

Dartmouth, N. S.

May 1/84

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

Present - Mayor Brownlow

Ald. Sarto	Romkey
Beeler	Peters
Crawford	Levandier
DeMont	Withers
Bregante	Greenwood
Hawley	Greenough
City Solicitor, S. Hood	
Acting City Administrator, B. Smith.	

Council agreed to add two items to the agenda:
first, a letter from the Dartmouth Chamber of Commerce
with regard to retail hours during the Papal Visit,
and secondly, Resolution #84-40 (remuneration for the
Mayor and Aldermen).

The Mayor advised that F.C.M. conference packages
are available for those members of Council planning to
attend; members are asked to make their own travelling
arrangements and to notify the Mayor's office if attending.

MINUTES

Minutes of the meetings held on April 3, 9, 10
and 17 were approved as circulated, on motion of Ald.
Bregante and Greenwood.

DELL HOLDINGS
PROPERTY

A number of requests were before Council at
this time for M.P.S. and Land Use By-law amendments,
the first being from Dell Holdings Ltd. for their
property located between King and Edward Streets:
The Planning Dept. has recommended that May 29th be
set as the date for public hearing of the M.P.S.
Amendment (By-law C-520), the Land Use By-law Amendment
(By-law C-521), and the Development Agreement, as
revised (Resolution #84-18). Ald. Greenwood and
Greenough moved that May 29th be set for public hearing
and that Council proceed with the application. Ald.
Levandier suggested that two separate meetings should
be designated for the public hearings listed in this
Council agenda, rather than trying to schedule them
all for one evening. Ald. Greenwood agreed and suggested
the dates of May 29th and 30th.

An amendment introduced by Ald. Bregante and

Crawford, that would have divided the public hearing items into two sections for May 29th and for May 30th, was withdrawn in order for Council to be able to deal with each of the items separately at this time. The motion on the floor carried.

MOTION: Moved by Ald. Greenwood & Greenough that Council proceed with the Dell Holdings Ltd. application and that May 29th be set as the date for public hearing.

SENIOR CITIZEN
COMPLEX

The Planning Dept. has recommended that Council proceed with a request from the N. S. Dept. of Housing for an M.P.S. Amendment (By-law C-522), a Land Use By-law Amendment (By-law C-523), and a Development Agreement (Resolution #84-19), associated with a proposed senior citizen complex to be located on land at the north-west corner of Ochterloney and King Streets; and that May 29th be set as the date for public hearing.

Council agreed to proceed with the request and set May 29th for the public hearing, on motion of Ald. Bregante and Sarto.

MOTION: Moved by Ald. Bregante and Sarto that Council proceed with the N. S. Dept. of Housing request, and that May 29th be set as the date for public hearing.

COUNTRY STOVE
STORE LTD.:
101 MAIN ST.

The Planning Dept. has recommended that a date be set for public hearing of a request from Country Stove Store Ltd., 101 Main Street, for an amendment to the Land Use By-law that would rezone a portion of 34 Lakecrest Drive from R-1 Zone to C-3 Zone for business expansion purposes. Council set May 30th as the date for public hearing of this application, on motion of Ald. Bregante and Greenwood.

MOTION: Moved by Ald. Bregante & Greenwood that May 30th be set as the date for public hearing of a request from Country Stove Store Ltd., for an amendment to the Land Use By-law.

MONTEBELLO
SUBDIVISION

The Planning Dept. has recommended that a date be set for public hearing of an application from Montebello Estates Ltd. for Amendments to the Land Use By-law (By-law C-526) and for a Development Agreement (Resolution #84-34), with respect to the

Montebello Subdivision development. In addition to the Planning Dept. documentation on this item, members of Council have received copies of a letter from Mr. Wayne Perrault, a resident of 30 Orkney Drive, concerning a drainage problem involving his property and associated liability in the event of flooding that could be caused by the new development adjacent to his land.

Ald. Greenwood and Sarto moved that May 30th be set as the date for public hearing of the Montebello Estates Ltd. application.

Ald. Hawley indicated to Council concerns that the area residents have about the sections of land that are to be rezoned to R-3 and I-1, and whether in fact some guarantee can be given that the developments proposed for both areas will proceed exactly as presented at the information meeting. Mr. Bayer advised Council of the degree of protection that is given through the Zoning By-law, but it does not tie down details of development in the same way that a development agreement can.

Ald. Hawley said the residents are satisfied with the plans shown to them by the present developer, but there is always the risk that lands could be sold and a new developer might not adhere to the original concept for the R-3 and I-1 sites. Mr. Bayer commented on the long series of negotiations that have gone on with the developer to concentrate the R-3 development in the one spot that has been designated, away from existing R-1 development. He felt that if the application were to be amended in any way with respect to the R-3 and I-1 areas, it would be preferable to do so at the time of the public hearing rather than introducing an amendment at this point in the process. Removal of either of these parts of the application or both, will mean that the entire process will have to be started from the beginning where they are concerned.

The other point raised by Ald. Hawley dealt with the concern of Orkney Drive residents about a connection

through to Montebello Drive. Mr. Bayer pointed out that roadway alignments such as this are part of the subdivision process and are not affected by the rezoning.

Ald. Greenough concurred with the position taken by Ald. Hawley on the need for development control where the R-3 and I-1 sections of the application are concerned. He said the residents are just looking for protection in these two areas so that the height and size of the buildings on the R-3 and I-1 properties will be compatible with existing residential development. Both he and Ald. Hawley indicated their willingness to let the application go to public hearing in its present form and if amendments are to be made, they can be introduced at that time.

The motion on the floor carried.

MOTION: Moved by Ald. Greenwood and Sarto that May 30th be set as the date for public hearing of the Montebello Estates Ltd. application.

LUND PROPERTY:
BRAEMAR DRIVE

The Planning Dept. has recommended that a date be set for public hearing of an application from Tenwolde Brothers Co. Ltd. to rezone the Lund property on Braemar Drive from R-1 Zone to TH Zone, to permit the development of approx. 51 townhouses along a cul-de-sac entering the property from Braemar Drive.

Ald. Crawford and Bregante moved that May 30th be set as the date for public hearing of this application.

Ald. Hawley presented a petition from area residents who are opposed to the development and said he could not support the concept when people he represents are so strongly against it. He pointed out that the existing R-1 neighborhoods have been there for a long time and residents feel the new development will impact adversely on them; they are also concerned about egress onto Braemar Drive, which is already heavily-travelled and needing improvements to carry the present volume of traffic.

Ald. Greenough said he would not speak either for or against the development, but on the basis of the opposition expressed by area residents, he could not

support the motion. He felt the residents should have a further opportunity to meet with the developer to discuss changes in the development proposal that might find acceptance with them and until then, said he would not be able to support the setting of a date for public hearing.

A question was raised about the position that members are placed in if they speak against an application at this point in the processing of it and prior to the public hearing. The Solicitor admitted that there is a problem for members since it is obvious that in discussing a date for a public hearing, reasons are naturally going to be given for and against the setting of a date. Ald. Peters called for the question on the motion and the vote was then taken without any further debate. The motion carried with Ald. Greenough and Hawley voting against.

MOTION: Moved by Ald. Crawford & Bregante that May 30th be set as the date for public hearing of the Tenwolde Brothers Co. Ltd. application for the Lund property, Braemar Drive.

HIGHWAY 107
BY-PASS

Members have received copies of the exchange of correspondence between the Deputy City Clerk and the Minister of Transportation, with respect to the motion adopted by Council on water services for residents whose properties are affected by the alignment of the 107 by-pass highway. Ald. Sarto and Bregante moved that the letters be received and filed; the motion carried.

After the vote was taken on the motion, Ald. Crawford made reference to the Provincial Transportation Report recently released, with recommendations that are to be considered by the local municipal Councils. He suggested that a special meeting of Council be scheduled to deal with the recommendations, and the Mayor agreed to try for a meeting sometime in May for this purpose. Ald. Greenough also requested a presentation on the routing of the 107 by-pass and the other relevant information pertaining to options considered, etc. He pointed out that Council has not yet had such a presentation even though the project is underway.

MOTION: Moved by Ald. Sarto and Bregante that the correspondence on the subject of water services for residents whose properties are affected by the 107 by-pass alignment, be received and filed.

TRADE DOLLAR
PROGRAM

The Executive Director for the Joseph Howe Festival Society has requested approval from the City for the Society to conduct their 1984 Trade Dollar Program from June 1st to October 6th of this year.

The Mayor pointed out that we do not have authority to grant such permission, but it can be indicated that we do not have any objection to the program, as has been done in other years. Council agreed to have the Mayor forward a letter to this effect, as he has done previously.

LETTER: CHAMBER
OF COMMERCE

Council has received a letter from the Dartmouth Chamber of Commerce, proposing retail hours during the Papal Visit in September, for stores and malls in the City of Dartmouth. It is proposed that retailers close on Thursday evening and Friday morning, then open Friday at noon and remain open until midnight that night. Council concurred with the proposal, as it has been outlined by the Chamber, on motion of Ald. Crawford and Sarto.

MOTION: Moved by Ald. Crawford and Sarto that Council indicate concurrence with the proposed retail hours outlined in a letter received from the Dartmouth Chamber of Commerce, dated Apr. 23/84. These hours will be put into effect during the Papal Visit in September.

AWARD TENDER:
STREET LINE
PAINTING

A single tender has been received for street line painting for 1984; the tender was received from Sea Side Line Marking Ltd., for a lump sum price of \$58,000., completion date: ten weeks. Mr. Moir has recommended acceptance of the tender and Council awarded the tender on motion of Ald. Withers and Greenwood.

MOTION: Moved by Ald. Withers & Greenwood that the tender for street line painting for 1984 be awarded to the single bidder, Sea Side Line Marking Ltd., for a lump sum price of \$58,000., as recommended by Mr. Moir.

TENDER: LAKE
SAFETY PATROL

As requested at the April 17th meeting, additional information has been provided on the tender received from Mr. Mark Ring for lake safety patrol services, with respect to the proposed communication link he will provide for emergencies. Two radio systems will be involved: one, a VHF land mobile radio, with an assigned private frequency approved by the Dept. of Communications, and the second, a VHF marine radio telephone system with a forty-mile range, providing a direct communications link with the Coast Guard and Rescue Co-ordination Centre in Halifax.

Ald. Sarto and Greenwood moved that the tender be awarded to Mark Ring, the low bidder for the lake patrol safety service. Ald. Crawford asked about support service in the event of a breakdown with the boat to be operated by Mr. Ring. Mr. Smith pointed out that this was not a tender requirement, but Mr. Ring does have a back-up boat for use and this would be at no additional cost to the City.

Ald. Crawford also asked if alternate arrangements will be made if Mr. Ring is called up for duty with the RCMP during the course of his patrol service for the City. Mr. Ring noted that he has a deferral until May of 1986 while he is completing studies at St. Mary's University. He has sufficient personnel, however, to take over the service if he were not available. The Mayor pointed out that if the service provided without Mr. Ring were not satisfactory, the City would have the right to discontinue it.

Ald. Levandier and Crawford indicated that they were satisfied with the additional information that has been provided to Council and the motion to award the tender carried.

MOTION: Moved by Ald. Sarto and Greenwood that the tender for lake patrol services be awarded to the low bidder, Mr. Mark Ring, in the amount of \$29,499., for the two-year period 1984/85.

TENDER:
RENOVATIONS
TO CELL BLOCK

The following tenders have been received for renovations to the cell block at Police headquarters to accommodate individuals who will be held under the Young Offenders Act:

- 1) Thomas Inkpen Construction \$3,980.
- 2) Sun Construction 4,400.

Mr. Moir has recommended acceptance of the low bid received, and further, that Council authorize an over-expenditure in the amount of \$1,500. to cover the cost, since the budget item approved was only in the amount of \$2,500. Council awarded the tender and gave first approval for the over-expenditure, as recommended, on motion of Ald. Sarto and Bregante.

FIRST APPROVAL

MOTION: Moved by Ald. Sarto and Bregante that the tender for cell block renovations at the Police Station be awarded to Thomas Inkpen Construction, the low bidder, and that first approval be given for the over-expenditure required, in the amount of \$1,500.

RESOLUTION #84-39:
APPOINTMENT OF
SPECIAL CONSTABLES

On motion of Ald. Crawford and Greenough, Council adopted Resolution #84-39, appointing thirteen Special Constables, as per the list included in the resolution. Approval of the resolution has been recommended by Mr. Smith in his report to Council.

MOTION: Moved by Ald. Crawford & Greenough that Council adopt Resolution #84-39, appointing thirteen Special Constables, as listed.

RESOLUTION #84-33:
SENIOR CITIZENS
HOUSING PROJECT

On motion of Ald. Sarto and Withers, Council adopted Resolution #84-33, as required by the Nova Scotia Dept. of Housing in connection with the senior citizens housing project proposed for Ochterloney and King Street.

MOTION: Moved by Ald. Sarto and Withers that that Council adopt Resolution #84-33, required in connection with the senior citizens housing development proposed for the site at Ochterloney and King Streets.

SICK LEAVE
BENEFITS

Mr. Moir has reported to Council on studies dealing with sick leave benefits for City employees, and on the subsequent review of the studies by a staff committee, as requested by Council. He now recommends that this matter be referred to the Finance & Program Review Committee for a meeting with the City staff

committee involved, and from these discussions could come a recommendation back to Council.

The recommendation was adopted, on motion of Ald. Bregante and Sarto.

MOTION: Moved by Ald. Bregante and Sarto that Council adopt Mr. Moir's recommendation with respect to a meeting of the Finance & Program Review Committee with the staff committee, to discuss the sick leave benefits studies prepared for the City.

SALE OF LAND:
14 CATHY CROSS DR.

As directed by Council, Mr. Moir has negotiated further with the two property owners wishing to purchase land at 14 Cathy Cross Drive, and has recommended that the land be sold to Mr. Romkey and Mr. Petrie for the sum of \$1,200., plus the cost of survey and legal fees, and the erection of a suitable fence and relocation of the ditch.

Ald. Romkey declared a conflict of interest on this item and withdrew from the Council Chamber while it was being discussed. His conflict of interest is based on the fact that he is one of the property owners involved, wishing to purchase a portion of the land in question.

RESOLUTION #84-24

Ald. Crawford and Greenough moved the adoption of Resolution #84-24, authorizing the sale of land to Mr. Eric Romkey for the purchase price of \$678. as per the terms and conditions of Mr. Moir's report of Apr. 26/84. The motion carried.

MOTION: Moved by Ald. Crawford and Greenough that Council adopt Resolution #84-24, authorizing the sale of land to Mr. Eric Romkey for the purchase price of \$678. as per the terms and conditions of Mr. Moir's report of April 26/84.

RESOLUTION #84-25

On motion of Ald. Crawford and Withers, Council also adopted Resolution #84-25, authorizing the sale of land to Mr. Rene Petrie for the purchase price of \$522. as per the terms and conditions of Mr. Moir's report of April 26/84.

MOTION: Moved by Ald. Crawford and Withers that Council adopt Resolution #84-25, authorizing the sale of land to Mr. Rene Petrie for the purchase price of \$522. as per the terms and conditions of Mr. Moir's report of April 26/84.

TRAFFIC LIGHTS:
AKERLEY BLVD. &
JOSEPH ZATZMAN DR.

The Industrial Commission has made the following recommendations to Council on the subject of traffic lights for the Akerley Blvd./Joseph Zatzman Drive intersection, and at the intersection of Burnside Drive and the Ilsley Ave. connector in the Burnside Park:

- 1) that traffic counts be undertaken for the Akerley Blvd/Joseph Zatzman Drive intersection to determine the requirement for traffic lights at this intersection.
- 2) that monies allocated in the budget for signalization at Burnside Drive and the Ilsley Ave. connector, up to a total amount of \$60,000., be utilized for signalization at the Akerley Blvd/Joseph Zatzman Drive intersection, subject to the confirmation of need as indicated by the traffic counts.
- 3) that the Dept. of Transportation be requested to assume the cost of installing traffic signal lights at the intersection of Burnside Drive and the Ilsley Ave. connector.

Council approved these three recommendations, on motion of Ald. Crawford and Sarto.

MOTION: Moved by Ald. Crawford and Sarto that Council approve the recommendations of the Industrial Commission, as set out above, on the installation of traffic lights at the Akerley Blvd/Joseph Zatzman Drive intersection, and at the intersection of Burnside Drive and the Ilsley Ave. connector.

OVERHEAD CROSSWALK
LIGHTS & SIGNAGE

The T.M.G. has submitted a report to Council, recommending the installation of overhead crosswalk lights at the following locations:

- 1) Wyse Road and Thistle Street - two sets (approved by Council on Apr. 2/84).
- 2) Portland Street at Settle St. - two sets.
- 3) Portland Street at Hawthorne St. - one set

The recommendation of the T.M.G. was adopted by Council, on motion of Ald. Sarto and Greenwood.

MOTION: Moved by Ald. Sarto & Greenwood that Council adopt the T.M.G. recommendation, as per their report of April 10/84, on the installation of overhead crosswalk lights at the three locations specified above.

MODIFICATIONS:
TRAFFIC ISLANDS

Further to a request from Ald. Stubbs for an update on the subject of modifications to the traffic islands on Prince Albert Road, Mr. Bayer has reported that cost-sharing is not able to be secured from the Dept. of Transportation for this project, and he has

recommended, as Chairman of the T.M.G., that the City proceed with the modifications to these traffic islands. The Engineering Dept. will prepare the necessary sketches and cost estimates, and a further report will then come to Council.

The recommendation was adopted by Council, on motion of Ald. Levandier and Romkey.

MOTION: Moved by Ald. Levandier and Romkey that Council adopt Mr. Bayer's recommendation on proposed modifications to the traffic islands on Prince Albert Road (ie. that the City proceed with these immediately).

1984/85 MAIN
STREET PROJECTS

Mr. Lukan has submitted a report, giving a list of items recommended by the Business Improvement District Committee as 1984/85 Mainstreet projects. The total cost involved is \$109,800., of which the Dept. of Development will share 60% and the City, 40%. Funding for these projects has been provided in the 1984 Capital Budget. Mr. Lukan has recommended that the five projects listed be included in the 1984/85 Mainstreet Program, and that staff be authorized to make the appropriate application and call for tenders for the projects.

Council adopted Mr. Lukan's recommendation, on motion of Ald. Greenough and Romkey.

MOTION: Moved by Ald. Greenough and Romkey that Council adopt Mr. Lukan's report and recommendation on projects to be carried out under the 1984/85 Mainstreet Program, as recommended also by the Business Improvement District Committee.

PORTLAND STREET
IMPROVEMENTS:
PHASE II

On motion of Ald. Sarto and Romkey, Council received and filed a report from Mr. Lukan, advising that the Downtown Revitalization Committee has reviewed the plans for improvements to Portland Street (from Wentworth to Prince Albert Road), as presented by the W.D.C., and has endorsed them.

MOTION: Moved by Ald. Sarto and Romkey that Council receive and file a report from Mr. Lukan, advising that the Downtown Revitalization Committee has reviewed and endorsed the plans for Portland Street improvements, Phase II, as presented by the W.D.C.

Ald. Hawley expressed his concerns about the lack of any action on improvements to Braemar Drive, which he described as a 'death trap' in its present condition. Ald. Greenough agreed with him that Council should be pressing for action on this item because of the urgency of it. After the vote was taken on the previous motion, Ald. Crawford and Greenough proceeded to move that Council fully endorse an early decision on the improvements that are required to Braemar Drive and cost-sharing on the part of the Province associated with this project; further, that the Mayor be authorized to arrange for a meeting with the Minister of Transportation to discuss the urgency of the project, this meeting to include the two Aldermen for Ward 6. The motion received the support of Council and it carried.

MOTION: Moved by Ald. Crawford & Greenough that Council fully endorse an early decision on the improvements that are required to Braemar Drive and cost-sharing on the part of the Province associated with this project; further, that the Mayor be authorized to arrange for a meeting with the Minister of Transportation to discuss the urgency of the project, this meeting to include the two Aldermen for Ward 6.

RESOLUTION #84-40:
REMUNERATION FOR
MAYOR & ALDERMEN

On motion of Ald. Sarto and Hawley, Council adopted Resolution #84-40, setting the remuneration for Mayor, Deputy Mayor and Aldermen for the year 1984.

(Ald. Bregante voting against.)

MOTION: Moved by Ald. Sarto and Hawley that Council adopt Resolution #84-40, setting the remuneration for Mayor, Deputy Mayor and Aldermen for the year 1984.

MOTIONS:
ALD. WITHERS

Notice of motion having been given, the following motions were introduced for Council to consider:

1) Ald. Withers moved, seconded by Ald. Greenwood:

WHEREAS the City of Dartmouth owns a parcel of land which runs between Slayter and Sheridan Streets; this parcel of land is approx. 20 feet wide and the City has installed a storm sewer over it, which is the discharge from Little Albro Lake:

AND WHEREAS the property owners fronting on Symonds and Moira Streets, have shown an interest in acquiring this land by way of lease, from the City of Dartmouth;

THEREFORE BE IT RESOLVED that this land be leased to the property owners abutting on Moira and Symonds Streets, who show an interest in acquiring the property by way of lease. Under the terms of the lease, the property owners will be required to landscape the property, reserving the right to the City to enter the property for any storm sewer maintenance, with the cost of restoration, should entry be necessary, to be the responsibility of the property owners.

Ald. Withers informed Council of the present condition this parcel of land is in and associated problems caused for the residents as a result. Ald. Greenwood spoke in support of the motion, and it was noted by the Mayor that the necessary documentation will have to be prepared and come back to Council if there are any problems involved in carrying out the intent of the motion. Ald. Hawley suggested that any survey costs involved should be borne by the abutting property owners and not the City. The vote was taken on the motion and it carried.

MOTION: Text on pages 12 & 13: moved by Ald. Withers and Greenwood.

ALD. SARTO

2) Ald. Sarto moved, seconded by Ald. Crawford, that staff be requested to look at the trench on property adjacent to the reservoir, causing flooding problems for abutting property owners (ie. on Lucien Drive), and provide a report and recommendation for resolving the problem.

Ald. Sarto described the flooding problems that six property owners on Lucien Drive are experiencing due to the present condition of the trench, involving flooded basements, damage to lawns, etc. Council supported his motion to have staff look at the problem and the motion carried.

MOTION: Moved by Ald. Sarto and Crawford that staff be requested to look at the trench on property adjacent to the reservoir, causing flooding problems for abutting property owners (on Lucien Dr.), and provide a report and recommendation for resolving the problem.

ALD LEVANDIER

3) Ald. Levandier moved, seconded by Ald. Greenwood:

WHEREAS City of Dartmouth residents are concerned about possible damage to their properties as a result of blasting for excavation purposes on construction sites;

AND WHEREAS, the City of Dartmouth has no existing legislation pertaining to the control of blasting;

THEREFORE BE IT RESOLVED that City staff be requested to prepare a by-law which would regulate blasting, affording maximum protection to Dartmouth residents.

After Ald. Levandier had explained to Council what he wishes to accomplish with a by-law that will control blasting where it is being carried out on development projects, the motion was debated and the following points were made for the Solicitor to consider on preparing the by-law:

- 1) there should be provision for the carrying out of pre-blast surveys.
- 2) application of the by-law should not just be to construction projects, but to all blasting within the City, wherever it is being carried out.
- 3) there should be a restriction on the size of blasting charges that are permitted.
- 4) inspection services should be provided by the City and these should be on-going and not just occasional.
- 5) monitors should be in place at the sites where blasting is taking place and such monitoring systems should be constant and not sporadic.
- 6) the hours during which blasting is occurring should be specified.
- 7) the company carrying out a blasting operation should be bonded.
- 8) consideration should be given to licensing or permit requirements for blasting operations.

Several members suggested that there should be some consultation by the Solicitor with sources of expertise on the subject prior to drafting of a by-law.

In view of the various areas of jurisdiction that presently exist where blasting controls are concerned, it was felt that the Solicitor should first have an opportunity to report back to Council on the validity of proceeding with a by-law and on its effectiveness if put in place. The matter was therefore referred

for such a report back to Council, on motion of Ald. Crawford and Withers.

MOTION: Moved by Ald. Crawford and Withers that the motion of Ald. Levandier be referred to the Solicitor for a report on the validity of the City by-law to control blasting operations, and on its effectiveness if put in place, based on the discussion that has been generated at this meeting.

There were no notices of motion given for the next regular Council meeting.

INQUIRIES:
ALD. ROMKEY

Ald. Romkey asked to have the Building Inspector look at the property at 47 Sarah Crescent.

ALD. WITHERS

The following inquiries were made by Ald. Withers:

1) asked about the billing for insurance for the Northbrook Community Centre, and that the information given by Mr. Smith on the policy for community centres be provided in the form of a memo.

Ald. Bregante later requested a copy of this memo from Mr. Smith as well.

2) asked about work that is needed on Banook Ave. and the possibility of a No Parking sign on the north side of the street in the vicinity of the wall. Mr. Bayer pointed out that it is not possible to enforce such traffic regulations on private streets within the City. Discussion with Mr. Bayer and Mr. Fougere followed on the overall subject of private roads that still exist in the City, and the report that has come to Council several times on this subject. The Mayor suggested that the report be circulated again at this time before any attempt is made to deal with the problems on Banook Ave. Mr. Bayer commented on costs associated with the take-over of private streets, one of the most recent experiences being with Linden Lea.

3) asked to have attention given to the property at 9 Mount Pleasant Ave., where damage was caused to a lawn and driveway by a plough during the winter.

4) a second instance of damage caused by a plough was on Chappell Street, in the block bounded by Victoria Road and Slayter Street; Ald. Withers also requested attention to this damage.

5) asked about the status of lots that are to be offered for sale on Lyngby Ave. Mr. Fougere said the survey plan has been completed and tendering documents are being prepared. It will be another month before they go to tender.

6) asked about 217 Windmill Road and the operating of a rooming house at this address without a license. The Solicitor advised that the owner is in the process of being prosecuted.

7) asked to have the area on Elmwood Ave., by the old Ben's property, cleaned up.

ALD. CRAWFORD

The following inquiries were made by Ald. Crawford:

- 1) asked Mr. Fougere to give attention to an area of Windmill Road and sidewalk that needs to be cleaned up, on the right-hand side of Windmill Road below the Park School property.
- 2) asked about the suggested use of land behind the Sportsplex for additional parking, in view of calls he is receiving. The Mayor noted that a firm decision has not yet been made on this matter and it will have to come to Council.
- 3) asked about the report that is to come to Council on the Mount Hermon Cemetery and lands adjacent to it. Ald. Crawford noted that cars are now parking on the roadways in and around the cemetery, and the matter should be dealt with by Council.
- 4) Ald. Crawford outlined some of the problems experienced by the Grants Committee in trying to allocate what funds were made available in the budget for the many organizations from which requests were received this year. He referred in particular to the Caledonia Boys & Girls Club, which has a short-fall in funding and has had to take a bank loan in the amount of \$7,000. Council approved a \$15,000. grant for this organization at budget time, and Ald. Crawford proposed that we now advance them \$7,000. of that amount so they can pay back the bank loan and not incur the heavy rate of interest for borrowing.

It was therefore moved by Ald. Crawford and Greenough that Council advance \$7,000. to the Caledonia Boys & Girls Club as part of the grant they are to receive from the City. The motion carried.

MOTION: Moved by Ald. Crawford & Greenough that Council advance \$7,000. to the Caledonia Boys & Girls Club, as part of the grant they are to receive from the City.

Ald. Crawford went on to explain that the Grants Committee is likely to recommend an over-expenditure to Council, in view of the overall shortfall the Committee is finding in attempting to meet some of the basic needs of organizations such as the Caledonia Club and others.

- 5) Ald. Crawford asked that Council extend congratulations to Ald. Withers on his award received as a volunteer in the community.
- 6) Ald. Crawford suggested that flowers be sent on Council's behalf to Mr. Moir in hospital and in memory of the late Donald McDonah, a former member of Council. Council concurred with the suggestion.

ALD. BREGANTE

Ald. Bregante asked the City Engineer to look at the water problems experienced in the houses with uneven numbers on Brock Street and Rodney Road.

He also noted that no answers have been received to date to the four questions he raised at the April 3rd Council meeting.

ALD. SARTO

Ald. Sarto asked if anything is being done to improve the traffic flow at ^{the} point where Woodlawn Road enters Portland Street. Mr. Bayer noted that the solution proposed by the City for this section of Portland Street was not accepted by the Dept. of Transportation; another alternative, involving a change in the traffic laning, will be tried.

ALD. LEVANDIER

The following inquiries were made by Ald. Levandier:

- 1) asked about the status of the Financial Statement; Mr. Smith said information for it is being put together now.
- 2) asked the Building Inspector to investigate burning of materials at the junk yard on Lyle Street.
- 3) what is the status of the City's transportation study? Mr. Bayer said it is well underway and is expected to be completed by this fall.
- 4) asked to have an abandoned car removed from the spot where it was left under the Angus L. MacDonald Bridge.
- 5) asked when Council will hold the public hearing for presentations on the Dartmouth Commons. The Mayor asked Mr. Smith to look at a date for this hearing.
- 6) asked if all children wishing to make use of the Sportsplex are able to do so. The Mayor noted that there are no free programs offered, and if Council wished to have some there would be costs involved since the Sportsplex was asked by the City to try to reach a break-even point within five years of opening.
- 7) asked to have the bus stop at 50 Pleasant St. moved back and away from the houses. Ald. Crawford noted that it is difficult to make a change at this location due to the length of the new buses.
- 8) asked when the Funding Formula Committee is to be appointed; the Mayor agreed to have this as the first item on next week's agenda.
- 9) asked that consideration be given to a bus shelter somewhere near Craythorne Manor.

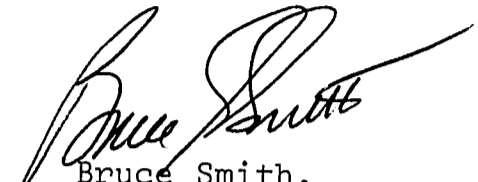
ALD. GREENWOOD

Ald. Greenwood asked if it is possible to have a property cleaned up in the north end; the property concerned was the one the City was going to take over under the NIP program.

On motion of Ald. Crawford and Bregante, Council went into Committee in order to meet in camera.

Having dealt with the two in camera items on the agenda, Council reconvened in open meeting and ratified the action taken in camera, on motion of Ald. Crawford and Levandier.

Meeting adjourned.


Bruce Smith,
Acting City Administrator.

City Council, May 1/84

ITEMS:

- 1) Dell Holdings property, page 1.
- 2) Senior citizens complex, page 2.
- 3) Country Stove Store Ltd: 101 Main St., page 2.
- 4) Montebello Subdivision, page 2 & 3.
- 5) Lund property: Braemar Drive, page 4 & 5.
- 6) Highway 107 by-pass, page 5.
- 7) Trade Dollar Program, pg. 6.
- 8) Letter: Chamber of Commerce, page 6.
- 9) Award Tender: Street line painting, pg. 6.
- 10) " " : Lake Safety Patrol, pg. 7.
- 11) " " : Renovations to cell block, pg. 8.
- 12) Res. #84-39: Appoint Special Constables, pg. 8.
- 13) " 33: Senior citizen housing project, pg. 8.
- 14) Sick Leave Benefits, page 8.
- 15) Sale of land: 14 Cathy Cross Dr., page 9.
- 16) Resolution #84-24 & #84-25, page 9.
- 17) Traffic Lights: Akerley Blvd/Joseph Zatzman Dr., pg. 10.
- 18) Overhead Crosswalk Lights & Signage, page 10.
- 19) Modifications: Traffic Islands, page 10.
- 20) 1984/85 Mainstreet Projects, page 11.
- 21) Portland Street Improvements: Phase II, pg. 11.
- 22) Res. #84-40: Remuneration, Mayor & Aldermen, pg. 12.
- 23) Motions: Ald. Withers, page 12.
Sarto, page 13.
Levandier, page 14.
- 24) Inquiries: page 15 to 17 incl.

Dartmouth, N. S.

May 8/84.

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

Present - Deputy Mayor Greenwood

Ald. Romkey Beeler
 DeMont Levandier
 Hawley Greenough
 Bregante Hetherington
City Solicitor, M. Moreash
Acting City Administrator, B. Smith.

SECOND APPROVAL:
RENOVATIONS TO
CELL BLOCK

On motion of Ald. Bregante and Romkey, Council
gave second approval to an over-expenditure in the
amount of \$1,500. required for renovations to the
cell block in the Police Station, to accommodate
individuals being held under the Young Offenders Act.

MOTION: Moved by Ald. Bregante & Romkey
that Council give second approval
to an over-expenditure in the amount
of \$1,500. for renovations to the
cell block in the Police Station.

APPOINTMENTS:
EDUCATION FUNDING
FORMULA COMMITTEE

On motion of Ald. Hawley and Levandier, Council
deferred the appointment of the Education Funding Formula
Committee, until next meeting when more members of
Council could be present.

MOTION: Moved by Ald. Hawley & Levandier that
Council defer the appointment of the
Education Funding Formula Committee
until the next Council meeting.

AWARD TENDERS:
TRACTS 84-07
AND 84-08

Tenders have been received as follows for the
reconstruction of Pleasant Street, Contract 84-07 covering
the section from Trunk 111 to Station 1+250 and Contract
84-08 covering the section from Station 1+250 to the
City limits:

Contract 84-07

1) Steed & Evans Ltd.	\$ 926,002.00
2) Seaport Contractors Ltd.	930,930.40
3) Ocean Contractors Ltd.	1,069,229.50
4) Woodlawn Construction Ltd.	1,122,646.70
5) Municipal Contracting Ltd.	1,171,446.00

Contract 84-08

1) Steed & Evans Ltd.	963,528.00
2) Seaport Contractors Ltd.	983,866.80
3) Ocean Contractors Ltd.	1,089,051.50
4) Municipal Contracting Ltd.	1,125,933.00
5) Woodlawn Construction Ltd.	1,135,570.30

Acceptance of the low bids, submitted by Steed &
Evans Ltd., for a total project price of \$1,889,530.,

has been recommended by Mr. Purdy, in concurrence with the Acting City Administrator, and Council awarded the tenders as recommended, on motion of Ald. Bregante and Hawley.

MOTION: Moved by Ald. Bregante and Hawley that the tenders for Contracts 84-07 and 84-08 be awarded to the low bidder, Steed & Evans, in each case, as recommended by Mr. Purdy and the Acting City Administrator.

INTEREST
RESOLUTION 84-17

Council has been requested to approve Resolution 84-17, setting an interest rate of 13½% for new improvement accounts; the proposed resolution was accompanied by a memo from Mr. Smith, explaining why the resolution is required at this time. Council approved Resolution 84-17, on motion of Ald. Bregante and Hetherington.

MOTION: Moved by Ald. Bregante & Hetherington that Council approve Resolution 84-17, setting an interest rate of 13½% for new improvement accounts, as recommended by Mr. Smith in his report to Council.

PRESENTATION:
CANAL PROJECT

Representatives of the Dept. of Development and CBCL were in attendance to make a presentation on components of Zone 1, the section of the Shubenacadie Canal project being undertaken by the Province. Plans were presented for the area that was referred to as the 'symbolic entrance' to the Canal from the harbour, involving the dredging of a section under one span of the CN rail bridge, landscaping features, and the construction of an exhibition pavilion and an outdoor picnic and display facility; parking will be provided in conjunction with these latter structures and the pathway and park that will be tied in with them. The concept drawings were explained by Mr. Peter Henry and Mr. Peter Klynstra of CBCL, and Mr. Gary Campbell provided additional information on behalf of the Development Department.

Ald. Levandier asked about the future responsibility for maintenance of these facilities once they are in place. Mr. Campbell advised that the maintenance aspect is under consideration for both the Zone 1 and Zone 3 facilities, and a report will be prepared outlining what is proposed in the way of responsibility for them.

Ald. Romkey asked about the location of the sewer outfall in relation to the railway trestle and the area shown by CBCL for dredging and improvement. He felt that small boats would not want to use the area if the outfall is located inside the trestle rather than outside it. It was agreed that this point should be looked into and clarified with the City Engineer for the next meeting of Council.

Ald. Greenough asked about the materials to be used in construction of the two structures that have been described. Mr. Henry said they will be of wood construction. Ald. Greenough felt the City should have some assurance that repair and maintenance costs involved will be minimal, and suggested that this be another point for discussion when Engineering staff are consulting with CBCL and the Development Dept. people on the sewer outfall location.

Ald. Beeler asked if it would be possible to have a presentation similar to the one given Council, made to members of the Canal Commission, prior to the tender call for the work that has been outlined. The representatives agreed to meet with the Commission for a presentation.

Members of Council responded favourably to the plans presented, but wished to have the points that were raised referred to staff for clarification and additional information. A motion to refer, moved by Ald. Greenough and Hawley, was adopted.

MOTION: Moved by Ald. Greenough and Hawley that points raised by members of Council with respect to the location of the sewer outfall in relation to the railway trestle, and secondly, with respect to construction materials that will be used in the two structures proposed, be referred to staff for discussion with the CBCL and Dept. of Development representatives working on the project.

BUILDING PERMIT:
SWISS CHALET
100 MAIN STREET

On motion of Ald. Bregante and Hawley, Council approved an application for permit to alter the existing Ponderosa building at 100 Main Street to accommodate a restaurant (Swiss Chalet). Approval is subject to compliance with City requirements, as set out in the staff report of April 30/84.

MOTION: Moved by Ald. Bregante and Hawley that Council approve an application for permit to alter the existing Ponderosa building at 100 Main Street, as submitted by Swiss Chalet. Approval is subject to compliance with City requirements, as set out in the staff report of April 30/84.

PERMIT TO BUILD:
BEDFORD INSTITUTE
OF OCEANOGRAPHY

On motion of Ald. Hetherington and Bregante, Council also approved an application from the Bedford Institute of Oceanography for permit to build a traffic control centre (Canadian Coast Guard), on lands presently occupied by the Institute.

Ald. Romkey took exception to the fact that the application has not been received until after this project was well underway. It was noted by the Solicitor that the Crown is not bound by City by-laws, although any structure they erect would have to comply with our building requirements. Ald. Romkey continued to object on the basis of the principle involved, which requires everyone else to submit a building permit application before a project can proceed. The motion to approve the permit carried with Ald. Romkey and Levandier voting against.

MOTION: Moved by Ald. Hetherington & Bregante that Council approve an application for permit to build, received from the Bedford Institute of Oceanography, subject to compliance with City requirements, as outlined in the staff report of May 2/84.

CHANGE IN DATE:
PUBLIC HEARING
DELL HOLDINGS LTD.

Due to an error which occurred when the Dell Holdings Ltd. application was advertised in the Halifax Chronicle Herald and Mail Star on May 7th, it is necessary to readvertise in order to be able to give 21 clear days prior to the public hearing date for the M.P.S. Amendment, the Land Use By-law Amendment and the Development Agreement. June 12th has been recommended as the new date for public hearing and Council set this date, as recommended, on motion of Ald. Hetherington and Bregante.

MOTION: Moved by Ald. Hetherington & Bregante that Council set June 12th as the new date for public hearing of the Dell Holdings Ltd. application for an M.P.S. Amendment, a Land Use By-law Amendment and for a Development Agreement.

PLAQUE: CDN.
SOCIETY FOR
CIVIL
ENGINEERING

On motion of Ald. Levandier and Greenough, Council received and filed a report from Ald. Beeler, Chairman of the Canal Commission, on the designation by the Canadian Society for Civil Engineering of the Shubenacadie Canal as a national historic civil engineering site. An appropriate plaque will be unveiled to mark the designation, on May 25/84, and members of Council are invited to attend.

MOTION: Moved by Ald. Levandier & Greenough that a report from Ald. Beeler be received and filed, on the designation by the Canadian Society for Civil Engineering of the Shubenacadie Canal as a national historic civil engineering site.

AWARD TENDER:
VEHICLE FOR
ENGINEERING DEPT.

Council agreed to move up from the Committee agenda, an item on the awarding of a tender for a pick-up truck for the Engineering Dept. The following tenders have been received:

1) Harbour View Plymouth Chrysler	\$ 9,586.50
2) Dartmouth Dodge	10,234.00
3) Forbes Chev Olds	10,469.00
4) Chebucto Ford	11,398.00

Acceptance of the third lowest bid, from Forbes Chev Olds, has been recommended by the Purchasing Dept. for the reasons set out in their report of April 26/84. Mr. Moir has concurred with the recommendation. Council awarded the tender, as recommended, on motion of Ald. Greenough and Romkey.

MOTION: Moved by Ald. Greenough and Romkey that the tender for a pick-up truck for the Engineering Dept., be awarded to Forbes Chev Olds, the third lowest bid, based on the Purchasing Dept. recommendation, with Mr. Moir's concurrence.

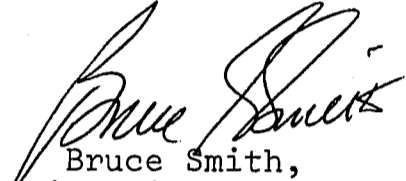
The Deputy Mayor advised that he has been contacted by both Ald. Sarto and Withers, who have indicated why they were unable to attend this meeting of Council.

HERITAGE
PROPERTY
REGISTRATION

Council agreed to move up from the Committee agenda, a report from the Heritage Advisory Committee, recommending the registration of a number of heritage properties in Dartmouth. On motion of Ald. Levandier and Hawley, Council set June 19th as the date for hearing on the following properties:

- | | |
|------------------------|----------------------|
| 1) 30 Portland Street | 11) 46 Dahlia Street |
| 2) 35 Portland Street | 12) 63 Dahlia Street |
| 3) 41 Portland Street | 13) 31 Pleasant St. |
| 4) 245 Portland Street | 14) 37 Pleasant St. |
| 5) 285 Portland Street | 15) 41 Pleasant St. |
| 6) 287 Portland Street | 16) 47 Pleasant St. |
| 7) 289 Portland Street | 17) 12 Eaton Ave. |
| 8) 38/40 Dundas St. | 18) 24 Wentworth St. |
| 9) 22 Dahlia Street | 19) 42 Summit Street |
| 10) 43 Dahlia Street | |

On motion of Ald. Bregante and Romkey, Council went into Committee to deal with the Committee agenda. The meeting adjourned in Committee.


Bruce Smith,
Acting City Administrator.

City Council, May 8/84

ITEMS:

- 1) Second approval: Renovations to cell block, page 1.
- 2) Appointments: Education Funding Formula Committee, pg.1.
- 3) Award tenders: Contracts 84-07 and 84-08, pg. 1.
- 4) Interest Resolution 84-17, page 2.
- 5) Presentation: Canal project, page 1 & 2.
- 6) Building Permit: Swiss Chalet, page 3.
- 7) Building Permit: Bedfrd Omstotite. page 4.
- 8) Change date: Public hearing, Dell Holdings, page 4.
- 9) Plaque: Cdn. Society for Civil Engineering, pg. 5.
- 10) Award tender: Vehicle for Engineering Dept., page 5.
- 11) Heritage Property Registration, page 5.

Dartmouth, N. S.

May 15/84.

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

Present - Mayor Brownlow

Ald. Sarto	Romkey
Beeler	Peters
Crawford	Levandier
DeMont	Withers
Hawley	Greenough
Bregante	Hetherington
City Solicitor, M. Moreash	
Acting City Administrator, B. Smith.	

The Mayor advised Council of the regional meeting with members of the other local municipal councils, to present resolutions for the Union of N. S. Municipalities conference to consider. He noted that Council is permitted to have five members representing Dartmouth for this purpose, and Ald. Crawford questioned this ruling. He said he would take the matter up further at the meeting.

The Mayor also advised that the Police Commission meeting scheduled for May 17th has been moved to May 24th.

He then noted that the 1983 Audited Financial Statements have been circulated and suggested that Council may wish to table them at this time for consideration at a future meeting.

On motion of Ald. Levandier and Sarto, the 1983 Audited Financial Statements were tabled. They will be considered further at a meeting to be scheduled for mid-June.

MOTION: Moved by Ald. Levandier and Sarto that the 1983 Audited Financial Statements be tabled.

Ald. Crawford referred to the plaque unveiling to be held at the Sportsplex on May 24th, and asked why Ald. Withers' name has been omitted from the list of founders on the plaque. The Mayor pointed out that the plaque recognizes financial contributions made to the Sportsplex during the fund-raising campaign, and the founders listed were those Board members serving at the conclusion of the campaign.

Monthly reports recommended from Committee were approved by Council as follows:

1983 AUDITED
FINANCIAL
STATEMENTS

MONTHLY REPORTS

- 1) Social Services (April): approved on motion of Ald. Greenough and Sarto.
- 2) Development Officer (April): approved on motion of Ald. Hetherington and Withers.
- 3) Building Inspection (April): approved on motion of Ald. Bregante and Romkey.
- 4) Minimum Standards (April): approved on motion of Ald. Greenough and Bregante.

Ald. Crawford asked to have attention given to the property at 33 Pine Street, which he described as a constant problem to area residents. He said there is now a pile of radiators in the middle of the yard, adding to the unsightly condition of the property.

- 5) Fire Chief (April): approved on motion of Ald. Sarto and Bregante.

MOTIONS: To approve the monthly reports as recommended from Committee.

LAKE CHARLES DR.
RE-ALIGNMENT

At the May 8th Committee meeting, a report from Mr. Purdy was considered on the proposed realignment of Lake Charles Drive, and the following recommendation was adopted:

That staff be authorized to accept from Piercey Investors Ltd., an 18-foot-wide strip of land to be added to Lake Charles Drive; to negotiate with the owners of Civic #1, Lake Charles Dr., for acquisition of land as required for street alignment; to negotiate a trade of lands with owners of Civic #2, Lake Charles Drive; and to negotiate with owners of Civic #8, Lake Charles Drive, to settle title to the street in front of that property.

Council approved the recommendation from Committee, on motion of Ald. Greenough and Hawley.

MOTION: Moved by Ald. Greenough and Hawley that Council adopt the recommendation from Committee on the proposed realignment of Lake Charles Drive, as set out above.

APPOINTMENT:
M.P.S. REVIEW
COMMITTEE

The next item on the agenda pertained to the appointment of the M.P.S. Review Committee, and it was suggested by Ald. Hetherington that since the names of citizens are involved, it would be preferable to discuss the item in camera at the end of the meeting. Ald. Peters asked whether this would be proper procedure and was advised by the Solicitor that it is an appropriate item to be dealt with in camera.

It was therefore agreed to defer the item until the end of the meeting when it will be considered in camera. Ald. Greenough said he was pleased with the

interest shown by citizens in response to the City's advertisement for volunteers, and pleased about the qualifications and high calibre of the volunteers.

APPOINTMENTS:
EDUCATION FUNDING
FORMULA COMMITTEE

Council was asked to make appointments to the Education Funding Formula Committee, approved in March. The names of Ald. Peters and Levandier were presented in nomination and were approved for appointment to the Committee. The nominations were made by Ald. Crawford and Bregante respectively. Mr. Smith will call the first meeting of the Committee.

SOUND SYSTEM:
COUNCIL CHAMBER

Members of Council have received copies of the consultant's report, as requested by Council, on the evaluation of the existing sound system for the Council Chambers. Included in the study and cost estimates for system upgrading, is a provision for the recording of all Council meetings.

In his accompanying report, Mr. Smith has indicated that if Council wishes to proceed with the call for tenders for the new system, it is recommended that Mr. Oldham be authorized to prepare tender specifications for the new system and staff be authorized to proceed to public tender. Ald. Hetherington and Bregante moved the adoption of the recommendation for a combined system, as outlined in the consultant's report.

Ald. Crawford objected to the fact that the committee appointed to deal with this matter has not met again before a recommendation on the sound system was made to Council. He took exception to the manner in which the item has been processed. Ald. Beeler pointed out, however, that a series of recommendations were made to Council and these were adopted; one of the recommendations requested a consultant's report and it is now before Council as authorized.

Mr. Oldham was available to answer questions from Council about the sound system that will be provided and about the recording of minutes. Members tended to feel that the specifications should be reviewed by Council

before tenders are called, and Ald. Greenough asked if the specs could include an option (for costing purposes) that would provide a sequence of permission for speakers. This would be provided for as a separate tender item and shown as an option in the bids received. Mr. Oldham said it would be possible to include this option.

Ald. Hawley felt that Council should be discussing in more detail, the policies that are to be followed with regard to the use of the tapes, although it was pointed out that the recommendations from the special committee included guidelines for the disposition and use of the tapes. Ald. Hawley also questioned extra costs that may be involved for furniture modifications in the Council Chambers, tape storage, any additional staffing requirements, etc. He wanted to have all of these associated costs compiled and provided for Council to consider so that the complete total cost is known before going to tender.

The general consensus reached was that the tender specifications should come back to Council before tenders are called, and additional information on related costs involved (as noted above) should also be available at the same time. On this basis, the motion carried with Ald. Levandier voting against.

MOTION: Moved by Ald. Hetherington & Bregante that Council adopt the recommendation in favour of a combined sound system, as outlined in the consultant's report. (On the understanding that the tender specs will come back to Council, along with information on related additional costs that are involved.)

RESOLUTION #84-41:
SPECIAL CONSTABLES

On motion of Ald. Sarto and Romkey, Council approved Resolution #84-41, appointing Barry Ring and Mark Ring as Special Constables. Ald. Crawford asked if Mark Ring is to operate the patrol service on the Northwest Arm besides operating the Dartmouth service. Mr. Smith said he is only providing a boat in Halifax and not a service.

Ald. Levandier asked about the designation of special constables for a lake patrol service and

discussed their status as special constables with the Deputy Police Chief who was present for this item. The motion carried.

MOTION: Moved by Ald. Sarto and Romkey that Council approve Resolution #84-41, appointing Barry Ring and Mark Ring as Special Constables.

AWARD TENDER:
CONTRACT 84514

Tenders have been received as follows for Contract 84514, covering the construction of curb and paving on Raddall Ave., Thornhill Drive and Oland Court in the Burnside Park:

Municipal Contracting Ltd.	\$362,357.00
Ocean Contractors Ltd.	393,190.75
Steed and Evans Ltd.	418,385.00
Standard Paving (Mtms.) Ltd.	470,371.00

Specifications for this tender originally included landscaping as well, but the landscaping portion was subsequently deleted from the tender, the intention being that the landscaping component will be done following the development of the lots. This component, to be carried out in 1985, is estimated to cost \$105,000.

Mr. Purdy has recommended acceptance of the low bid from Municipal Contracting Ltd., in concurrence with the Acting City Administrator. Ald. Greenough and Hetherington moved that the tender be awarded as recommended.

Ald. Romkey was concerned that there is no time limitation on the tender for completion of the project, in view of experience the City has had in past projects with the low bidder. It was pointed out by Mr. Fougere that in this case, it will be necessary for the work to be done in two stages, since the water and sewer installation has still to be completed on Thornhill Drive and paving cannot proceed until that work is done, sometime in July. The work on Raddall Ave. will be carried out immediately, and the contractor will have to come back in July for the rest of the project.

Other members agreed with Ald. Romkey that there should be some legal requirement for contractors to

complete projects by a specified deadline, and this point was discussed further with the City Solicitor. It was suggested that perhaps some provision for liquidated damages might be applicable in contract documents such as those prepared for the awarding of tenders, in order to give the City some protection against long delays in the completion of projects.

Ald. Crawford and Romkey moved deferral of a decision on Contract 84514, but the motion was subsequently withdrawn in favour of having the Solicitor look at some means of providing for a completion date requirement in our contracts with successful bidders. Such a requirement would be incorporated in future contracts if the Solicitor can recommend a provision to this effect. The vote was taken on the motion and it carried.

MOTION: Moved by Ald. Greenough & Hetherington that Contract 84514 be awarded to the low bidder, Municipal Contracting Ltd., as recommended by Mr. Purdy and Mr. Smith.

AWARD TENDER:
LIBRARY BOOK
DETECTION SYSTEM

Tenders have been received as follows for the supply and installation of a book detection system for the Dartmouth Regional Library:

1) Checkpoint	\$38,287.
2) Tattletape	39,686.
3) Knogo	48,125.

The Library Board has recommended acceptance of the low bid, received from Checkpoint, in the amount of \$38,287. , and the Acting City Administrator has concurred in the recommendation.

Council awarded the tender, as recommended, on motion of Ald. Levandier and Withers.

MOTION: Moved by Ald. Levandier & Withers that the tender for the book detection system for the Dartmouth Regional Library, be awarded to the low bidder, Checkpoint, as recommended by the Library Board and the Acting City Administrator.

PROPOSED STUDY:
GARBAGE/ENERGY
CONVERSION

A letter was before Council from the Executive Director for the Metropolitan Authority, concerning a proposed study into the feasibility of converting garbage into a useable form of energy.

The Authority is seeking endorsement of and the support of Council for an application for funding under the Canada/Nova Scotia Energy Agreement, to follow up on preliminary studies by taking an in-depth look at the feasibility of converting garbage into steam for use at one or more of the defense establishments in metro. The proposed study would cost approx. \$100,000. in Federal and Provincial funds.

Council gave endorsement and support for the funding application, as requested, on motion of Ald. Hetherington and Bregante.

MOTION: Moved by Ald. Hetherington & Bregante that Council give endorsement and support for an application for funding under the Canada/Nova Scotia Energy Agreement, relative to a proposed study into the feasibility of converting garbage into a useable form of energy.

PROVINCIAL
TRANSPORTATION
STUDY

Members of Council have received copies of the Halifax/Dartmouth Regional Transportation Report and Executive Summary, as prepared by the Inter-Departmental Committee on Transportation set up for purposes of the study carried out prior to the report. Mr. Larry Keddy and Mr. David Darrow were in attendance to give the technical presentation of the report.

The meeting was then open for questions from the members of Council, and points raised pertained to the following:

- 1) the effectiveness of a bus lane at the Angus L. MacDonald bridgehead, as recommended in the report.
- 2) the degree of traffic congestion that would be relieved on Portland Street with a second ferry service operating from the south end of Dartmouth.
- 3) the adequacy of parking at present in both downtown Halifax and Dartmouth, and whether the information in the report is a true reflection of the present situation.
- 4) the functions of a regional urban transportation planning & management centre in a provincial government department (ie. the Dept. of Transportation), and the associated formation of an advisory group representing the various bodies concerned with transportation.
- 5) the kind of interchange that would be provided to relieve traffic problems at the MicMac Rotary, and whether improvements to Braemar Drive would be included as part of the project.

- 6) the effectiveness of adding to the present bus fleet with 24 additional buses, when there are so many bottlenecks and points of traffic congestion that need to be eliminated first.
- 7) the amount of cost-sharing that would be expected on the part of the City, particularly where land acquisition costs are concerned, since the Province does not share in these.
- 8) the establishment of some kind of specific framework in which the recommendations of the report are to be implemented, based on the urgency of existing traffic congestion (ie. the MicMac Rotary improvements should be undertaken immediately that the 107 By-pass highway is completed and some commitment to that time frame should be indicated).
- 9) would there be cost-sharing in the deficit of another ferry crossing, over and above what is already being received from the Province for the existing service.

(Ald. Peters left the meeting during this item.)

The Mayor reported to Council on a recent meeting with the Halifax Board of Trade, when the report was discussed, and a subsequent recommendation was made that a public education program be undertaken and everything possible done to persuade people to make use of transit services and leave their cars at home. Also, that a series of public meetings be held sometime around October, to make the public aware of the Transportation Report, and further, that consideration be given to the formation of an overall transportation body responsible for the metropolitan area.

Ald. Crawford made an inquiry about the possibility of a shorter connection point to the slip-on ramp for buses coming from the MTC garage, in order to save time and money, and Mr. Keddy said this change is being looked at and considered.

On motion of Ald. Levandier and Hetherington, Council referred the report to staff for input on the recommendations contained in it, and to assess the implications for Dartmouth in terms of cost and effectiveness.

MOTION: Moved by Ald. Levandier & Hetherington that the Regional Transportation Report be referred to staff for input on the recommendations contained in it, and to assess the implications for Dartmouth in terms of cost and effectiveness.

AGREEMENT: DEPT.
OF TRANSPORTATION

On motion of Ald. Bregante and Greenough, Council approved an agreement with the Provincial Dept. of Transportation, which provides for a policy for the signage of cost-shared road construction within the City of Dartmouth. The Mayor and City Clerk are authorized to sign the agreement on behalf of the City of Dartmouth, as recommended by the Acting City Administrator.

MOTION: Moved by Ald. Bregante & Greenough that Council approve an agreement with the Provincial Dept. of Transportation, providing for a policy for the signage of cost-shared road construction within the City of Dartmouth.

AWARD TENDER:
COMPUTER TERMINALS

Council has received a report on tenders received for various types of computer terminals approved in the 1984 capital Out of Revenue budget. It has been recommended by Mr. Smith that the tenders be awarded as follows:

- 1) LA50 Printing Terminal
To Maritime Tel & Tel \$ 796.
- 2) LA100 Send/Receive Printing Terminal
To Maritime Tel & Tel 2,496.
- 3) Seven VT220 Input/Output Terminals
To Data Terminal Mart 10,500.
- 4) LA120 Printing Terminal
To Maritime Tel & Tel 2,762.

The tenders were awarded as recommended, on motion of Ald. Greenough and Sarto (Ald. Levandier voting against). Ald. Levandier and Hawley questioned the need for this additional computer equipment and its usefulness in terms of the life of the present computer. Mr. Smith responded to their questions, pointing out that the acquisition of computer components is an on-going process as use of this technology continues and increases in the business world.

MOTION: Moved by Ald. Greenough and Sarto that tenders for computer equipment be awarded as recommended to Council by Mr. Smith and detailed above.

SEWER OUTFALL:
CANAL ENTRANCE

On motion of Ald. Greenough and Bregante, Council received and filed a report from Mr. Fougere on information requested at the May 8th meeting on the location

of the sewer outfall adjacent to the Dartmouth Shipyards.

Mr. Smith advised that the other information requested at the same time will be forthcoming, after a meeting with the Dept. of Development people concerned.

MOTION: Moved by Ald. Greenough and Bregante that Council receive and file a report from Mr. Fougere on information requested regarding the location of the sewer outfall adjacent to the Dartmouth Shipyards.

LAND USE BY-LAW
AMENDMENT:
20/22 DAWSON ST.

On motion of Ald. Hetherington and Bregante, Council set June 19th as the date for public hearing of an application to amend the Land Use By-law with respect to the property at 20/22 Dawson Street. The application is to rezone from R-1 to R-2 Zone to permit a duplex on the site.

MOTION: Moved by Ald. Hetherington & Bregante that Council set June 19th as the date for public hearing of an application to amend the Land Use By-law with respect to the property at 20/22 Dawson Street.

PROPERTY ASSEMBLY

The Downtown Revitalization Committee has requested that Council have the Planning Advisory Committee study the feasibility of assembling properties at 65-77 Alderney Drive for redevelopment or rehabilitation purposes, and for calling for proposals from developers. The Committee has therefore recommended that the motion adopted in this connection be referred to the Planning Advisory Committee for consideration.

The recommendation was approved by Council, on motion of Ald. Levandier and Sarto.

MOTION: Moved by Ald. Levandier & Sarto that Council approve a recommendation from the Downtown Revitalization Committee to the effect that the Planning Advisory Committee be requested to study the feasibility of assembling properties at 65-77 Alderney Drive for redevelopment or rehabilitation purposes, and for calling proposals from developers.

On motion of Ald. Withers and Sarto, Council adjourned to meet in camera as Committee-of-the-Whole. to deal with an item involving the appointment of the M.P.S. Review Committee.

Having later reconvened in open Council, the action taken in camera was ratified, on motion of Ald. Hetherington and Sarto.

MOTION: Moved by Ald. Hetherington and Sarto that Council approve the action taken in camera with respect to the appointment of the M.P.S. Review Committee.

A point was raised about the responsibility for removing posters from light standards and from buildings (reference the circus posters that are still up at various locations). Ald. Bregante said the Solicitor should look at a by-law covering the removal of posters once an event is over. Mr. Moreash said he thought there is such a requirement in by-law form already.

Meeting adjourned.

Bruce Smith,
Acting City Administrator.

City Council, May 15/84

ITEMS:

- 1) 1983 Audited Financial Statements, page 1.
- 2) Monthly reports, page 1 & 2.
- 3) Lake Charles Drive realignment, page 2.
- 4) Appointment: M.P.S. Review Committee, page 2.
- 5) Appointments: Education Funding Formula Committee, pg. 3.
- 6) Sound system: Council Chamber, page 3 & 4.
- 7) Resolution #84-41: Special Constables, page 4.
- 8) Award tender: Contract 84514, page 5.
- 9) " " : Library Book Detection System, pg. 6.
- 10) Proposed Study: Garbage/Energy conversion, page 6.
- 11) Provincial Transportation Study, page 7 & 8.
- 12) Agreement: Dept. of Transportation, pg. 9.
- 13) Award tender: Computer Terminals, page 9.
- 14) Sewer outfall: Canal Entrance, page 9.
- 15) Land Use By-law Amendment: 20/22 Dawson St., page 10.
- 16) Property Assembly, page 10 .

Dartmouth, N. S.

May 22/84.

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

Present - Mayor Brownlow

Ald. Sarto	Greenwood
Beeler	Peters
Crawford	Levandier
Hawley	Greenough
Bregante	Hetherington
DeMont	
City Solicitor, S. Hood	
Acting City Administrator, R. Fougere	
Deputy City Clerk, G. D. Brady.	

Members of the Dartmouth Youth Choir, with their director, Sally Novinger, presented a short musical program for Council, and were commended by Mayor Brownlow for their recent participation in the swearing-in ceremony for the new Governor-General in Ottawa. Each of the members then received certificates of commendation from the City and a financial contribution toward a trip to England they are hoping to make. Deputy Mayor Greenwood announced that he will be assisting the choir financially through gasoline sales as well.

Ald. Peters tabled information he has obtained from the City of Halifax and from the Province with respect to blasting regulations. The Solicitor has been asked to look at regulations for Dartmouth and this information will be passed on for the Solicitor's use.

ELECT VOTING
DELEGATES:
FCM CONFERENCE

Council was asked to select two voting delegates for the upcoming FCM Conference. Ald. Greenwood and Hetherington moved that Mayor Brownlow be one of the voting delegates and that the second name be picked from among the other members of Council attending. Ald. Crawford spoke against the motion which carried (Ald. Crawford and Peters voting against).

MOTION: Moved by Ald. Greenwood & Hetherington that Mayor Brownlow be one of the voting delegates to the FCM conference, and that the second name be picked from among the other members of Council attending.

A name was then drawn by the Acting City Administrator and the member chosen was Ald. Bregante. Voting delegates for the City will therefore be Mayor Brownlow and Ald. Bregante.

CANDIDATE:
BOARD OF
DIRECTORS FCM

Council was then asked to name a candidate for possible election to the FCM Board of Directors. Mayor Brownlow's name was presented in nomination by Ald. Greenwood and Sarto, but Ald. Crawford objected to the naming of someone who has already served on the Board, suggesting that other members of Council should have an opportunity to be nominated. After some discussion, it was agreed that the names of other members would be presented if they agree to have their names stand for nomination. All members attending the FCM conference were invited to participate, but most declined, with the exception of Ald. Crawford.

The names of Ald. Crawford and Mayor Brownlow were then presented for a vote by secret ballot and following the vote, Mayor Brownlow was declared to be the candidate nominated by Council for possible membership on the FCM Board of Directors.

BUS SERVICE:
PARADE OF SAIL

Ald. Crawford brought to the attention of Council, a letter that has been received from the Parade of Sail organization, to be considered at the next M.T.C. meeting, with a request for an extended peak hour transit service during the day on June 13th, the date set for the Parade of Tall Ships. The additional service would be to accommodate the large number of visitors expected in the metropolitan area for the Parade of Sail.

Ald. Crawford expressed his concerns about the additional cost to the City if all available equipment and drivers are put into service, as requested; he estimated that the additional expense for the City of Dartmouth would be in the area of \$25,000., over and above what has already been approved by the City in the 1984 budget to participate in the Parade of Sail.

Ald. Greenough suggested that we would have to

know exactly what additional cost is represented by the request before Council could agree to participate in it. He also felt that the Province should assume responsibility for such an expenditure, since the Parade of Sail is essentially a Provincially-promoted event.

The general response of Council was that the City should not incur an over-expenditure for transit services associated with the Parade of Sail event, and a motion to this effect, to be indicated to M.T.C. by the Dartmouth representative, was adopted; the motion was moved by Ald. Greenough and seconded by Ald. Hawley.

MOTION: Moved by Ald. Greenough and Hawley that Council indicate to the M.T.C., through our representative, that the City of Dartmouth does not wish to incur any additional over-expenditure for transit services associated with the Parade of Sail event on June 13th.

AWARD TENDER:
CONTRACT #84-05

The following tenders have been received for Contract 84-05, improvements to Woodlawn Road from Main Street to Mount Edward Road:

Municipal Contracting Ltd.	\$246,696.50
Ocean Contractors Ltd.	258,993.50
Steed and Evans Ltd.	275,984.00

Mr. Purdy's report to Council on this tender, points out that for an additional \$28,600., the street could be completed with concrete sidewalk and sodding on both sides, thereby providing a much more satisfactory design. There is sufficient funding for this extra work, since the budget projection was in the amount of \$500,000.

The recommendation to Council is that the tender be awarded to the low bidder, Municipal Contracting Ltd., and further, that the Engineer be authorized to issue a change order to construct concrete sidewalk and sod on the west side of the street from Shawinigan Road to Main Street, and on the east side in front of Prince Andrew School and the Dartmouth Vocational School. Mr. Smith has concurred in this recommendation, and it was moved by Ald. Sarto and Hetherington that the tender be awarded as recommended.

Ald. Levandier noted that since the tender has come in considerably under budget, the funds not required should be reallocated for other projects, particularly for work in some of the older downtown sections of the City. He asked that the City Engineer compile a list of the projects that have come in under budget, indicating the total amount of funds that could be allocated by Council for other projects. Ald. Sarto supported this suggestions and wanted to look at the 1985/86 construction program with the idea of moving some of these items forward for completion in 1984. He asked to have Lakecrest Extension included as one of the streets in the 1985/86 program.

The City Engineer pointed out that it would not be advisable to prepare such a report for Council until all of the contracts have been called for 1984 projects, in case some of them come in over-budget and funds have to be used to cover additional costs over what was projected.

Ald. Crawford again indicated his concerns about the lack of control the City has over agreements with contractors, especially with regard to completion dates for projects, and restated his reservations about the company that has been recommended for this tender, in view of the problems experienced last summer with this company during the Windmill Road contract. He also questioned the issuing of a change order that would allow the company to take on the extra work being proposed. He felt that the contractor will benefit from what he described as a bonus over and above the original tender. This point was discussed at some length with Mr. Purdy and he explained how a unit price was used to arrive at the figure of \$28,600. for the additional work.

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

MOTION: Moved by Ald. Sarto & Hetherington that the tender for Contract #84-05 be awarded to the low bidder, Municipal Contracting Ltd., and that a change order be issued to cover the additional work outlined in Mr. Purdy's report of May 16/84, as noted

on page 3 of these minutes.

LEASE OF LAND:
MICROWAVE TOWER

On April 10th, Council approved Resolution #84-23, authorizing the lease of lands in the Burnside Park to Public Works Canada, for a microwave tower site, for a term of ten years, at an annual rental of \$2,100. Public Works Canada has since requested a change in the term of the lease from ten years to a five-year term, with an option for a further five years.

RESOLUTION #84-43

The Solicitor has drafted Resolution #84-43, to reduce the term of the lease to five years as requested, and since the resolution rescinds an earlier one, a two-thirds majority vote of members present was required to adopt it. Ald. Crawford and Greenwood moved the adoption of Resolution #84-43, but the motion was opposed by Ald. Hetherington who felt the term should not be changed now that it has been set at ten years.

When the vote was taken, the necessary two-thirds majority was secured to adopt the new resolution and the Mayor declared the motion to be carried.

MOTION: Moved by Ald. Crawford & Greenwood that Council adopt Resolution #84-43, reducing the term of the lease requested by Public Works Canada, for a microwave tower site, from the original term of ten years to a five-year term (with an option for a further five years).

INFORMATION UPDATE:
CANAL PROJECT
PHASE 1

As requested by Council, City staff have met with representatives of the Dept. of Development to follow up on questions and points raised at the May 8th meeting with respect to the Shubenacadie Canal project and associated maintenance arrangements involving the City. Mr. Smith has provided information that was made available to him and has also recommended that Council await letters coming from the Province and the Federal Government on the subject of ongoing staffing and maintenance requirements; then staff will have had an opportunity to properly assess the costs of operation and staffing before reporting further to Council.

Ald. Sarto and Greenwood moved the adoption of the recommendation, but Ald. Levandier felt that another

meeting with the Provincial and Federal representatives is warranted so that Council can be made fully aware of future costs involved before the Canal project goes any further.

Ald. Beeler was concerned about what she called the negative attitude being shown toward the Canal project, considering the many benefits it will have for the City in terms of tourism and the provision of park and recreational facilities for our own citizens. She suggested that if Council does not consider the Canal to be a valuable asset, worth preserving and improving, then perhaps the Canal Commission is not required either, since their work is directed toward this end. Ald. Hawley also spoke about the long-term benefits of the Canal project and the value being received by the City for the Provincial and Federal dollars that are being spent here.

Ald. Crawford suggested that perhaps additional reports from the Commission, to keep Council informed on a regular basis, would help to clarify some of the points now being raised in debate.

The vote was taken on the motion and it carried.

MOTION: Moved by Ald. Sarto and Greenwood that Council adopt the recommendation from Mr. Smith in his report of May 17th to Council on the subject of information requested in connection with the Canal project and ongoing maintenance and staffing costs in the future.

AMENDMENT:
ORDER ESTABLISHING
MAPC
RESOLUTION #84-42

Council has been asked to adopt Resolution #84-42, which provides for Council's agreement with an amendment to the order establishing MAPC. This amendment provides for the appointment of the Minister of Municipal Affairs or an alternate appointed by him to the Commission, but this Commissioner shall not act as Chairman.

Ald. Levandier and Hetherington moved the adoption of Resolution #84-42. Questions from Ald. Crawford about the intent of the amendment were discussed with the Mayor, after which the vote was taken. The motion carried.

MOTION: Moved by Ald. Levandier & Hetherington that Council adopt Resolution #84-42, signifying Council's agreement with a proposed amendment to the order establishing MAPC, as recommended by Mr. Smith.

AWARD TENDER:
VEHICLE FOR
ENGINEERING DEPT.

Tenders have been received as follows for the supply of a wagon for the Surveying Division of the Engineering Dept.:

- 1) Harbour View Plymouth Chrysler \$8,988.70 less trade \$100.
- 2) Dartmouth Dodge 9,364. less trade \$175.
- 3) Chebucto Ford 12,682. " " \$226.

Acceptance of the highest bid, from Chebucto Ford for a 1984 Bronco II, has been recommended since it was the only unit quoted on that came close of meeting the specifications for the vehicle. Council awarded the tender, as recommended, on motion of Ald. Sarto and Greenough.

MOTION: Moved by Ald. Sarto and Greenough that the tender for a wagon for the Surveying Division of the Engineering Dept., be awarded to the highest bidder, Chebucto Ford; their Bronco II was the only unit quoted that came close to meeting the specs for the vehicle tendered.

CONSTRUCTION
AGREEMENT #D-1:
PLEASANT ST.

RESOLUTION #84-44

Resolution #84-44 has been prepared, authorizing the City to enter into Construction Agreement D-1 with the Province, for the upgrading of Pleasant Street from Highway #111 to the City limits. This item was added to the agenda at the beginning of the meeting, with the concurrence of Council.

Ald. Bregante and Hetherington moved the adoption of Resolution #84-44, as recommended by Mr. Fougere, the Acting City Administrator. The motion carried.

MOTION: Moved by Ald. Bregante & Hetherington that Council adopt Resolution #84-44, authorizing the City to enter into Construction Agreement D-1 with the Province, for the upgrading of Pleasant Street from Highway #111 to the City limits..

UNCOLLECTIBLE
ACCOUNTS
RECEIVABLE

A report has been submitted to Council by Mr. Smith on uncollectible accounts receivable presently being carried on the City books, in the total amount of \$394,451.43. It is recommended that Council approve the write-off of all these accounts, as detailed in the report. Ald. Sarto and Hawley moved the adoption of the recommendation.

Ald. Bregante and other members asked about collection practices and the efforts that are made to recover the accounts that are owing to the City. Mr. Corrigan, the Deputy City Treasurer, was present to respond to questions from Council and noted that our authority to collect accounts only extends to a limited company and not to the individuals who own it (ie. in cases of companies that have gone out of business, into bankruptcy, etc.). He explained the on-going process followed to collect accounts even after they have been written off, involving two full-time employees and the use of collection agencies.

Ald. Greenwood asked for information on the accounts owed by After School Products Ltd. and Hoyts Moving & Storage, both of which are companies still in business in the City. Ald. Hetherington questioned the account billed to the Dept. of Transportation, for which the Province has disclaimed responsibility, and suggested that perhaps a letter from the Mayor's office would assist in the collection of the money owed to the City for fire hydrant replacement in the County (caused by Provincial snow removal equipment).

The vote was taken on the motion and it carried.

MOTION: Moved by Ald. Sarto and Hawley that Council adopt the recommendation from Mr. Smith, to approve the write-off of uncollectible accounts receivable now being carried on City books, in the total amount of \$394,451.43.

AMENDMENT: METRO.
POLICY PROCEDURE

& INFORMATION MANUAL of Social Services, seeking approval to amend Section 1.2.6 of the Metropolitan Halifax Regional Municipal Social Services, "Policy, Procedure & Information Manuel", to exclude 'Family Allowance' as Unearned Income. Also, to amend Section 1.4.3 to read:

"In establishing eligibility for Social Assistance, any person or persons in a family unit who are not receiving Family Allowance will be entitled to a monthly allowance for 'Miscellaneous Essentials'.

Consideration will also be given to restricting "Budget Allowances" to mandatory items and limiting the issue of items of "Special Need" to emergency

type situations.

This request for changes is necessitated by the recent amendment to the Municipal Assistance Regulations. To implement the amendment without also making the changes being recommended would increase the Social Services budget over a twelve-month period by an estimated \$400,000., with as much as an additional \$400,000. for families made eligible; as well, more staff would be required to handle the increased caseloads.

Mr. McNeil was present to explain the amendment requested to Council and it was approved on motion of Ald. Crawford and Peters. Ald. Levandier asked for a report from Mr. McNeil on the possibility of increasing the present \$50. per month comfort allowance provided for people in special care homes.

MOTION: Moved by Ald. Crawford and Peters that Council approve the amendment requested by the Director of Social Services to Sections 1.2.6 and 1.4.3 of the Metro. Halifax Regional Municipal Social Services "Policy, Procedure & Information Manual", as detailed above and on page 8 of these minutes.

REPORTS:
FERRY SUPT.

On motion of Ald. Hetherington and Sarto, Council approved the Ferry Supt. reports for January, February and March, as recommended by the Transit Advisory Board.

MOTION: Moved by Ald. Hetherington and Sarto that Council approve the Ferry Supt. reports for January, February, and March, as recommended by the Transit Advisory Board.

FEASIBILITY:
COST OF THIRD
FERRY

The Transit Advisory Board has discussed the feasibility of a third ferry to serve as a back-up in the event of a major breakdown or accident with either of the two existing ferries, and has recommended that a committee be set up to explore all avenues of possible cost-sharing in this connection.

Ald. Crawford explained the intent of the motion and the recommendation of ^{the} Board was adopted by Council, on motion of Ald. Greenough and Hetherington. Members agreed that the Board itself can appoint this committee and proceed to establish it.

MOTION: Moved by Ald. Greenough & Hetherington that Council adopt the recommendation of the Transit Advisory Board on the setting up of a committee to explore all avenues of possible cost-sharing with respect to the feasibility of a third ferry to serve as a back-up in the event of a major breakdown or accident with either of the two existing ferries.

COMPOSITION:
TRANSIT ADVISORY
BOARD

The matter of staff membership on the Transit Advisory Board has been raised at the recent Board meeting, in consideration of the untenable position that staff members are sometimes placed in as voting members of the Board. It has therefore been recommended that the two staff members on the Board, Bruce Smith and Paul Connors, no longer be voting members, and that they be replaced by two members of Council, as suggested by the staff members themselves; they would continue to serve on the Board in an advisory capacity.

Council adopted the recommendation, on motion of Ald. Hetherington and Crawford, on the understanding that this item will be forwarded to the Solicitor for the necessary amendment to the terms of reference for the Board to accomplish the intent of the motion.

MOTION: Moved by Ald. Hetherington & Crawford that Council adopt the recommendation of the Transit Advisory Board on the replacement of staff members as voting members, with two members of Council. The item will go to the Solicitor for drafting of the necessary amendment to the terms of reference for the Board, to accomplish the intent of the motion.

Council appointments were not made at this time since several members were not present for the meeting.


EXTENSION:
ROUTE 52

The Transit Advisory Board has recommended the extension of Route 52 to serve the MacDonald Ave/ Thornhill Drive area of the Burnside Park, involving an over-expenditure in the amount of \$1,500. for the City. Council adopted the recommendation and gave first approval for the over-expenditure, on motion of Ald. Greenwood and Hawley.

MOTION: Moved by Ald. Greenwood and Hawley that Council approve the extension of Route 52 bus service to the MacDonald Ave/Thornhill Drive area of the Burnside Park and give first approval for the \$1,500. over-expenditure involved.

Ald. Levandier requested that the agenda for the May 29th meeting of Council include an inquiry and answer item and the Summary of Revenue & Expenditures, if time permits after the public hearing scheduled for that date.

On motion of Ald. Crawford and Greenwood, Council adjourned to meet in camera and did not reconvene in open meeting.



G. D. Brady,
Deputy City Clerk.

City Council, May 22/84

ITEMS:

- 1) Elect voting delegates: FCM Conference, page 1.
- 2) Candidate: Board of Directors FCM, page 2.
- 3) Bus Service: Parade of Sail, page 2.
- 4) Award Tender: Contract #84-05, page 3 & 4.
- 5) Lease of land: Microwave tower, page 5
- 6) Resolution #84-43, page 5.
- 7) Information update: Canal Project, Phase 1, pg. 5
- 8) Amendment: Order establishing MAPC, page 6.
Resolution #84-42, page 6.
- 9) Award tender: Vehicle for Engineering Dept., pg. 7.
- 10) Construction Agreement D-1: Pleasant St., pg. 7.
Resolution #84-44, page 7.
- 11) Uncollectible Accounts Receivable, page 7.
- 12) Amendment: Metro. Policy Procedure & Information
Manual, page 8.
- 13) Composition: Transit Advisory Board, page 10.
- 14) Reports: Ferry Supt., page 9.
- 15) Feasibility: Cost of third ferry, page 9.
- 16) Extension: Route 52, Burnside Park, page 10.

Dartmouth, N.S.

May 29, 1984

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

Present - Mayor Brownlow

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

City Solicitor, S. Hood
Acting City Administrator, R. Fougere
Deputy City Clerk, G.D. Brady

Three items were added to the agenda at the commencement of the meeting. They were Mount Royal Development Limited, Office Complex and Application for Building Permit - Trizec Equities Limited, also Pensions.

PUBLIC HEARING
MPS AMENDMENT:
DEPARTMENT OF
HOUSING

This meeting of Council constituted the public hearing for an application from the Provincial Department of Housing, for an amendment to the Municipal Planning Strategy, which would permit the development of a Senior Citizens Housing Complex on property at the northwest corner of Ochterloney and King Streets. In order to consider such proposals, Council must amend the M.P.S. The proposed amendments that will enable Council to do this are detailed in Policy DA-2, DA-20 and DA-21. By-law C-522 would have to be adopted in order to make the required changes.

Ms. Stewart representing the Planning Department gave a presentation outlining what has to be done in order for the development to proceed. Referring to a plan of the property involved, Ms. Stewart noted that the site has a present split zoning of R2/TH and C1/R3, therefore, a Development Agreement has been requested. She outlined the procedure to amend the M.P.S. and explained the new requirements under the Planning Act. Reasons were cited why the Planning Department feels this is a good proposal for the site. Therefore, the Planning Department recommends that Council approve the amendments and adopt By-law C-522, as presented in the Supplementary Report, with the amendment that Section 1(a) be deleted (because the hearings for the Dell Holdings Property have been delayed).

Mr. R. Willwerth of Duffus, Romans, Kundzins, Rounsefell Ltd. who are the consultants, directed Council's attention to plans of the proposed six storey senior citizens complex. The building will contain 67 residential units and a Senior Citizens Service Centre (multi-purpose room, lounge area, kitchen facilities and offices) and residents lounge on the ground floor.

He noted that one of the major items of concern brought up at a public information meeting in April, was the concern that blasting for the building would damage properties in the area. As a result, a sub-survey of the rock was done. The results of this survey seem to indicate that because of the depth and type of rock involved, a bulldozer should be able to remove it. Any residual rock could be broken with an impact hammer. In response to a query by Ald. Crawford, Mr. Willwerth indicated that every precaution will be taken in the removal of the rock to eliminate damage to adjacent properties.

The Mayor called for any representations in favour of the proposed MPS amendment. Mr. Jack Spencer, representing the senior citizens, addressed Council in favour of the development. He referred to various concerns expressed at the earlier public information meeting and how they have been resolved to the satisfaction of the senior citizens, or don't pose any problem at all. He also outlined the difficulties encountered in finding a suitable new site for the Senior Citizens Service Centre, over the past few years.

Mrs. M. Fraser also spoke in favour of the development, stressing that residents in the area appear to be in favour of the development. Any remarks made at the public information meeting were not necessarily objections but questions. She expressed pleasure that the development was going through.

The Mayor called for any representations opposed to the proposed MPS amendment, but none were presented.

There being no further public representations, the Mayor declared the public hearing to be at an end.

7-LAW C-522
P.S. AMENDMENT

Council proceeded with first reading of the proposed By-law C-522, required to permit the M.P.S. amendment being requested by the Department of Housing.

It was moved by Ald. Crawford and Bregante and carried that leave be given to introduce the said By-law C-522 and that it now be read a first time.

It was moved by Ald. Greenough and Bregante that By-law C-522 be read a second time.

The Solicitor indicated that two amendments to By-law C-522 are required. In section 1, under Policy DA-2, item (b) "that land shown as area 2 on map 8b", is to be deleted. An amendment to this effect was moved by Ald. Crawford and Hetherington. The motion carried.

Secondly, the wording of section 3 is changed to read as follows: The Municipal Planning Strategy is further amended by adding map 8b thereto. An amendment to this effect was moved by Ald. Greenwood, seconded by Ald. Sarto. The motion carried.

MOTIONS: Moved by Ald. Crawford and Hetherington that the following amendment be made to By-law C-522. In section 1, under Policy DA-2, item (b) "that land shown as area 2 on map 8b", be deleted.

Moved by Ald. Greenwood and Sarto that the following amendment be made to By-law C-522. The wording of section 3 is changed to read as follows: The Municipal Planning Strategy is further amended by adding map 8b thereto.

The vote was then taken on second reading of the amended By-law and it carried.

Ald. Hawley expressed concern about how the \$350,000. Senior Citizen Centre is to be paid for. The Mayor outlined what has taken place in this regard, emphasizing the willingness of the seniors to raise the money themselves for the Centre, if financing cannot be arranged through other sources. A cost sharing arrangement is presently before the Housing Commission and the Mayor felt confident that a positive

reply will be forthcoming, on the proposed 50 year agreement. A committee consisting of the Mayor, Ald. Crawford and Ald. Levandier is working in conjunction with the seniors to secure financing.

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

It was moved by Ald. Hetherington and Stubbs and carried that By-law C-522 as amended, be read a third time and that the Mayor and the City Clerk be authorized to sign and seal said by-law on behalf of the City.

MOTIONS: Three readings given to By-law C-522, as amended.

PUBLIC HEARING
ON A LAND USE BY-LAW
REQUEST: DEPT.
OF HOUSING

Council has also set this date for public hearing of a Land Use By-law amendment for the Department of Housing for property at the northwest corner of Ochterloney and King Streets. The amendment is for City Council to consider residential development proposals for other than single family, semi-detached, duplex and townhouse units through the Development Agreement provisions of the Planning Act (Section 55) and pursuant to Policy DA-20 and Policy DA-21 of the Municipal Planning Strategy.

Kim Stewart addressed the meeting, concluding with reference to the fact that the Planning Department has recommended to Council that it approve the amendment and adopt By-law C-523, as presented in the Supplementary Report.

The Mayor called for representations in favour of the amendment, but none were presented. He then called for anyone wishing to speak in opposition to the amendment. No one was heard in objection and no written submissions were presented.

Hearing no representations either for or against the amendment, the Mayor declared the public hearing to be at an end.

BY-LAW C-523:
AMEND LAND USE
DEPARTMENT OF
HOUSING

Council next gave first reading to proposed By-law C-523, required to amend the Land Use By-law that has been requested by the Department of Housing, as previously outlined.

It was moved by Ald. Crawford and Bregante and carried that leave be given to introduce the said By-law C-523 and that it now be read a first time.

It was moved by Ald. Hetherington & Bregante and carried that By-law C-523 be read a second time.

The Solicitor indicated that an amendment is required to By-law C-523. In section 2, Schedule "E" should read "D". An amendment to this effect was moved by Ald. Crawford and seconded by Ald. Greenwood. The motion carried.

MOTION: Moved by Ald. Crawford and Greenwood that the following amendment be made to By-law C-523. In section 2, Schedule "E" should read "D".

The vote was then taken on the second reading of the amended By-law C-523 and it carried.

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

It was moved by Ald. Hetherington and Ald. Stubbs and carried that By-law C-523 as amended, be read a third time and that the Mayor and the City Clerk be authorized to sign and seal said by-law on behalf of the City.

MOTIONS: Three readings given to By-law C-523, as amended.

This date was set by Council for public hearing of the Development Agreement of the Department of Housing to permit construction of the Senior Citizens Complex at the northwest corner of Ochterloney and King Streets. The Planning Department has recommended that Council approve the Development Agreement and therefore approve Resolution 84-19.

The Mayor called for representatives in favour of the Development Agreement, but none were presented. He then called for anyone wishing to speak in opposition to the Development Agreement. No one was heard in objection and no written submissions were presented.

DEVELOPMENT
AGREEMENT:
DEPARTMENT OF
HOUSING

add this to minutes
look for May 29



C.A. MOIR
CITY ADMINISTRATOR

City of Dartmouth

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

July 4, 1984

Mr. Dennis W. Kerr,
Director of Field Services,
N.S. Department of Housing,
Box 815,
Dartmouth, N. S.
B2Y 3Z3

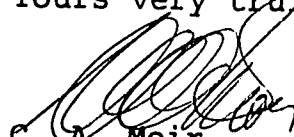
Dear Sir:

Further to our telephone conversation of today's date regarding accommodations for the Dartmouth Senior Citizens Club in the proposed 67-unit senior citizens housing project to be constructed on Ochterloney Street.

At a meeting of Dartmouth City Council held on May 29, Council agreed to support the construction of these facilities to the maximum of \$350,000 provided that arrangements could be made with the N.S. Department of Housing for an inclusion of the repayment of this \$350,000 under the 50-year agreement to be paid in addition to the 12 1/2% operating costs which is the City's portion of these costs.

In the Motion adopted by City Council, there was a committee established to approach the Provincial Government and any other agencies or groups, including the Federal Government, to see if these arrangements could be finalized.

Yours very truly,


C. A. Moir,
City Administrator

cam;mgm

c.c. Mayor D. Brownlow
Mr. B.S. Smith, City Clerk-Treasurer

(over)

P. S.

Bruce, I understand that this information has not been communicated to Mr. Kerr. In the Minutes, other than a minor reference at the end of Page 6 of the May 29 meeting made by a Mr. Willwerth the amount of \$350,000 is mentioned as follows:

"It was also pointed out that the \$350,000 represents the cost of the space alone, not furnishings, etc."

It is unfortunate that the amount of \$350,000 was not mentioned in the body of the Motion. It now turns out that the Architect's estimate to build a clubhouse facility containing 7,039 sq. ft. is \$439,155. To build facilities containing 8116 sq. ft., the cost is \$530,700. We have a real serious problem!



CAM

RESOLUTION
84-19

Hearing no representations either for or against the Development Agreement, the Mayor declared the public hearing to be at an end.

On motion of Ald. Hetherington, seconded by Ald. Withers it was moved that Resolution 84-19 be approved.

MOTION: Moved by Ald. Hetherington and Withers that Resolution 84-19 be approved.

As a result of earlier comments re financing of the Senior Citizens Centre, it was moved by Ald. Hawley and seconded by Ald. Stubbs that though Council supports inclusion of the Senior Citizens Centre, that it might be advisable for the Committee, consisting of the Mayor, Ald. Crawford and Levandier, be directed to make whatever arrangement they can with the Housing Commission for inclusion under the agreement, 50 years, to be paid in addition to the 12 1/2% operating costs each year, and that they be authorized to approach the Provincial Government and any other agencies or groups, including the Federal Government. The motion carried.

MOTION: Moved by Ald. Hawley and Ald. Stubbs that though Council supports inclusion of the Senior Citizens Centre, that it might be advisable for the Committee, consisting of the Mayor, Ald. Crawford and Levandier, be directed to make whatever arrangements they can, with the Housing Commission for inclusion under the 50 year agreement, to be paid in addition to the 12 1/2% operating costs each year and that they be authorized to approach the Provincial Government and any other agencies or groups, including the Federal Government.

At the request of Ald. Stubbs, Mr. Willwerth reviewed the plans for the Senior Citizens Centre. Mr. Willwerth emphasized that although the Centre will occupy 80% of the ground floor, it has been planned in such a manner as to operate independently of the balance of the complex. It was also pointed out that the \$350,000 represents the cost of the space alone, no furnishings, etc.

OVER-EXPENDITURE
TRANSIT BUDGET

On motion of Ald. Crawford and Ald. Sarto, Council gave second approval to an over-expenditure in the amount of \$1,500. for an extension of bus service in the Burnside Park on Route 52, as recommended by the Transit Advisory Board.

MOTION: Moved by Ald. Crawford and Ald. Sarto, that Council give approval to an over-expenditure in the amount of \$1,500. for an extension of bus service in the Burnside Park on Route 52, as recommended by the Transit Advisory Board.

PENSIONS

Ald. Withers informed Council regarding the situation of four persons who went on pension from the City prior to the City adopting the 1970 Pension Plan. Mr. McBain reports that their pensions range from \$720 to \$2,500 yearly. A review of the balance of city pensioners, 110 in number, is presently being studied. Ald. Withers moved, seconded by Ald. Crawford that the Pension Committee be instructed to review the pensions of the four retirees and report back to Council as soon as possible. The motion carried.

MOTION: Moved by Ald. Withers and Crawford that the Pension Committee be instructed to review the pensions of the four City employees who retired prior to 1970 and report back to Council, as soon as possible.

SHUBENACADIE
CANAL PROJECT

Proposals have now been submitted for the ownership, maintenance and operation of the new facilities being constructed as part of the redevelopment of the Shubenacadie Canal, as outlined in a letter from Harvey Doane of the Department of Development, dated May 25, 1984. The Acting City Administrator, Mr. Fougere, has recommended approval of the proposals, as submitted. It was moved by Ald. Sarto and seconded by Ald. Hetherington that these proposals be approved.

Ald. Levandier expressed concern that the costs outlined in the report, do not necessarily reflect the true costs, for example policing, etc. He suggested that the Provincial Government should be requested to designate the area a Provincial Park. This would ensure uniformity in the operation of the project and its maintenance.

Ald. Beeler felt that uniformity of the system will be achieved through the City of Dartmouth and was personally opposed to turning the Canal over to the Provincial Government

as it is a heritage site.

Ald. Stubbs recalled that at a presentation by M.A.P.C. it was indicated that the long range plans of the Province propose to make the Canal a provincial park. Mr. Doane confirmed that in the long range plans of the Province such a designation exists.

Responding to concerns expressed regarding maintenance of the interpretive centres and trails, Mr. Atkinson indicated that he did not feel the costs would be substantially greater than those to maintain existing facilities.

Ald. Greenough endorsed the project and thought the Province deserves credit for providing the funds which will make it possible. Ald. Hawley felt similarly, and compared the amount of money the Province is putting into the restoration versus the amount of money that will be required by the City to maintain the improvements. Referring to a speech from the Throne, Ald. Crawford thought the costs in maintaining the park are small in comparison to the lands being deeded to the City. In support of the redevelopment, Ald. Sarto referred to the increased tourism which will result and the overall benefit which will be derived by the education system.

When the vote was taken, the motion on the floor carried.

MOTION: Moved by Ald. Sarto and Hetherington that the proposals contained in Mr. Doane's letter of May 25, 1984 re ownership, maintenance and operation of the Shubenacadie Canal be approved.

EL AYR PARK
SEWER UPGRADING

Mr. Fougere has submitted an information report to Council on the sewer upgrading project to be carried out in Bel Ayr Park, for which \$400,000. was allocated in the 1981 Capital Budget. He has outlined the program being proposed for 1984, as planned for completion this summer. On motion of Ald. Sarto, seconded by Ald. Romkey, it was moved that the report be received and filed.

Ald. Hawley pointed out that the situation in Bel Ayr Park is very complicated and requested that the new members of Council should be provided with all the background information available, in this regard. He recalled that a committee of residents was to discuss with the Engineering

the problem, particularly their concern that they not be held responsible for any costs associated with correcting the problem.

Mr. Fougere noted that until the new storm sewers are constructed, there is no means of determining which properties are responsible for the infiltration of storm water. Once identified, those property owners would be responsible for installing a new lateral to hook into the system. A by-law would be required to enforce connection. Mr. Fougere outlined the history of the problem, noting that raw sewage is overflowing into an adjacent swamp. The Solicitor will ensure that the necessary by-law is ready when needed. When the vote was taken, the motion on the floor carried.

MOTION: Moved by Ald. Sarto and Romkey that the report re Bel Ayr Park - Sewer Upgrading Project, be received and filed.

CANADA DAY
ACTIVITIES

Mr. Atkinson gave a verbal presentation regarding proposed Canada Day activities. Dartmouth will celebrate Canada Day, Saturday, June 30th with fireworks for July 1st. Mr. Atkinson noted that more people would likely be in the downtown area Saturday and available for the celebrations. Also local businesses would benefit. In the event of inclement weather the activities could be held Sunday. The Mayor noted that the Canada Day Committee was dissolved October, 1983 and that the responsibility was left with the Director of Recreation. Mr. Atkinson outlined the activities planned, stressing that their will be a more ethnic flavour to the celebrations. On motion of Ald. Crawford, seconded by Ald. Hawley, it was moved that Saturday, June 30th be designated the day Dartmouth celebrates Canada Day. The motion carried.

MOTION: Moved by Ald. Crawford and Hawley that Saturday, June 30th be designated the day Dartmouth celebrates Canada Day.

PARADE OF
SAIL

A letter dated May 23 from the Downtown Dartmouth Corporation requesting permission to allow Portland Street to be closed to all vehicular traffic from Wentworth Street to Alderney Drive, excepting the intersections, June 13th; for the Parade of Sail, was before Council.

However, it was moved by Ald. Hetherington and seconded by Ald. Sarto that Portland Street be closed from only King to Alderney Drive, June 13th, during the Tall Ships Parade of Sail. Ald. Hetherington emphasized his main concern was for the safety of pedestrians, if intersections in the area remained open for city buses and other through traffic.

Ald. Crawford requested that Mr. Morrissey address Council on the reasons for this request. Mr. Morrissey noted that on the past several occasions only the block from King to Alderney Drive has been closed. The merchants on the next block have therefore not benefitted from the increase in pedestrian traffic.

It was moved in amendment by Ald. Crawford and seconded by Ald. Hawley that Portland Street be closed from Wentworth Street rather than King Street.

Ald. Beeler spoke in favour of the amendment and it was suggested by Ald. Greenwood that perhaps the buses could be rerouted for the day. Ald. Crawford will speak to the Transit authorities regarding this suggestion. Ald. Hetherington suggested that the City Administrator should advise the Fire Department of plans for that day. When the vote on the amendment was taken, it passed with Ald. Hetherington voting against. The vote on the motion carried.

MOTION: Moved by Ald. Hetherington and Sarto that Portland Street be closed from King to Alderney Drive, June 13th, during the Tall Ships Parade of Sail.

AMENDMENT: Moved by Ald. Crawford and Hawley that Portland Street be closed from Wentworth Street to Alderney Drive, June 13th.

MOUNT ROYAL
DEVELOPMENT

A report dated May 29, 1984 from the Planning Department re a request from Mount Royal Development Limited to lease land from the City for construction of an office complex was distributed. The land is located at the north-west corner of Alderney Drive and Ochterloney Street and is approximately 8,000 sq. ft. The report outlined reasons why the request for the lease should be denied.

Ald. Crawford rose on a point of order. He felt that before any decision is taken, Council should view plans or an artist's concept of the proposed building. He noted that the main objection to the development appears to be that the proposal splits the block of land, which the City anticipates owning, once negotiations with C.N.R. are complete. This split would leave the portion of lands owned by C.N.R. isolated from Alderney Drive, thereby reducing its potential for development.

Ald. Crawford moved a motion, seconded by Ald. Hetherington that City Council give the developer, Mr. Young, the opportunity to put together his plans and artist's concept and bring back to Council.

Ald. Hawley objected strongly to this motion, stating that any land that the City proposes to lease or sell, should be put out to public tender, so that other individuals can have an opportunity to submit their suggestions. He also stressed the desirability that the whole block of land, i.e. city owned and portion currently under negotiations with C.N.R. should be developed.

Ald. Levandier supported the motion, stressing the fact that adopting the motion does not bind the City in any fashion, but just gives developer opportunity to return with plans. He felt it important to encourage development in the downtown and suggested that perhaps Mr. Rath might commence promoting the Downtown Core, as well as the Industrial Park. He felt it also desirable if the Planning Department identified potential land assemblies in the Downtown. He moved a motion that we have the Planning Department prepare a revised report of the land assemblies the City has in the Downtown Core. The motion was not seconded at this time.

In reply to a query by Ald. Stubbs, Mr. Lukan outlined the history of the land negotiations with C.N.R. He noted that the negotiations have become very complicated since C.N.R. has desired the completion of other land negotiations simultaneously. It was noted that Mr. Young had submitted a plan a year ago for the whole block, but since negotiations have not been completed, has submitted a revised plan for only that portion of property presently owned by the City.

Ald. Stubbs could not support the motion based on her belief that the public must be made aware of the availability of City owned property and ideally she would like the whole site developed. Since the City is not yet in ownership of the C.N.R. portion, this site cannot be advertised as a whole.

In defence of the motion, Ald. Crawford noted that on occasion land in the Industrial Park does not go to tender before it is sold, so this would not be a precedent. Mr. Lukan noted that C.N.R. is virtually in agreement with trading this land.

Ald. Stubbs was concerned that Council might be swayed by the developer into making a premature decision on the site in question. In reply to a query by the Mayor, Mr. Lukan noted that no other queries regarding this piece of property have been received since Mr. Young's proposal, a year ago.

Ald. Greenough applauded Mr. Young for his initiative in bringing forth another plan, but felt it unfair to Mr. Young to have commence drafting plans, when the idea does not necessarily have the support of Council. He felt also that all the potential of the site should be identified before any decisions are made.

Both Ald. Hetherington and Greenwood expressed their support of the motion on the floor.

Ald. Beeler expressed two points of concern regarding the proposal. Ideally she would like to see the whole block of land developed and also she had reservations regarding the leasing arrangement proposed.

The Mayor suggested that in view of the proposals submitted, maybe C.N.R. could be encouraged to complete negotiations on this piece of property. Once complete, Mr. Young might wish to resubmit his original plans for the entire site. It was, therefore, moved by Ald. Crawford and seconded by Ald. Greenwood that Mr. Young be given the opportunity to address Council. A tie vote resulted. The Mayor cast his vote in favour of the motion and Mr. Young addressed Council.

As background Mr. Young submitted statistics to Council regarding the office market potential for the City of Dartmouth, now and projected, ten to 20 years hence. He also noted that it was his understanding from Mr. Moir that it might be sometime before the C.N.R. negotiations are resolved. He noted that a whole land mass does not have to be covered entirely for effective utilization of a site. Mr. Young felt that the building proposed was in scale with the area and the effect the View Planes have on the area. As a result of the low demand anticipated for office space, he felt that any larger building would not be able to secure financing. The developers had chosen the leasing approach as it offered a great deal of flexibility. The City would receive market value for the land immediately, but would still own the property 50 years from now. Timing of construction is very critical, as the developer has clients presently interested in the space.

Reflecting on comments made by the Mayor regarding Mr. Young's address, Ald. Hawley moved, seconded by Ald. Romkey an amendment, which read as follows. And that the City make it known publicly that it is willing to take into consideration development proposals by interested parties for the same site and also the adjoining lands, if they become available in the near future. The deadline for such proposals to be considered by Council is July 17th.

Ald. Greenough further suggested that specifications for development on this property might include an option of phasing construction over a period of time.

The vote on the amendment carried as did the vote on the

amended motion.

MOTION: Moved by Ald. Crawford and Hetherington that City Council give the developer, Mr. Young, the opportunity to put together his plans and artist's concept and bring back to Council.

AMENDMENT: Moved by Ald. Hawley and Romkey in amendment and that the City make it known publicly that it is willing to take into consideration development proposals by interested parties for the same site and also the adjoining lands, if they become available in the near future. The deadline for such proposals to be considered by Council is July 17, 1984.

Ald. Levandier moved a motion, seconded by Ald. Hetherington that the Planning Department bring in a revised report to City Council on available land assemblies in the Downtown Core suitable for development and recommendations to include development proposals, as soon as possible. The motion carried.

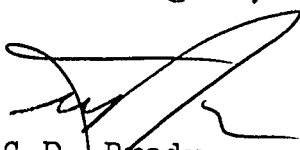
MOTION: Moved by Ald. Levanider and Hetherington that the Planning Department bring in a revised report to City Council, on available land assemblies in the Downtown Core, suitable for development and recommendations to include development proposals, as soon as possible.

TRIZEC EQUITIES
LIMITED

A report was submitted to Council from the Planning Department recommending that approval be given for a building permit to Trizec Equities Limited, for an addition to the Zellers store at the Dartmouth Shopping Centre. On motion of Ald. Stubbs and Hawley, the recommendation contained in the report was approved.

MOTION: Moved by Ald. Stubbs and Hawley that a building permit application be granted to Trizec Equities Limited, subject to the comments made in the report dated May 28th, 1984.

On motion of Ald. Sarto and Hetherington, the meeting adjourned.


G.D. Brady,
Deputy City Clerk

City Council, May 29, 1984

ITEMS:

- 1) Public Hearing, MPS Amendment, Department of Housing, pages 1 & 2.
- 2) By-law C-522, MPS Amendment, pages 3 & 4.
- 3) Public Hearing, Land Use By-law Request, Dept. of Housing, pages 4 & 5.
- 4) Development Agreement, Dept. of Housing, pages 5 & 6.
- 5) Resolution 84-19, page 6 SENIOR CITIZENS COMPLEX
- 6) Over-expenditure, Transit Budget, page 7.
- 7) Pensions, page 7.
- 8) Shubenacadie Canal Project, pages 7 & 8.
- 9) Bel Ayr Park - Sewer Upgrading, pages 8 & 9.
- 10) Canada Day Activities, page 9.
- 11) Parade of Sail, pages, 9 & 10.
- 12) Mount Royal Development, pages 11 to 14.
- 13) Trizec Equities Limited, page 14.

Dartmouth, N. S.

May 30/84.

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

Present - Mayor Brownlow

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

City Solicitor, M. Moreash
Acting City Administrator, B. Smith.

LONG-TERM
DISABILITY
PLAN

On motion of Ald. Crawford and Bregante,
Council tabled a report from Mr. Smith, accompanied
by a proposed Long-Term Disability Plan and modified
Sick Leave Plan for City staff members, recommended
by the Finance & Program Review Committee. This
document will be dealt with in more detail by Council
sometime in June.

MOTION: Moved by Ald. Crawford and Bregante
that Council table a report from Mr.
Smith, with accompanying Long-Term
Disability and modified Sick Leave
Plan. The document is circulated for
information at this time and will be
dealt with at a later date.

LAND USE BY-LAW
AMENDMENT:
COUNTRY STOVE
STORE LTD.
MAIN STREET

Council set this date for public hearing of
a rezoning request from Country Stove Store Ltd. for
lands at the rear of their existing property at
101 Main Street; the request is to rezone the lands
in question from the present R1 Zone to C3 (General
Business) to permit removal of the existing Country
Stove store, to be replaced with a new retail/warehouse
facility. Driveway entrance to the retail section
will be from Main Street and the service and loading
entrance to the warehouse will be from Lakecrest Drive.

Mr. L'Esperance made the Planning Dept. present-
ation of the request, recommending in favour of its
approval.

The Mayor called for representations both for
and against the application, but none were received,
either in written form or verbally. The Mayor then
declared the public hearing to be over.

BY-LAW C-524

Proposed By-law C-524 has been prepared to accomplish the amendment to the Land Use By-law and it was before Council for consideration.

It was moved by Ald. Crawford and Withers and carried that leave be given to introduce the said By-law C-524 and that it now be read a first time.

It was moved by Ald. Hetherington and Bregante that By-law C-524 be read a second time.

Ald. Greenough noted that some Lakecrest Drive residents have indicated their concern about traffic congestion that already exists on their street and improvements that are needed to it. He asked if there is to be retail access to the new store from Lakecrest. Mr. L'Esperance advised that the Lakecrest Drive entrance is intended primarily for the warehouse part of the operation, although there is nothing to prevent retail customers from parking there and walking through to the front, along the side of the building. The main retail entrance, however, is from Main Street. Ald. Withers asked if the building could be expanded further at the back, if the owner wished to do so. Mr. L'Esperance said it could, but the parking lot available to the owner would then be reduced in size.

The vote was taken on third reading and it carried.

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

It was moved by Ald. Crawford and Bregante and carried that By-law C-524 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-524: amendment to the Land Use By-law, Country Stove Store application.

This Council meeting constituted the public hearing for an application from Montebello Estates Ltd. for the rezoning of lands in the Montebello Subdivision development from the present R-1 and R-3 Zones to R-1, R-3, I-1, and P, as designated in

LAND USE BY-LAW
AMENDMENT:

MONTEBELLO
ESTATES LTD.

Schedule "B" of proposed By-law C-526.

Mr. L'Esperance made the Planning Dept. presentation to Council, indicating the areas to be rezoned and the new location of the R-3 development and expanded I-1 area adjacent to the existing I-1 Zone at 200 Waverley Road. He also indicated the park land to be reserved and the walkway system that will be continued throughout the total Montebello development. In conclusion, he recommended in favour of the application to rezone. All of the relevant documentation pertaining to the application and the information meeting with area residents, has been circulated with the agenda for this meeting.

Mr. Tom Swanson presented the development proposal on behalf of the developers, explaining the changes that have been made in order to remove the R-3 area away from existing R-1 neighborhoods. He addressed one of the other concerns indicated by area residents, namely, the connection of Orkney Drive through to Montebello Drive, showing an alternate plan the developer is willing to accept, that would end Orkney Drive in a cul-de-sac, with no connection to the main spine road through the subdivision, Montebello Drive. He stated that the developer is willing to accept whichever design Council wishes to have incorporated in the plan, although both he and Mr. L'Esperance stated their preference for the connection of Orkney Drive up with Montebello Drive, from a planning point of view.

He reviewed in detail the kind of development proposed for the R-3 and I-1 areas, showing a conceptual plan of the three-storey apartment buildings that will be located within the R-3 development; there will be seven of these with a density of 24 units per acre, well within the maximum number allowed in an R-3 Zone. Plans were also presented for the expanded I-1 development, which will be similar to the existing buildings at 200 Waverley Road. Mr. Swanson pointed out that

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the developer is requesting the R-3 and I-1 changes in zoning at this time, in order not to be delayed with his development plans. He has, however, submitted an application for a Contract Agreement for both areas, which will be processed in due course and will commit the developer in agreement form to those plans he is now presenting. Mr. L'Esperance verified that such an application has now been received from the developer for Contract Agreement on the R-3 and I-1 portions of the request now before Council.

Ald. Greenough inquired about the potential flooding problem that Mr. Wayne Perrault of 30 Orkney Drive has written about in two letters to Council, in view of the location of his property next to a swamp that will be filled in and developed with R-1 housing. Mr. Swanson said he could not proceed with an actual drainage plan for this area until it has been determined what is to be done with Orkey Drive, but he has reached an understanding with the City Engineering Dept. that the drainage design will provide for a 100-year-storm eventuality rather than a ten-year storm as would normally have been done. In this way, additional protection against any potential flooding problem in the future will be taken into account.

Ald. Romkey asked about blasting precautions, and Mr. Jack Osmond responded to this concern by explaining that some blasting will be necessary, but it will be carried out with extreme care and efforts to minimize any problems being caused to existing homes.

Mr. Frank Stevens, President of Montebello Estates Ltd., addressed Council and stated his intention to proceed with the Montebello development in compliance with the plans that have been presented. He said he wished to make a pledge to the City at this time that his company will adhere to the development proposal for the R-3 and I-1 zones, as the plans have been shown to Council during Mr. Swanson's presentation.

Over and above that assurance, his company has also proceeded to make application for a Contract Agreement which will tie down in contract form the actual details that have now been provided.

A brief recess was called, during which time members of Council had an opportunity to look at the plans and drawings for themselves, rather than just seeing them at a distance during the presentation.

As soon as members of Council resumed their places, the Mayor proceeded with the public hearing, calling for representations from anyone wishing to speak in favour of the Land Use By-law amendment. There was no one wishing to be heard and no written submissions were made in favour.

The Mayor then called for speakers wishing to offer their comments or to speak in opposition to the rezoning application.

Mr. Oliver O'Rourke of 13 Orkney Drive spoke first, his main objection being to the connection of Orkney Drive with Montebello Drive. He maintained that such a traffic pattern would produce short-cutt through to Montebello Drive and create traffic probl for the Orkney Drive residents.

Mr. Paul Mazier of 38 MicMac Drive felt that area residents should have a complete guarantee that both the R-3 and I-1 developments will be carried out according to the promises of the developer; he there favoured a development agreement for both these zone. He also referred to the imperative need for an upgra of Braemar Drive, and the Mayor reported on the rece meeting held with the Deputy Minister of Transportat to discuss this project and cost-sharing arrangement with the Province. The City Engineering Dept. has been requested to send all the relevant documentatio to the Provincial Department and it is hoped that wo will go ahead on the project from there. The Mayor also commented on Council's concern about regulation

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Mr. Paul Mazier of 38 MicMac Drive felt that area residents should have a complete guarantee that both the R-3 and I-1 developments will be carried out according to the promises of the developer; he therefore favoured a development agreement for both these zones. He also referred to the imperative need for an upgrading of Braemar Drive, and the Mayor reported on the recent meeting held with the Deputy Minister of Transportation to discuss this project and cost-sharing arrangements with the Province. The City Engineering Dept. has been requested to send all the relevant documentation to the Provincial Department and it is hoped that work will go ahead on the project from there. The Mayor also commented on Council's concern about regulations

to control blasting operations within the City, this being one of the other points raised by Mr. Mazier in his presentation.

Ms. Ann White, President of the Ian Forsyth Home & School Association, considered that a safety hazard for children will result if Orkney Drive is opened up and connected with Montebello Drive. At her suggestion, a show of hands was called for on the question of whether Orkney Drive should be connected or closed off with a cul-de-sac. Of the areas residents present for the hearing, most of the people indicated to Council their preference for a cul-de-sac.

Ald. Hawley noted that the development agreement will not come into effect for some time and development in the R-3 and I-1 zones will be well underway by then. Mr. Osmond provided additional information on the apartment buildings to be constructed in the R-3 area, giving the height dimensions of them and details of the exterior construction materials. He advised that the I-1 development will be almost identical to the existing buildings at 200 Waverley Road; the new buildings will serve office and warehouse functions. Mr. Stevens again gave his assurance to Council and the residents that his company intends to follow the plans that have been presented for the R-3 and I-1 developments; these will form the basis of the development agreement that will be signed after the due process has been followed in making application.

The Solicitor was asked to comment and pointed out that the developer has already made a verbal commitment and as a further show of good faith, has already submitted his application for a development agreement, which will eventually confirm all of the details that have been outlined at this time.

Mr. Wayne Perrault, whose letters were referred to previously by Ald. Greenough, proposed that the park area now shown on the plan be moved over to the

swampy land adjacent to his property as a means of forestalling possible drainage problems that may occur if the land is developed as planned with R-1 residences. Mr. Swanson pointed out that the area selected for the park was chosen in consultation with the Recreation Director, and the location was considered to be particularly important since it is close to R-3 development which will have a higher density of population and less amenity space than in the case of the R-1 properties. It was pointed out that the swampy area under discussion is now zoned R-3 and will be rezoned to R-1, which will place less pressure on the drainage system. Mr. Swanson again provided details on the kind of design for the system that will accommodate a 100-year storm, and discussion followed as to the degree of assurance that can be given to residents that they will not experience flooding problems at any future time as a direct result of the new development. The Solicitor noted that matters such as drainage are not really a part of the rezoning application. It is the responsibility of the developer to provide adequate drainage and it is the responsibility of the Engineering Dept. to determine that plans for drainage meet the necessary requirements.

Mr. Perrault continued to request that the park designation be moved on the development plan, as he outlined to Council. Mr. Swanson and Mr. L'Esperance both pointed out that if the park were to be relocated, the swamp would still have to be filled in before the land would be useable.

One other point raised by Ms. Ann White pertained to the adequacy of classroom space for the additional children from the new development; her main concern was about possible over-crowding at Ian Forsyth where it has been necessary to make use of portable classrooms for many years. The Mayor quoted from Mr. Harrison's report on the adequacy of space at the Ian Forsyth and Michael Wallace schools to accommodate the expected

number of elementary-age children from the Montebello development.

There being no further speakers wishing to be heard, the Mayor declared the public hearing to be over.

BY-LAW C-526

By-law C-526, which will amend the Land Use By-law in accordance with the request from Montebello Estates Ltd., was before Council for consideration.

It was moved by Ald. Crawford and Bregante and carried that leave be given to introduce the said By-law C-526 and that it now be read a first time.

It was moved by Ald. Hetherington and Levandier that By-law C-526 be read a second time.

Ald. Romkey said that while he was not opposed to the development proposal, he was concerned about the adequacy of the drainage provisions, particularly in the area described by Mr. Perrault. He made reference to the drainage problems that occurred in his area of the City when development took place on adjacent lands and the drainage system proved to be inadequate. He said the developer should give assurance now that there will not be any flooding of existing homes once the swamp land has been developed. The question of liability also came up again, both from the point of view of the developer and the City.

Mr. Swanson felt the chance of flooding is minimal and although the developer will make every possible effort to install an adequate drainage system, with provision for a 100-year storm, a categorical guarantee cannot be given by the developer that flooding will not occur under any circumstances.

Ald. Romkey also stated his opposition to the closing of Orkney Drive with a cul-de-sac and noted that the City has already experienced problems when this was done before in other locations.

Ald. Stubbs requested that the design plans for the drainage system that will serve the section of swamp land, be referred to the Lakes Advisory Board

for their review. The Mayor suggested that the plans also be brought to Council and Ald. Greenough said it would be advisable to have the complete subdivision plan made available for review as well.

Ald. Hawley wanted to have the cul-de-sac question resolved before By-law C-526 was given three readings. Members of Council were asked to indicate whether they favoured a cul-de-sac for Orkney Drive, as the residents have requested. Ald. Crawford pointed out that future bus service to this area could be affected by any decision to create a cul-de-sac; he was opposed to closing off the street for this and other reasons. The show of hands by Council resulted in an 8 to 5 vote in favour of a cul-de-sac at the end of Orkney Drive.

The vote was taken on second reading and it carried.

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

It was moved by Ald. Withers and Greenwood and carried that By-law C-526 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-526: amendment to Land Use By-law, Montebello Estates Ltd. application.

RESOLUTION #84-34:
CONVENIENCE STORE

This meeting of Council also constituted the public hearing for a development agreement between the City and Montebello Estates Ltd., with respect to the location of a local convenience store on land at the intersection of Caledonia Road and Montebello Drive.

Mr. L'Esperance made the Planning Dept. presentation of the plan for a one-storey convenience store, 1500 sq. ft. in size, with eight parking spaces and landscaping. He recommended in favour of the application.

The Mayor called for representations in favour of the application and there were none. He then asked if anyone wished to speak against the application.

Mr. Oliver O'Rourke and Ms Ann White were not

opposed to the convenience store as such, but were concerned about the hours of operation and the possible problem of video and amusement machines in the store. They asked that both matters be addressed by Council and controls specified.

There being no further speakers, the Mayor declared the public hearing to be over.

Ald. Bregante and Greenwood moved the adoption of Resolution #84-34, authorizing the entering into of the development agreement with Montebello Estates Ltd.

Ald. Greenough moved in amendment that the hours of operation for the convenience store be restricted to an opening time of 7:00 a.m. and a closing time not later than 12:00 midnight; the amendment was seconded by Ald. Hawley. The opinion of the developer was sought and Mr. Stevens indicated his concurrence with this condition.

The Solicitor will draft the appropriate paragraph for inclusion in the development agreement, to cover the amendment proposed. The vote was taken on the amendment and it carried.

Ald. Greenough and Hawley then moved in amendment that no video or other machines of this kind be operated on the premises of the convenience store, a provision with which Mr. Stevens also concurred. This condition to be drafted by the Solicitor for inclusion in the development agreement. The amendment carried.

The motion, as amended, carried.

MOTION: Moved by Ald. Bregante and Greenwood that Council adopt Resolution #84-34, covering the development agreement with Montebello Estates Ltd., for the location of a convenience store at the intersection of Caledonia Road and Montebello Drive, in the Montebello Subdivision.

AMENDMENTS: Moved in amendment by Ald. Greenough and Hawley:

- (a) that the hours of operation for the convenience store be restricted to an opening time of 7:00 a.m. and closing time no later than 12:00 midnight.
- (b) that no video or other machines of this kind be operated on the premises of the convenience store.

AMENDMENT:
LAND USE BY-LAW
LUND PROPERTY

This date was previously set by Council for public hearing of an application to rezone the lands on Braemar Drive known as the Lund property, to permit a townhouse development, but due to the lateness of the hour, Ald. Crawford and Stubbs moved that the public hearing for this application be adjourned to Wed., June 20th at the hour of 7:30 p.m. in the City Hall Council Chamber. The motion carried.

MOTION: Moved by Ald. Crawford and Stubbs that the public hearing for the Lund property application be adjourned to Wed., June 20th at the hour of 7:30 p.m. in the City Hall Council Chamber.

Meeting adjourned.

Bruce Smith,
Acting City Administrator.

City Council, May 30/84

ITEMS:

- 1) Long-Term Disability Plan, page 1.
- 2) Land Use By-law Amendment: Country Stove Store Ltd.
By-law C-524, page 2.
- 3) Land Use By-law Amendment: Montebello Estates Ltd.,
pg. 2 to 10 incl.
By-law C-526, page 8.
Resolution #84-34, page 9.
- 4) Amendment: Land Use By-law: Lund property, page 11.

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MOTION: Moved by Ald. Crawford and Stubbs that the public hearing for the Lund property application be adjourned to Wed., June 20th at the hour of 7:30 p.m. in the City Hall Council Chamber.

Meeting adjourned.

Bruce Smith,
Acting City Administrator.

City Council, May 30/84

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