cres.
- 4) asked to have staff look at the vacant lot at the end of Lyngby Ave., near Crichton Park School, where there is a problem with motorized bikes being operated in this area.
- 5) requested that the Parks & Recreation Dept. look at the possibility of putting up a section of chain-link fence from the end of Guy Street along by Civic #44, where children are cutting through the area.
- 6) asked about the legal documentation on the Moira/Symonds Street easement. Mr. Moir said he would be prepared to sit down with Ald. Withers to discuss this item and then it could go to Council

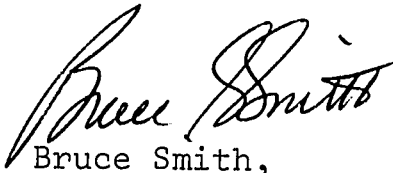
ALD. GREENWOOD

Ald. Greenwood discussed with Mr. Fougere, his concerns about the railway track crossings in the Burnside Park, particularly the one on Wright Ave. Mr. Fougere was asked to try to find out when improvements are going to be made to the crossings.

Ald. Greenwood asked if there could be some painting done on crosswalks where it is required. Mr. Moir suggested that the T.M.G. be asked to list those where painting is needed and provide a cost estimate for them.

Ald. Greenwood's other inquiry was about the manhole cover at the location of Windmill Road at Gibson Street, directed to Mr. Fougere.

At the completion of the agenda, the meeting adjourned.


Bruce Smith,
City Clerk-Treasurer.

City Council, Nov. 3/83

ITEMS:

- 1) Marina proposal: Dart. Boatel Marina Ltd., page 1.
- 2) Stipends: School Board appointees, page 1.
- 3) Licensing By-law: Arcades, page 2.
- 4) Committees & Boards, page 2 to 5 incl.
- 5) Swimmer's itch problem, page 5.
- 6) Motions: Ald. Levandier, page 6.
Hawley, page 7.
- 7) Notices of motion: Ald. Bregante, page 7.
Crawford, page 8.
Hetherington, page 8.
- 8) Inquires & Answers, page 8 to 11 incl.
- 9) By-law C-496 Approved, page 3-4
- 10) By-law C-497 Approved, page 4
- 11) By-law C-498 Approved, page 5
- 12) By-law C-501 Approved, page 5

Other appointments to the Committee do not expire until 1984 and therefore did not require ratification at this time.

MOTION: Moved by Ald. Crawford and Romkey that Council confirm the appointment of Mrs. Mim Fraser and Mrs. Dorothy Birks to the Downtown Revitalization Committee, as representatives of the Downtown Residents' Association.

MOUNT HERMON
CEMETERY

In response to a request from Council for a report on the possibility of using Green Road for an extension of Mount Hermon Cemetery (or for car parking), and on the type of fencing that should be considered to replace the stone fence around the property, Mr. Lukan has submitted a report and plan for the proposed extension of the cemetery, which makes the following recommendations.

- 1) that the portion of Green Road nearest to Nantucket Ave. be used for expansion of Mount Hermon Cemetery.
- 2) that the remainder of Green Road (up to the electrical substation behind Nova Court) be used as expansion of the adjoining playground.
- 3) that the amount of \$150,500. or \$176,500. (depending on the type of fence approved) be allocated to the Recreation Dept. in the 1984 Capital Budget, for the required construction of the cemetery expansion and the walkway.
- 4) that staff be authorized to prepare the necessary documents for closing Green Road.
- 5) that Council not set the date for the required public hearing, until after the necessary documents are prepared.

Ald. Crawford and Greenwood moved the adoption of the above recommendations. Ald. Levandier declared a conflict of interest on this item, in view of his association with an undertaking business, and withdrew from his seat to sit in the gallery.

Discussion followed as to the alternate types of fencing that could be installed and the cost factors involved if one is chosen over the other. Questions were raised about future maintenance costs in both cases and how the initial installation costs are to be funded. Members felt that additional information is required on the cost factors and the allocation of funds, and on motion of Ald. Crawford and Greenwood, the item was

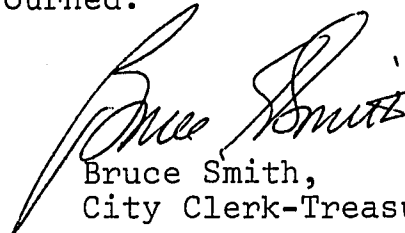
therefore referred to the City Administrator for a further report on these aspects.

MOTION: Moved by Ald. Crawford & Greenwood that the report on Mount Hermon Cemetery be referred to Mr. Moir for a further report on the cost factors of the two alternate fencing proposals and the allocation of funds for this project.

On motion of Ald. Crawford and Greenwood, Council went in camera to deal with the item on the appointment of a Deputy City Treasurer.

After reconvening in open meeting, the action taken in camera was ratified by Council, on motion of Ald. Greenough and Crawford.

The meeting then adjourned.


Bruce Smith,
City Clerk-Treasurer.

City Council, Dec. 13/83

ITEMS:

- 1) Presentation: Water Utility Study, page 1 to 3 incl.
- 2) Restrictions: Bridge Commission, page 3.
- 3) Land: Canal development, page 4.
- 4) Award Tender: Contract #83-07, page 4.
- 5) Surplus portable classrooms, page 5.
- 6) Fire & security alarm systems, page 5 & 6.
- 7) Rezoning request: 107 Albro Lake Rd., page 6 & 7.
- 8) Monthly reports, page 8 & 9.
- 9) Act: Dart. Sportsplex Commission, page 9 & 10.
Resolution #83-58, page 9.
- 10) Downtown Revitalization Committee, page 10.
- 11) Mount Hermon Cemetery, page 11.

Dartmouth, N. S.

November 8/83.

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

Present - Mayor Brownlow

Ald. Sarto	Romkey
Peters	Beeler
Crawford	Levandier
Stubbs	Greenwood
DeMont	Withers
Bregante	Hetherington
Greenough	
City Solicitor, M. Moreash	
Deputy City Clerk, G. D. Brady.	

At the outset of the meeting, Ald. Crawford asked about the status of the report requested from the City Solicitor on the by-law that would extend the municipal development boundary in south Dartmouth, deferred from the October 11th meeting of Council. The Mayor advised that this item will come before Council again on Tues., November 15th

BRIEFING SESSION:
NOVEMBER 9TH

Ald. Peters then questioned the procedure being followed with the briefing session on the proposed trunk sewer policy; he asked why members of the public have not been included for this session. The Mayor pointed out that what was intended was a private briefing by staff for the information of Council, and it was not planned that any action would be taken by Council of an official nature during the briefing. Ald. Peters and Stubbs subsequently moved that the briefing session be open to the public and this motion carried.

MOTION: Moved by Ald. Peters & Stubbs that the briefing session with staff on the trunk sewer policy, be open to the public.

HEARING: HERITAGE
PROPERTY REGISTRATIONS

This meeting of Council constituted the hearing for properties recommended for registration by the Heritage Advisory Committee. Ald. Hetherington and Romkey moved that Council go through the list of properties and strike from it, the owners who object to registration; consideration will then be given to the properties remaining on the list.

Ald. Stubbs asked that Mr. Lydon first be permitted to make his presentation on behalf of the Heritage

Advisory Committee, and with Council's consent, he proceeded to do so. Mr. Lydon noted that this is the fourth group of properties to be recommended by the Committee, twenty-two having already been designated and registered for protection under the terms of the Heritage Protection Act. The functions of the Committee were again reviewed for Council's information, and a slide presentation followed, with a description by Mr. Lydon of the historical features of each of the properties included in the current list of 16 properties.

The Solicitor noted that it has been Council's practice in the past to give full weight to objections from property owners, but he added that Council does have authority to register the properties being recommended, whether there are objections or not. A vote was taken on the motion on the floor and it carried.

MOTION: Moved by Ald. Hetherington and Romkey that Council go through the list of properties recommended and strike from it, the owners who object to registration; consideration will then be given to the properties remaining on the list.

DELETED:

Properties deleted from the list, as a result of objection to their registration, were as follows:

79 CRICHTON AVE.
75 ALDERNEY DR.
84 CRICHTON AVE.
34 KING STREET
16 LAKEVIEW AVE.
57 PLEASANT ST.
50 SUMMIT STREET

79 Crichton Ave.
75 Alderney Drive
84 Crichton Ave.
34 King Street
16 Lakeview Ave.
57 Pleasant St.
50 Summit St. (objection made by Homburg Group of Companies, who have an encumbrance against the property and were thus entitled to make an objection).

32/34 KING ST.

The building at 32/34 King Street received particular attention, due to the fact that one-half of it is owned by the City and the other half is in private ownership. There was considerable discussion as to the merit of registering the City's half of the building without registering the other half. In view of the historical significance of this location, as the former home of Dartmouth historian John P. Martin, it was felt that at least the City half of the building should be registered, and a motion to register 32 King Street as

a heritage property was adopted, as moved by Ald. Levandier and Romkey. The motion carried by a vote of 7 to 6. (Ald. Levandier initially moved that Council object to the registration of 32 King Street, but since this was a negative motion, the wording was subsequently changed, when members opposed then had the opportunity to vote against the motion in its positive form.).

MOTION: Moved by Ald. Levandier & Romkey that the City-owned property at 32 King Street be registered as a heritage property.

During the debate on the motions presented. Ald. Levandier indicated his concerns about the controversy that arises when properties are recommended for registration, suggesting that there must be a better way to resolve these difficulties before the property list comes to Council. Mr. Bob Frame, the owner of 7 Newcastle Street, also felt there is room for better communication with the property owners before notice of registration is received by them. He also expressed the hope that the owners of heritage properties would not have their property assessments increased as a result of registration, on the premise that registration renders a property more valuable than it was previously.

Having eliminated those properties for which verbal or written objection has been received, Council now proceeded with consideration of the remaining list, as follows:

REGISTRATION:

3 ALBERT ST.

3 Albert Street: approved for registration as a heritage property, on motion of Ald. Stubbs & Romkey. No objection presented at this hearing.

4 ALBERT ST.

4 Albert Street: approved for registration as a heritage property, on motion of Ald. Greenough and Greenwood. No objection presented at this hearing.

24 EDWARD ST.

24 Edward Street: (before Council previously) approved for registration as a heritage property, on motion of Ald. Stubbs and Romkey. No objection presented at this hearing.

23 JAMES ST.

23 James Street: approved for registration as a heritage property, on motion of Ald. Romkey and Greenough. No objection presented at this hearing.

JOHNSTONE AVE.

72 Johnstone Ave.: approved for registration as a heritage property, on motion of Ald. Stubbs and Romkey

No objection presented at this hearing.

Ald. Hetherington asked about the status of renovations to this building, already in progress, once it is registered. Mrs. Cookey noted that the permit for the renovations would not be affected if it has already been obtained; otherwise, every attempt would be made to expedite the permit, if exterior changes are involved and have to receive approval under the terms of the Heritage Protection Act.

7 NEWCASTLE ST.

7 Newcastle Street: approved for registration as a heritage property, on motion of Ald. Hetherington and Greenough.

No objection presented at this hearing.

51/53 PLEASANT ST.

51/53 Pleasant St. : approved for registration as a heritage property, on motion of Ald. Hetherington and Greenwood.

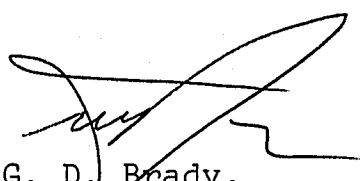
No objection presented at this hearing.

70 VICTORIA RD.

70 Victoria Road: approved for registration as a heritage property, on motion of Ald. Hetherington and Greenwood.

No objection presented at this hearing.

There being no further items of business for Council to deal with, after the heritage hearings, the meeting adjourned.



G. D. Brady,
Deputy City Clerk.

City Council, Nov. 8/83

ITEMS:

- 1) Briefing session, Nov. 9/83, page 1.
- 2) Hearing: Heritage property registrations, page 1 to 4.
- 3) Deleted:
 - 79 Crichton Ave.
 - 75 Alderney Dr.
 - 84 Crichton Ave.
 - 34 King Street
 - 16 Lakeview Ave.
 - 57 Pleasant St.
 - 50 Summit St.
- 4) 32/34 King Street, page 2.
- 5) Registration:
 - 3 Albert St.
 - 4 Albert St.
 - 24 Edward St.
 - 23 James St.
 - 72 Johnstone Ave.
 - 7 Newcastle St.
 - 51/53 Pleasant St.
 - 70 Victoria Road

Dartmouth, N. S.

November 8/83.

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

Present - Mayor Brownlow

Ald. Sarto	Romkey
Beeler	Peters
Crawford	Levandier
DeMont	Withers
Stubbs	Greenwood
Hawley	Greenough
Bregante	Hetherington
City Solicitor, S. Hood	
Deputy City Clerk, G. D. Brady.	

ELECTION:
DEPUTY MAYOR

The names of Ald. Greenwood and Ald. Withers were placed in nomination for the position of Deputy Mayor, on motion of Ald. Crawford and Hetherington respectively. Following a vote by secret ballot, Ald. Greenwood was declared to be elected Deputy Mayor.

The Mayor thanked Ald. Crawford for serving as Deputy Mayor during the past year in office.

MOTION:
ALD. ROMKEY

Ald. Romkey then proceeded to introduce the following motion, seconded by Ald. Stubbs:

No Aldermen shall serve more than three consecutive one-year terms on any Committee, Board or Commission of Council, except with the approval of two-thirds of the members of Council present at the meeting.

Ald. Romkey considered his proposal to be a fair and equitable way for all members of Council to have the opportunity of serving on as many boards and committees as possible during a term of office. The Mayor read for Council's information, the names of those Aldermen who would be affected by the motion if it were to be adopted and implemented for the coming year.

Ald. Crawford spoke against the motion, suggesting that it is in fact, a violation of constitutional rights to restrict any member of Council from offering on the board or committee on which he or she may wish to serve. He referred to the Police Commission as one example of a commission where several Aldermen have served for more than three years, noting that they would all have to come off the Commission if the motion were adopted. Ald. Romkey did not agree with the arguments presented

by Ald. Crawford and again spoke in support of his motion and what is intended by it.

The vote was taken on the motion and it was defeated with Ald. Hetherington, Romkey, Beeler, Withers, Bregante and Stubbs voting in favour.

Council proceeded with the appointment of the various boards and committees for the coming year.

DART. DISTRICT
SCHOOL BOARD

Names placed in nomination for membership on the Dartmouth District School Board were: Ald. Romkey
Stubbs
Bregante
Greenough
Mr. John Cunningham

Following a vote by secret ballot, the following members were declared to be duly appointed:

Ald. Romkey Ald. Stubbs
Bregante Greenough

REGIONAL
LIBRARY BOARD

Names placed in nomination for membership on the Regional Library Board were: Ald. Hawley
Bregante
Greenwood
Romkey
Levandier

Following a vote by secret ballot, the following members were declared to be duly appointed:

Ald. Hawley Ald. Levandier
Romkey Greenwood

Three citizen-at-large appointments were confirmed as follows: Mrs. Carol Gallant
Judy Pelletier
J. MacDonald

MUSEUM BOARD

Names placed in nomination for membership on the Museum Board were: Ald. Bregante
Stubbs
Sarto
Withers
Hetherington

Following a vote by secret ballot, the following members were declared to be duly appointed:

Ald. Sarto Ald. Stubbs
Withers Hetherington

The three citizen-at-large appointments were confirmed as follows, on motion of Ald. Crawford and Greenwood: Mr. L. J. Payzant
J. L. Harrison
Mrs. Rose Gargan

DARTMOUTH
HOSPITAL
COMMISSION

Names placed in nomination for membership on the
Dartmouth Hospital Commission were: Ald. Romkey
Beeler
Sarto
DeMont
Stubbs
Bregante

Following a vote by secret ballot, the following
members were declared to be duly appointed:

Ald. Romkey Ald. Stubbs
Beeler Bregante

INDUSTRIAL
COMMISSION

Names placed in nomination for membership on
the Industrial Commission were: Ald. Sarto Greenough
Hawley Withers
Crawford Bregante
Peters Beeler
DeMont Greenwood

Following a vote by secret ballot, the following
members were declared to be duly appointed:

Ald. Greenough Ald. Greenwood
Withers DeMont
Crawford

Names presented for the citizen-at-large appoint-
ments to the Commission were: Mr. Fraser Conrad
Roy Steed
Bill Young
Doug Morash
Darrell Kennie
Cyril Gates

Following a vote by secret ballot, the following
citizen-at-large members were declared to be duly
appointed:

Mr. Fraser Conrad Mr. Darrell Kennie
Roy Steed Bill Young

Also confirmed as members of the Commission, were
Mr. Charles Douglas (Burnside Park Committee) and Mr.
Robert Adams (Dart. Chamber of Commerce), on motion of
Ald. Crawford and Greenough.

METROPOLITAN
AUTHORITY

Names placed in nomination for membership on
the Metropolitan Authority, in addition to Mayor Brownlow,
were: Ald. Crawford
Beeler
Peters
Withers

Following a vote by secret ballot, the following
members were declared to be duly appointed:

Ald. Beeler and Ald. Crawford

METROPOLITAN
TRANSIT
COMMISSION

The two members confirmed for appointment to the Metropolitan Transit Commission, on nominations presented, were Mr. C. A. Moir and Ald. Crawford.

M.A.P.C.

In addition to Mayor Brownlow, Ald. Stubbs was nominated and confirmed as the other member to represent Council on the Metropolitan Area Planning Commission.

DART. TRANSIT
ADVISORY BOARD

Names placed in nomination for membership on the Dartmouth Transit Advisory Board were: Ald. Sarto
DeMont
Beeler
Withers
Greenough
Hetherington

Following a vote by secret ballot, the following members were declared to be duly appointed:

Ald. Crawford Ald. Hetherington
DeMont Sarto

The following staff and citizen-at-large (1) members were confirmed, on motion of Ald. Crawford and

Hawley: Mr. Art Russell
Bruce Smith
Paul Connors

FINANCE & PROGRAM
REVIEW COMMITTEE

Names placed in nomination for membership on the Finance & Program Review Committee were: Ald. Stubbs
Peters
Withers
Bregante
Greenough
Levandier

Following a vote by secret ballot, the following members were declared to be duly appointed.:

Ald. Peters
Withers
Levandier

NATAL DAY
COMMITTEE

Members nominated and confirmed for appointment to the Natal Day Committee were: Ald. Bregante
Greenwood
Levandier

COURT HOUSE
COMMISSION

Members nominated and confirmed for appointment to the Court House Commission were: Ald. Hawley and Ald. Beeler.

ARBITRATION
COMMITTEE

Members nominated and confirmed for appointment to the Arbitration Committee were: Ald. Beeler and Ald. Hawley.

BOARD OF HEALTH

Members nominated and confirmed for appointment to the Board of Health were:

Ald. Stubbs	Ald. Bregante
Withers	Levandier
Hetherington	

The appointment of Mrs. Maryon Grant as citizen-at-large member on the Board was confirmed on motion of Ald. Bregante and Greenough.

PENSION COMMITTEE

Names placed in nomination for membership on the Pension Committee were:

Ald. Romkey
Peters
DeMont
Withers
Greenough

Following a vote by secret ballot, the following members were declared to be duly appointed:

Ald. Withers
Peters
Romkey

On motion of Ald. Crawford and Bregante, Ald. Peters was selected by Council to serve as Chairman of the Pension Committee.

QUARRY COMMITTEE:
DELETED

Since there is no longer any requirement for a Quarry Committee, Council proceeded to delete the Committee, on motion of Ald. Crawford and Bregante.

MOTION: Moved by Ald. Crawford & Bregante that the Quarry Committee be deleted, in view of the fact that it is no longer required.

LAKES ADVISORY BOARD

Members nominated and confirmed for appointment to the Lakes Advisory Board were Ald. Hawley and Ald. Sarto.

The reappointment of Mr. Mark Bernard as the Secretary of the Board was confirmed, on motion of Ald. Greenwood and Bregante.

COMM. SERVICES ADVISORY BOARD:
ABOLISHED

As recommended by staff, Council abolished the Dartmouth Community Services Advisory Board, on motion of Ald. Crawford and Greenough.

MOTION: Moved by Ald. Crawford & Greenough that the Dartmouth Community Services Advisory Board be abolished, as recommended to Council by staff.

TOURIST COMMISSION

Names placed in nomination for membership on the Tourist Commission were:

Ald. Withers
Greenwood
Levandier

Following a vote by secret ballot, Ald. Greenwood was declared to be duly appointed to the Commission.

The reappointment of Mr. G. D. Brady as staff representative on the Commission, was confirmed, on motion of Ald. Hetherington and Romkey.

WINTER CARNIVAL COMMITTEE

Council did not approve the recommendation from staff that the number of Aldermen on the Winter Carnival Committee be reduced to one, and proceeded with the nomination of members to serve on the Committee. Names placed in nomination were: Ald. Sarto
Greenwood
Levandier

Following a vote by secret ballot, Ald. Greenwood and Levandier were declared to be duly appointed to the Committee.

GRANTS COMMITTEE

Names placed in nomination for membership on the Grants Committee were: Ald. Crawford
Withers
Bregante
Stubbs
Hawley
Romkey
DeMont
Levandier

Following a vote by secret ballot, the following members were declared to be duly appointed:

Ald. Crawford Ald. DeMont
Romkey Levandier

The reappointment of staff representatives Mr. Don McBain and Mr. Bill McNeil on the Committee, was confirmed, on motion of Ald. Hawley and Greenough.

CANADA WEEK COMMITTEE: ABOLISHED

As recommended by staff, Council abolished the Canada Week Committee, on motion of Ald. Hetherington and Greenough. The duties of this committee will now be given to the Recreation Dept.

MOTION: Moved by Ald. Hetherington & Greenough that the Canada Week Committee be abolished, as recommended by staff.

SHUBENACADIE CANAL COMMISSION

Since there is to be no further representation on the Canal Commission from the Government of Canada, Ald. Beeler moved that the by-law establishing the Commission be amended to provide for another citizen-at-large appointment in place of the Government of

Canada representative. The change would be to five citizens-at-large instead of the present four. The motion was seconded by Ald. Crawford and it carried. The name of Mr. Lauchie Fredericks was put forward for subsequent appointment to the fifth citizen position on the Commission, and will be presented again for ratification once the by-law has been duly amended by Council.

MOTION: Moved by Ald. Beeler and Crawford that the by-law establishing the Shubenacadie Canal Commission, be amended to provide for five citizen representatives instead of four. The fifth citizen member would replace the Government of Canada member, no longer required.

Citizen-at-large appointments to the Commission were confirmed as follows, on motion of Ald. Beeler and Hetherington:

Mr. Jon Stone
Steve Gilmore
Alan Connors
Mrs. Mary Williams

The appointment of the representatives of organizations on the Commission, were approved as follows, on motion of Ald. Hetherington and Crawford.

Mr. S. Gosley Mr. B. Hart
Carmen Moir J. Clarke
B. Stevens (Parks & Rec. Dept.)

The member nominated and confirmed for appointment to the Recreation Advisory Board was Ald. Romkey.

The remainder of the members of this Board, with the exception of Bill Stevens as the employee representative from Parks & Rec. Dept., will be appointed at a future Council meeting after members have an opportunity to come up with names they wish to present for nomination.

Members nominated and confirmed for appointment to the Heritage Advisory Board, were Ald. Stubbs and Ald. DeMont.

On motion of Ald. Crawford and Stubbs, Council reappointed all of the Board members whose terms expire in 1983 and including Mr. S. Gosley and Mrs. J. Cookey of City staff for an additional one-year term. The Board members reappointed are:

RECREATION
ADVISORY
BOARD

HERITAGE
ADVISORY
BOARD

Mrs. E. Walker
Dr. M. Brennan
Mr. A. Solomon
Carmen Moir

Mrs. J. Payzant
Mr. B. Lydon
L. J. Payzant

The two-year appointment of Mr. John MacLeod, representing the Museum Board on the Heritage Advisory Board, was also approved, on motion of Ald. Hetherington and Crawford.

DOWNTOWN
REVITALIZATION
COMMITTEE

Ald. Stubbs asked about the functions of the Downtown Revitalization Committee at this point in time and whether or not it may now be redundant with much of the program for the downtown area nearing completion. Ald. Crawford agreed that it would be a good idea to have the usefulness of the Committee reviewed in the light of possible duplication with other committees dealing with downtown development, such as the B.I.D.C. and the functions being carried out by the Downtown Development Corp. He moved referral to the Solicitor for review and recommendation back to Council on the Committee and whether or not there is a duplication in its functions with other existing committees; the motion to refer was seconded by Ald. Stubbs and it carried.

No action was taken at this time on the appointment of Committee members, pending the Solicitor's report to Council.

MOTION: Moved by Ald. Crawford and Stubbs that the functions of the Downtown Revitalization Committee be reviewed by the Solicitor for recommendation to Council on the question of whether or not there is a duplication in its functions with other existing committees.

NON-PROFIT HOUSING

Names placed in nomination for membership in the Non-Profit Housing Society were: Ald. Sarto
Stubbs
Bregante
Hawley
Hetherington

Following a vote by secret ballot, the following members were declared to be duly appointed:

Ald. Stubbs Ald. Hawley
Sarto Hetherington

The three citizen-at-large appointments were

confirmed as follows, on motion of Ald. Hetherington and Crawford: Mr. G. Sampson
J. Woods
B. Lydon

B.I.D.C.

Members nominated and confirmed for appointment to the Business Improvement District Committee, were Ald. Levandier and Ald. DeMont.

POLICE COMMISSION

Ald. Crawford commented on previous discussions at Council about the size of the Police Commission and whether it should consist of all members of Council or be reduced in size. The Mayor advised that he has now received the White Paper on Police Commissions in the Province and recommendations contained in it permit the retention of an entire Council as the Police Commission in a municipality of the size of Dartmouth. On motion of Ald. Crawford and Greenough, Council agreed to retain the present composition of the Dartmouth Police Commission (ie. all of City Council, plus the Provincial Government appointee, currently Mr. Blair MacKinnon).

MOTION: Moved by Ald. Crawford & Greenough that the present composition of the Dartmouth Police Commission be retained.

EMERGENCY
CONTROL
COMMITTEE

Names placed in nomination for membership on the Emergency Control Committee were: Ald. Stubbs
Bregante
Crawford
Romkey
Levandier

Following a vote by secret ballot, the following members were declared to be duly appointed:

Ald. Crawford
Romkey
Levandier

UNITED WAY

Members nominated and confirmed for appointment to the United Way, were Ald. Bregante and Ald. Levandier.

SALARIES
COMMITTEE

Members nominated and confirmed for appointment to the Salaries Committee, were: Ald. Hawley
Peters
Bregante

TAXI
COMMISSION

Due to conflict-of-interest problems with the Taxi Commission, Ald. Crawford noted that three of the presently-appointed members will be submitting letters of resignation in due course, since they are directly involved in the taxi business.

Ald. Greenwood asked to be replaced by another member of Council on the Commission, because of the conflict-of-interest^{position} he is sometimes placed in, and Council proceeded to nominate and appoint Ald. Stubbs in the place of Ald. Greenwood.

The Solicitor will be presenting an amendment on the structure of the Commission to the Law Amendments Committee, so that members of the Commission will be able to function without being continually placed in situations where a conflict-of-interest arises.

The Mayor noted that the Solicitor is working on the legislation required to set up a Commission for the Dartmouth Sportsplex, so the legislation can be presented for the spring sitting of the Legislature. In the interim, he recommended that the present Board continue to function in its present capacity, beyond Dec. 31/83, until the new Commission can be put in place. Ald. Crawford and Hetherington moved the approval of this extension of the contract with D.R.L., as proposed by the Mayor. Ald. Greenough requested information on the composition of the new Commission that will be formed. The vote was taken on the motion and it carried.

MOTION: Moved by Ald. Crawford & Hetherington that the present contract with the D.R.L. Board of Directors be extended until the City's new Commission can be put in place after the necessary legislation has been approved by the Provincial Legislature.

The Mayor put forward three nominations to fill the three positions vacant on the D.R.L. Board of Directors; these were: Ald. Beeler
Greenwood
Mrs. Gwen Haliburton

Other nominations presented were: Ald. Stubbs
Peters
Withers
Levandier

Following a vote by secret ballot, the following members were declared to be duly appointed.:

Ald. Beeler
Peters
Greenwood

DIRECTORS:
DARTMOUTH
RECREATION LTD.

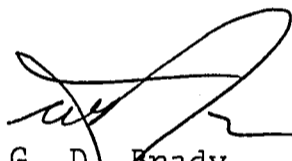
SALARIES: DEPT.
HEADS & ASSISTANTS

One other item to come before Council at this meeting was the report of the Salaries Review Committee for Department Heads and Assistant Department Heads of the City. The Committee has recommended that all these members of staff be granted a 6% salary increase, this percentage being in line with that paid to other City employees. All increases would be retroactive to July 1/83, except for the salary paid to the Chief of Police, which would be retroactive to Jan. 1/83 in accordance with his contract.

Council approved the recommendation of the Committee, on motion of Ald. Crawford and Sarto.

MOTION: Moved by Ald. Crawford and Sarto that the recommendation of the Salaries Review Committee, with respect to the salaries of Department and Asst. Department Heads, be approved.

Meeting adjourned.



G. D. Brady,
Deputy City Clerk.

City Council, Nov. 8/83

ITEMS:

- 1) Election: Deputy Mayor, page 1.
- 2) Motion: Ald. Romkey, page 1.
- 3) Appointments: Dart. District School Bd., page 2.
Regional Library Board
Museum Board
- 4) Dart. Hospital Commission, page 3.
Industrial Commission
Metropolitan Authority
- 5) Metro. Transit Commission, page 4.
M.A.P.C.
Dart. Transit Advisory Board
Finance & Program Review Committee
Natal Day Committee
Court House Commission
Arbitration Committee
- 6) Board of Health, page 5
Pension Committee
Quarry Committee: Deleted
Lakes Advisory Board
Comm. Services Adv. Board: Abolished
Tourist Commission.
- 7) Winter Carnival Committee, page 6.
Grants Committee
Canada Week Committee: Abolished
Shubenacadie Canal Commission
- 8) Recreation Advisory Board, page 7.
Heritage Advisory Board.
- 9) Downtown Revitalization Committee, pg. 8.
Non-Profit Housing Society
- 10) B.I.D.C., page 9.
Police Commission
Emergency Control Committee
United Way
Salaries Committee
Taxi Commission.

City Council, Nov. 8/83

ITEMS:

- 11) Directors, Dart. Recreation Ltd., page 10.
 - 12) Salaries: Dept. & Asst. Dept. Heads, page 11.
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Dartmouth, N. S.

November 9/83.

Briefing session with Council on a policy for trunk services held this date at 7:30 p.m.

Present - Mayor Brownlow

Ald. Sarto	Romkey
Peters	Beeler
Crawford	Levandier
DeMont	Withers
Stubbs	Greenwood
Bregante	Hetherington
Greenough	
City Solicitor, S. Hood	
City Administrator, C. A. Moir	

PRESENTATION:
WORKING PAPER
TRUNK SEWER
POLICY

Members of staff (Mr. Bayer, Mr. Fougere, Mr. Lukar and Mr. Purdy) presented a working paper, prepared by the Engineering and Planning Departments, intended as the first step toward formulating a trunk sewer policy for the City. The paper poses a series of questions that will require political decisions by Council in order for staff to proceed further with specific recommendations that can be considered. Mr. Bayer pointed out that the document before Council represents a working paper and a starting point from which Council can proceed to give further direction on certain basic assumptions and decisions that are required.

The staff presentation was given jointly by Mr. Bayer and Mr. Purdy, after which members of Council offered their comments on it. Ald. Levandier was not pleased with the report and felt that it should have contained recommendations for Council to deal with at this point. Ald. Peters also considered the report to be completely inadequate, and said this is not a complicated issue as it is being made out to be. He said that all that is necessary is to proceed with the installation of services and then charge \$1,500. per lot and recover four million dollars from a two-million-dollar investment in the installation. Also, the City will recover million of dollars in taxes from the Portland Estates development

Other members, such as Ald. Stubbs, felt that the report raises questions that have to be answered by Council before policy decisions can be reached.

Ald. Stubbs asked if permission will be given for the outfall in Halifax harbour, required for the south Dartmouth trunk system. Mr. Fougere said we have an indication from the Dept. of the Environment that they would consider the enlargement of the existing outfall on Station Road. Ald. Stubbs raised other questions about any legislation that would be required in order to be able to proceed with a trunk services policy. The Solicitor stated that some changes in the Charter may be required, but she felt the initial installations on the part of developers could be commenced without any major changes.

As discussion went on among the members of Council, there appeared to be a concensus that the cost of installing both primary and secondary sewer systems would have to be recovered by the City, and that Council would not want to see other capital projects affected by having to allocate all of the annual capital funds to trunk sewer projects for new development.

Mr. Stockall and Mr. Jenkins, the two developers primarily involved in south and north Dartmouth with major trunk service installations, were asked to indicate whether or not they are willing to assume the costs for systems they require. Mr. Stockall said he is prepared to fund both the primary and secondary systems to service the Portland Estate lands, and Mr. Jenkins indicated that Countryview are willing to extend the trunk sewer from Lake Banook up into the Industrial Park lands. He said not only is the company willing to pay for the extension, but they are willing to carry out the installation as well.

Ald. Greenwood suggested that Mr. Bayer review with Council, the questions and assumptions requiring an expression of opinion from Council, in order for staff to be able to proceed to the stage of making some specific recommendations. A brief recess followed and when the members returned to the Council Chamber,

the following assumptions and questions were placed before the members for an indication of their position on them:

Assumptions: (page 8 of working paper)

- 1) The City will be the ultimate owner and operator of all trunk sewer systems in the City. AGREED.
- 2) Trunk sewers will be located, routed, and sized to serve their catchment areas regardless of property ownership patterns or political boundaries. AGREED.
- 3) The design, construction and inspection will be to the satisfaction of and under the control of the City Engineer. AGREED.
- 4) Area rates will be applied rather than a City-wide per-lot rate. AGREED.

Basic Policy Questions:

- 1.1 (page 9) Should the City assume responsibility for the actual construction and financing of trunk services? YES.
- 1.4 (page 10) Does the City wish to recover the total cost of the system installation from those served by that system? YES.
- 1.5 (page 10) If the cost is to be borne by the land owners served by the installation will then be charged upon the completion of the installation or only when they actually connect their development to the system? A LIEN WILL BE APPLIED IMMEDIATELY.
- 2.1. (page 12) THE DEVELOPER WILL CONTINUE TO PUT IN LOCAL SERVICES AS PER THE CURRENT POLICY.
- 2.2 (page 13) There must be provision within the layout of the subdivision for the construction of the secondary trunk without causing property acquisition problems or unnecessary expense in the construction. YES.

Options, installation & financing of secondary trunks:

Council favoured Option #4 on page 14 -

The City shall install secondary trunk sewers of appropriate size to service all land tributary to each. Under this option, the City must choose a method of assessing its cost to the properties so serviced. It must be decided in this situation whether each land owner will share in the cost of the total system in proportion to his land area, or if each will pay only the cost of a system required for his own area. Under the latter method, the development costs would probably be greater for development located farthest from the primary trunk system. It would also tend to be a much more cumbersome policy to administer than having some uniform rate applicable to all lands within the drainage or catchment area of the secondary trunk.

With respect to the question of phasing, Council favoured the (c) section on page 17 -

Realizing that the installation of trunk sewer systems must be phased over some period of time, it may be desirable to have the charges levied at different stages of the installation or at various stages of land development - e.g. the charge for the primary trunk could be levied at the time when it is available for serving any particular parcel of land, with the charge being based on the number of acres to be serviced and connected to it. A second charge could be levied at the time of subdivision approval, on the basis of the number of lots approved. The third charge could then be related to the number of units constructed within the subdivision and would be made payable at the time of issuance of building permits.

Mr. Stockall and Mr. Jenkins were asked for their indication of the direction given by Council to staff. Both indicated concurrence with the position Council has taken on the sections of the working paper noted. A further report from staff is expected for the Council meeting of Nov. 15th so that the trunk services policy can be established as soon as possible by Council.

Dartmouth, N. S.

November 15/83.

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

Present - Mayor Brownlow

Ald. Romkey	Sarto
Peters	Beeler
Crawford	Levandier
Stubbs	Greenwood
Hawley	Greenough
Bregante	Hetherington
DeMont	
City Solicitor, S. Hood	
City Administrator, C. A. Moir	
Deputy City Clerk, G. D. Brady.	

TRUNK SEWER
SERVICES:
RES #83-51

A general policy statement with respect to the installation of trunk sewer services, has been prepared by staff in the form of Resolution #83-51, and was before Council for consideration at this meeting. Ald. Hetherington and Romkey moved the adoption of Resolution #83-51.

Ald. Crawford questioned section 10 of the resolution, which refers to Council's consideration of requests received for the installation of services, for inclusion in the capital budget for the upcoming year. He received assurance from the Mayor that this section has been reviewed with staff and will not impede the applications from Portland Estates or Country View Ltd. in any way, since both are already in the process of being dealt with by Council. Section 15 of the resolution was questioned similarly and also with regard to having any Charter amendments made retroactive. Mr. Moir noted that both developers concerned have already given Council their indication that they are willing to bear 100% of the cost of installations to service their properties. Agreements will be entered into with both developers directly and these agreements will come before Council for approval in due course.

Ald. Greenough asked if Section 5 of the resolution refers to both primary and secondary sewer systems; Mr. Bayer said that it does. Ald. Hetherington raised a point in connection with section 12 and the over-sizing of pipes to service other lands. He said it should go on record that Mr. Stockall has indicated his willingness

to provide for the servicing of lands owned by Dr. Crouse, when his own services are installed. The Mayor agreed that this statement was made by Mr. Stockall during the November 9th briefing session with Council.

Council proceeded with a section-by-section review of Resolution #83-51 and agreement was given on each section individually. None of the sections were changed in their wording during the review and at the conclusion, the vote was taken on the motion, which carried unanimously.

MOTION: Moved by Ald. Hetherington & Romkey that Resolution #83-51 be adopted; this resolution establishes a policy with respect to the installation of trunk services.

M.P.S. AMENDMENT:
PORTLAND ESTATES
BY-LAW C-494

Proposed By-law C-494, which would amend the Municipal Planning Strategy by extending the development boundary in south Dartmouth, as requested by the Portland Estates developer, was again before Council in second reading, having been deferred on October 11th for further clarification of the wording in section 1. The by-law is now in a redrafted form and is accompanied by a report from the Solicitor, giving her legal opinion on the question of the position in which the City would have been placed by giving approval for the development boundary change without first having addressed the trunk services issue. Version #2 of the redrafted by-law provides for the inclusion of a paragraph that would be applicable if Council has addressed the trunk servicing issue and come to a decision on it prior to going on with second and third reading of the by-law. In view of the action just taken by Council in approving Resolution #83-51, as previously recorded in these minutes, version #2 is therefore applicable.

Ald. Hetherington proceeded to move an amendment in second reading, which incorporates the following paragraph:

"Also since 1978, Council has adopted a trunk servicing policy which deals with the issue of expense of servicing areas formerly outside the development boundary. As a result, the retention of a development boundary in the Russell Lake area for servicing reasons alone is no longer essential."

The amendment was seconded by Ald. Romkey and it carried. The vote was taken on second reading, as amended, and this motion also carried.

Ald. Sarto asked about the possibility that Phase 1 of the Portland Estates development will be serviced by the Anderson Street pumping station. The Mayor pointed out that the developer plans to proceed with his own trunk system as quickly as possible. If the CBCL report, still to come to Council, indicates that the Anderson St. system can accommodate the Phase 1 development, it would only be connected on an interim basis until the Portland Estates system comes on stream. Mr. Stockall indicated that if the CBCL report shows there is not sufficient capacity for the Phase 1 units, it will not be possible to connect to that system. He said that in any event, he plans to proceed immediately with his own system.

Ald. Hetherington and Romkey moved that By-law C-494 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. Hetherington made reference to the letter recently received from the Minister of Municipal Affairs, giving his advice that ". . . there is nothing presently contained in the City of Dartmouth's municipal planning strategy which would obligate the City to provide services to an area of land to be included with the City's development boundary". He contrasted this advice from the Minister with the opinion given in the Solicitor's report to Council of November 8th and consulted her about this difference in interpretation. The Solicitor said she did not disagree with the Minister's opinion, as far as it goes. However, the concern was that aside from the City Charter, there could have been an interpretation under the common law or some other statutory provision that would have resulted in a developer taking the City to court over this issue. Ald. Hetherington wished to have the point recorded. In view of Council's action

in establishing the trunk services policy and the subsequent amendment to By-law C-494 in second reading, the point at issue does not represent the same problem it originally did. The vote was taken on third reading of By-law C-494 and it carried.

MOTIONS: Second reading of By-law C-494 as amended and third reading of the by-law. Text of the amendment is on page 2 of these minutes.

M.P.S. AMENDMENT:
COUNTRY VIEW LTD.
BY-LAW C-493

Proposed By-law C-493, which would amend the Municipal Planning Strategy by extending the development boundary in north Dartmouth, as requested by the Country View Ltd. developer, was again before Council. It was moved by Ald. Crawford and Hawley that By-law C-493 be read a second time.

Ald. Stubbs said it is important to know what kind of development proposal is planned for these lands of Country View before going on to approve the zoning change which accompanies this application for an extension of the development boundary. She indicated that she would want to have this kind of information available from the developer before she would be willing to support the zoning change.

Ald. Crawford felt that the development that would be carried out on the Country View lands would be compatible with the City's own Burnside Industrial Park, since the zoning change to I-2 would be the same. Mr. Bayer referred to the staff report of Sept. 14/83, presented to Council previously, in this connection.

The vote was taken on second reading and it carried.

Ald. Crawford and Greenwood moved that By-law C-493 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 motion for third reading carried.

MOTION: Second and third readings given to By-law C-493 (extension of development boundary, north Dartmouth).

REZONING REQUEST:
COUNTRY VIEW LTD.
BY-LAW C-494A

Council proceeded with By-law C-494A, which will accomplish the rezoning of Country View Ltd. lands in north Dartmouth, from the present H (Holding) Zone to I-2 (Industrial). This by-law is in second reading, having been deferred from the Sept. 26th meeting. The vote was taken on second reading and the motion carried.

Ald. Stubbs then moved referral to the Planning Dept. staff for a report on the proposal for the use of the land by Country View; the motion to refer was not seconded.

Ald. Crawford and Greenough moved that By-law C-494A 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. Some discussion followed on the use that will be made of the Country View land holding and the coordination of its industrial use with the development of the Burnside Park. Ald. Greenough suggested that as industrial development proceeds, perhaps the proposals could be channeled through the Industrial Commission, for information purposes if nothing else. The vote was taken on third reading and the motion carried.

MOTION: Third reading given by By-law C-494A.
Ald. Hawley said a vote of thanks is in order to be extended to members of staff for their work on the Portland Estates and Country View applications.

PERMIT TO BUILD:
TRILLIUM
HOUSING CO-OP

An application for permit to build two apartment buildings and four town-house buildings as part of Phase 6 of the Forest Hills development, has been received from the Trillium Housing Co-op. The project complies with all the necessary City requirements and approval has been recommended in the staff report to Council, subject to the comments noted in the report.

Ald. Levandier and Bregante moved that the permit be granted as recommended. Letters both for and against this development have been received, and a petition against the project was presented by Ald. Sarto on behalf

of residents who presently live in Phases 5 and 6 of Forest Hills. A delegation of residents from the area was present for this item. Ald. Sarto asked if Council would be willing to hear from a representative for the group, but it was pointed out that this is not a public hearing and Council felt that if representation is permitted from people opposed to the project, equal opportunity would then have to be given for those in the Chamber wishing to speak in support of it. Since Council has no discretion on the granting of a permit if it complies with the requirements of the City, it was considered that nothing could be accomplished with the hearing of representations at this time.

The Mayor noted that the position of the City was made clear in 1977 when a multiple-family rezoning request for the property was denied by Council. Subsequently, however, the decision was overturned by the Planning Appeal Board, based on an appeal by the Housing Commission, and multiple-family zoning was then placed on the land. The proposal now before Council therefore is in compliance with the R-3 zoning established at that time.

Speaking for the residents, Ald. Sarto said they bought their homes in good faith, on the understanding that the land under discussion would not be developed with anything higher than an R-2 density. Now, they will have a multiple-family development in the middle of an existing R-1 neighborhood. Ald. Romkey also supported the position of the residents, suggesting that the Housing Commission should be contacted about the concern that has been caused as a result of information on the R-3 zoning not being made known to the residents as it should have been. The Mayor said that perhaps it would be more advisable just to urge the Commission to publicize more widely their intentions for undeveloped lands in the area, so that potential home-buyers are fully informed and situations like this will not occur again in the future.

In view of the fact that Council has no alternative but to grant the building permit if it complies with all the regulations required, and since modifications cannot be imposed on the developer by Council, Ald. Sarto suggested that perhaps the Trillium Co-op people and the local residents could get together to work out some modifications that would be mutually acceptable. This would appear to be the only recourse available to the residents other than to make an appeal at the Provincial level where the zoning was determined by the Planning Appeal Board.

When the vote was taken on the motion, it carried with Ald. Sarto and Romkey voting against.

MOTION: Moved by Ald. Levandier and Bregante that the building permit be granted to Trillium Housing Co-op. for the multi-family development project they have proposed, subject to the several comments contained in the staff report of November 7/83.

PERMIT TO BUILD:
BLOCK C
PEDDAR'S WAY

On motion of Ald. Crawford and Bregante, Council approved an application for permit to build six townhouse units on Block C, Peddar's Way, Manor Park, subject to compliance with the requirements outlined in the staff report to Council, dated Nov. 8/83. Approval has been recommended by staff in this report.

MOTION: Moved by Ald. Crawford & Bregante that Council approve an application for permit to build six townhouse units on Block C, Peddar's Way, Manor Park, as recommended by staff, subject to compliance with the requirements outlined in the staff report of Nov. 8/83.

PERMIT TO BUILD:
BLOCK N-3
COLLINS GROVE

An application for permit to build two apartment buildings on Block N-3 Collins Grove, has been received from Two-D Enterprises Ltd. The project complies with the development agreement approved by Council for this land holding in 1974, and approval has been recommended by staff, subject to the comments outlined in the staff report of Nov. 8/83.

Ald. Crawford and Hetherington moved that the permit be granted as recommended. Ald. Sarto and Romkey again spoke on behalf of area residents opposed to the

project, but as in the case of the Trillium Co-op. application, Council had no discretion in the matter since the applicant has complied with the necessary City requirements and is therefore entitled to a permit. In this case, not only is the zoning in compliance, but there is an existing development agreement which provides for apartment-building development on the site in question.

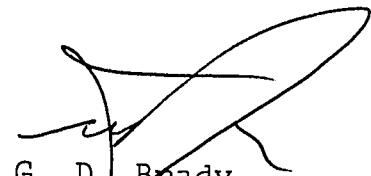
A model of the development was available for Council's consideration, and in response to concerns raised by Ald. Sarto about the traffic patterns planned to accommodate the new development, Mr. Bayer explained that they are intended to disperse the traffic rather than concentrating it in only one section of the total development area. He noted that the present proposal is for considerably less units than originally planned for the site, but any development that would have taken place, including R-1 development, would still generate additional traffic. He made the point that R-1 development actually generates more traffic, based on statistics compiled on the number of trips made per day from a single-family dwelling, as compared with an apartment unit.

Ald. Romkey asked if the Anderson Street pumping station can adequately handle this development. Mr. Fougere referred to his report which states that ' . . . sewage flows from the 48 units can be handled by the Anderson St. pumping station without exceeding the existing peak flow capacity of the station.' Ald. Romkey discussed the point further and sought clarification on the rate of flow figures provided by Mr. Fougere. Ald. Romkey said it would be advisable to wait for the final report from CBCL before approving this application.

The vote was taken on the motion and it carried with Ald. Romkey and Sarto voting against.

MOTION: Moved by Ald. Crawford & Hetherington that Council approve an application for permit to build two apartment buildings on Block N-3 Collins Grove, as recommended by staff, subject to compliance with the requirements outlined in the staff report of Nov. 8/83.

Meeting adjourned.



G. D. Brady,
Deputy City Clerk.

City Council, Nov. 15/83

ITEMS:

- 1) Trunk sewer services: Res. #83-51, page 1.
- 2) M.P.S. Amendment: Portland Estates, By-law C-494, pg. 2
- 3) M.P.S. Amendment: Country View Ltd., page 4.
- 4) Rezoning request: " " " , By-law C-494A, pg.5.
- 5) Permit to build: Trillium Housing Co-op., pg.5 to 7.
- 6) Permit to build: Block C, Peddar's Way, page 7.
- 7) Permit to build: Block N-3, Collins Grove, page 7 & 8.

Dartmouth, N. S.

November 16/83.

Joint meeting of City Council with the Board of Directors of Dartmouth Recreation Ltd., held this date at 5:00 p.m.

Present - Mr. J. Guildford, Chairman
C. A. Moir. Mayor Brownlow
D. Valardo Ald. Stubbs
P. Hope Beeler
C. Dolan Hawley
D. Tanton Romkey
S. Jachimowicz Bregante
Mr. G. Bagnell, Gen. Manager, Crawford
Sportsplex Greenwood
Levandier

INFORMATION
SESSION:
SPORTSPLEX
OPERATION

Mayor Brownlow thanked the Chairman and Board of D.R.L. for this meeting with members of Council, to give Council an opportunity to become informed about the operation of the Sportsplex and to raise any questions that members may have about specific aspects of the operation

The Chairman of D.R.L. welcomed Council to the meeting, and opened the information session with a background review of the discussions that led to a decision to build the Sportsplex, followed by a brief resume of the construction schedule to completion of the complex in June of 1982 when the building was taken over for the City. He noted that the project came in within the budget set for it, even taking into account the inflationary factor that impacted on construction costs during the years between the initial planning (1978) and completion in 1982. He explained the principles on which the Board of D.R.L. has operated the complex subsequent to its completion, attempting each year to reduce the operating deficit further through management efficiencies and the introduction of additional programs and events so that the maximum potential of the Sportsplex is utilized.

Mr. Tanton, Chairman of the Operations Committee, then provided information on the programming aspects, advertising, staffing, concessions, maintenance, and those areas of jurisdiction with which his committee is concerned.

Mr. Hope followed the same format in reporting to Council as Chairman of the Policy Committee for D.R.L., commenting on the policies that have been established in keeping with the functions served by the Sportsplex as a community sports centre, a recreation facility, and a trade show and convention centre for the City. He also outlined staffing policies with respect to regular hours of work, overtime, and employee benefits.

Mr. Valardo reported on behalf of the Finance Committee, which deals with preparation of the annual budget, the review of monthly financial statements, concession agreements, studies of savings that can be realized in the operation of the complex, etc. He noted that the aim of D.R.L. to this point has been to bring the Sportsplex to a break-even position; this is gradually being accomplished as reflected in the reduced percentage of City supports being requested each year, from 40% in 1982 to about 25% for 1983, and working toward 16% in 1984.

The Mayor reviewed the capital funding provisions for construction of the Sportsplex, which cost 7.2 million dollars in total; 5.2 million of this amount was provided by the Province of Nova Scotia and approx. \$500,000. is being received in donations and pledges from the fund-raising campaign that has now been concluded. The remaining amount to be funded is therefore 1.8 million dollars.


At the end of the information presentation by D.R.L., members of Council were able to have any questions answered they might want to raise. Ald. Crawford asked about the interest charges on the 1.8 million dollars still to be funded, and he asked about a booking made by the Figure Eights Skating Club for a week during the Winter Carnival. Mr. Richard Wenaus was present for the meeting and with Mr. Bagnell, explained the scheduling arrangements that were made some time ago with the Skating Club for the week they wanted in February. It is not

possible to change this committment now, since ice time has been booked since then for the various hockey leagues that play out of the Sportsplex.

Ald. Levandier's inquiry concerned the charges for ice time, and Mr. Bagnell explained the policy that is followed in the rental of facilities to community groups, to try to accommodate their particular needs. It costs the Sportsplex \$127. per hour for ice and it is necessary to try to recover these operating costs from the teams that use the arena. Many of these teams do not require any subsidization, but those that do, such as in the minor hockey leagues, can be assisted by the City if Council decides to do so. It was noted that in fact, the City is already subsidizing the teams using the arena with the present charges for ice time.

Ald. Crawford asked if any consideration has been given to air conditioning for summer events. Mr. Bagnell indicated that air conditioning was not included in the building because of the additional cost involved for it. To have it installed now would cost about three million dollars for equipment and installation.

Following the information session with Council, there was a conducted tour of the complex for members of Council.



G. D. Brady,
Deputy City Clerk.

Dartmouth, N. S.

November 22/83.

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

Present - Mayor Brownlow

Ald. Romkey	Sarto
Peters	Beeler
Crawford	Levandier
Withers	DeMont
Stubbs	Greenwood
Hawley	Greenough
Bregante	
City Solicitor, M. Moreash	
City Administrator, C. A. Moir	
City Clerk-Treasurer, B. Smith.	

MONTHLY REPORTS

Monthly reports before Council were approved as follows:

- 1) Social Services (Oct.): approved on motion of Ald. Greenough and Romkey.
- 2) Development Officer (Oct.): approved on motion of Ald. Sarto and Greenwood.
Ald. Crawford asked about the zoning violation at 6 Hester Street, and was advised that the new owner will be complying with the Zoning By-law as soon as the present tenants can vacate the premises.
- 3) Building Inspection (Oct.): approved on motion of Ald. Crawford and Bregante.
- 4) Minimum Standards (Oct.): approved on motion of Ald. Crawford and Bregante.
- 5) Fire Dept. (Oct.) : approved on motion of Ald. Bregante and Greenwood.
- 6) Dog Control (Oct.): approved on motion of Ald. Sarto and Bregante.
- 7) Tourism Director (Oct. registrations & 1983 season): approved on motion of Ald. Greenwood and Bregante.

MOTIONS: To approve the monthly reports to Council as detailed above.

REPAIRS TO
TOURIST BUREAU

Mr. Moir has submitted a report to Council on repairs required to the Tourist Bureau on Thistle Street, as discussed by the Tourist Commission. These repairs total \$7,500. in cost and it has been recommended that existing funds in the 1983 budget, not needed for other purposes, be reallocated to cover the cost involved so that the work can proceed. Details of the repairs, with separate cost estimates for each item, are included in Mr. Moir's report of Nov. 1/83. Council adopted the recommendation and authorized the reallocation of funds, on motion of Ald. Crawford and Greenwood.

MOTION: Moved by Ald. Crawford and Greenwood that Council authorize the reallocation of existing funds in the 1983 tourism budget, to cover the cost of repairs required to the Tourist Bureau building, estimated to cost \$7,500. in total.

GROUNDS MTNCE.:
DART. GENERAL
HOSPITAL

A request has been made by Ald. Bregante, as Chairman of the Property Committee for the Dartmouth General Hospital, to have the Parks & Recreation Dept. take over the responsibility for annual maintenance of the Hospital grounds, in a manner similar to the service offered by the City to the District School Board.

Mr. Moir has recommended that Council authorize the Department to take over this responsibility, the service to be offered on a cost-recovery basis and on the understanding that the Hospital will purchase the necessary maintenance equipment. Ald. Greenough and Bregante moved the adoption of the recommendation.

Ald. Levandier was not in support of the motion, while Ald. Crawford had concerns about the liability on the part of the City in the event of (a) the equipment owned by the Hospital being damaged, (b) a City employee being injured while operating the Hospital equipment, and (c) third party injuries. Mr. Moreash advised that we would rely on our insurance coverage for third party injuries, and any employee involved would be covered by Workmen's Compensation in the regular way. All of these conditions would be spelled out in a contractual arrangement with the Hospital. Ald. Crawford moved in amendment that a full and concise legal agreement be entered into with Dartmouth General Hospital, on a yearly basis, and on the basis of full cost-recovery to the City; the amendment was seconded by Ald. Greenwood.

Ald. Romkey did not favour either the amendment or the motion. He felt that in performing these services, the City is taking work away from contractors who would otherwise be engaged by the Hospital as they have been previously. Other members of Council were willing to go along with the contractual condition of the amendment and it carried with Ald. Romkey voting against. The

amended motion carried by the same vote.

Once the contract with the Hospital has been prepared, it will come back to Council for final approval.

MOTION: Moved by Ald. Greenough and Bregante that the City authorize the Parks & Recreation Dept. to take over responsibility for maintenance of the Dartmouth General Hsp. grounds (including grass, shrubs, and flower beds); this service to be offered on a cost-recovery basis and on the understanding that the Hospital will purchase the necessary maintenance equipment.

AMENDMENT: Moved in amendment by Ald. Crawford and Greenwood that a full and concise legal agreement be entered into with Dartmouth General Hospital, on a yearly basis, and on the basis of full cost-recovery to the City. The contract would also include the liability provisions discussed, as per the notes on page 2 of these minutes. The contract will come back to Council for final approval.

AWARD TENDER:
CONTRACT #83-10
MICMAC/CIRCLE DR.

Tenders have been received as follows for Contract #83-10 (the completion of curb & paving on MicMac Drive and Circle Drive):

Municipal Contracting Ltd.	\$105,489.00
Ocean Contractors Ltd.	109,867.50
Steed and Evans Ltd.	128,855.00

In his report to Council on this tender, Mr. Purdy (in concurrence with Mr. Moir) has recommended that an amount of \$120,000. be allocated from the unused balance of the 1983 Residential Streets budget for the MicMac/ Circle Drive project, and that the contract be awarded to the low bidder, Municipal Contracting Ltd., on the understanding that work will not commence until the spring of 1984. It is the opinion of the Engineering Dept. that work should not be started this fall due to the uncertainty of weather and temperatures after mid-November. Ald. Greenough and Sarto moved that the tender be awarded as recommended in the joint report from Mr. Purdy and Mr. Moir.

Ald. Crawford had reservations about Municipal Contracting after the delays experienced with this company in projects on Windmill Road and Ochterloney Street. He asked that they be monitored very closely by the Engineering Dept. on the MicMac/Circle Drive project.

Ald. Stubbs said she considered this project to be one of the worst examples of a misappropriation of public funds she has seen, and moved in amendment that the amount to be allocated be deleted from the 1984 capital budget; the amendment did not receive a seconder. The motion on the floor carried with Ald. Stubbs voting against.

MOTION: Moved by Ald. Greenough and Sarto that Contract #83-10 be awarded to the low bidder, Municipal Contracting Ltd.; that an amount of \$120,000. be allocated from the unused balance of the 1983 Residential Streets budget for the project; and that the tender be awarded on the understanding that work will not commence until the spring of 1984.

AWARD TENDER:
CONTRACT 83559
RADDALL AVE.

Tenders have been received as follows for
Contract 83559 (sewer & water services on Raddall Ave.):

W. Eric Whebby Ltd.	\$392,977.50
Antigonish Construction Ltd.	394,674.00
Stewiacke Construction Ltd.	412,538.05
Harbour Construction Co. Ltd.	416,686.00
Woodlawn Construction Ltd.	482,824.65
Seaport Contractors Ltd.	495,859.00
L. J. Casavechia Contracting Ltd.	548,447.50

Acceptance of the low bid, received from W. Eric Whebby Ltd., has been recommended by Mr. Purdy, with Mr. Moir's concurrence. It was moved by Ald. Sarto and Hawley that the tender be awarded as recommended.

In response to a question from Ald. Levandier about the difference in the budget item approved for this project and the bids received, Mr. Fougere commented on the spread in the bids that have been received and discussed the inquiry further with the Alderman. The vote was then taken on the motion and it carried.

MOTION: Moved by Ald. Sarto and Hawley that the low bid received from W. Eric Whebby Ltd. for Contract 83559 be accepted, as recommended by Mr. Purdy and Mr. Moir.

TRANSPORTATION
STUDY

Reports from Mr. Bayer and Mr. Moir were before Council on the proposals received for carrying out the transportation study proposed for the City. The recommendation is that the firm of J. Philip Vaughan Engineering & Associates Ltd., in association with DeLCAN, be awarded the contract for this study, which will take approx. ten

months to complete and will cost between \$70,000. and \$90,000. Ald. Withers and Sarto moved that the contract be awarded as recommended.

Ald. Levandier felt that no decision should be taken on this item until Council has been briefed by Mr. Bayer on the details of the proposal that is being recommended. Ald. Hawley and Romkey referred to implications for the study of changing traffic patterns that can be expected as a result of the 107 By-pass Highway and if the Province proceeds with a study into the feasibility of additional ferry services at another location on the Dartmouth waterfront. Ald. Romkey was in favour of delaying the City study until the 107 By-pass has been completed and we can see what impact it will have on traffic at the MicMac Rotary and elsewhere in the City.

Ald. Withers wanted to have the study proceed without any delay, in view of the serious traffic conditions that have to be addressed by it. Ald. Greenough agreed there is an urgency in attempting to find solutions to these problems. Ald. Levandier did not feel there would be any harm in a one-week delay until Mr. Bayer can be present for a review of the proposal with Council, and he moved deferral until the item can be placed on a Council agenda and Mr. Bayer is available to give an overview for the information of Council on the proposal. The motion to defer was seconded by Ald. Stubbs and the specific time for deferral was set at one week.

With reference to the points raised by Ald. Hawley and Romkey, as noted above, Mr. Fougere advised that all of the companies making proposals were requested to take into consideration the implications of a 107 By-pass Highway in relation to the transportation study.

When the vote was taken on the motion to defer, it carried.

MOTION: Moved by Ald. Levandier & Stubbs that the transportation study item be deferred for one week so that Mr. Bayer can be present to give Council an overview of the proposal being recommended.

SECOND TRANSFER
STATION

Members of Council have received copies of an update of the costs and benefits associated with the construction of a second transfer station, submitted by the Executive Director for the Metropolitan Authority. Speaking on the report, Ald. Crawford said he would be in favour of having a second transfer station, located in Dartmouth, and he proposed that Council first decide whether or not to support such a request, and, if so, which option of the three presented, would be recommended. He moved that Council indicate support for a second transfer station, to be located in the City of Dartmouth; the motion was seconded by Ald. Withers.

Members of Council speaking on the motion agreed that there is a need for a Dartmouth transfer station because of the inconvenience of the present Halifax location and the long lineups and congestion at the existing station on weekends and peak periods of operation. Questions were raised about the modifications that would be required to convert the present City incinerator for use as a surge pit station, and Ald. Greenough said he would want to know what the total cost impact for the City would be, not only for the modifications, but in terms of the total expenditure involved and the cost-sharing percentage that would be the responsibility of the City of Dartmouth. He therefore moved referral of the entire item to staff for a report on the cost factors, as outlined, to be brought back in time for the final December meeting of Council. The motion to refer was seconded by Ald. Hawley and it carried. (The Mayor said the final December meeting will probably be held on Dec. 20th

MOTION: Moved by Ald. Greenough and Hawley that the entire item pertaining to the second transfer station, be referred to staff for a report on associated cost factors and evaluation of the three options presented in Mr. Mort Jackson's report; the staff report to be brought back in time for the final December meeting of Council.

TENDER: SALE
OF LAND
377 WINDMILL RD.

The following tenders have been received for the sale of City-owned land located at 377 Windmill Road:

1) Zgharta Enterprises Ltd.	\$18,100.
2) J.Y.K. Holdings Ltd.	12,100.
3) Murray B. Gouin	11,200.
4) S. Jachimowicz Ltd.	10,000.
5) Charlotte Investments Ltd.	9,500.

Mr. Moir has recommended acceptance of the bid received from Zgharta Enterprises Ltd., having met all the terms of condition of sale, and Council approved the recommendation, on motion of Ald. Withers and Bregante.

MOTION: Moved by Ald. Withers & Bregante that the bid received from Zgharta Enterprises Ltd., in the amount of \$18,100., for the City-owned property at 377 Windmill Road, be accepted as recommended by Mr. Moir

APPLE INVESTMENTS
DEVELOPMENT
BEL AYR PARK

Three subdivision layouts have been received by the Planning Dept. for the remaining lands in the Bel Ayr Park Subdivision. These proposals involve the construction of the remaining portion of Dorothea Drive to the point where it would connect with the Cole Harbour Road, and they involve the environmentally-sensitive areas which border on Settle Lake, on the brook leading from it, and on the Cole Harbour Heritage Farm Marsh. A series of recommendations have already been adopted with respect to the protection of these areas as they have been identified in a study presented in May of 1982, entitled 'The Cole Harbour Heritage Farm Marsh Study'.

Proposal #3, submitted by the developer, Apple Investments Ltd., does not allow for any green-belt provisions. Proposal #2 allows for a 100' green belt along Settle Lake and a 50 to 100' green belt along the brook. Proposal #1 allows for a 100' green belt along Settle Lake and a 100' green belt along the brook. Each of these three proposals has in common an exchange of lands with the City, whereby Lots R-1 through R-11, presently owned by Apple, would be traded with the City for 6 lots known as "C" lots, owned by the City; over and above the land exchange, it is proposed that the City would pay Apple \$24,000. difference in value.

Each of the three proposals becomes progressively more expensive for the City, starting with #3 and going backwards to #1, based on the lands allowed for green-

belt purposes and the corresponding loss in the number of lots that are subsequently available for development. Proposal #3 would cost the City over \$300,000., as compared with the other two proposals, which would both cost the City over a million dollars (proposal #1 being in the vicinity of a million-and-a-half dollars).

Since proposal #3 does not provide for any environmental protection, it would not be in compliance with the recommendations adopted by Council in May of 1982. The other two proposals were considered to be excessive in cost, although the completion of Dorothea Drive was considered to be desirable, since it would complete a road connection that was always intended and take some of the traffic pressure off existing residential streets in the Bel Ayr section of the City. Ald. Sarto and Greenough felt that proposal #2 would be the most acceptable from the City's point of view, if a reasonable financial compromise could be reached with the developer. Ald. Greenough suggested that the land value placed by the developers on the lots that would be retained for green-belt purposes, has been inflated by assessing the land as serviced developable lots; in fact, they would be retained in a natural state for the protective uses intended. Mr. L'Esperance pointed out in his presentation to Council of the proposals, that the land reserve for the Bel Ayr Subdivision has already been taken in its entirety and is comprised of the lands retained around Bell Lake for the protection of that lake.

Members of Council indicated they would not be prepared to entertain the proposals with their present cost implications for the City, but were willing to have negotiations continue with Apple Investments, taking into account the discussion that has gone on during the presentation. Ald. Levandier and Stubbs moved that staff continue negotiations with Apple Investments for report back to Council, recognizing the position taken by Council on the cost implications involved. The motion carried.

MOTION: Moved by Ald. Levandier and Stubbs that staff continue negotiations with Apple Investments for report back to Council, recognizing the position taken by Council on the cost implications involved for the City.

(Ald. Stubbs and Ald. Peters left the meeting at this point.)
An item added to the agenda was dealt with next,

FAMILY UNITS:
PUBLIC HOUSING

being a report from Mr. Moir on eight family units of public housing proposed for the City of Dartmouth.

RESOLUTION #83-57

Resolution #83-57 has been prepared to provide for the entering into of an agreement with CMHC and the Housing Corp., and the adoption of the resolution was moved by Ald. Crawford, seconded by Ald. Romkey.

Ald. Bregante was concerned that all of these units are being concentrated in Ward 7 rather than being spread throughout the City as they should be. Ald. Hawley agreed that a better distribution of the units would be desirable, but felt that they are badly needed and if the locations are all in Ward 7, Council cannot reject them just for this reason. When the vote was taken on the motion, it carried with Ald. Bregante voting against.

MOTION: Moved by Ald. Crawford and Romkey that Council approve Resolution #83-57, providing for the City to enter into an agreement with CMHC and the Housing Commission re the eight family units of public housing being proposed for Dartmouth.

GUARANTEE RESOLUTION:
METRO. AUTHORITY

Council has been asked by the Metropolitan Authority to approve a Guarantee Resolution in the amount of \$829,008., a copy of which is attached. This financing is required for the purchase of twelve new transit buses, already delivered. Ald. Crawford and Sarto moved the approval of the resolution, as requested.

Ald. Withers said that Council should not be expected to give such approvals after-the-fact and asked that this point, which has been raised previously as well, be communicated to the Metropolitan Authority on Council's behalf. The Mayor said the point will be brought to the attention of the Authority. The motion on the floor carried.

MOTION: Moved by Ald. Crawford and Sarto that Council approve the Guarantee Resolution presented, in the amount of \$829,008., as requested by the Metropolitan Authority.

A Summary of Revenue & Expenditures to Nov. 3/83, has been provided by the City Clerk-Treasurer, and it was adopted by Council, on motion of Ald. Greenwood and Greenough.

MOTION: Moved by Ald. Greenwood & Greenough that the Summary of Revenue & Expenditures to Nov. 3/83, be adopted by Council.

SUMMARY OF
REVENUE &
EXPENDITURES

SIGNING AUTHORITIES:
RES. #83-53 TO 56

Council was asked to approve Resolutions #83-53 to #83-56 incl., General Signing Authorities, required due to the election of a new Deputy Mayor and termination of Brian MacRae as Deputy Treasurer. The resolutions were approved by Council, on motion of Ald. Crawford and Hawley.

MOTION: Moved by Ald. Crawford and Hawley that Council approve Resolutions #83-53 to #83-56 incl., General Signing Authorities, as recommended to Council by Mr. Smith.

AWARD TENDERS:
POLICE VEHICLES

Tenders have been received, as per the report to Council of Nov. 17/83, for nine Police patrol cars, two Police vans, and one dogmaster's truck. The truck for the Canine Division is an addition to the fleet and the other eleven units are vehicle replacements.

Mr. Smith has recommended that Council approve:

- a) the tender from Forbes Chev Olds for the nine patrol cars, based on the criterion of delivery date and lowest bid.
- b) the tender of Harbour View Plymouth Chrysler, based on the lowest bid, for the vans.
- c) the tender of Harbour View Plymouth Chrysler, for the canine truck, as lowest bid.

Ald. Sarto and Greenwood moved the awarding of the tenders for Police vehicles, as recommended. Ald. Greenwood suggested that consideration be given to air conditioning for the patrol cars, in view of the length of time that officers spend in them on a shift. Other members of Council did not support this suggestion and felt the City should not get into this additional cost.

Mr. Smith brought Council's attention to the 100,000 km. warranty offered by Chebuco Ford, but it was noted that this company quoted on a vehicle with

overdrive transmission; this type of transmission was a serious problem in the 1982 patrol cars and for that reason, the current tender specified no overdrive transmission. The vote was taken on the motion and it carried.

MOTION: Moved by Ald. Sarto and Greenwood that tenders for Police vehicles, as detailed on page 10 of these minutes, be awarded as recommended by Mr. Smith in his report of Nov. 17/83.

CNR CROSSING:
AKERLEY BLVD.

Council considered a report from the City Engineer on the railway crossing on Akerley Blvd., a concern noted by members of Council on several recent occasions. The total cost of repairs required to improve the poor condition of this crossing, is \$54,000., which would represent an over-expenditure if the work were to be carried out this year.. A \$5,000. rebate is likely from the CNR for the cost of the trackage itself, for a net cost to the City of \$49,500.

First approval was given for an over-expenditure in the amount of \$54,000., to carry out the necessary improvements to the crossing, on motion of Ald. Greenough and Withers. The motion carried unanimously.

Second approval will be given at the next Council meeting to be held.

MOTION: Moved by Ald. Greenough and Withers that first approval be given for an over-expenditure in the amount of \$54,000. to cover the cost of repairs to the CNR crossing on Akerley Blvd., as per the recommendation from the City Engineer in his report to Council, dated Nov. 14/83. A rebate in the amount of \$5,000. is likely to be received from the CNR for trackage. Second approval to be given at the next Council meeting.

RESIDENTIAL STREET
CONSTRUCTION PGM.

A residential street construction program for the years 1984 to 1986 incl. has been prepared by the Engineering Dept., and was before Council for approval. Ald. Greenough and Withers moved approval of the program, as recommended by the Asst. City Engineer in his report of Nov. 3/83. The Mayor asked about a project he has received requests for, a sidewalk on the section of Woodland Ave/Circumferential Highway from Laurier St. to MicMac Blvd., and from there to the MicMac Mall.

Total projected cost for the project is \$185,000., but this would not include any land acquisitions that are involved to provide the width on the Circumferential required for a sidewalk. Ald. Withers and DeMont moved in amendment that this project be looked at and a report brought back to Council with a cost estimate (ie. including land acquisition) for consideration.

Ald. Greenwood asked about the projected items beyond the year 1984 and whether revisions will be made to the lists of projects for 1985 and 1986. It was pointed out that revisions can be authorized in an upcoming year as in the case of those for 1984.

The vote was taken on the amendment and it carried. The amended motion carried.

MOTION: Moved by Ald. Greenough & Withers that the residential street construction program presented by Mr. Purdy, with his report of Nov. 3/83, for the years 1984 to 1986 incl., be approved by Council.

AMENDMENT: Moved in amendment by Ald. Withers and DeMont that the sidewalks on Woodland Ave/Circumferential Highway, from Laurier Street to the MicMac Mall, be looked at by staff and a report brought back to Council with a cost estimate on the project (ie. including land acquisition) for consideration.

FLOODING PROBLEM:
PINWOOD DRIVE

As requested by Council, the Engineering Dept. has submitted a report on the flooding problem on Lovetts Street and Pinewood Drive, estimated to cost \$41,000. to correct. The report from Mr. Fougere recommends if the project is approved by Council, the funding be taken from the Small Drainage Project item in the 1983 Capital Budget. Council approved the project for funding from this source, on motion of Ald. Greenwood and Romkey.

MOTION: Moved by Ald. Greenwood and Romkey that Council approve the drainage project for Lovetts St. and Pinewood Drive, estimated to cost \$41,000., funding to be taken from the Small Drainage Project item in the 1983 Capital Budget.

of land has been sold for \$2,920,701. Ald. Greenough noted that this means we have recovered almost completely in one year, the three million dollars expended for expansion of the Park.

MOTION: Moved by Ald. Crawford & Greenough that Council receive and file the report submitted on projects approved for the Burnside Industrial Park, from Jan. 1/83 to October 27/83.

TAXI COMMISSION:
CONFLICT OF
INTEREST ACT

Ald. Bregante and DeMonti declared a conflict of interest and withdrew from the Council Chamber for the next item, involving the Taxi Commission, Ald. DeMont as the owner of a taxi company, and Ald. Bregante, as a driver-operator. Mr. Smith pointed out to Council that not only must the members declare a conflict of interest when it is appropriate to do so, but they must also state why at the time of making their declaration. He asked that this be done in the future in accordance with the requirements of the Act.

The Taxi Commission has asked that Council forward to the Dept. of Municipal Affairs, a request for a change in the Municipal Conflict of Interest Act, that would permit the Taxi Commission to operate with members of the taxi industry involved. Ald. Crawford commented on the present status of the taxi representatives who are presently on the Commission, pointing out that they plan to submit letters of resignation and to attend meetings in an observer/advisory capacity in the interim until this conflict-of-interest problem is resolved. On motion of Ald. Crawford and Levandier, Council directed the City Solicitor to act in accordance with the request from the Taxi Commission.

MOTION: Moved by Ald. Crawford & Levandier that Council direct the City Solicitor to act in accordance with the request from the Taxi Commission, as per the report to Council of Oct. 28/83.

SAFETY HAZARD:
CHARTER SUBDIVISION

Members of Council were provided with a report from the City Engineer on a safety hazard being created on vacant lots owned by the Hamstead Group Ltd. on Marvin Street and Renfrew Street, where a child recently had to be rescued from the 'pond' existing on these lots.

REPORTS: ADDITIONAL
DOG BY-LAW
ENFORCEMENT

Mr. Rath has provided a second report to Council, dated Nov. 16/83, on costs associated with the services of having two additional Dog By-law Enforcement Officers on duty for the period of May 1st to Sept. 30/84. The report shows that the total cost involved to supplement the existing service with two officers, is \$17,750.

Council approved the services of the two additional officers, at the total cost projected, on motion of Ald. Crawford and Sarto.

MOTION: Moved by Ald. Crawford and Sarto that Council approve the services of two additional Dog By-law enforcement officers, at the total projected cost of \$17,750., as outlined in Mr. Rath's reports of Nov. 16 and Sept. 14, 1983.

FERRY SUPT.
REPORT: SEPT.

The report of the Ferry Supt. for the month of September was approved, as recommended by the Transit Advisory Board, on motion of Ald. Levandier and Romkey.

MOTION: Moved by Ald. Levandier and Romkey that the report of the Ferry Supt. for the month of September, be approved as recommended by the Transit Advisory Board.

DOG RESTRICTION:
FERRIES & TERM.
BUILDINGS

The Transit Advisory Board has recommended to Council that dogs be restricted from the ferries and terminal buildings, with the exception of guide dogs and small dogs carried in pet containers. Council approved the recommendation, on motion of Ald. Bregante and Romkey. Ald. Greenwood said he would like to see a similar restriction imposed in the area around the lakes during Natal Day activities (including the section of street closed on that day).

MOTION: Moved by Ald. Bregante and Romkey that Council approve a recommendation from the Transit Advisory Board that dogs be restricted from the ferries and terminal buildings, with the exception of guide dogs and small dogs carried in pet containers.

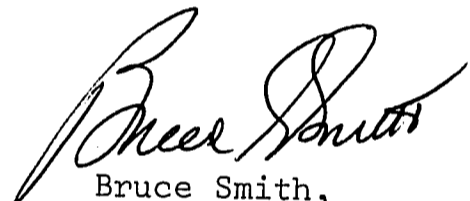
APPROVED PROJECTS:
BURNSIDE PARK

On motion of Ald. Crawford and Greenough, Council received and filed for information, a report submitted by Mr. Rath at the request of the Industrial Commission, on projects approved for the Burnside Ind. Park from Jan. 1/83 to October 27/83. A total of 42.054 acres

At the request of Ald. Bregante, Council agreed to add this item to the agenda for consideration, and Ald. Bregante proceeded to introduce a resolution, calling for prosecution of the company under City By-law C-342. The Solicitor said it would first be advisable to start with the issuing of an order by the Building Inspector, and if there is no compliance, then the matter would come back to Council for the course of action being proposed by Ald. Bregante in his resolution. It was therefore moved by Ald. Bregante, seconded by Ald. Crawford, that the matter be referred to the Building Inspector and the City Solicitor for immediate action under By-law C-342. The motion carried.

MOTION: Moved by Ald. Bregante and Crawford that the matter of the safety hazard on lots owned by the Hampstead Group Ltd. (Marvin and Renfrew Streets) be referred to the Building Inspector and the City Solicitor for immediate action under By-law C-342.

Meeting adjourned.


Bruce Smith,
City Clerk-Treasurer.

City Council, Nov. 22/83

ITEMS:

- 1) Monthly reports, page 1.
- 2) Repairs to Tourist Bureau, page 1.
- 3) Grounds Maintenance: Dart. General Hsp., page 2.
- 4) Award tender: Contract #83-10, MicMac/Circle Dr., pg. 3
- 5) " " : " 83559, Raddall Ave., page 4.
- 6) Transportation Study, page 4 & 5.
- 7) Second Transfer Station, page 6.
- 8) Tender: Sale of land, 377 Windmill Rd., page 6.
- 9) Apple Investments Development: Bel Ayr Park, pg. 7 & 8.
- 10) Family units: Public Housing, page 9.
- 11) Resolution #83-57 (above item).
- 12) Guarantee Resolution: Metro. Authority, page 9.
- 13) Summary of Rev. & Expenditures, page 10.
- 14) Signing Authorities: Res. #83-53 to 56, page 10.
- 15) Award tenders: Police vehicles, page 10.
- 16) CNR crossing: Akerley Blvd., page 11.
- 17) Residential Street Construction Program, page 11.
- 18) Flooding problem: Pinewood Drive, page 12.
- 19) Costs: Additional Dog By-law enforcement, page 13.
- 20) Ferry Supt. report: Sept., page 13.
- 21) Dog restriction: Ferries & terminal bldg., page 13.
- 22) Approved projects: Burnside Park, page 13.
- 23) Taxi Commission: Conflict of Interest Act, page 14.
- 24) Safety hazard: Charter Subdivision, page 14.

Dartmouth, N. S.

November 29/83.

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

Present - Mayor Brownlow

Ald. Romkey	Sarto
Crawford	Levandier
DeMont	Withers
Stubbs	Greenwood
Hawley	Greenough
Bregante	Hetherington
Beeler	

City Solicitor, S. Hood
City Administrator, C. A. Moir
Deputy City Clerk, G. D. Brady.

TRANSPORTATION
STUDY

The Transportation Study item was again before Council, having been deferred from the Nov. 22nd meeting for information on the proposal being recommended to Council; the proposal recommended is from the firm of J. Philip Vaughan Engineering & Associates Ltd., in association with DeLCAN, estimated to cost between \$70,000. and \$90,000. Funding for this item was approved in the 1983 capital budget and terms of reference for the proposal call were approved some time ago by Council also.

Ald. Levandier said he could not support the study while changing traffic patterns in the City are still being established. He suggested the study could go ahead next year if the need for it is still there. Mr. Bayer was present for the item and explained why it was included for consideration in the capital budget. He said the study will address three main areas of concern: (1) City-wide traffic problems; (2) traffic problems affecting residential neighbourhoods; and (3) on-going traffic management itself. He pointed out that there is no Transportation Dept. in the City and right now, staff are attempting to advise Council on transportation matters through the T.M.G. An overview of the City's transportation problems must be addressed sometime and the study proposed would give staff a rational approach for dealing with traffic situations over a long time period in the three areas noted above. Mr. Moir also stressed

the importance of a study so that ultimately, drivers can be encouraged to use main traffic arteries and so that short-cutting through residential streets can be reduced.

Ald. Hetherington said it may be more practical for the City to hire a Traffic Engineer instead of going ahead with the study. Mr. Bayer indicated to Council that the study would still be required as a starting point even if a Traffic Engineer were hired. Ald. Crawford considered the study to be necessary and in fact, long overdue, with the many and serious traffic problems now being faced by the City. He moved acceptance of the proposal being recommended, from J. Philip Vaughan Engineering & Associates Ltd., and the motion was seconded by Ald. Greenough.

Ald. Greenough and Beeler spoke in favour of the motion; they felt the study is required before solutions can be found to act on the present traffic problems. Ald. Beeler noted that a number of these problems have already been deferred by Council, such as one in Ward 2, pending the outcome of the study; if the study is now deferred until next year, consideration of the traffic problems is delayed even further. Ald. Romkey had several questions about the impact of the 107 by-pass on traffic patterns and therefore, on the study itself. Mr. Bayer advised that the Dept. of Transportation projections are that the by-pass highway will reduce traffic at the MicMac Rotary by 7 to 11% (ie. traffic removed from the portion of Main Street as it enters the Rotary). Ald. Romkey and Hetherington were not convinced that the study is required or justified in terms of the cost involved. Ald. Bregante supported the motion. When the vote was taken, the motion to accept the Vaughan proposal carried with Ald. Romkey, Hetherington, Levandier and Stubbs voting against.

MOTION: Moved by Ald. Crawford and Greenough that the proposal received from J. Philip Vaughan Engineering & Associates Ltd., in association with DeLCAN, be accepted for the Transportation Study authorized by Council.

SECOND APPROVAL:
CNR CROSSING
AKERLEY BLVD.

On motion of Ald. Crawford and Greenwood, Council gave second approval to an over-expenditure in the amount of \$54,000. to fund improvements to the CNR crossing on Akerley Blvd. in the Burnside Park. First approval was given at the Council meeting of November 22nd.

MOTION: Moved by Ald. Crawford and Greenwood that second approval be given to an over-expenditure in the amount of \$54,000. for improvements to the CNR crossing on Akerley Blvd.

TRUCK RENTAL:
SNOW PLOWING

A report from the City Engineer was considered on the rental of a tandem truck as the third rental unit for snow plowing in the 1983/84 winter season. Acceptance of the tender submitted by W. Hubley Trucking Ltd., on a rental basis during the period Dec. 1/83 to March 31/84, has been recommended, at a retainer fee of \$850. per month. A rate of \$64. per hour will also be paid for hours worked during this period. Council approved the tender as recommended, on motion of Ald. Crawford and Greenwood.

MOTION: Moved by Ald. Crawford and Greenwood that Council accept the tender of W. Hubley Trucking Ltd. for the rental of a third snow-plowing unit, on the basis of the terms noted above.

BACKYARD FLOODING
PROBLEM: CENTRE ST.

Council has referred to the Engineering Dept., a petition received from residents of Centre Street with regard to flooding problems in their backyards, and a report from the City Engineer was presented on this item. The report sets out two alternate solutions to the flooding problem, but suggests that the problem is a private one which should be attended to by the property owners affected. This is in keeping with the policy that has been followed by the City, to not become involved in working on private drainage problems, in spite of the many requests that have been received to do so.

Ald. Beeler provided information for Council on the seriousness of the problems that Centre Street residents have had to put up with, and she felt they have a valid case in view of the fact that there is presently no storm drain on Centre Street and the

situation they find themselves in was caused by development that took place behind their properties in the Ross Lane area, a subdivision that was approved by the City. She moved that option #1 in the report to Council be approved, that the project be provided for in the 1984 budget, and that negotiations be commenced with the homeowners, to get their consent for work to be carried out on their properties; the motion was seconded by Ald. Crawford.

(Ald. Withers was present from this point onward in the meeting.)

As debate proceeded on the motion, several members of Council made reference to similar flooding situations in their own wards, where the residents would expect the same kind of help with their problems if it is given by the City to the Centre Street property owners. The concern therefore, was for the precedent that will be set if assistance is given in this one instance. The possibility of a cost-sharing arrangement with the property owners, was suggested as one approach that the City could take, although it has not been determined whether the people living on Centre Street are willing to participate in the \$31,000. cost estimated to carry out the work involved under option #1 of the Engineer's report.

In view of the many other similar problem areas throughout the City, Ald. Sarto and Hetherington moved referral to Engineering Dept. staff to identify those areas and the costs involved to correct the drainage problems, so that Council can be made aware of the cost implications for the City if a change in policy is to be considered. There was further debate, this time on the motion to refer, and Council also heard Mr. Bailey, a Centre Street resident, who described the damage being caused to properties and even to one of the homes in the area, by the continual flooding of the backyards. When the vote was taken on the motion to refer, it carried with Ald. Romkey voting against.

MOTION: Moved by Ald. Sarto and Hetherington that the item on backyard flooding (Centre St.) be referred back to Engineering Dept. staff to identify similar problem areas throughout the City and the costs involved to correct the drainage problems involved, so that Council can be made aware of the cost implications for the City if a policy change is to be considered with respect to work on private properties.

ELLENVALE AREA
SEWERAGE SYSTEM
EVALUATION

The report from CBCL, entitled "Report on Flow Gauging", to determine the capacity of the Ellenvale and Red Bridge Pond Sanitary Sewerage Systems, has been circulated, and Mr. Axel of CBCL made the presentation to Council at this time. A course of action, based on the conclusions and recommendations in the report, has been recommended to Council by the City Engineer, in his report dated Nov. 23/83, and it was moved by Ald. Hetherington and Romkey that the report be adopted. This course of action will permit the temporary hook-up of Phase 1 of the Portland Estates development and the Dartmouth Wedgeport Plaza development; also, it will reduce the number of overflows at the Ellenvale holding tank, while restricting flows in the system between Day Ave. and Red Bridge Pond to the original design flow from the Ellenvale regulator to the relief sewer on Day Ave. of 8 c.f.s.

Ald. Sarto asked what is required to prevent the surcharge from the Anderson Street pumping station, causing water back-up into homes on Landrace Crescent. Mr. Fougere said it will be necessary to find out where the infiltration of water is coming from in the system and eliminate it. The vote was taken on the motion and it carried.

MOTION: Moved by Ald. Romkey and Hetherington that Council adopt the City Engineer's report of Nov. 23/83, based on the conclusions and recommendations contained in the CBCL report on the Ellenvale area sewerage system and its capacity.

REZONING REQUEST:
349 PLEASANT ST.

The Planning Dept. has recommended to Council that January 17/84 be set as the date for public hearing of a rezoning request for the property at 349 Pleasant St. The request is to rezone from H to S (Institutional) Zone and approval has been recommended.

On motion of Ald. Hetherington and Greenwood, Council set Jan. 17/84 as the date for public hearing, as recommended.

MOTION: Moved by Ald. Hetherington & Greenwood that Council set Jan. 17/84 as the date for public hearing of an application to rezone the property at 349 Pleasant St. from H to S Zone.

Ald. Bregante declared a conflict of interest with respect to the next two items on the agenda, namely, the amendment to the Zoning By-law re home occupations because he operates his business from his home, and the second item, rezoning request 91-97 Ochterloney St., because the firm involved (Servicemaster Contract Services) is a competitor. Ald. Bregante withdrew from the Council Chamber while these two items were before Council.

AMENDMENT:
ZONING BY-LAW
HOME OCCUPATIONS

On motion of Ald. Hawley and Greenough, Council set Jan. 17/84 as the date for public hearing of a proposed amendment to the Zoning By-law with respect to home occupations, this date having been recommended by the Planning Dept. in their report to Council.

MOTION: Moved by Ald. Hawley and Greenough that Jan. 17/84 be set as the date for public hearing of a proposed amendment to the Zoning By-law with respect to home occupations.

REZONING REQUEST:
91-97 OCHTERLONEY ST.

The Planning Dept. has reported to Council on a request to rezone property at 91-97 Ochterloney St., from Contract (91-93) and R2/TH (95-97), to C-2 (General Business). The Development Officer requests that the application be denied and that the applicant be encouraged to submit an application for contract zoning, complete with details of any proposed development, for Council's consideration. Council approved the Planning Dept. request, on motion of Ald. Greenough and Hetherington.

MOTION: Moved by Ald. Greenough and Hetherington that Council approve the request of the Development Officer, as detailed above, with respect to the rezoning application for the property at 91-97 Ochterloney St.

BY-LAW C-500:
UNSIGHTLY WATER
LOTS

Proposed By-law C-500, which will prohibit the owners of water lots from keeping those lots in an unsightly condition, was before Council for approval, this by-law having been requested by Council.

It was moved by Ald. Crawford and Romkey and carried that leave be given to introduce the said By-law C-500 and that it now be read a first time.

It was moved by Ald. Hetherington and Crawford that By-law C-500 be read a second time.

It was moved in amendment by Ald. Crawford and Hawley and carried that Section 2 of the by-law be amended by inserting the words 'Section 1 (m) of . . . ' just before the words ' . . . By-law C-342 is amended by: ' The motion on second reading, as amended, carried.

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

It was moved by Ald. Crawford and Greenwood and carried that By-law C-500 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: Three readings given to By-law C-500, amended in second reading as noted above.

Proposed By-law C-503, which deletes reference to an appointee to the Shubenacadie Canal Commission by the Government of Canada, and increases the citizen representatives to five, was before Council, as requested.

It was moved by Ald. Beeler and Crawford and carried that leave be given to introduce the said By-law C-503 and that it now be read a first time.

It was moved by Ald. Hetherington and Greenwood and carried that By-law C-503 be read a second time.

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

It was moved by Ald. Hawley and Sarto and carried that By-law C-503 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: Three readings given to By-law C-503, as detailed above.

Ald. Hetherington and Hawley then moved that Mr. Lauchie Fredericks be named by Council as the additional citizen representative on the Canal Commission, his

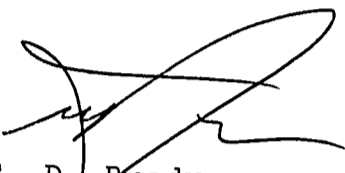
BY-LAW C-503:
COMPOSITION
SHUBENACADIE
CANAL COMMISSION

APPOINTMENT:
CANAL COMMISSION

appointment to become effective as soon as By-law C-503 receives approval by the Minister of Municipal Affairs. The motion carried.

MOTION: Moved by Ald. Hetherington & Hawley that Mr. Lauchie Fredericks be named as the additional citizen representative on the Canal Commission, his appointment to become effective as soon as By-law C-503 is approved by the Minister of Municipal Affairs.

Meeting adjourned.



G. D. Brady,
Deputy City Clerk.

City Council, Nov. 29/83

ITEMS:

- 1) Transportation Study, page 1 and 2.
- 2) Second approval: CNR crossing, Akerley Blvd., page 3.
- 3) Truck rental: Snow plowing, page 3.
- 4) Backyard flooding problem: Centre St., page 3 & 4.
- 5) Ellenvale area sewerage system evaluation, page 5.
- 6) Rezoning request: 349 Pleasant St. page 5.
- 7) Amendment: Zoning By-law, Home occupations, page 6.
- 8) Rezoning request: 91-97 Ochterloney St., page 6.
- 9) By-law C-500: Unsightly water lots, page 6.
- 10) By-law C-503: Composition, Canal Commission, page 7.
- 11) Appointment: Canal Commission, page 7.