

Dartmouth, N. S.

September 2/86.

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

Present - Mayor Savage

Ald. McCluskey	Thompson
Billard	MacFarlane
Connors	Levandier
Pye	Woods
Hawley	Greenough
Bregante	Hetherington
City Solicitor, S. Hood	
Acting City Administrator, Bruce S. Smith.	

Rising on a point of privilege, Ald. MacFarlane brought to Council's attention, the fact that Rick Hansen will be arriving in Dartmouth on September 17th on his cross-country tour, and he went on to move that for the day, September 17th, Portland Street be renamed 'Rick Hansen Blvd.', to acknowledge his visit. The motion was seconded by Ald. Greenough and it carried.

MOTION: Moved by Ald. MacFarlane & Greenough that for the date September 17th, Portland Street be renamed 'Rick Hansen Blvd.' in recognition of the visit of Rick Hansen, the wheelchair athlete who is making a cross-country tour.

Ald. Pye and Hetherington then moved that Council adjourn at the hour of 10:00 p.m. to go in camera. The Mayor said efforts will be made to adjourn at that hour and the motion carried.

MINUTES

The minutes of the August 19th meeting were adopted, on motion of Ald. Thompson and MacFarlane.

SECOND APPROVAL: OPERATING COSTS SR. CITIZENS CENTRE

On motion of Ald. Hetherington and Bregante, Council gave second approval for an over-expenditure in the amount of \$12,250. for operating costs at the Dartmouth Senior Citizens Centre. First approval was given at the Council meeting of August 19th.

MOTION: Moved by Ald. Hetherington & Bregante that second approval be given for an over-expenditure in the amount of \$12,250. for operating costs at the Dartmouth Sr. Citizens Centre.

TOURISM PRESENTATION

The Director of Tourism, Mr. Till, proceeded with a presentation on the tourism industry and its relevance for Dartmouth. He first provided statistics on tourism income on a world-wide and national basis,

pointing out that in 1985, it was a nineteen-billion-dollar industry for Canada, the third largest earner of foreign exchange in Canada, yielding 7.5 million dollars in taxes.

Tourism in Nova Scotia constitutes 8% of our gross domestic product, and it is a labour-intensive industry for the province. Of the taxes generated from tourism, 44.3% go into Provincial revenue and 20.3%, to municipal revenue. The 1986 Dept. of Tourism budget is thirteen million dollars, of which 4½ million dollars is dedicated to marketing. Mr. Till advised Council that when he came to the position of Tourism Director for the City in 1979, the City budget for tourism was \$39,000., and this year, it is \$75,000. He made the point that with 6 and 5% budget increases, and subsequent lower increases, an adverse impact has been felt in his department, and in fact, his budget has been virtually on hold with no financial possibilities for expansion.

Mr. Till went on to deal with the various facets of tourism, such as the convention business, tour bus operations, familiarization tours, participation in tourism organizations, facilities that exist in Dartmouth to accommodate tourists, and so on. He compared the Dartmouth-Halifax situation with the cities of Covington and Cincinnati in Ohio, Covington being similar in size to Dartmouth but with an \$800,000. budget for tourism and eight full-time employees in their tourism department. He used this illustration to show the emphasis that has been placed on tourism by a smaller municipality in close proximity to a major city.

Mr. Till concluded his presentation with what he called a 'Santa Claus list' of items he would like to see considered in conjunction with the tourism budget for the City. Included were: support staff and improved facilities to work out of; the need for public sector dedication; private sector awareness; highway signage;

increased advertising and promotion, etc.

Ald. MacFarlane commended Mr. Till for his presentation, and followed up on it by addressing Council on the tourism potential Dartmouth has but unfortunately, as present, maximum use is not being made of it. More and better promotion is required, and inadequacies such as signage and promotion need to be addressed. Additional funding has to be provided, he said, in order to be able to do a better selling job for the City. He noted that the City of Halifax spends over \$300,000. for promotion, while in Dartmouth, our total budget for tourism is only \$75,000.

Ald. MacFarlane referred to the promotional campaign the City of St. John has undertaken with considerable success to date. He pointed out that with the attractions, facilities and events Dartmouth has, it should be even easier to carry out a successful promotion of our own city.

Ald. Levandier felt the tourist bureau would be more effective in its operation if it were located on Highway 118, instead of its present location on Thistle Street. He discussed this point further with Mr. Till and said he would like to have it addressed by the Tourist Commission for their response. Mr. Till commented on some of the attributes of the present site, in terms of accessibility for recreational vehicles and the view and generally-attractive setting that is pleasing to visitors.

Ald. Billard requested that Mr. Till make available to Council, copies of the information he has provided during the course of his presentation. Also, he requested projections of potential tourism revenue the City could expect to receive if the budget were to be augmented in the various ways Mr. Till has suggested. He said it would be worthwhile to obtain some indication from Covington of the tourism return they expect to receive for their investment, and also,

what other communities comparable to Dartmouth in their situation have done; specific communities he noted were Dieppe, N. B., Richmond, B. C., Parkdale, P.E.I., and Red Deer, Alberta. Ald. Billard further requested an indication of the cost and additional tourism revenue projections for a satellite tourist bureau on Highway 118, and signage at the Miller's Lake interchange.

Ald. Hawley and other members who spoke after the tourism presentation, recognized the need for more attention to the tourism potential the City has, but they generally agreed that Council first has to have some assessment of the financial benefits that can be expected and the costs involved to accomplish these. The consensus was that Mr. Till should prepare a further report, with the kind of substantiating information that will form a basis for justifying additional expenditures for tourism in Dartmouth. The Mayor suggested that Mr. Till be given four or five weeks to complete such a report, during which time the Tourist Commission would meet and participate in the discussions. He proposed that three additional Aldermen assist on the Commission during that period, as an indication of Council's interest. Ald. Connors, Billard and Hawley indicated they would be willing to serve in this capacity, along with Ald. MacFarlane who is already on the Tourist Commission.

A motion to receive Mr. Till's presentation, for the information of Council, was adopted, as moved by Ald. Greenough and seconded by Ald. MacFarlane.

MOTION: Moved by Ald. Greenough & MacFarlane that Council receive Mr. Till's presentation for the information of Council.

THIRD READING:
C -LAW C-596

Proposed By-law C-596 received first and second readings at the August 26th meeting, and was before Council for third reading at this time. This by-law would accomplish the rezoning of Lot K-5A in the Woodside Ocean Industries Park.

CONFLICT OF INTEREST

The Mayor and Ald. Greenough, Connors, and McCluskey again declared a conflict of interest, having been present when the item was before the Industrial Commission. The Mayor left the chair and called upon Ald. Hawley to chair the meeting for this item, in the absence of Deputy Mayor Withers. Mayor Savage and the three Aldermen noted, withdrew from their places until after the vote was taken on the motion for third reading.

It was moved by Ald. Hetherington and Bregante and carried that By-law C-596 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.

MOTION: Third reading given to By-law C-596.

The Mayor resumed the chair and Ald. Hawley took his place on Council.

AWARD TENDER:
EQUIPMENT
WORKS DEPT.

Tenders have been received, as per the report to Council, for equipment for the Works Dept. for 1986, and acceptance of the bids listed for each individual item, has been recommended by Mr. George, with the concurrence of Mr. Fougere, Acting City Administrator.

Ald. Greenough and McCluskey moved the adoption of the recommendations, but Ald. Levandier was in favour of awarding the tender for item 3 (Backhoe Loader) to Coastal Equipment, a Dartmouth firm; he noted that the Coastal tender is only \$1,400. more than that of N. S. Tractor, the one being recommended.

Mr. Lalonde, the Fleet Manager, was present to respond to questions from Ald. Levandier about the two tenders and about the equipment each firm is able to provide. He advised that the N.S. Tractor machine has been tested and it is a good machine; service from this company is excellent as well.

Other members of Council were concerned about the consequences of awarding the tender to a local firm, contrary to the tendering process, in terms of what other local municipalities might do in a similarly restrictive way, and were not willing to interfere with the tender process for that reason.

When the vote was taken on the motion, it carried with Ald. Levandier voting against.

MOTION: Moved by Ald. Greenough & McCluskey that the tenders for Works Dept. equipment for 1986, be awarded as recommended in the report to Council, dated Aug. 27/86.

AWARD TENDER:
CONTRACT 85-09

Tenders have been received for Contract 85-09 (Main Street/Ridgecrest intersection):

Municipal Contracting Ltd.	\$185,122.
Ocean Contractors Ltd.	196,285.
Gael General Contractors & Developers Ltd.	204,037.

Acceptance of the low bid, submitted by Municipal Contracting Ltd., has been recommended, and the tender was awarded to Municipal, on motion of Ald. Thompson and MacFarlane.

MOTION: Moved by Ald. Thompson & MacFarlane that the tender for Contract 85-09 be awarded to the low bidder, Municipal Contracting Ltd.

EXECUTIVE
JOB SEARCH

An item added to the agenda was a report from the Mayor on behalf of the committee appointed to make a recommendation to Council on the proposals received from companies interested in carrying out a job search for the position of City Administrator.

On behalf of the committee, the Mayor has recommended to Council that H. B. Vincent be appointed to conduct the search, at a cost of \$9,750. (max.), plus advertising cost.

Ald. Levandier would like to have had more information than Council has been provided with, and Ald. Woods was not satisfied with the recommendation in its present form. The Mayor responded to questions from both members of Council, and pointed out that the only way members could be completely informed about the proposals would be to read through them all as members of the committee have done. He noted that the decision in favour of H. B. Vincent was reached independently by each committee member, after having reviewed the proposals in detail.

Ald. Connors proposed that members who wish to review the individual proposals, should have the opportunity to do so, and he moved a two-week deferral before

a decision is made on the committee's recommendation. This will give individual Aldermen time to study the proposals in as much detail as they wish.

The motion was seconded by Ald. MacFarlane and it carried.

MOTION: Moved by Ald. Connors and MacFarlane that a decision on the H.B. Vincent recommendation be deferred for two weeks, to give members of Council the opportunity to review all of the proposals received.

(Ald. Woods left the meeting at this point in the agenda.)

REQUEST TO AMEND
LAND USE BY-LAW:
(MONTABELLO ESTATES
(WITHDRAWN))

On motion of Ald. Hetherington and MacFarlane, Council received and filed a report from the Development Officer, advising that the application to amend the Land Use By-law, on behalf of Montebello Estates, has been officially withdrawn.

MOTION: Moved by Ald. Hetherington & MacFarlane that the report from the Development Officer, advising that the rezoning request on behalf of Montebello Estates has been withdrawn, be received and filed.

REQUEST TO AMEND
LAND USE BY-LAW:
500 MAIN STREET
(WITHDRAWN)

The Mayor advised Council that a second application to amend the Land Use By-law, involving the property at 500 Main Street, has also been withdrawn at this time. Therefore, Council did not move to set a date for the public hearing.

Mayor Savage advised that the request is to be held in abeyance until after the housing presentation and debate on September 25th.

REQUEST TO AMEND
LAND USE BY-LAW:
PORTLAND STREET
DART. COMMERCIAL
ESTATES

On motion of Ald. Hetherington and MacFarlane, Council set October 14th as the date for public hearing of an application to amend the Land Use By-law, submitted by Dartmouth Commercial Estates, for property on Portland Street, formerly known as the Eisener Farm.

MOTION: Moved by Ald. Hetherington & MacFarlane that October 14th be set as the date for public hearing of an application to rezone lands on Portland Street, as submitted by Dartmouth Commercial Estates.

PERMIT TO BUILD:
SWISS CHALET
100 MAIN STREET

On motion of Ald. MacFarlane and Thompson, Council approved an application for permit to build a new Swiss Chalet restaurant at 100 Main Street,

subject to compliance with City requirements, as per the staff report of Aug. 27/86. Estimated value of construction is \$580,000.

MOTION: Moved by Ald. MacFarlane & Thompson that Council approve an application for permit to build a new Swiss Chalet restaurant at 100 Main Street, subject to compliance with all the necessary requirements.

AMENDMENTS:
M.P.S. AND
LAND USE BY-LAWS
DEVELOPMENT
AGREEMENTS

On motion of Ald. Thompson and MacFarlane, Council set October 7th as the date for public hearing of proposed amendments to the M.P.S. and the Land Use By-laws, with respect to Development Agreements.

MOTION: Moved by Ald. Thompson & MacFarlane that October 7th be set as the date for public hearing of proposed amendments to the M.P.S. and the Land Use By-laws, with respect to Development Agreements.

MOTIONS:
ALD. HAWLEY

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

1) Ald. Hawley moved, seconded by Ald. Greenough, that:

WHEREAS improvements have been made in the Ira Settle sports grounds, for the last six or seven years;

AND WHEREAS a restructuring of a secondary ballfield, resulting in an upgrading of this field, has recently been completed;

AND WHEREAS there exists a large drain to one side of this field, which now is causing restriction on the full use of this field;

THEREFORE, BE IT RESOLVED that City Council direct the City Engineer to investigate this problem and to provide an estimate of the costs required to eliminate this problem. Also, that he recommend where the required funds are to come from to correct the problem.

This motion received the support of Council and it carried.

MOTION: Moved by Ald. Hawley & Greenough: see above text.

2) Ald. Hawley moved, seconded by Ald. MacFarlane, that:

WHEREAS there appears to be a serious mosquito problem which exists in the Booth and Fader Street area;

AND WHEREAS this problem has existed for a large number of years;

AND WHEREAS it appears the problem is caused by the existence of a swampy area called the Kuhn Road swamp, where it is believed mosquitos multiply in great numbers;

BE IT RESOLVED that City Council direct the Engineering Dept. to look into this problem and attempt to develop some plans that will eliminate the problem in the 1987 spring and summer season.

Ald. Hawley indicated to Council the extent of the mosquito problem that residents in the area of the Kuhn Road swamp have been experiencing for quite a number of years now; the problem is especially bad during spring and summer months and prevents the residents from enjoying their properties outdoors during those months. He also listed the several approaches to the problem that the Engineering Dept. has considered, including the creation of a retention pond similar to the one created adjacent to Guysborough Ave. in Woodlawn.

Ald. McCluskey was concerned about the cost implications if the City is asked to take similar measures at other locations throughout the City where swampy areas exist. Ald. Billard said the problem in the Kuhn Road area has been caused through man-made alterations to the eco-system, and therefore, the City has a responsibility to deal with the results of those alterations. Ald. Thompson was not opposed to some kind of corrective steps being taken as long as the brook system is not adversely affected to the point where people living further down the system begin to experience flooding problems. He pointed out that the retention pond in Woodlawn was intended primarily to relieve serious flooding problems and not to deal with a mosquito problem.

Since the motion only calls for the Engineering Dept. to look at the problem and attempt to come up with suggested solutions (which will come back to Council for consideration) members were willing to support it. When the vote was taken on the motion, it carried.

MOTION: Moved by Ald. Hawley & MacFarlane:
text of the motion on page 8 and above.

MOTIONS: ALD.
WITHERS & SARTO
(DEFERRED)

Motions proposed by Ald. Withers and Sarto for this meeting, were deferred in their absence to the next regular Council meeting.

(D. LEVANDIER

3) Ald. Levandier moved, seconded by Ald MacFarlane,
that:

BE IT RESOLVED that Planning staff prepare an estimate of cost to connect the 107 By-pass to Akerley Blvd., and that it be presented to Council before the end of October, 1986;

AND BE IT FURTHER RESOLVED that the Financial staff be prepared, in connection with this report, to offer advice to Council as to the best way to fund this project.

(Ald. Levandier said the only way the 107 By-pass can be classified as a true by-pass highway, is for it to connect with the Burnside Park, and thereby further relieve traffic congestion that has been causing problems for the City for years.

Ald. Greenough was not opposed to the motion, but felt there must be a cost-sharing by the province in any such highway extension. He said he would ^{want} to have assurance on this cost-sharing before he would be willing to support the project fully.

(The original notice of motion contained three separate paragraphs, but at the suggestion of the Mayor and with the concurrence of the mover and seconder, the motion as presented, contains only the first and second paragraphs. In this form, the revised motion carried.

MOTION: Moved by Ald. Levandier & MacFarlane:
see above for text of motion.

(NOTICE OF MOTION:
ALD. BREGANTE

The following notice of motion was given by
Ald. Bregante for the next regular Council meeting:

WHEREAS it has been brought to our attention that persons are using City sidewalks as bicycle paths;

AND WHEREAS these persons are not yielding to people who are walking on the sidewalks;

AND WHEREAS some of these pedestrians are knocked down and injured;

(THEREFORE BE IT RESOLVED that City Council ask the City Solicitor and the Chief of Police to report back to City Council as to how we can prevent a serious accident from happening on our sidewalks, and keep these persons from using the sidewalks as a bike speed-way.

(INQUIRIES:

ALD. HETHERINGTON

Ald. Hetherington asked about two street reconstruction projects, sidewalks on Dustan Street and repaving on Cuisack Street. Mr. Purdy responded with information on the work being done to get tenders ready now for the reconstruction program, in which both

these streets are included.

ALD. BILLARD

Ald. Billard asked when the continuous garbage pickup program will start. Mr. Purdy advised that it began as of the first of September. Ald. Billard felt that it may need to be further publicized.

Ald. Billard's second inquiry concerned the Canadian Waste Water Management conference in progress in Halifax, and whether or not anyone from the Engineering Dept. will be attending. Mr. Fougere explained that it is difficult with the staff available to free up a staff member for the conference. Ald. Billard then requested that some effort be made to have copies of the various papers and material from the conference, collected and circulated for the information of any members of Council who want to review it. He also asked that in future, members of Council be informed of upcoming conferences such as this one, in case individual members might want to consider attending on their own. Mr. Fougere said he would be willing to do this.

ALD. LEVANDIER

Ald. Levandier asked to have the Fire Dept. look at a leaking oil tank at 13 Pelzant Street.

He also asked if the T.M.G. have looked at the suggested implementation of 'By Permit Only' parking for residents living in the downtown area. He said a report was to have come back on the subject.

ALD. PYE

Two street reconstruction projects inquired about by Ald. Pye were: (1) Trinity Ave., and (2) the sidewalk extension to Princess Margaret Blvd. Mr. Purdy again explained the inclusion of as many projects as possible in the tenders that will be called; this results in some delay with individual streets until the complete tender is ready.

ALD. MACFARLANE

Ald. MacFarlane's inquiry concerned the completion of curb on several streets in Manor Park. Mr. Fougere noted that in the case of these streets, both a contractor and a developer are involved, but every effort is being made to complete them within the next four to six weeks.

Dartmouth, N. S.

September 16/86.

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

Present - Mayor Savage

Ald. Sarto	Thompson
Billard	MacFarlane
Connors	Levandier
Withers	McCluskey
Pye	Woods
Hawley	Greenough
Hetherington	
City Solicitor, S. Hood	
City Administrator, C. A. Moir	
Deputy City Clerk, G. D. Brady.	

Mayor Savage advised Council that the housing report, scheduled for presentation on Sept. 25th, will now be presented at a meeting to be held on October 6th. Council concurred with this change in the date.

RESOLUTION 86-60:
MAINSTREET PROGRAM
WYSE ROAD

Ald. Withers rose on a point of privilege, and with Council's concurrence, proceeded to introduce Resolution 86-60, indicating to the Province an interest in participating in a Mainstreet Program for Wyse Road, from Thistle Street to Albro Lake Road, in conjunction with the Dept. of Development. The motion to approve Resolution 86-60 was seconded by Ald. McCluskey and it carried.

MOTION: Moved by Ald. Withers and McCluskey that Council approve Resolution 86-60: Mainstreet Program for Wyse Road.

EXECUTIVE
JOB SEARCH

The recommendation of the Job Search Committee, on the appointment of H. B. Vincent to conduct the search for a City Administrator, was again before Council, having been deferred to give members an opportunity to review the various proposals received, including the Vincent proposal.

Ald. Sarto and Thompson moved the adoption of the recommendation from the Committee. Ald. Levandier said his only concern was that the firm appointed would remain completely neutral in their selection process, with no interference whatsoever. He moved in amendment that the final report from the Vincent company come back directly to Council, through the office of the Mayor. The amendment was seconded by Ald. Billard.

As one of the Council members who reviewed the proposals, Ald. Woods gave a brief verbal report to Council on them, and said that any questions he may have had initially when the recommendation was presented, have now been answered to his satisfaction.

The Mayor said that in his opinion, the amendment was compatible with the motion and he therefore took the vote on the amended motion, which carried.

MOTION: Moved by Ald. Sarto and Thompson that Council adopt the recommendation of the Job Search Committee on the appointment of H. B. Vincent to conduct the job search for a City Administrator.

AMENDMENT: Moved in amendment by Ald. Levandier and Billard that the final report from the Vincent company come back directly to Council, through the office of the Mayor.

RESOLUTION 86-58:
CAPT. J. FARRELL

On motion of Ald. Withers and MacFarlane, Council approved Resolution 86-58, extending the term of employment for Capt. Joseph Farrell (Fire Dept.) by a minimum of nine months, to his service with the City, in order that he will qualify for a twenty-five-year pension.

MOTION: Moved by Ald. Withers and MacFarlane that Council approve Resolution 86-58, extending the term of employment for Capt. Joseph Farrell, as recommended by Mr. Moir in his report of Sept. 10/86.

SALE OF SURPLUS
LANDS: WINDMILL RD.

A report has been submitted to Council on the sale of surplus lands owned by the City, between 342 Windmill Road and 320 Windmill Road. The report contains three recommendations and has been submitted jointly by Mr. Moir and the Aldermen for Ward 5.

Ald. MacFarlane and Thompson moved the adoption of the recommendations, as set out in the report dated Sept. 10/86. Ald. Woods indicated his wish to add a fourth recommendation, as follows:

That the owner of any property abutting Windmill Road, who desires to purchase all of the land, be granted the right to buy same - provided he/she enters into an agreement with the City of Dartmouth that he/she will, at his/her own expense, develop the ten-foot portion of land to the satisfaction of the City of Dartmouth (ie. placing grass, planting trees, shrubbery, etc., where necessary).

Ald. Woods and Pye moved the adoption of recommendation #4, in amendment to the motion.

Members had an opportunity to ask questions about the four recommendations, and Ald. Hawley was concerned that sight distances will not be adequately protected at the corners of intersections if trees are allowed to be part of the landscaping. Ald. Woods considered that this concern is covered by the wording of recommendation #4 which reads ' . . . to the satisfaction of the City of Dartmouth'.

When the vote was taken, the amendment carried and the amended motion carried.

MOTION: Moved by Ald. MacFarlane & Thompson that Council adopt the three recommendations contained in Mr. Moir's report to Council on the sale of surplus lands on Windmill Road.

AMENDMENT: Moved in amendment by Ald. Woods and Pye that a fourth recommendation be adopted, as presented at this meeting; text of recommendation #4 is on page 2 of these minutes.

RESOLUTION 86-59:
TRANSIT AS A
LINE DEPARTMENT

Council was asked to consider Resolution 86-59, providing for the proclamation of amendments to the Metropolitan Authority Act, whereby regional transit will be reconstituted as a line department of the Metropolitan Authority. Ald. Hetherington and Sarto moved the adoption of Resolution 86-59.

Ald. Greenough and Hawley had reservations about this change, referring to the recent example of transit route 55 as an instance where the wishes of the local municipality were superceded by a decision of the Authority. They were concerned that Council will lose control over decisions that affect other transit routes within the City of Dartmouth, if transit becomes a line department instead of being administered by MTC. Mr. Moir noted that either way, it is the Authority that has the final say and gives approval for transit decisions. He and the Mayor did not feel that there is cause for concern about the reconstitution of transit as a line department. The vote was taken on the motion and it carried.

MOTION: Moved by Ald. Hetherington & Sarto that Council adopt Resolution 86-59: reconstitution of regional transit as a line department of the Metro. Authority.

CONTRACT 86-09:
LAWN BOWLING
GREEN & FIELD
HOUSE

Mr. Moir has reported to Council on the tenders received for Contract 86-09, Lawn Bowling Green & Field House, the lowest bid having been received from Woodlawn Construction Ltd., in the amount of \$389,252.

The capital budget projection for this item was \$292,000., which is exceeded by the low bid received. It has therefore been recommended that the awarding of the tender be deferred, and that the matter be referred back to the Parks & Recreation Dept. to see if some alternative can be arrived at, particularly as it relates to the club house. Ald. Greenough and Levandier moved the adoption of the recommendation.

Ald. Withers was concerned that the project will be unduly delayed if some decision is not reached on it before too long. Mr. Moir said the item can come back to the September 23rd Council meeting so it will not be delayed. Ald. Billard requested clarification of the figures that appear in Mr. Moir's report, plus a breakdown of the figures in the other tenders that came in for the project. He also asked for an indication as to whether it would be advisable to go ahead with the bowling green only at this time. Ald. McCluskey asked if Council could have a look at the specs for the club house, in view of the cost it represents as part of the tender. Ald. Pye suggested that perhaps the lawn bowling organization might be willing to contribute toward the cost of maintenance and upkeep; he felt this point should be raised with representatives. Ald. Levandier said it was his understanding that the building was to have been a storage shed with washroom facilities only and not an expensive club house.

The vote was taken on the motion and it carried.

MOTION: Moved by Ald. Greenough & Levandier that the awarding of the tender for Contract 86-09 be deferred, as Mr. Moir has recommended. This item to be included in the Sept. 23rd agenda.

CONTRACT 86-10:
RETAINING WALL
SULLIVAN'S POND

Tenders have been received for Contract 86-10 (retaining wall - Sullivan's Pond), and it has been recommended that the tender be awarded to the low bidder, L & J Gillespie Structures Ltd., in the amount of \$105,799.50, for the total length of wall. Mr. Moir has further recommended that Council authorize a capital expenditure from the 1987 budget, in the amount of \$40,000., to meet the total cost of the project.

The tender was awarded, as recommended, on motion of Ald. Greenough and Sarto.

MOTION: Moved by Ald. Greenough and Sarto that the tender for Contract 86-10 be awarded to the low bidder, L & J Gillespie Structures Ltd., as recommended, in the amount of \$105,799.50 for the total length of the wall.

AWARD TENDERS
FOR VEHICLES

Tenders have been received for various City vehicles, as per the report from the Chief Buyer for the Purchasing Dept., dated Sept. 10/86. Mr. Moir has concurred with the recommendations of that report and has recommended to Council that the tenders be awarded accordingly.

Ald. Sarto and Thompson moved the awarding of the vehicle tenders as recommended. Ald. Hetherington had questions about air conditioning in the Police Dept. vehicles, and the Fleet Manager was present to respond to these. He also requested information from Mr. Moir on vehicles that go to garages for work and not to the City Works Centre. The vote was taken on the motion and it carried.

MOTION: Moved by Ald. Sarto and Thompson that tenders for City vehicles be awarded as they have been recommended to Council.

DOWNTOWN PLANNING
& DEVELOPMENT STUDY

On motion of Ald. MacFarlane and Sarto, Council approved the recommendation that the proposal received from U.M.A. Engineering, to carry out the Downtown Planning & Development Study, be accepted, at a cost of \$41,800., as per Mr. Lukan's report to Council, dated Sept. 9/86.

MOTION: Moved by Ald. MacFarlane & Sarto that U.M.A. Engineering be engaged to carry out the Downtown Planning & Development Study, as recommended.

MPS PRESENTATION

Time was allocated at this meeting of Council for an M.P.S. presentation, which began at approx. 8:30 p.m. and continued through until 10:00 p.m., when a reception was held for the volunteer members who are participating in the M.P.S. review process.

Mr. Bayer made the introductory remarks at the beginning of the presentation and introduced the citizens who are assisting in various capacities with the review. It was noted that about 100 volunteers are involved in the review process. The presentation itself was made by Mr. Doug Moss, Chairman of the M.P.S. Review Committee, and by Ms. Jill Grant, Chairperson for the M.P.S. Public Participation Sub-Committee.

Mr. Moss explained the initial steps that were taken in establishing the main review committee and the sub-committees. He then went on to give a review of the goals and objectives set for each of the sub-committees, together with an indication of some of the issues that each sub-committee is addressing. The sub-committees are as follows:

- Residential Sub-committee
- Industrial Sub-committee
- Commercial Sub-committee
- Heritage & Cultural Sub-committee
- Open Space & Environment Sub-committee
- Recreation Sub-committee
- Downtown Sub-committee
- Energy Sub-committee
- Transportation Sub-committee
- Public Participation Sub-committee

The progress being made by each Sub-committee was shown on an activity schedule chart, and Mr. Moss advised that the review should be completed in another two years time. He said the next two-month period will be one of the most active times for the Sub-committees. During his presentation, Mr. Moss commented on the involvement of the City Planning Dept. staff in providing assistance and information. Staff members who are working on this project were present for the meeting and were introduced by Mr. Bayer in his introduction.

Ms. Jill Grant provided Council with information on the public participation program that is taking place

in conjunction with the M.P.S. review. An information package was also circulated, giving details on components of the program such as publicity, workshops, public displays, open meetings, Cable 10 television programs, etc.

Ms. Grant stressed the importance of public participation and involvement in the review process if planning for the City is to truly reflect the ideas and opinions of the citizens. She pointed out that participation by Council is required as well, and opportunities must be provided for Council to respond directly to issues and to hear what citizens are saying about these issues. She suggested that some opportunity for direct response should be given Council prior to the public hearing when the finalized version of the Planning Strategy is presented.

During the question period that followed, Ald. McCluskey and other Council members asked if they would be placed in positions of bias by offering opinions or comments before the public hearing is held. The Solicitor pointed out that in this situation, members would be dealing in a general way with policy issues, and there would not be specific references to individual properties or zoning changes as there are in the case of applications involving amendments to the Land Use By-law. She did not feel that such involvement on the part of Council members, during what is essentially an information-gathering process, could be successfully challenged.

Other questions from Council pertained to the length of time required to complete the review; the status of planning reviews taking place in the City and County of Halifax; the implications of decisions taken by local and other government levels while the review is in progress; the merit of liaison with existing committees of Council that may already be dealing with issues being addressed by one or more of the M.P.S. Sub-committees. Ald. Hetherington asked about the

possibility of ward meetings where people in a local community would feel more at home discussing concerns that relate to their own neighborhood. He discussed this point further with Mr. Moss and Ms. Grant; Mr. Moss said he felt that there will be ample opportunity for such input in the various wards within the next six months.


Ald. MacFarlane commended the review process that is taking place in Dartmouth and, like other members of Council, commended the volunteers for the effort they are putting into its success. He said it is important for Council to listen to what the citizens are saying and to participate as well.

At the conclusion of the question and discussion period, Mayor Savage thanked the M.P.S. representatives for their presentation, and commended all of the volunteers for the work they are putting into the review.

Council then went in camera to deal with one additional item on the agenda.

Having reconvened in open meeting, the action taken in camera was ratified, on motion of Ald. Hetherington and Hawley.

Meeting adjourned.


G. D. Brady,
Deputy City Clerk.

City Council, Sept. 16/86

ITEMS:

- 1) Resolution 86-60: Mainstreet Program, Wyse Rd., pg. 1.
- 2) Executive Job Search, page 1.
- 3) Resolution 86-58: Capt. J. Farrell (Fire Dept.), pg. 2.
- 4) Sale of surplus lands: Windmill Rd., page 2.
- 5) Resolution 86-59: Transit as a line dept., page 3.
- 6) Contract 86-09: Lawn bowling green & field house, pg. 4.
- 7) Contract 86-10: Retaining wall, Sullivan's Pond, pg. 5.
- 8) Award tenders for vehicles, page 5.
- 9) Downtown Planning & Development Study, page 5.
- 10) M.P.S. presentation, page 6 to 8 incl.

Dartmouth, N. S.

September 23/86.

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

Present - Mayor Savage

Ald. Sarto	Thompson
Billard	MacFarlane
Bregante	Levandier
Withers	McCluskey
Pye	Woods
Hawley	Greenough
City Solicitor, M. Moreash	
City Administrator, C. A. Moir	
Deputy City Clerk, G. D. Brady	

CONFLICT OF INTEREST

At the opening of the meeting, Ald. Bregante indicated his wish to declare a conflict of interest in connection with an item from the Council meeting of Sept., 16th, namely, the sale of surplus lands on Windmill Road. The conflict of interest is based on the fact that his company does business with companies involved in the land purchase from the City.

APPLICATION TO
AMEND LAND USE
BY-LAW:
203 WAVERLEY RD.

This date was set by Council for public hearing of an application to amend the Land Use By-law, in order to rezone the property at 203 Waverley Road from R-1 Zone to TH Zone and Park Zone. The applicants, Montebello Developments Ltd., propose to construct twelve townhouses for individual ownership on the property, which is now occupied by five mobile homes and one single-family dwelling.

The Planning Dept. presentation was made by Mr. L'Esperance, and he noted that while the Recreation Dept. and the Lakes Advisory Board have recommended against the rezoning, the townhouse proposal for the land is consistent with the Municipal Planning Strategy and the Planning Dept. recommends in favour of it. Reports and relevant documentation have been circulated to members of Council prior to the public hearing.

The public hearing proceeded and the Mayor called for representations in favour of the application. Mr. John Crace, architect for the project, presented plans for the development. He described the site as being unique for development and explained how the design for the twelve townhouses is intended to compliment

the unusual site configuration. It is proposed that the finger of land extending along Lake MicMac from the main part of the site, would be deeded to the City for park and recreational purposes.

Mr. Crace addressed the matter of parking provisions, pointing out that each of the units will have an enclosed garage, and there will be room to park another car in each driveway as well. He felt that a sensitive use has been made of the site with the design that is planned, and the development would place a lower-than-normal density on the land, while retaining a feeling of open space and a view of the lake, made possible by the angle at which the townhouses would be placed on the site.

Ald. Levandier asked what the units would be worth, and Mr. Jack Osmond, representing the developer, advised that they will sell in the area of \$125,000. to \$130,000. per unit. Ald. McCluskey had several questions about the setback distances from the lake, and the average of these. Mr. Crace advised that the average distance would be fifteen feet, with the maximum setback being about 25 feet.

Ald. McCluskey also questioned the value that has been placed on the land, in a letter from Mr. Tom Swanson, dated July 7/86. Mr. Swanson responded by stating that the values quoted in his letter are those that the client places on the land. He gave other examples of lakeshore lots that have sold for comparable prices, although Ald. McCluskey did not agree with the information he provided. Ald. Pye inquired how many single-family dwellings could be accommodated on the site if it were retained in R-1 zoning. Mr. L'Esperance said there could be five. Ald. Hawley's questions were about traffic volumes on Braemar Drive, and in relation to the proposed development. Ald. Greenough asked about setback requirements for the buildings from the street.

Following Mr. Crace's presentation, Council heard Mr. Tom Swanson of Alderney Consultants Ltd. He addressed the concerns raised at the public information meeting about the proposed development, and also those outlined in the Lakes Advisory Board report to the Planning Dept. He advised that 150 notices were circulated for the public meeting and only eleven people attended the meeting.

Mr. Swanson considered that traffic and parking concerns have been addressed by the developer. Sight distances for the driveways are well-within the standards set by the Roads & Transportation Assn, being 200 meters, as compared with the 65 meter requirement. He did not feel there would ^{be} any tendency for infilling of the lake by people who would occupy the townhouse units, any of them wanting to construct docks would have to have approval from the Dept. of the Environment, with the concurrence of the Lakes Advisory Board.

Commenting on the points raised in the Lakes Advisory Board submission, Mr. Swanson noted that the density proposed for this site is not excessive and the number of units proposed is less than on sites of comparable size where development has taken place on Lake Banook. Public access to the lake would be provided by way of the strip of land that would be deeded to the City, and the view of the lake would not be unduly obstructed by the development, given the angled design for the units and the attention to open-space considerations.

The Mayor called for any further speakers in favour of the application, and the following citizens were heard:

- 1) Mr. Gary Rubenstein of MicMac Drive: felt the development would be a good one and in fact, an enhancement of the property.
- 2) Mr. Mike Turner of Sinclair Street: the owner of a commercial business across the street from the site at 200 Waverley Road. He said better use would be made of the site with the proposed townhouse development, and he would purchase one of the units if the development goes ahead.

- 3) Mr. Gerald Mossman: supported the development and described the developer as a good corporate citizen.
- 4) Mrs. Joan Mills of 17 Evans Court: stated that the developer has already proven his credibility in the community with the quality of other developments, and this present proposal would be a further improvement to the area.

Having come to the end of speakers in favour, the Mayor called for representations from those in the gallery opposed to the application. Council heard from the following speakers during this portion of the hearing:

- 1) Mr. Paul Mazier, 38 MicMac Drive: said he did not receive notification of the public meeting when it was held in the area. He was opposed to the rezoning, and felt the land should be retained as a prime recreational site for the City. If the City is not in a position to purchase the land, perhaps a site could be traded with the developer for this one. He was also concerned about driveway access onto Braemar Drive and further aggravation of the traffic situation on Braemar Drive.
- 2) Mr. John Brownrigg, 18 Boutilier's Grove: also objected to the development on the basis of traffic hazards created by it, and felt the City should acquire the land in question for recreational purposes; otherwise, it should be developed with the present R-1 zoning.
- 3) Mrs. Doris Srysdale: would prefer to see the property purchased by the City for recreational use. She felt that no development should be any closer to the lake than twenty feet.
- 4) Mr. Andreas Josenhans: favoured R-1 development on the site, but townhouse development has too high a density for it.
- 5) Mr. Robert Fraser: did not feel that the strip of land that would be deeded to the City would be appropriate for use by wind-surfers. They would have to cross Braemar Drive with their sailboards and where would they park?
- 6) Mr. Peter Mettam, Boutilier's Grove: said it was 'strange and inappropriate' that the Planning Dept. would deviate from the direction that Council has followed for some time in rejecting the development of lakeshore lands. He described the development proposed as being 'over-kill' for the site in question.

There being no further speakers, the Mayor declared the public hearing to be over, on motion of Ald. Greenough and Thompson.

At this point in the meeting, the Mayor advised that there would not be adequate time to hold the

Nuisance Complaint hearing against Arctic Ice, and it was therefore deferred to Sept. 30th at 7:30 p.m., on motion of Ald. Thompson and MacFarlane.

MOTION: Moved by Ald. Thompson & MacFarlane that the Nuisance Complaint hearing against Arctic Ice be deferred to the Sept. 30th Council meeting, at 7:30 p.m.

Ald. Greenough rose to introduce a motion at this point. He said there is no question about the credibility of the developer in this case, but for the reasons that have been stated and the concerns raised, he would move that the application to rezone be denied; the motion was seconded by Ald. Hawley.

Since this was a negative motion, the Mayor subsequently advised that the appropriate procedure would be to proceed at this time with the introduction of proposed By-law C -601, to accomplish the rezoning requested. Members opposed to the by-law could then vote against it rather than proceeding with the negative motion on the floor.

BY-LAW C-601

It was moved by Ald. Withers and Thompson that leave be given to introduce the said By-law C-601 and that it now be read a first time.

Ald. Hawley favoured a retention of the land under consideration, for recreational uses. He shared the concerns expressed about traffic and parking. Ald. MacFarlane said the City should make this land available to the public by acquiring it. He was not opposed to development of the kind proposed, but it should take place on other sites and not on lakeshore properties such as this one.

Ald. McCluskey said she was not happy with the information presented at this time on the value of the land itself (ie. if the City were to consider purchasing it). She considered the development to be too close to the lake and of a higher density than is desirable for the site. She also referred to the relevance of points raised in the Lakes Advisory Board report.

Ald. Woods was another member of Council speaking against the proposed land use; he said it would be a 'most insensitive use' of the site.

The motion for first reading carried.

It was moved by Ald. Sarto and Thompson that By-law C-601 be given second reading.

Ald. Levandier objected to the fact that Ald. Billard had withdrawn from the Council Chamber prior to the vote being taken.

When the vote was taken on second reading, it was defeated.

Council has also set this date for public hearing of an application from Alderney Consultants Ltd., on behalf of Market Malls of Canada, to rezone the remainder of the property in north Dartmouth, known as 'Highfield Park' from H (Holding) Zone to C-2 (28 acres), R-3 (Multiple-Family) and P Zone. The entire land holding involved constitutes 58 acres and is Phase II of a development for which an M.P.S. amendment was approved in 1983, along with zoning changes for the development of Phase I.

Mr. Bayer made the Planning Dept. presentation to Council, indicating on a plan the separate areas proposed for rezoning. He advised that the request complies with M.P.S. policies and is not in conflict with them. He touched on such details as projected population for Phase II (2,187, based on 729 two-bedroom units), traffic alignments, recreation provisions, servicing negotiations with the developer, school classroom availability, and pedestrian link-ups by means of walkways located at points throughout the development that take pedestrians away from street patterns shown on the plan for the development.

The Planning Dept. recommends in favour of the rezoning application. Reports and other relevant documentation have been circulated with the agenda for this meeting, and an additional report, dated Sept. 23/86, was distributed to members of Council

APPLICATION TO
AMEND LAND USE
BY-LAW:
HIGHFIELD PARK
PHASE II

just prior to the meeting. This supplementary report provided Council with information on concerns raised by area representatives and the response to these concerns, discussed at a special meeting held on Sept. 19/86 and attended by staff members, the Ward 5 Aldermen, Mayor Savage and representatives of the Ward 5 Social Action Committee.

Members of Council had an opportunity to question Mr. Bayer on particular aspects of the rezoning application. Many of the questions concerned the areas designated for park purposes. Mr. Bayer had pointed out in his opening presentation that the total park requirements for the development are 3.9 acres, but the developer has designated 9.4 acres in all for park land, considerably in excess of this requirement. In Phase I, the area designated, with the concurrence of area residents, was the section of land known as the Pinehill Lookoff, basically a passive recreation area.

The recreation designation for Phase II (1.3 acres) will permit the existing ballfield behind John Martin School to remain at its present location, but the other 3.3 acres intended for a play area, are located across Highfield Park Drive, and would therefore require children using it to cross the main roadway that runs through the development. The portion of land located on a Power Corp. right-of-way would preclude many active recreational uses, due to the presence of overhead wires and the restrictions applicable to Power Corp. right-of-ways.

The other questions at this time mainly concerned roadway alignments and the major connection points for access from the Highfield Park development, specifically, at the Circumferential Highway and on Victoria Road. With respect to a left-turning ramp at the Circumferential, Mr. Bayer said it appears the Province is willing to grant approval for this configuration, provided the developer is willing to bear the cost.

Ald. Woods asked about the provision of a sidewalk on Highfield Park Drive and the cost involved for the City to carry out the project. In his report of Sept. 23/86, Mr. Bayer has indicated that a sidewalk may be likely on the residential side of Highfield Park Drive, and has recommended that Council give consideration to including this item in the upcoming capital budget.

The Mayor called for speakers in favour of the rezoning application, and Mr. John Young addressed Council on behalf of the applicant. He advised that the residential units planned are intended to be owner-occupied, and the developer would not object to a co-op housing project being included if the necessary details could be negotiated; there will be some rental units in the development as well. Mr. Young said the development is proceeding in accordance with plans for it, and the developer has tried to take into consideration, the interests of the existing community at the same time.

Responding to a question from Ald. Pye, Mr. Young acknowledged that individual developers will be able to purchase separate parcels of land for development purposes. They will be expected to maintain certain development standards throughout, however, based on the fact that the main developer of the land will want to protect the value of his investment (ie. low-quality development would be expected to impact adversely on other phases already completed).

Ald. Sarto's question concerned the possible relocation of one of the proposed park areas to a point within the R-3 development area where it would be of more benefit to younger children. This point came up several times and in discussing the locations designated for park purposes, Mr. Young advised that the developer has not been able to obtain permission for any realignment of Highfield Park Drive (where it connects with Victoria Road), and it is therefore

not possible to consolidate the two park areas^{located} on either side of this roadway.

Ald. Billard asked about the implications of any change that the developer might be willing to make in the development proposal at this time, and the Solicitor pointed out that the basic proposition of the application, as it has been advertised, has to be dealt with for purposes of the public hearing. Otherwise, the public will not have been properly informed as required. In other words, if changes were to be agreed to now, another public hearing process would have to be followed by the developer.

The Mayor called for any further speakers in favour of the rezoning application, and one other person was heard. Mr. John Cossor of Monique Ave. favoured the development proposal and felt that it could result in an improvement to existing residential units in the area, in that the landlords will have to take steps to improve them, in order to remain competitive with the new units that will be constructed.

There being no further speakers in favour, the Mayor called for presentations from those who were opposed to the application. Council heard the following persons:

- 1) Ms. Kaye Connolly of the Ward 5 Social Action Committee: she outlined all of the objections her group has to the development. These included: (a) population density and the associated impact on an area that already has a number of problems; (b) concern about the commercial aspect of the development and market feasibility; (c) the location proposed for park areas, when facilities such as this are so desperately needed in the north end of the City already; (d) the need for a community centre and amenities to deal with existing social problems in the community; (e) the need for a more stabilizing effect on the community and the fact that there will be no integration with existing neighborhoods; (f) the fact that no concrete plans are in place at the time of the application being made and areas residents do not know exactly what kind of development to expect.

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

- 2) Ms. Fran Gable of 58 Courtney Road: expressed concerns about the lack of adequate transit service for any new development and the adequacy of police service that can be provided, also Fire Dept. services.
- 3) Mr. James Andrews of the Ward 5 Social Action Committee: his main concern was about the lack of any definite information on the actual plans for the commercial and residential components of the development.
- 4) Mr. John Williams: he said he was not opposed to development as such, but it should be carefully planned, with thought given to the impact on the existing community in any area where it going to take place. Also, in this case, there should be attention given to upcoming development proposals that can be expected for other parts of Wards 4 and 5. The total effect of all these additional strains on services should be considered before this particular application is approved.

When there were no further speakers to be heard, the Mayor declared the public hearing to be over, on motion of Ald. Levandier and Thompson.

BY-LAW C-602

Council then proceeded with consideration of By-law C-602, which would accomplish the rezoning of the lands concerned.

It was moved by Ald. Levandier and Thompson and carried that leave be given to introduce the said By-law C-602 and that it now be read a first time.

It was moved by Ald. Thompson and Levandier that By-law C-602 be read a second time.

Ald. Levandier's opinion was that the developer in this case has gone out of his way to accommodate and address concerns of the local community where the development is taking place. He spoke in favour of the motion.

Ald. Woods asked for comments from Mr. Paul Greene about the number of social assistance recipients living in the section of the City immediately adjacent to the development site. Mr. Green advised that about 300 social assistance clients live in Ward 5; 30% of the Social Services caseload live on the border of the development area. He went on to explain why this concentration of people on assistance has occurred, as a result of public housing development in the area and rental accommodations that were relatively affordable.

Mr. Greene indicated that a need exists in this north-end community for social amenities such as a community centre and for day care facilities.

Ald. Woods presented several slides, showing some of the existing conditions in the community bordering the Market Mall site, particularly to illustrate the lack of adequate playground facilities and the questionable benefits from the Pinehill Lookoff as a passive recreational site. He did not feel that the development proposed is in the interests of Ward 5 residents.

Ald. Pye expressed similar opinions on Ward 5 problems, particularly those relating to the crime rate in the area, as noted in a recent issue of the Dartmouth Express publication. He asked Chief Trider to comment on the possible increase in the north-end crime rate that could be expected with additional R-3 and commercial development in the area.

Chief Trider acknowledged that the demands for police services are greater in Ward 5 than in any other ward in the City. The crimes involved are break-and-enters, thefts, domestic problems, vandalism. He also agreed that Ward 5 and the Burnside Park are not able to be covered adequately at present with police protection, and he felt it would be necessary to have additional police patrols in any situation where you have additional residential development and shopping areas.

Ald. Hawley did not agree that the area under consideration is lacking in recreational facilities, any more than other locations in Dartmouth. He listed a number of facilities, such as the soccer field at Harbour View Park, accessibility to Albro Lake for swimming and fishing, the lacrosse field, the Gray Rink, etc. He went on to ask about controls the City has available to insure that some of the mistakes that occurred with previous R-3 developments are not repeated this time. Mr. Bayer outlined the

controls that have been put in place since multiple-family housing units were first constructed in the north end, such as amenity standards, 25% restriction on lot coverage, etc.

Ald. Sarto again questioned the location of the park designations and wanted to see a tot lot provided in conjunction with the R-3 development, for the use of younger children; he felt that younger children are not as well served as they should be by playing fields and with the park designations that are being proposed (ie. where a main street has to be crossed to get to one of them and one area being located on a Power Corp. easement).

Several members of Council shared the opinion of Ald. MacFarlane that existing problems in the area should not, in all fairness, be dealt with in the context of this present development proposal. They could understand the concern of area residents, however, in view of past development mistakes that have been made, resulting in unsatisfactory living conditions and social difficulties. It was felt that Council would not be on very safe ground in denying the present application, when it complies with the M.P.S. and has been recommended by the Planning Dept. Also, there have been a number of statements made about what a good development it will be, aside from the reservations about the park land locations, etc.

Ald. Woods continued to be concerned about the park land component, and Ald. Hawley suggested that perhaps the developer will take another look at the possibility of designating a tot lot area somewhere in the R-3 development. Mr. Young indicated the developer would be prepared to sit down and talk to the residents about this point, and would continue to act in good faith with them.

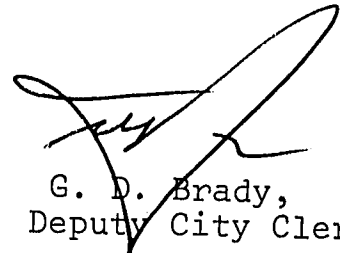
When the vote was taken on second reading, it

carried, with Ald. Sarto, Pye and Woods voting against.

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

MOTIONS: Two readings given to By-law C-602.

The meeting adjourned at 12:10 a.m. Council will meet again on Thurs., Sept. 25th at 8:00 p.m. to complete the agenda for this meeting.



G. D. Brady,
Deputy City Clerk.

City Council, Sept. 23/86

ITEMS:

- 1) Application to amend Land Use By-law: 203 Waverley Road, page 1 to 6 incl.
By-law C-601, page 5.
- 2) Application to amend Land Use By-law: Highfield Park, Phase II, page 6 to 13 incl.
By-law C-602, page 10.

Dartmouth, N. S.

September 25/86

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

Present - Mayor Savage

Ald. Sarto	Thompson
Billard	MacFarlane
Connors	Levandier
Withers	McCluskey
Pye	Woods
Hawley	Greenough
Bregante	Hetherington
City Solicitor, S. Hood	
City Administrator, C. A. Moir	
Deputy City Clerk, G. D. Brady.	

At the opening of the meeting, Mayor Savage advised Council of the death of a former Alderman, Mr. Percy Dares. A minute of silence was observed by Council in Mr. Dares' memory.

The Mayor then advised that the Task Force on Hazardous Waste will hold hearings in Dartmouth on Sept. 30th and October 1st. Due to the lack of time this allows to prepare a submission from the City, it was suggested that the City's brief be presented instead at the December 2nd hearing in Halifax. Ald. Greenough and Hawley moved that the City of Dartmouth brief be presented at the Halifax hearing, as suggested.

Ald. Billard preferred to have the item debated at this meeting of Council, and a submission completed in time for the Dartmouth hearings. When the vote was taken on the motion, it carried with Ald. Billard voting against. Ald. Woods requested that a staff member, such as Mr. Mark Bernard, be asked to follow the hearings, in order to be able to brief Council later.

It was noted by the Mayor that the decision of Council to wait for the December hearing, would not preclude any individual Council member from speaking on his or her own during the Dartmouth hearings.

MOTION: Moved by Ald. Greenough and Hawley that the City of Dartmouth brief be presented at the Hazardous Waste hearing in Halifax in early December.

On motion of Ald. Levandier and Greenough, Council extended congratulations to Ald. MacFarlane for his successful organization of the Rick Hansen Day in Dartmouth

CONFLICT OF INTEREST

Ald. Connors rose to declare a conflict of interest on his part in connection with the public hearings which took place at the Council meeting of Sept. 23rd (203 Waverley Road and Highfield Park). He was absent from the Sept. 23rd meeting. The developers in both cases are represented by members of the law firm with which Ald. Connors is associated.

Council proceeded at this point with the items not dealt with from the Sept. 23rd agenda.

TENDER: CONTRACT 86-09:
LAWN BOWLING GREEN

A further report has been prepared for Council on the tender for the lawn bowling green and field house. The low bid received from Woodlawn Construction Ltd. came in higher than the budgeted amount for the project, and along with the additional information that Council requested, Mr. Moir has made the following recommendation in his report of Sept. 18th:

That Council award the tender to build the bowling green, all underground services, and the sewage pump station, to Woodlawn Construction Ltd., and that City staff and the consultants be authorized to negotiate with Woodlawn as to its final price. If the final negotiated price is not substantially below the low price for these items, the matter will be brought back to Council.

For storage of equipment and for sanitary facilities, on a temporary basis, negotiations can be carried on by Parks & Recreation to use the facilities of #2 Fire Station or the Immaculate Conception School, now leased to the Dartmouth East Lions Club.

Ald. Hetherington and Sarto moved the adoption of the recommendation, but several Council members still had concerns and questions about the awarding of this tender and the issues that arose because of it. Mr. Moir responded to these and gave assurance that the matter of the plans for the field house has been taken up with staff, so that in future, specs for projects will correspond with the budgeted amount available.

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

MOTION: Moved by Ald. Hetherington & Sarto that Council approve Mr. Moir's recommendation on the awarding of the tender for Contract 86-09 (lawn bowling greens).

MONTHLY REPORTS

The regular monthly reports, which came to Council without recommendation from Committee, were approved as follows:

1) Social Services (Aug.): approved on motion of Ald. Sarto and McCluskey.

2) Development Officer (Aug.): approved on motion of Ald. Withers and MacFarlane.

Ald. Woods indicated a conflict of interest in connection with item 1 of the subdivision applications (Market Malls), being a resident of Monique Ave. and acquiring a small portion of land as an addition to his property.

3) Building Inspection (Aug.): approved on motion of Ald. McCluskey and Sarto.

4) Minimum Standards (Aug.): approved on motion of Ald. Greenough and Sarto.

5) Fire Chief (Aug.): approved on motion of Ald. MacFarlane and Sarto.

Ald. Levandier was concerned about the number of faults with alarm systems; he said this problem will have to be addressed with the companies involved.

6) Dog Control (July): approved on motion of Ald. McCluskey and Thompson.

7) Tourism Director (Tourist Bureau registrations for August, 1986 & season to date): approved on motion of Ald. Hetherington & Sarto.

8) Summary of Revenue & Expenditures to Aug. 30/86: received and filed for information, on motion of Ald. Hetherington & Greenough

MOTIONS: To approve monthly reports, as detailed above.

On motion of Ald. Pye and Withers, Council adopted the Ferry Operation reports for May, June, and July, as recommended by the Transit Advisory Board.

The Mayor said it would be useful to have the total ferry figures for the same time, year-to-year, for comparison purposes and to determine where ridership is increasing or decreasing.

MOTION: Moved by Ald. Pye and Withers that Council adopt the Ferry Operation reports for May, June & July.

CONFLICT OF INTEREST

REPORTS: FERRY OPERATION

INVESTMENT COMMITTEE

In approving a Municipal Investment Policy for the City, Council authorized the establishment of an Investment Committee as one of the associated recommendations from the Finance & Program Review Committee. The Committee has now recommended the names of three people to serve on the Investment Committee; they are:

Mr. Harry Steele
Robert Thomson
Edward Nichols

Information on the background and experience of each of the three proposed appointees, has been circulated.

It was moved by Ald. McCluskey and Greenough that the appointments be approved as recommended. Ald. Hetherington questioned whether or not there may be a possible conflict of interest for Mr. Steele, in his capacity as owner of a local newspaper. Ald. Connors felt that any such expressions of concern by a member of Council should be raised privately, rather than embarrassing the individual concerned in a public forum. Ald. Hetherington clarified the point he had raised, pointing out that Mr. Steele could be put in an embarrassing position himself at some time as a result of being on the Committee and owning a newspaper that publishes items about the operation of the City of Dartmouth.

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

MOTION: Moved by Ald. McCluskey and Greenough that the three appointments recommended to serve on the Investment Committee, be approved, as noted above.

CONTRACT 84517B:
B.I.P. ROADS

A report from Mr. Moir was before Council on the tenders received for Contract 84517B (B.I.P. Roads). Besides giving the list of tenders received for this project, Mr. Moir has provided a breakdown of the cost per street, noting a shortfall between the tender price and the current budget of \$77,857. in total. This results from the inclusion of paving for Joseph Zatzman Drive (projected in the 1987 capital

budget) and the construction of a right-hand turn off Ronald Smith Drive, a new item.

Mr. Moir has recommended the awarding of the tender to Ocean Contractors Ltd., the low bidder, in the amount of \$478,857., and that the shortfall be budgeted for in the 1987 capital budget.

Ald. Greenough and Sarto moved the adoption of the recommendation. Ald. Levandier and Billard did not agree with the recommendation and felt the decisions made on items in the 1986 capital budget should be upheld and tenders not exceeded in this way. They moved deferral of a decision for ten days, so that staff can prepare a list of commitments made already to the 1987 capital budget, to date.

Members of Council opposed to deferral did not want to see the contract delayed and referred to the importance of the Burnside Park to the City. It was also noted during debate that the projects in question would have been carried out in 1987 anyway, perhaps at a higher cost. During the debate, Mr. Moir advised that he has brought to the attention of staff, the requirement for tenders to be prepared in compliance with the corresponding budget items for them.

When the vote was taken on the motion to defer, it was defeated. The vote was taken on the main motion and it carried with Ald. Levandier and Billard voting against.

MOTION: Moved by Ald. Greenough and Sarto that the tender for Contract 84517B be awarded to the low bidder, Ocean Contractors Ltd., as recommended, and further, that the shortfall be budgeted for in the 1987 capital budget.

CONTRACT 86-11:
PAVING, FINDLAY
COMMUNITY CENTRE
PARKING LOT

A second report to Council from Mr. Moir, dealt with the awarding of the tender for paving of the Findlay Community Centre parking lot, estimated in the budget projection, to cost \$23,000. The low bid, received from Ocean Contractors Ltd., is in the amount of \$26,854. and includes the cost of curbing, not included in the budget item.

Mr. Moir has recommended that the tender be awarded for the price quoted, and that the additional amount of approx. \$4,000. required, be budgeted for in the 1987 capital budget.

Ald. Withers and Sarto moved the adoption of the recommendation. Ald. McCluskey asked about the inclusion of curbing, and Mr. Purdy explained why it has been recommended, for a better control of traffic and to protect the landscaped areas adjacent to the parking lot. Ald. Billard spoke against the motion, but it was supported by Ald. Sarto, Thompson and MacFarlane. When the vote was taken, the motion carried with Ald. Billard and Levandier voting against.

MOTION: Moved by Ald. Withers and Sarto that the tender for Contract 86-11 be awarded to the low bidder, Ocean Contractors Ltd., as recommended, and that the additional amount of approx. \$4,000. required, be budgeted for in the 1987 capital budget.

CONTRACT 85-10:
CRICHTON AVE.
SEWER EXT.

Tenders have been received for Contract 85-10 (Crichton Ave. Sewer Extension), the low bid having been received from Harbour Construction Ltd., in the amount of \$84,665. The design for this sewer extension was modified by the Engineering staff to incorporate an extension from Crichton Ave. over City lands to reach two homes at Civic Nos. 261 and 263 Crichton Ave. Since these homes were not included in the original estimate, the extension of sewer this extra distance added \$16,500. to the cost. Other influencing factors in the extra cost have been noted in Mr. Moir's report on this project, and he has recommended to Council that the tender be awarded to Harbour Construction Ltd., and that the additional funds required (\$31,565.) be budgeted for in the 1987 capital budget.

The recommendation was adopted and the tender awarded, as recommended, on motion of Ald. Hetherington and Withers (Ald. Billard voting against).

MOTION: Moved by Ald. Hetherington & Withers that the tender for Contract 85-10 be awarded to the low bidder, Harbour Construction Ltd., as recommended, and that the additional funds required for the project (\$31,565.) be budgeted for in the 1987 capital budget.

IRA SETTLE
SPORTS GROUNDS

As requested by Council at the Sept. 2nd meeting, on motion of Ald. Hawley, Mr. Fougere has submitted a report on the Ira Settle sports grounds and the installation of a pipe to correct an existing drainage problem.

It has been recommended that pipe be installed from the end of the existing storm drain to connect to the existing manhole on the north side of First Street, at a cost of \$46,000. This project to be funded from 'Drainage: Unspecified Locations' item in the 1986 capital budget.

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

MOTION: Moved by Ald. Thompson and Sarto that Council adopt the City Engineer's report and recommendation on the installation of pipe at the Ira Settle field to correct a drainage problem. The recommendation is detailed above.

PETITION: LAKEVIEW
POINT ROAD

A report has been received from the Planning Dept. on the petition received from residents of Lakeview Point Road, who have requested that their street be rezoned from R-2 to R-1 Zone. Planning Dept. staff see no valid planning reasons to object to the request from the residents, and have requested direction from Council as to who is expected to pay associated rezoning costs.

Ald. Hetherington and Sarto moved that notices be sent to the residents, advising that if they wish to proceed with the rezoning application, they are free to do so, provided they are willing to pay for the cost involved.

Ald. MacFarlane and Billard supported the position of the area residents, explaining why the rezoning would be in their best interests, and in fact, in the best interests of the City. The suggestion was made during debate on the motion that if the residents do not want to bear the rezoning costs, they could approach the M.P.S. Review Committee and seek to have the rezoning accomplished that way, at no cost to themselves. Members of Council were not willing to set a precedent by paying for the rezoning (ie. having

the City pay for it).

When the vote was taken, the motion carried with Ald. Billard and MacFarlane voting against.


MOTION: Moved by Ald. Hetherington & Sarto that notices be sent to the Lakeview Point Road residents who have petitioned for rezoning, advising that if they wish to proceed with the application, they are free to do so, provided they are willing to pay for the cost involved.

PERMIT TO BUILD:
100 MAIN STREET
SOBEY'S STORE

On motion of Ald. Sarto and Greenough, Council granted a building permit application for a new Sobey's Store at 100 Main Street, application submitted by B. D. Stevens Ltd.; estimated value of construction is \$1,700,000. Approval would be subject to compliance with City requirements, as outlined in the staff report of Sept. 17/86.

MOTION: Moved by Ald. Sarto & Greenough that Council approve a building permit for a new Sobey's store at 100 Main Street, subject to compliance with City requirements, as per the staff report of Sept. 17/86.

Meeting adjourned.



G. D. Brady,
Deputy City Clerk.

City Council, Sept. 25/86

ITEMS:

- 1) Tender: Contract 86-09: Lawn Bowling Green, pg. 2
- 2) Monthly reports, page 3.
- 3) Ferry Operation reports, page 3.
- 4) Investment Committee, page 4.
- 5) Contract 84517B: B.I.P. roads, page 4.
- 6) Contract 86-11: paving, Findlay Commun. Centre, pg. 5.
- 7) Contract 85-10: Crichton Ave. sewer ext., pag 6.
- 8) Ira Settle sports grounds, page 7.
- 9) Petition: Lakeview Point Rd., page 7.
- 10) Permit to build: 100 Main St., Sobey's Store, pg. 8.

Dartmouth, N. S.

September 30/86.

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

Present - Mayor Savage

Ald. Sarto	Thompson
Billard	MacFarlane
Connors	Levandier
Withers	McCluskey
Pye	Woods
Hawley	Greenough
Bregante	Hetherington
City Solicitor, S. Hood	
Acting City Administrator, R. Fougere	
(Mr. Moir present after 10:00 p.m.)	
Deputy City Clerk, G. D. Brady	

Rising on a point of privilege, Ald. Pye indicated that he wished to apologize to Ald. Connors for questioning his action in declaring a conflict of interest at the Sept. 25th Council meeting. Ald. Connors acknowledged the apology.

Ald. Levandier rose on a point of privilege, and requested that a letter be forwarded to the CNR about the recent train derailment on Shore Drive, which disturbed the residents of the area all evening while cranes were working to get the train back on the tracks. He requested that information be sought from CNR on the circumstances of the derailment, and further, that concern be expressed that shunting operations were taking place at that time of the day.

Council agreed to have a letter forwarded, as Ald. Levandier requested.

The Mayor advised Council that Mr. Moir has requested time to deal with an in camera item (position of Personnel & Labour Relations Officer) at the end of this meeting. Members of Council agreed to go in camera for this purpose.

The Mayor proceeded to read a proclamation, copies of which were circulated with the agenda, proclaiming the week of October 6th to 12th, 1986, as Dartmouth Family Week.

TRAIN DERAILMENT:
SHORE DRIVE

FAMILY WEEK
PROCLAMATION

NUISANCE COMPLAINT:
7 PLEASANT STREET

Council had deferred a Nuisance Complaint Hearing for 7 Pleasant Street to this date, and the hearing proceeded at this time. The noise complaint is against the Arctic Ice plant located at 7 Pleasant Street. Copies of related correspondence and a report prepared by Atlantic Acoustical Associates, were circulated in connection with this matter.

The Mayor called for any representations from complainants. Council heard Mr. Francois Pilon of Erskine Street, one of the residents affected by the noise from the ice plant. He said the operation should not be located in an R-2 Zone in the first place, and he described the disturbance and disruption that has been caused in his home as a result. He said that if a permit had not been issued for the operation in the first place, this hearing would not be necessary. He stated to Council that he spoke on behalf of his neighbors, the Murphys, as well.

The Solicitor was asked to comment on the location of the ice plant in an R-2 Zone, and she explained that it is a non-conforming use on what is still a commercial property.

Mr. Mark Bernard of the Engineering Dept. was present for the hearing, and he was asked to address Council and give any necessary background information. Mr. Bernard explained that Atlantic Acoustical Associates were engaged to investigate the noise complaint and carried out a study for the City, the results of which have been circulated in report form. Also, Mr. Cyr, the author of the report, was in attendance to answer any questions pertaining to it.

Mr. Cyr proceeded with a review of his report, which comes to the following conclusion:

' . . . that noise emissions from the Arctic Ice operation still constitute a community noise problem for the immediate area included in the study, and that the concerns expressed by neighbours living in this immediate area, are largely justified.'

The report then goes on to outline modifications that have been undertaken by Arctic Ice, without adequately correcting the noise problem, and further improvements that could be made to achieve reductions in the noise emission levels, one option at a fairly modest cost, and the second, of a more permanent nature but at considerably greater cost.

Members of Council addressed questions to Mr. Cyr about his report and recommendations. Questions pertained to the standards upon which the noise level assessments are based; the modifications made by the owner of Arctic Ice to date and their lack of effectiveness; the estimated cost of modifications that would result in a permanent improvement; types of noise and comparison of the levels at which they become a source of disturbance in a residential neighborhood and the concerns of residents are considered to be justified.

Mr. Pilon also responded to questions directed to him about the procedures he followed in making a complaint initially, and his contact with the plant owner in attempting to have the situation improved.

When the Mayor called a second time for response from complainants, Council heard Mr. Neil McPetridge of 9 Pleasant Street, a self-employed mechanical engineer. He commended the report that Mr. Cyr has prepared and considered it be worthwhile in all aspects. He gave an account of the property uses at 7 Pleasant Street, formerly occupied by Portland Electric. Problems began with the present operation and they have continued whenever the plant is open. In addition to the noise, there have been problems with a stream of hot water pouring out from the side of the building and with ice build-up in the wintertime, across the driveway at 9 Pleasant Street, as a result of water that is discharged from the ice plant.

Ald. Billard asked Mr. McPetridge if the

building, in his opinion, could be brought up to the standards of the National Building Code, in view of its present overall condition. Mr. McFetridge said it would be structurally possible, but it would likely be costly to do so.

There being no further complainants wishing to be heard, Council was addressed by Mr. Ralph Roberts, owner of the Arctic Ice plant. He noted that he has a permit to operate, from the City, and he considered the noise levels from his building to be acceptable, based on several comparative examples he gave, according to a Sound Level Meter Manual he has obtained from Radio Shack. The examples given related mainly to music levels and their acceptability.

He advised that he is planning to shut the plant down by October 30th, and he may be moving to another location after that time. Otherwise, if he remains at 7 Pleasant Street 'substantial improvements will be made before re-opening in the spring'. Ald. Connors requested specific information on the improvements that would be made to correct the noise problems; Mr. Roberts outlined some of the steps he would take. He said he would have to consult with Mr. Cyr on his recommendations. Ald. MacFarlane asked if Mr. Roberts is prepared to make the necessary changes outlined in Mr. Cyr's report, if he stays in the building. Mr. Roberts said he was.

After the questioning of Mr. Roberts, and with no other speakers waiting to be heard, the public hearing was declared to be closed, on motion of Ald. Greenough and Withers.

The Mayor advised Council of the duty required, to determine whether in fact, a noise nuisance is considered to exist, and after that, measures that are required to deal with the problem.

Based on the report prepared by Atlantic Acoustical Associates and their conclusion, Ald.

McCluskey moved, seconded by Ald. MacFarlane, that Council determines that the noise existing at 7 Pleasant Street constitutes a nuisance. The vote was taken on the motion and it carried.

MOTION: Moved by Ald. McCluskey & MacFarlane that Council determines that the noise existing at 7 Pleasant Street constitutes a nuisance.

A second motion was then presented by Ald. Levandier and Hetherington, to defer any further decision until after staff have looked at the permit issued for the ice plant operation and relevant information has been provided on the permit. The motion to defer was defeated.

Ald. Greenough and MacFarlane introduced a motion which was subsequently revised with several amendments being incorporated in it. In its final form, the motion adopted was as follows:

That Arctic Ice be required to adopt either Option 1 or 2, as set out in the report prepared by Mr. Cyr of Atlantic Acoustical Associates, outlining what is considered necessary to abate the noise from the Arctic Ice plant; And further, that given the difficulty in containing such noise, we recommend the removal of the ice plant from this location to a place more remote from residential development

Further, until one or the other of the options is adopted, the owner be instructed to operate only three to five days per week, between the hours of 9:00 a.m. to 5:00 p.m., with no operation on weekends, and that the operation be closed on October 30/86, and not reopened until all the requirements have been complied with;

Further, that the standards used to measure the acceptability of noise emanating from the building, be those set out in Table 4 of the report prepared by Mr. Cyr.

Ald. Billard said there will be an interim period when area residents will have to put up with the noise before the conditions of the motion come into effect; he was therefore opposed to it. When the vote was taken on the motion, it carried with Ald. Levandier and Billard voting against.

MOTION: Moved by Ald. Greenough & MacFarlane: text above.

This date was set by Council for public hearing of an application from the Provincial Dept. of Housing

to amend the Land Use by-law by rezoning part of the D.N.D. Radio Station Site at Albro Lake from H Zone to R-1 Zone, R-2 Zone, R-3 Zone, TH Zone and P. Zone.

Ald. Withers rose on a point of privilege to advise Council of the fact that he is likely to be charged with a conflict of interest if he were to participate in debate or a vote on any motions associated with this rezoning application. While he felt that he could represent the interests of the people in his ward impartially, he said that because a conflict of interest has been alleged and has appeared to exist, he felt compelled to refrain from participating in the issue.

CONFLICT OF INTEREST

Ald. Withers therefore declared a conflict of interest, based on his position of employment, and withdrew from his place on Council to sit in the gallery throughout the course of the meeting while the rezoning application was before Council.

Mr. Lukan was asked by the Mayor to proceed with the Planning Dept. presentation. He referred to the documentation that has been circulated in connection with the rezoning request, including correspondence on the subject of a controlled at-grade intersection at Woodland Ave. and the MicMac Blvd., copies of which were provided just prior to the meeting. Petitions have been received from area residents, both in support of and opposed to this traffic pattern, which is the main area of contention associated with the development proposed for the Albro Lake lands.

The Planning Dept. has recommended in favour of the rezoning application, based on the fact that development proposed for the site is within the designated development boundary, is compatible with Council's criteria established for the site, and will increase the City's housing stock.

The Mayor opened the public hearing by calling for speakers in favour of the rezoning, and Mr. Harold

Dillon made the Housing Dept. presentation. Mr. Dillon is Coordinator of Planning for the Dept. of Housing. He first gave an historic review of the site from its beginning as D.N.D. lands, to being declared surplus in 1969, and subsequently, purchased by the Province. In total, there are 111 acres, including Martin Lake. Various options have been explored since then for development of the site, and the present proposal is in compliance with the basic parameters accepted some time ago by Council, calling for half the acreage to be developed for residential purposes, and half to be retained as park land. Under the present plan, 47 acres will be allocated for residential use, 59 acres for park use, with 5 acres of lake, and the remainder of the original concept being retained by D.N.D. for possible future residential projects.

The proposal presented by Mr. Dillon calls for 324 housing units, comprised of single family, semi-detached, townhouses, and 35 apartment units for senior citizens. The density figure is 2.91 units per acre, with a projected population of approx. 902 persons. Vehicular trips expected to be generated by the proposed development, are 2,070 per day. Mr. Dillon went on to provide information on municipal services, the availability of classroom space in the area, recreational considerations, environmental control measures (during and after construction), and he quoted from various sections of the existing M.P.S. to illustrate to Council the various developmental aspects that are in compliance with M.P.S. requirements. He noted several times that the development will make use of existing services within the development boundary, rather than requiring extensions of services - the aim of Policy G-5 of the M.P.S.

Mr. Dillon said that from the public meetings he had attended, he did not get the impression that

area residents are opposed to the development itself. There are traffic concerns, however, and he addressed these by showing the proposed vehicular connection to Woodland Ave., which he said is intended to alleviate problems that already exist with short-cutting through residential streets.

Ald. McCluskey asked a series of questions about the decision to propose the Woodland Ave. traffic pattern, when the majority or area residents favour the traffic pattern recommended by the City's Traffic Management Group, that is, a controlled at-grade intersection at Woodland Ave. and MicMac Blvd.

Ald. McCluskey referred to the T.M.G. recommendation, which has been made on a number of occasions to Council, and to correspondence with the Provincial Transportation Dept., indicating their willingness to approve such an at-grade intersection. Mr. Dillon responded to the questions, explaining why the Housing Dept. has chosen to favour the Woodland Ave. access. He suggested that the Woodland Ave/MicMac Blvd. project could still proceed if the City wished to go ahead with it, but at a later point in the public hearing, it was stated that permission would not be given by the Dept. of Transportation for two main access points in such close proximity to each other. This statement was made by speakers who addressed Council and not by Planning Dept. staff or by the Housing Dept. representatives.

Ald. Levandier and Connors had questions along the same lines for Mr. Dillon, mostly dealing with short-cutting through residential streets, and the T.M.G. report which states ' . . . that the proposed vehicular connection to Woodland Ave. from this development . . . will compound the short-cutting problems that presently exist in residential neighbourhoods.' Throughout this line of questioning from members of Council, Mr. Dillon maintained the position of the Housing Dept. in favour of the Woodland Ave.

connection, in spite of recommendations to the contrary, as noted by the Aldermen, with specific references to relevant sections of the M.P.S., the T.M.G. report, and the exchange of correspondence with the Transportation Dept.

The Mayor asked for any further speakers in favour of the rezoning; Council heard the following persons:

- 1) Mrs. Marilyn Worth, a resident of the upper end of Albro Lake Road. She spoke on behalf of residents who favour the development and the rezoning application. Mrs. Worth said that traffic issues have colored the entire debate, since there are already existing problems with traffic, and residents are afraid these will be further aggravated with traffic to and from the new development. She had a concern about access via Albro Lake Road becoming a thoroughfare, if barriers were to be removed between existing development and Highfield Park, so that traffic could get directly to the other highway systems on the other side of Highfield. She asked if consideration has been given to a T intersection at MicMac Blvd., as a possible alternative to those considered.
- 2) Mrs. Jean Ring of 2 Clearview Cres.: Also, favoured the development proposal, but expressed further concerns about traffic in Ward 4 and traffic patterns proposed.

There being no further speakers in favour, the following citizens spoke against:

- 1) Mr. Ernest Garrard, 19 Lawnsdale Drv.: Mr. Garrard explained why the Woodland Ave. access proposed by the Housing Dept. is not satisfactory, and he listed a number of traffic problems that will be created on residential streets as a result of it. He favoured the Woodland Ave/MicMac Blvd. traffic pattern instead for the various reasons that have been outlined, including the T.M.G. report of June 16/86.
- 2) Mr. Denis Rogers, President of the Ward 4 Residents Assn.: In his submission, Mr. Rogers stated the position of the Association as being ' . . . in favour of the rezoning application in principal, but very much opposed to the access road proposed.' His presentation concentrated mainly on the basis for opposition to the Woodland Ave. traffic configuration, and the concerns that residents have about increased short-cutting through Ward 4 streets. The residents endorse the signalized at-grade intersection the T.M.G. has recommended, as concurred in by the Transportation Dept. The Association is also seeking to have consideration given to a relocation of the senior citizen housing units, and to having additional underdeveloped land left, adjacent to the lake and Albro Lake Road for future park purposes.

The Association would also like to have some assurance that the plan presented for the Albro Lake lands, is the one that is adhered to, and requests that basic standards are set for building, requiring full basements, etc.

(On motion of Ald. Hetherington and Hawley, Council agreed to continue meeting beyond the hour of 11:00 p.m.)

- 3) Mr. Andrew Crook: Mr. Crook said he is not opposed to the development and it is long overdue, but he hoped that consideration will be given to street widths and to proper curbing, adequate street corners, etc. He also questioned the width of the buffer zone proposed and whether the depth of it is adequate
- 4) Mr. Vincent Taubman, Birchwood Tce.: Mr. Taubman noted that traffic problems exist on his street already, and residents do not want to see these compounded by traffic patterns that do not properly address the needs of the new development. He said that if the Woodland Ave. access is built, it will not be possible to get approval for the Woodland Ave/MicMac Blvd. plan later, because of the short distance between the two points.
- 5) Mrs. Jan Wallace, Pres., Crichton Park Home & School Assn.: The main concern of this group is for the additional traffic and the hazard it poses for school children. Mrs. Wallace said the Association is not opposed to the development as such, but would not want to see it go ahead without consideration of the traffic aspects.
- 6) Mr. David Smyth, Albro Lake Road: Mr. Smyth said the proposed plan for traffic is useless, and the option of a street connector to Burnside Drive should be explored. If the rezoning is approved as presently proposed, the traffic issues will not be resolved.
- 7) Mr. Scott McKnight, Chamber of Commerce: Indicated support for the development concept, but traffic configurations need to be reconsidered, in light of the concerns that area residents have expressed and the suggestions they have made. He said that no matter what traffic pattern is finally decided upon, there will have to be some provision for pedestrians to cross a four-lane highway, especially important in view of the location proposed for senior citizen housing units.

When there were no further speakers wishing to be heard, the public hearing was declared to be over, on motion of Ald. Greenough and MacFarlane.

BY-LAW C-597

Proposed By-law C-597 was before Council in connection with this rezoning application. It was moved by Ald. Greenough and Thompson and carried that leave be given to introduce the said By-law C-597

and that it now be read a first time.

It was moved by Ald. Sarto and Hetherington that By-law C-597 be read a second time.

On motion of Ald. Levandier and Sarto, Council adjourned the meeting in second reading to Tuesday, October 14th (Ald. McCluskey voting against).

On motion of Ald. Hetherington and Sarto, Council agreed to meet in Committee, prior to going in camera. A motion to go in camera was then adopted, moved by Ald. Hetherington and seconded by Ald. Thompson.

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

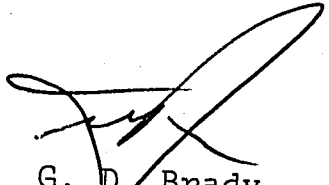
Council was asked to deal with one other item requiring a decision at this time.

In a report to Council, Mr. Moir has advised that an easement is required over the property of Mr. Louis Toulaney, at 10/10½ Clement Street, in connection with construction of a new sewer extension from Hastings Drive to the Clement Street berm.

He has recommended that Council approve the acquisition of this easement for the sum of \$5,000. The recommendation was adopted, on motion of Ald. Bregante and Hetherington.

MOTION: Moved by Ald. Bregante & Hetherington that Mr. Moir's recommendation be adopted on the acquisition of an easement from Mr. Louis Toulaney (10/10½ Clement St.) for the sum of \$5,000.

Meeting adjourned.


G. D. Brady,
Deputy City Clerk.

City Council, Sept. 30/86

ITEMS:

- 1) Train derailment: Shore Drive, page 1.
- 2) Family Week Proclamation, page 1.
- 3) Noise complaint: 7 Pleasant St., page 2 to 5 incl.
- 4) Public hearing: Development of Albro Lake lands, page 5 to 11 incl.
By-law C-597, page 10.
- 5) Easement: 10 Clement St., page 11.