

Lib. Ref Dept

DARTMOUTH CITY COUNCIL  
AGENDA

\*\*\*\*\*  
\* TUES., SEPT 3/91 \*  
\* 7:30 PM \*  
\* COUNCIL CHAMBER \*  
\* IN CAMERA SESSION \*  
\* 10:00 PM \*  
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- 1. INVOCATION
- 2. APPROVE THE MINUTES FROM THE MEETINGS: August 20th, 1991.
- 3. BUSINESS ARISING FROM THE MINUTES
- 4. CONCERNS OF COUNCIL MEMBERS OR QUESTIONS (15 MINUTE MAXIMUM)
- 5. DELEGATIONS & HEARINGS OF PROTEST
- 6. ORIGINAL COMMUNICATIONS
  - i) Dept. of Housing - Request to Recommend Replacement Member to the Dartmouth/Halifax County Regional Housing Authority
- 7. PRESENTATION
  - i) Mayor's Challenge Cup - Canoe to the Sea Winners
- 8. PETITION
  - i) Clean up of the Halifax Harbour
- . CONTINUATION OF COUNCIL AGENDAS OF AUGUST 20 & 27TH, 1991  
(REPORTS PREVIOUSLY CIRCULATED)
- 9. REPORTS
  - 9.1 CITY ADMINISTRATOR
    - 9.1.1 Application to Amend Land Use By-law - Recycling Facilities and Salvage Yards
  - 9.2 SOLICITORS
    - 9.2.1 Waterfowl By-law W-201
    - 9.2.2 Pollution Control Account
    - 9.2.3 Public Transportation Advisory Committee and Taxi Commission (T-505)

10. MOTIONS

10.1 Ald. Woods

10.1.1 Speeding - Highfield Park Drive

10.2 Ald. McCluskey

10.2.1 Responsibility for Damages - Tree Falling

10.3 Ald. Billard

10.3.1 Sidewalk/Street Repairs on final quarter of  
Erskine Street

10.3.2 Possible Revision to Halifax Land Use By-law

10.3.3 Complaints from Neighbors of Certain Lounges  
- expense to the tax payers

11. NOTICES OF MOTION

12. REPORTS

12.1 CITY ADMINISTRATOR

12.1.1 Elimination of Eight Crosswalk Guard Positions

12.1.2 Proposed Pension By-law P-406

12.2 SOLICITORS

12.2.1 Tax Exemption By-law T-401

TO BE ADDED

13. REPORTS

13.1 CITY ADMINISTRATOR

13.1.1 Appointment - Assistant City Clerk

13.1.2 1991 Tender - Pinehill Look-Off Trail

Contract No. PR91-09

13.1.3 Contract 91-08, Sidewalk Construction, Joseph  
Young St & Leaman Dr

13.2 TRAFFIC MANAGEMENT GROUP

13.2.1 Josephine Court - No Parking Zone

LOCATION: CITY COUNCIL CHAMBERS  
TIME: 7:30 P.M.

MEMBERS PRESENT: MAYOR SAVAGE  
ALDERMEN SARTO, THOMPSON  
BILLARD, MACFARLANE  
LEVANDIER, RODGERS  
MCCLUSKEY, PYE, WOODS  
HAWLEY, GREENOUGH  
WALTON, HETHERINGTON

MEMBER ABSENT: ALD. CONNORS

CITY ADMINISTRATOR: J. BURKE  
CITY SOLICITOR: S. HOOD  
ACTING CITY CLERK-TREAS: D. MCBAIN  
ASST. CITY CLERK: V. CARMICHAEL  
DEPARTMENT HEADS & ASSISTANTS

1.0 INVOCATION

The meeting was opened by Mayor Savage, with the Invocation.

The Mayor advised Council that Ald. Connors was absent, representing the City at an American Bus Tour function.

2.0 APPROVAL OF MINUTES

MOTION: To approve the minutes of the Council meeting held on Aug. 20/91, as circulated.

Moved: Ald. Hetherington  
Second: Ald. Hawley  
In Favour: All  
Against: None  
Motion Carried

3.0 BUSINESS ARISING FROM THE MINUTES

4.0 CONCERNS OF COUNCIL MEMBERS OR QUESTIONS

ALD. SARTO Ald. Sarto requested that lane markings be painted on the recently-completed section of Woodlawn Road, from Kelly Dr. to Mount Edward Road. Also, that pedestrian markings be reinstated at crosswalk points.

ALD. PYE Ald. Pye asked to be informed of the 'north-end' definition, for purposes of incidents reported by the Police Dept. (ie. the area this definition takes in when incidents are reported). The Mayor said this information would probably be given at a Police Commission meeting, when it is prepared.

ALD. MACFARLANE Ald. MacFarlane requested that attention be given to the park on Penhorn Drive, where maintenance is required (grass cutting, shrubbery, etc.). Also, that signs be posted in this area, to try and overcome the dog problems. This request directed to the Parks & Rec. Dept.

He also asked to have the vacant lot cleaned up at the location of Bow Street and Marc's Way.

ALD. HAWLEY Ald. Hawley raised a concern about speeding on Lethbridge Ave., and asked that consideration be given to a line on the street, after Belvedere Ave., to address the problem of cars coming onto the wrong side of the street on the corners. His other concern was about the blind spot at the left turn from Lethbridge onto Waverley Road. He asked that solutions be looked at to this safety problem, such as a mirror on the pole on the opposite side of the road.

ALD. THOMPSON A request from Ald. Thompson for a flashing green interval in the lights on Woodlawn Road (at Woodlawn Church corner), was noted by Mr. Fougere for attention.

ALD. GREENOUGH Ald. Greenough requested crosswalk markings at the locations: Caledonia Road and Gourok Ave.; Caledonia Road & Montebello Drive; Maple Drive & Braemar Dr.

5.0 DELEGATIONS & HDARINGS OF PROTEST

6.0 ORIGINAL COMMUNICATIONS

i) DEPT. OF HOUSING - REQUEST, REPLACEMENT MEMBER, DARTMOUTH/HFX. COUNTY REGIONAL HOUSING AUTHORITY

REQUEST: HOUSING AUTHORITY MEMBER Item 6.0 i) was deferred for two weeks, and referred to the Housing Committee, at the request of Ald. Walton.

7.0 PRESENTATION

i) MAYOR'S CHALLENGE CUP - CANOE TO THE SEA WINNERS

A presentation of the Mayor's Challenge Cup for the major Canoe to the Sea event, was made to Jeff Houser, head coach for the Banook Canoe Club. Ald. Billard was the other winning participant in this race.

8.0 PETITION

i) CLEAN UP OF HALIFAX HARBOUR

LETTER: MR. PRING A letter, with accompanying petition, has been received from Mr. Barry Pring, on the subject of sewage entering the harbour from an outfall in the area of Hazlehurst St. Ald. Levandier asked about the possibility of extending this outfall pipe out further into the harbour, but Mr.

Burke pointed out that it cost \$750,000. to do this in Halifax, without any hope of the city recovering that cost.

At the suggestion of the Mayor, Ald. Levandier agreed to have a meeting arranged with Mr. Pring, Ald. Connors and Levandier, Mr. Burke and the Mayor, to discuss his concerns and those of the other area residents. In the meantime, the petition received was tabled with Council.

Ald. McCluskey was present from this point in the meeting.

9.0 REPORTS

9.1 CITY ADMINISTRATOR

9.1.1 APPLICATION TO AMEND LAND USE BY-LAW - RECYCLING FACILITIES AND SALVAGE YARDS

BY-LAW C-690

Proposed By-law C-690 (Recycling Facilities & Salvage Yards) was before Council again in second reading, having been revised to provide for the deletion of the M.R.F. clause, which means that any large type of recycling facility will have to operate in the Salvage Yard Zone (including such facilities as Scotia Recycling).

Members still had concerns about the M.R.F. provision, if it remains in the amendment as originally proposed, in situations where recycling depots may be located on properties abutting residential areas. There appeared to be some confusion still about the implications of the changes that will result from the by-law revision, and Council felt that further staff clarification is required before proceeding with any amendment to second reading of By-law C-690. A motion to refer to staff was therefore adopted.

MOTION: To refer By-law C-690 back to staff for further clarification of the M.R.F. provision, as proposed for deletion from the Land Use By-law Amendment.

Moved: Ald. Hetherington  
 Second: Ald. Greenough  
In Favour: All  
Against: None  
Motion Carried

9.2 SOLICITORS

9.2.1 WATERFOWL BY-LAW W-201

BY-LAW W-201

Proposed By-law W-201, to prohibit the feeding of waterfowl along the shores of Little Albro Lake, in addition to the prohibition affecting Lake Banook, was before Council for approval.

MOTION: That leave be given to introduce said By-law W-201 and that it now be read a first time.

Moved: Ald. Sarto  
Second: Ald. McCluskey  
In Favour: All  
Against: None  
Motion Carried

MOTION: That By-law W-201 be read a second time.

Moved: Ald. McCluskey  
Second: Ald. Sarto

Ald. Greenough asked about the inclusion of a section of Lake Charles in By-law W-201; the Mayor suggested that any additional requests, such as the one made by Ald. Greenough, be brought back at a later time for inclusion. Ald. Levandier and Hetherington questioned the enforceability of the by-law and were opposed to it.

In Favour: All members except  
Against: Ald. Levandier & Hetherington  
Motion Carried

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

MOTION: That By-law W-201 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the said bylaw on behalf of the City.

Moved: Ald. Greenough  
Second: Ald. Sarto  
In Favour: All  
Against: None  
Motion Carried

#### 9.2.2 POLLUTION CONTROL ACCOUNT

POLLUTION CONTROL In order to pay the City's portion of the 1990 and 1991  
ACCOUNT: RES. 91-06 Halifax Harbour Clean-up Program, Council was asked  
AND 91-23 by the Solicitor to pass Resolutions 91-06 and 91-23,  
authorizing the withdrawal of the sums of \$112,773. and  
\$798,873. for 1990 and 1991 respectively. Approval of  
both resolutions has been recommended by the Solicitor .

MOTION: To approve Resolutions 91-06  
and 91-23, as recommended by  
the Solicitor.

Moved: Ald. Sarto  
Second: Ald. Greenough  
In Favour: All  
Against: None  
Motion Carried

9.2.3 PUBLIC TRANSPORTATION ADVISORY COMMITTEE AND TAXI COMMISSION

BY-LAW T-505 Item 9.2.3 was withdrawn from this agenda, at the request  
of the Solicitor.

10.0 MOTIONS

10.1 ALD. WOODS'

10.1.1 SPEEDING - HIGHFIELD PARK DR.

MOTION: WHEREAS Highfield Park Drive serves  
as a collector street, offering motorists  
an opportunity to operate their vehicles  
well in excess of legal speed limits;  
AND WHEREAS it is common knowledge that  
most motorists do, in fact, speed along  
the entire length of Highfield Park Drive;  
AND WHEREAS a constant and/or frequent  
surveillance by police radar is not a  
significant impediment to the high-speed  
traffic;  
THEREFORE, in order to impose some meaning-  
ful measure of control, BE IT RESOLVED that  
three-way Stop signs be placed at the north-  
east end of Joseph Young Drive, where it  
intersects with Highfield Park Drive, for a  
six-month trial period, to be evaluated at  
the end of that time.

Moved: Ald. Woods  
Second: Ald. Pye

Ald. Levandier felt that traffic sign decisions are  
becoming too political, and should be based instead  
on some professional criteria and evaluation. Mr. Lukan  
advised that an item in this connection will be coming  
to Council for consideration, and Ald. Levandier suggested  
it should be dealt with as quickly as possible.

In Favour: All  
Against: None  
Motion Carried

10.3 ALD. BILLARD10.3.1 SIDEWALK/STREET REPAIRS ON FINAL QUARTER OF ERSKINE ST.

MOTION: WHEREAS the City of Dartmouth has been able to effect repairs to almost all of Erskine Street (its sidewalks and road surface);

BE IT RESOLVED that the final quarter of the street, from Hawthorne St. to Summit, be included for debate in the 1992 capital budget, with reference to its sidewalk and street surface.

Moved: Ald. Billard  
Second: Ald. MacFarlane  
In Favour: All  
Against: None  
Motion Carried

10.3.2 POSSIBLE REVISION TO HALIFAX LAND USE BY-LAW

MOTION: WHEREAS the development of small, multi-unit housing opportunities is limited by zone categories like R-1, R-2, R-3;

AND WHEREAS these broad categories do not reflect the need to encourage refurbishing of small two-unit building to acceptably-sized three-unit building (ie. adding one unit through reconstruction);

BE IT RESOLVED that City Planning staff review the potential of a proposed amendment to the Halifax Land Use By-law (Section 43 AE), which states: 'Notwithstanding any other provisions of the by-law, a building which was in existence on Sept. 18/87, may be converted to R-1, R-2 or R2A uses, to a maximum of 14 units, provided there is no increase in building volume and 50% of the dwelling units contain a minimum of 800 sq. ft. of floor area.'

It was agreed that the motion presented should be referred to Planning staff, to be added to the list of MPS items already under consideration, if not already included.

MOTION: To refer the above motion to Planning staff for inclusion with the list of MPS items already under consideration.



Moved: Ald. Billard  
 Second: Ald. Thompson  
In Favour: All  
Against: None  
Motion Carried

10.3.3 WITHDRAWN In view of considerable improvement in the source of complaints, associated with Ald. Billard's third motion (problems originating with lounges located near to residential neighbourhoods), he advised Council of his wish to withdraw item 10.3.3 from the agenda.

11.0 NOTICES OF MOTION

12.0 REPORTS

12.1 CITY ADMINISTRATOR

12.1.1 ELIMINATION OF EIGHT CROSSWALK GUARD POSITIONS

ELIMINATION:  
 CROSSWALK GUARD  
 POSITIONS

The report from Mr. Burke (Deputy Chief Cole) on the proposed elimination of eight crosswalk guard positions, was again before Council, having been deferred at the request of Ald. Pye for further information on the Brule Street location recommended.

Deputy Chief Cole was present for this item, and responded to Ald. Pye's questions about safety factors involved in the Brule Street recommendation. He later indicated that he was satisfied to have the recommendation stand as originally made in the report. With regard to the Ward 1 locations recommended, Ald. Sarto requested that the gate from Woodlawn Mall (onto Penhorn Drive) be closed altogether, on a permanent basis. Also, that letters be sent out to parents, teachers and principals re the second Ward 1 location (Penhorn/Woodlawn Road in front of Harvey's).

MOTION: To approve the elimination of eight crosswalk guard locations, as recommended by Deputy Chief Cole and Mr. Burke, as follows:  
Ward 1: Penhorn in front of school and Woodlawn Road in front of Harvey's; Ward 2: Prince Albert Road & Ochterloney St.; Ward 3: Victoria Road & Park Ave; Ward 5: Brule St. by walkway, Iroquois in front of school; Ward 7: Portland Street & Spring Ave, Portland Street & Caldwell Road.

Moved: Ald. Levandier  
 Second: Ald. McCluskey  
In Favour: All  
Against: None  
Motion Carried

12.1.2 PROPOSED PENSION BY-LAW P-406

BY-LAW P-406

Proposed Pension By-law P-406, which amends By-laws P-404 and P-405, with respect to School Bus Garage employees, has been recommended by Mr. Burke (G. Roussel) in an accompanying report to Council. Council proceeded to give the recommended by-law three readings.

MOTION: That leave be given to introduce the said By-law P-406 and that it now be read a first time.

Moved: Ald. Levandier  
Second: Ald. Sarto  
In Favour: All  
Against: None  
Motion Carried

MOTION: That By-law P-406 be read a second time.

Moved: Ald. Greenough  
Second: Ald. MacFarlane  
In Favour: All  
Against: None  
Motion Carried

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

MOTION: That By-law P-406 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.

Moved: Ald. Greenough  
Second: Ald. Sarto  
In Favour: All  
Against: None  
Motion Carried

12.2 SOLICITORS12.2.1 TAX EXEMPTION BY-LAW T-401

BY-LAW T-401

Proposed By-law T-401 (tax exemptions) has been recommended by the City Solicitor, including a recommendation from the Finance & Program Review Committee that a 60/40 split be granted for tax exemption purposes, to the MicMac AAC (60% being the exemption for the portion of the facility designated for aquatic and recreational purposes).

MOTION: That leave be given to introduce said By-law T-401 and that it now be read a first time.

Moved: Ald. Sarto  
Second: Ald. Walton  
In Favour: All  
Against: None  
Motion Carried

MOTION: That By-law T-401 be read a second time.

Moved: Ald. MacFarlane  
Second: Ald. Greenough

Ald. McCluskey felt that a 70/30 ratio might be more equitable for the MicMac AAC exemption, and Ald. Greenough suggested that if the Club want to request a percentage change in the future, they can approach the Finance & Program Review Committee again to do so. Ald. Thompson also requested that the Committee review again, the possibility of an exemption for the Society for the Prevention of Cruelty to Animals. The Mayor agreed to have this item put on a Committee agenda again for reassessment, and to have Ald. Thompson notified when the item is to be discussed.

In Favour: All  
Against: None  
Motion Carried

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

MOTION: That By-law T-401 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.

Moved: Ald. Thompson  
Second: Ald. Hetherington  
In Favour: All  
Against: None  
Motion Carried

13.0 REPORTS

13.1 CITY ADMINISTRATOR

13.1.1 APPOINTMENT - ASSISTANT CITY CLERK

APPOINTMENT: Report from Mr. Burke (D. McBain) on the recommended  
 ASST. CITY CLERK appointment of Vi Carmichael as Assistant Clerk to the City Clerk-Treasurer, assuming the duties of Gerry Brady, Deputy City Clerk, who will be absent for an unspecified

period of time. Provision for such an appointment is in keeping with a City Charter provision, and requires the approval of Council.

MOTION: To approve the appointment of Vi Carmichael as Assistant Clerk to the City Clerk-Treasurer, for an unspecified time period, as provided for in the City Charter, and recommended to Council by Mr. Burke.

Moved: Ald. Hetherington  
Second: Ald. McCluskey  
In Favour: All  
Against: None  
Motion Carried

13.1.2 1991 TENDER - PINEHILL LOOK-OFF TRAIL, CONTRACT PR91-09

AWARD TENDER:  
CONTRACT PR91-09 Report from Mr. Burke on tenders received for contract PR91-09 (construction of Pinehill Look-off Trail), recommending that the tender be awarded to the low bidder, W. Eric Whebby, for a total tender price of \$57,780.00 (GST included).

MOTION: To award the tender for contract PR91-09 (Pinehill Look-off Trail) to the low bidder, W. Eric Whebby for a total tender price of \$57,780., as recommended.

Moved: Ald. Sarto  
Second: Ald. Pye  
In Favour: All  
Against: None  
Motion Carried

13.1.3 CONTRACT 91-08, SIDEWALK CONSTRUCTION, JOSEPH YOUNG ST. AND LEAMAN DRIVE

AWARD TENDER:  
CONTRACT 91-08 Report from Mr. Fougere on tenders received for contract 91-08 (sidewalk construction, Joseph Young Street & Leaman Drive), recommending that the contract be awarded to the low bidder, Ocean Contractors Ltd., with a bid price of \$65,767.55; completion time: 25 working days.

MOTION: To award the tender for contract 91-08 (sidewalk construction, Joseph Young St. & Leaman Dr.) to the low bidder, Ocean Contractors Ltd., with a bid price of \$65,767.55, as recommended.

Moved: Ald. Pye  
Second: Ald. Thompson  
In Favour: All  
Against: None  
Motion Carried

13.2 TRAFFIC MANAGEMENT GROUP

13.2.1 JOSEPHINE COURT - NO PARKING ZONE

JOSEPHINE COURT: In view of differing opinions among area residents on  
 NO PARKING ZONE the reinstatement of No Parking signs on Josephine  
 Court, Ald. Hetherington proposed a neighbourhood meeting,  
 to be attended by Ald. Pye and Hetherington, to permit  
 open discussion of the issue. This meeting to be chaired  
 by another member of Council, and the City to refrain from  
 involvement until after the meeting takes place.

MOTION: That a neighbourhood public meeting  
 be held in the Josephine Court area,  
 to permit open discussion of the No  
 Parking issue. This meeting to be  
 attended by the ward Aldermen, and  
 chaired by one of the other members  
 of Council; the City will refrain from  
 any further involvement until after  
 the meeting takes place.

Moved: Ald. Hetherington  
Second: Ald. Pye  
In Favour: All  
Against: None  
Motion Carried

At 8:55 p.m., Council went in camera, on motion of Ald.  
 Hetherington and Levandier. Council later reconvened in  
 open meeting to ratify the action taken in camera.

MOTION: To ratify the action taken while  
 meeting in camera on this date.  
 (Land negotiation and sale.)

Moved: Ald. Hetherington  
Second: Ald. Hawley  
In Favour: All  
Against: None  
Motion Carried

Council adjourned at 9:35 p.m.



D. McBain,  
 Acting City Clerk-Treasurer.

ITEMS:

- 1.0 Invocation, page 1.
  - 2.0 Approval of minutes, page 1.
  - 3.0 Business Arising from the minutes, page 1.
  - 4.0 Concerns of Council members or questions, page 1 & 2.
  - 5.0 Delegations & Hearings of Protest, page 2.
  - 6.0 Original Communications, page 2.
    - i) Dept. of Housing request, replacement member, page 2.
  - 7.0 Presentation, page 2.
    - i) Mayor's Challenge Cup, Canoe to the Sea Winners, page 2
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    - i) Clean up of Halifax Harbour, page 2.
  - 9.0 Reports, page 3.
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  - 9.1.1 Application to amend Land Use By-law, Recycling Facilities, pg.3  
By-law C-690, page 3.
  - 9.2 Solicitors, page 3.
  - 9.2.1 Waterfowl By-law W-201, page 3 & 4.
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  - 9.2.3 Public Transportation Advisory Comm. & Taxi Commission, page 5.
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  - 10.3 Ald. Billard, page 6.
  - 10.3.1 Sidewalk/street repairs, Erskine Street, page 6.
  - 10.3.2 Possible revision to Halifax Land Use By-law, page 6.
  - 10.3.3 Complaints from neighbors of certain lounges, page 7.
  - 11.0 Notices of Motion, page 7.
  - 12.0 Reports, page 7.
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  - 12.1.1 Elimination of eight Crosswalk Guard positions, page 7.
  - 12.1.2 Proposed Pension By-law P-406, page 8.
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  - 12.2.1 Tax exemption By-law T-401, page 8 & 9.
  - 13.0 Reports, page 9.
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  - 13.1.1 Appointment, Asst. City Clerk, page 9.
  - 13.1.2 1991 tender, Pinehill Look-off Trail, Contract PR91-09, pg. 10.
  - 13.1.3 Contract 91-08, Sidewalk construction, Joseph Young St., pg. 10
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Lib. Ref. Dept.

DARTMOUTH CITY COUNCIL  
AGENDA

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\*\*\*\*\*  
\* TUES., SEPT 10/91 \*  
\* 7:30 PM \*  
\* COUNCIL CHAMBER \*  
\* IN CAMERA SESSION \*  
\* 10:00 PM \*  
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1. PUBLIC HEARING

- i) Application for Development Agreement - 30 Fairbanks Street,  
Resolution 91-26

2. REPORTS

2.1 MAYOR

- 2.1.1 Letter from J. Colin May

2.2 CITY ADMINISTRATOR

- 2.2.1 Contract 91-22, Woodlawn Avenue Sidewalk  
Replacement (north side) (to be circulated)
- 2.2.2 Contract 91-27, Raymoor Drive and Bellevista  
Drive - curb replacement (to be circulated)

LOCATION: CITY COUNCIL CHAMBERS  
TIME: 7:30 P.M.

MEMBERS PRESENT: MAYOR SAVAGE  
ALDERMEN SARTO, THOMPSON  
BILLARD, MACFARLANE  
CONNORS, LEVANDIER  
RODGERS, MCCLUSKEY  
PYE, WOODS, HAWLEY  
GREENOUGH, WALTON  
HETHERINGTON

CITY ADMINISTRATOR: J. BURKE  
CITY SOLICITOR: M. MOREASH  
ASST. CITY CLERK: V. CARMICHAEL  
DEPARTMENT HEADS & ASSISTANTS

At the beginning of the meeting, Mayor Savage introduced to Council, the new Director of Planning & Development, Ms. Valerie Spencer.

1.0 PUBLIC HEARING

i) APPLICATION FOR DEVELOPMENT AGREEMENT - 30 FAIRBANKS ST.

DEVELOPMENT  
AGREEMENT:  
30 FAIRBANKS ST.

This date was set by Council for public hearing of an application for a Development Agreement for 30 Fairbanks Street, in order to permit the alteration of the dwelling at this location from a single residential unit to two residential units.

All members of Council were present for the public hearing, with the exception of Ald. Billard & MacFarlane.

The Planning Dept. presentation was made by Mr. L'Esperance. He advised Council that 30 Fairbanks Street is zoned R-2 presently, but it is an undersized lot. The building, which is 150 years old, has undergone renovations recently, and the owners wish to make the interior conversion to the two units being requested.

Since the request complies with the policies and intent of the M.P.S., and was not opposed at the neighbourhood consultation meeting, the Planning Dept. has recommended in favour of the application, recommending as well, the approval of Resolution 91-26. Mr. Burke's report concurs with these recommendations.

The Mayor declared the public hearing open and called for speakers in favour of the application. Council heard Leslie Krizsan, one of the property owners; Corinne Lange, the other owner of 30 Fairbanks St., was also present for the hearing. Ald. Woods had several questions for Mr. Krizsan about the response of area residents to his intention for



the property. Ald. Connors explained that residents have not objected and this fact is reflected in their lack of attendance for the public hearing.

Having called three more times for speakers in favour, Mayor Savage then called three times for any speakers opposed to the application. There being none, he declared the public hearing closed, on motion of Ald. Hetherington and Sarto.

RESOLUTION 91-26

MOTION: To approve Resolution 91-26,  
as recommended.

Moved: Ald. Sarto  
Second: Ald. Hetherington  
In Favour: All  
Against: None  
Motion Carried

Ald. Levandier asked that in future, when citizens are making applications to alter buildings, where a Development Agreement is required, they be provided with relevant information explaining the process required by the City. His request was directed to Ms. Spencer and she responded to it.

#### CONCERNS OF COUNCIL MEMBERS AND QUESTIONS

ALD. PYE

Ald. Pye requested a review by the Police Dept., of the crosswalk guard location on Brule Street, eliminated with others at the Sept. 3rd Council meeting. Also, that there be some communication by the Police Dept. with the Military Police, who are now overseeing the Iroquois Dr. crosswalk location.

Ald. Pye asked if the City will be making a presentation on the Core Program, on September 12th. The Mayor advised that the School Board is expected to make a presentation, but not the City. The U.N.S.M. will be making a presentation in connection with Bill 200.

ALD. WALTON

Ald. Walton asked if Social Services are being affected by the CUPW situation, as a result of people not receiving their cheques in the mail. The Mayor said he was not aware of any problems occurring.

Ald. Walton requested information on the status of property at 527 Pleasant Street - is the building there to be demolished and will the property be turned over to the school?

ALD. SARTO

Ald. Sarto indicated the concerns of parents about the elimination of crosswalk guards at both the Penhorn Drive and Woodlawn Rd (Harvey's) locations. He asked to have student counts done again by the Police Dept. and for information on the cost of an over-expenditure to reinstate both guard positions. Mr. Burke advised that he plans to have the Deputy Chief review all crosswalk locations, including these two.

Ald. Thompson also stated concerns about the same Ward 1 crosswalks and pedestrian safety generally in this area. He requested a police patrol and general attention of the Police Dept. to improve the level of pedestrian safety on the streets and in the mall parking lot.

Ald. McCluskey objected to the manner in which the crosswalk guard for this location was informed that his position had been terminated. She said he was informed by another crosswalk guard and not through a proper channel.

ALD. CONNORS

Ald. Connors commended the meeting of American Tour Bus operators in Dartmouth, and the initiative of Dan Brennan and the City tourism staff for managing to bring this group to the City; they were originally scheduled to meet in Italy.

The point of concern raised by Ald. Connors had to do with laxness of security on the part of the Nova Scotia Hospital, which allowed a patient from the Forensic Unit (in the Unit on a Lieut-Governor's warrant), to travel to and from court, on a charge of sexual assault, in a taxi, without adequate supervision. He said the Hospital is ignoring their responsibility for public safety in the community, and he requested that a letter go forward from Council, expressing grave concern about this recent instance, and seeking assurance that it will not happen again.

ALD. HETHERINGTON  
& WALTON

Ald. Hetherington and Walton also stated their objection to the inadequate security provisions for the Forensic Unit. Ald. Hetherington asked that the letter be sent to the Chairman of the Board of Management, with a copy to the Executive Director for the hospital. Ald. Walton requested a copy go to the Solicitor-General as well.

ALD. MCCLUSKEY

Ald. McCluskey requested that action be taken to have the speed limit reduced on the section of highway after the lights at MicMac Blvd., which passes the Horizon Estates development. A reduction from 80 kph to 50 kph is being requested to lessen the noise of traffic, which is disturbing to the Horizon Estates residents.

- ALD. BILLARD Ald. Billard asked about two large trees that have been cut down at Elliot Street and Prince Albert Road, and why the Aldermen for the area were not informed beforehand. The Mayor agreed to have an answer provided.
- ALD. LEVANDIER Ald. Levandier asked that immediate attention be given to the property at 8 Mott Street, where the house was seriously damaged by fire. He requested information on the intentions of the owner, for the property, and what steps will be taken to secure the building.
- ALD. MACFARLANE Ald. MacFarlane requested information on the service company that was recently cutting evergreens on Harris Road.
- ALD. HETHERINGTON Ald. Hetherington commented on the positive figures for ferry ridership over the summer. He also asked to be advised if the tree at 52 Irving Street, requested to be cut down, is on private property or not.

2.0 REPORTS

2.1 MAYOR

2.1.1 LETTER FROM J. COLIN MAY

LETTER: COLIN MAY A letter has been received from J. Colin May of 10 Dahlia Street, suggesting a roll-back in taxes (or transfer to a reserve fund) with money saved by the City as a result of the wage freeze on the salaries of City employees.

Ald. Connors inquired about the actual amount of money that has been saved, and was informed by Mr. Burke that information is being compiled for a report to Council within a couple of weeks time. Members felt the report should also indicate any unforeseen funding requirements the City may have to face before year-end, where the money saved would have to be applied to make up a shortfall in the budget. The general opinion was that it would be premature at this point to make any kind of decision on the funds that may be available, especially until after Mr. Burke has submitted his report. Therefore, no further action was taken on the item, pending the receipt of additional information.

2.2 CITY ADMINISTRATOR

2.2.1 CONTRACT 91-22 - WOODLAND AVE. SIDEWALK REPLACEMENT

AWARD TENDER:  
CONTRACT 91-22 Report from Mr. Burke (R. Fougere, E. Purdy) on tenders received for Contract 91-22, Woodland Ave. sidewalk replacement, recommending that the tender be awarded to the lowest bidder, Ocean Contractors Ltd., for Alternative "B" (curb & sidewalk replacement on the north side), with a bid price of \$144,708.94; completion time: 35 working days.

Further, that the budget for Woodland Ave. be amended as required, utilizing unexpended funds from ward allocation.

MOTION: To award the tender for Contract 91-22 (Woodland Ave. sidewalk replacement) to the lowest bidder, Ocean Contractors Ltd. for Alternative "B", with a bid price of \$144,708.94. Further, that the budget for Woodland Ave. be amended as required, utilizing unexpended funds from ward allocation.

Moved: Ald. Hetherington  
Second: Ald. Rodgers  
In Favour: All  
Against: None  
Motion Carried

## 2.2.2

CONTRACT 91-27 - RAYMOOR DR. & BELLEVISTA DR. CURB REPLACEMENT

AWARD TENDER:  
CONTRACT 91-27

Report from Mr. Burke (R. Fougere, E. Purdy) on tenders received for Contract 91-27, curb replacement, Bellevista Drive and Raymoor Drive, recommending that the tender be awarded to the low bidder, Costa Curbs & Sidewalks Ltd., with a bid price of \$134,121.82; completion time: 30 working days.

MOTION: To award the tender for Contract 91-27 (Raymoor Drive & Bellevista Dr. curb replacement) to the low bidder, Costa Curbs & Sidewalks Ltd., with a bid price of \$134,121.82, as recommended

Moved: Ald. Sarto  
Second: Ald. Thompson  
In Favour: All  
Against: None  
Motion Carried

The Mayor asked that members of Council, in considering upcoming appointments to Boards and Committees, keep in mind the various target groups the City is attempting to encourage through the Affirmative Action Program.

Council went in camera at 8:35 p.m., on motion of Ald. Sarto and Hawley. Council reconvened in open meeting later, to ratify the action taken in camera.

MOTION: To ratify the action taken while meeting in camera on this date (land transactions).

Moved: Ald. Sarto  
Second: Ald. Hetherington  
In Favour: All  
Against: None  
Motion Carried

Meeting adjourned at 9:30 p.m.

*V. Carnichael*  
V. Carnichael,  
Asst. City Clerk.

ITEMS:

- 1.0 Public hearing, page 1.
  - i) Application for Development Agreement, 30 Fairbanks St., Pg. 1  
Resolution 91-26, page 2.  
Concerns of Council members, page 2 to 4.
  - 2.0 Reports, page 4.
  - 2.1 Mayor, page 4.
  - 2.1.1 Letter from J. Colin May, page 4.
  - 2.2. City Administrator, page 4.
  - 2.2.1 Contract 91-22, Woodland Ave. sidewalk replacement, page 4.
  - 2.2.2 Contract 91-27, Raymoor Dr. & Bellevista Dr. curb, page 5.
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Lib. Ref. Dept.

DARTMOUTH CITY COUNCIL  
AGENDA

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\* TUES., SEPT 17/91 \*  
\* 7:30 PM \*  
\* COUNCIL CHAMBER \*  
\* IN CAMERA SESSION \*  
\* 10:00 PM \*  
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1. PUBLIC HEARING

i) Appeal from Granting of Minor Variance - 8 Beech St.

2. ALDERMAN HETHERINGTON

i) Presentation - Video re: Taxi Industry

3. REPORTS

3.1 CITY ADMINISTRATOR

3.1.1 Contract 91-23, Russell St. Reconstruction (to be  
circulated)

3.1.2 Contract 91-24, Maple Street Reconstruction (to be  
circulated)

3.2 SOLICITORS

3.2.1 Street By-laws

3.3 MAYOR

3.3.1 Canadian Union of Postal Workers

3.4 HOUSING COMMITTEE

3.4.1 Special Resolution 91-27

LOCATION: CITY COUNCIL CHAMBERS  
TIME: 7:30 P.M.

MEMBERS PRESENT: DEPUTY MAYOR MACFARLANE  
ALDERMEN SARTO, THOMPSON, BILLARD  
LEVANDIER, CONNORS  
RODGERS, MCCLUSKEY  
PYE, WOODS, HAWLEY  
GREENOUGH, WALTON  
HETHERINGTON

CITY ADMINISTRATOR: J. BURKE  
CITY SOLICITOR: S. HOOD  
ASST. CITY CLERK: V. CARMICHAEL  
DEPARTMENT HEADS & ASSISTANTS

1.0 PUBLIC HEARING

i) APPEAL FROM GRANTING OF MINOR VARIANCE - 8 BEECH ST.

PUBLIC HEARING:  
8 BEECH ST.

This meeting of Council constituted the public hearing of an appeal from granting of a minor variance for 8 Beech Street. Notices of appeal have been filed by: Wm. Lesbirel of 2 Beech Street, Lewis Page of 4 Beech Street, and Marie Hare of 63 Dahlia Street.

All members of Council were recorded as being present for the hearing, with the exception of Mayor Savage. At the request of Deputy Mayor MacFarlane, the Solicitor explained the procedure to be followed in dealing with the appeal process.

The appellants first had the opportunity to address Council, in accordance with the procedure outlined. Council heard Mr. Peter Lesbirel, representing Wm. Lesbirel, and Ms. Marie Hare. A letter from two other neighbors, Jerry Hennigar and Andrew Crutchfield, was read by Ms. Hare during her presentation to Council.

Basically, the concerns of all the appellants were for the standards of construction that have been and will be followed at 8 Beech Street, where modifications to the existing dwelling are proposed. Reference was made to the present appearance of the building, in particular the garage construction, considered by the appellants to have been improperly carried out and now in a condition that detracts from the property itself. They were concerned that further construction, not up to City requirements, will further detract from property values in the neighbourhood, affecting other properties. They sought some guarantee that the project will be carefully monitored and required to comply with adequate construction standards.

In presenting his report to Council, Mr. L'Esperance advised that the property in question is zoned R-2, and the existing house and garage on the property cover approx. 32.8 percent of the lot. With the construction project planned, the applicant wishes to increase the lot coverage to approx. 39.6 percent, and it is his opinion, as the Development Officer, that the variance requested is minor and therefore acceptable. Responding to questions from Council about compliance with Building Code standards, Mr. L'Esperance noted that it is the responsibility of the Building Inspection Dept. to enforce such requirements. Questions were also put to the Solicitor, along the same lines, and she stated that the City has the mechanism in place to control construction standards. The only determination for Council to make, in this instance, is whether or not this variance is minor.

There were additional questions from members about the garage construction at 8 Beech Street, whether or not a permit was obtained to proceed with it, and other details relating mainly to the existing structure and its position on the property.

The applicant, Mr. Douglas Greenough, was then heard by Council, explaining why he is seeking a variance in order to carry out a building renovation that will permit him and his family (wife and two children) to move in with his parents and share housing costs. He advised that a permit was issued for the garage construction, and that it was carried out according to Building Inspection requirements. In answer to questions about his plans for the proposed addition to the house, he advised that he will be hiring a contractor to dig the foundation, and he will have professional help with the framing-in carpentry work. Asked about his financial capability to complete the project, Mr. Greenough said he has \$10,000. in the bank for this purpose.

The appellants had one further opportunity to summarize their position, and restated it as having no problem with the additional amount of space (being requested), but their request is that the City make sure the construction proposed is done properly this time.

Having complied with the procedure set out for appeal, as outlined by the Solicitor, Council now proceeded with the closing of the hearing, on motion of Ald. Levandier and Hetherington. Ald. Levandier did not feel that sufficient assurance can be given as to a satisfactory completion of the construction project at 8 Beech Street, and he therefore moved that the minor variance be denied, seconded by Ald. Connors.



MOTION: To deny the minor variance requested for 8 Beech Street.

Moved: Ald. Levandier

Second: Ald. Connors

Ald. Walton, Pye, Thompson, and Hawley were willing to support the granting of the minor variance, but without a guarantee in some form, as to the quality and standard of construction, from the applicant, other members of Council were in favour of the motion. The vote was taken.

In Favour: All members except

Against: Ald. Pye, Walton, Hawley & Thompson  
Motion Carried

CONCERNS OF COUNCIL MEMBERS AND QUESTIONS

ALD. WALTON

Referring to a letter received from the Transportation Dept., on the traffic signals planned for Everette and Pleasant Street, Ald. Walton asked if their decision (not to cost-share) could be appealed. Both he and Ald. Hetherington were concerned about the traffic conditions and number of accidents that have occurred at this point, and Ald. Hetherington proposed that the City go ahead with the signals anyway, using the \$59,000. provided in this year's budget, and including the additional \$50,000. required, in next year's budget, to complete the project. He said that traffic lights are essential at this dangerous location.

ALD. PYE

Ald. Pye requested that the report from the Police Dept. on crosswalk guard locations, be expedited for Council, hopefully in time for next week's Council meeting.

ALD. HAWLEY

Ald. Hawley requested police enforcement of the by-law that prohibits bicycles on sidewalks, specifically, on that section of Braemar Drive between the Parclo and Montebello Drive, where there has been considerable abuse and problems for pedestrians lately.

Another concern raised by Ald. Hawley was about the condition of the Ira Settle Field, after a soccer game was played there during wet weather on Sept. 16th. He said the field should not have been used under the circumstances, and requested a report from Parks & Recreation Dept. on their responsibility and the responsibility of the Soccer Association, for the protection of playing fields during periods of wet weather.

D. LEVANDIER

Ald. Levandier asked why members of City staff are not having the opportunity to purchase Canada Savings Bonds through payroll deductions. Mr. Burke said it is felt there are better investment alternatives and these are available to staff if they want them.

Also, employees can go directly to lending institutions and arrange for the purchase of Canada Savings Bonds if they wish to.

ALD. MCCLUSKEY

Ald. McCluskey noted the on-going problem of people not cleaning up after their dogs, and the fact that no one is being fined or charged under the by-law that is supposed to deal with the problem. She brought Council's attention to this matter and the need for enforcement of the by-law.

She asked for a response to request from a property owner for reimbursement for damage caused by a tree on City property; the Solicitor advised that she has this matter scheduled for follow-up and will advise the Alderman.

Ald. McCluskey asked if there is a requirement under the Solid Waste Collection By-law, for the cleaning of large garbage containers, once they have been emptied. She referred to a recent incident in Ward 4 where a container had not been cleaned and was full of maggots, that were dumped out on a parking lot. The Deputy Mayor suggested a report on the status of the Solid Waste By-law, in this connection.

ALD. THOMPSON

Ald. Thompson inquired about the status of the walkway from Carlson Court to Lucien Drive. Mr. Fougere provided information on the tender, which was re-called; he hopes to hear further from the contractor by Sept. 19th.

ALD. HETHERINGTON

Ald. Hetherington asked if arrangements could be made to have water bills paid at the Bank of Montreal, in addition to the other banks with whom similar arrangements have been made already. Mr. Burke will look at this request.

ALD. SARTO

Ald. Sarto requested, on behalf of the Mount Edward Home & School Assn., that crosswalk lines be painted at three locations:

Topsail and Windward Ave.  
Stewart Harris Drive and Ruth Dr.  
Brigadoon Ave. & Mount Edward Rd.

ALD. MCCLUSKEY

Ald. McCluskey asked that consideration be given to a slot and box at the police station, to enable people to pay their tickets this way.

The Deputy Mayor informed Council that Mayor Savage is attending the UNSM conference in Sydney, where he is the incoming President. His appointment was commended on Council's behalf.

2.0 ALDERMAN HETHERINGTONi) PRESENTATION - VIDEO RE: TAXI INDUSTRYPRESENTATION:  
TAXI SAFETY

Present for the next item, dealing with the safety and protection of taxi drivers, was Cst. Gary MacDonald, the City's Taxi Inspector; Ald. Hetherington also took part in the presentation to Council at this time.

A video was shown to Council of a visual alert, flashing light system, known as The Red Alert system, which can be installed in taxicabs, as a protective measure for drivers. With this system, drivers are able to alert the police and other drivers that they are in difficulty and at risk from attack in their cabs. The system can be activated by a driver without anyone in the cab knowing, and it can also be activated from the trunk of the car.

Ald. Hetherington informed Council of the cooperative metropolitan approach that is now being taken in the taxi industry, citing this alarm system as an example of a protective measure that could become available to cab drivers throughout the area if Provincial approval could be obtained for its use. He noted that a metropolitan approach would be helpful in making representation to the Province.

A presentation will be made to the Transportation Advisory Committee, and eventually, it is hoped that a recommendation will come back to Council from the Committee.

Ald. Hetherington and Cst. MacDonald were thanked for their efforts on behalf of the taxi industry, and for bringing the presentation and information to Council.

3.0 REPORTS3.1 CITY ADMINISTRATOR3.1.1 CONTRACT 91-23, RUSSELL ST. RECONSTRUCTIONAWARD TENDER:  
CONTRACT 91-23

Report from Mr. Burke (R. Fougere) on tenders received for Contract 91-23, Russell Street reconstruction, recommending that the tender be awarded to the low bidder, Ocean Contractors Ltd., with a tender price of \$119,840.00; completion time: 25 workdays.

Council concurred with Ald. Rodgers' request to apply funds available, to as much of Russell Street as possible, to be determined in conjunction with Mr. Burke and Mr. Fougere.

MOTION: To award the tender for Contract 91-23 (Russell Street) to the low bidder, Ocean Contractors Ltd., as recommended. Their bid price is \$119,840.00.

Moved: Ald. Hawley  
Second: Ald. McCluskey  
In Favour: All  
Against: None  
Motion Carried

3.1.2 CONTRACT 91-24 - MAPLE STREET RECONSTRUCTION

AWARD TENDER:  
 CONTRACT 91-24

Report from Mr. Burke (R. Fougere, E. Purdy) on tenders received for Contract 91-24, Maple Street reconstruction and watermain replacement, recommending that the tender be awarded to the lowest bidder, L. J. Casavechia Contracting Ltd., with a tender price of \$263,975.42; completion time: 30 working days.

Ald. Connors requested that prior to commencement of this project, temporary signage be erected at strategic locations, to divert traffic from the Maple Street area while construction there is in progress. He suggested that traffic be directed toward Alderney Drive, Ochterloney Street and Prince Albert Road, as alternative routes for traffic. Ald. McCluskey stated similar concerns about having signs put up in advance of the project getting underway.

MOTION: To award the tender for Contract 91-24 (Maple St. reconstruction) to the lowest bidder, L. J. Casavechia Contracting Ltd., with a tender price of \$263,975.42, as recommended.

Moved: Ald. Hawley  
Second: Ald. Sarto  
In Favour: All  
Against: None  
Motion Carried

3.2 SOLICITORS

3.2.1 STREET BY-LAWS

STREET BY-LAWS

Three by-laws were before Council, with respect to signs and encroachments on sidewalks, with accompanying reports from the City Solicitor, recommending their approval.

The first by-law presented was By-law S-802, which will permit ground signs, mobile signs and projecting signs to be placed on or over the sidewalk, as long as certain conditions are met.

BY-LAW S-802

MOTION: That leave be given to introduce the said By-law S-802 and that it now be read a first time.

Moved: Ald. Sarto  
Second: Ald. Greenough  
In Favour: All  
Against: None  
Motion Carried

MOTION: That By-law S-802 be read a second time.

Moved: Ald. Hetherington  
Second: Ald. Levandier

Ald. Pye was in favour of referring the by-law to the committee that will be reviewing MPS policies relating to signs and signage throughout the City. Other members were opposed to delaying any longer, the three by-laws now before Council; these by-laws have been to Council on a number of previous occasions over the past year.

MOTION: To refer By-law S-802 to the committee that will be reviewing MPS policies relating to signage, for consideration.

Moved: Ald. Pye  
Second: Ald. Thompson  
In Favour: Ald. Pye  
Against: All other members  
Motion Defeated

The vote was then taken on second reading.

In Favour: All  
Against: None  
Motion Carried

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

MOTION: That By-law S-802 be read a third time and that the City Clerk be authorized to sign and seal the said by-law on behalf of the City.

Moved: Ald. Hetherington  
Second: Ald. Sarto  
In Favour: All  
Against: None  
Motion Carried

Council proceeded to proposed By-law V-102, which will amend the Vending By-law in areas requested some time ago by Council, having been raised initially by Ald. Connors.

BY-LAW V-102

MOTION: That leave be given to introduce the said By-law V-102 and that it now be read a first time.

Moved: Ald. Levandier  
Second: Ald. Hawley  
In Favour: All  
Against: None  
Motion Carried

MOTION: That By-law V-102 be read a second time.

Moved: Ald. Hawley  
Second: Ald. Sarto  
In Favour: All  
Against: None  
Motion Carried

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

MOTION: That By-law V-102 be read a third time and that the City Clerk be authorized to sign and seal the said by-law on behalf of the City.
 

<u>Moved:</u>	Ald. Levandier
<u>Second:</u>	Ald. Sarto
<u>In Favour:</u>	All
<u>Against:</u>	None
	<u>Motion Carried</u>

The third by-law recommended by the Solicitor was By-law S-1401, which amends the Streets By-law in the areas requested (permitting tables & chairs on sidewalks, canopies & awnings over sidewalks).

BY-LAW  
S-1401

MOTION: That leave be given to introduce the said By-law S-1401 and that it be read a first time.

Moved: Ald. Connors  
Second: Ald. Hawley  
In Favour: All  
Against: None  
Motion Carried

MOTION: That By-law S-1401 be read a second time.

Moved: Ald. Hetherington  
Second: Ald. Sarto  
In Favour: All  
Against: None  
Motion Carried

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

MOTION: That By-law S-1401 be read a third time and that the City Clerk be authorized to sign and seal the said by-law on behalf of the City.

Moved: Ald. Connors  
Second: Ald. Hetherington  
In Favour: All  
Against: None  
Motion Carried

3.4 HOUSING COMMITTEE

3.4.1 SPECIAL RESOLUTION 91-27

RESOLUTION 91-27 Council was asked to approve Resolution 91-27, in connection  
LANDS, TRUE NORTH with the purchase of lands on True North Crescent, by  
CRESCENT authorizing the withdrawal of funds from the Special Reserve  
Fund for this purpose.

MOTION: To approve Resolution 91-27, authorizing the withdrawal of special reserve funds for the purchase of lands for housing, on True North Crescent.

Moved: Ald. Pye  
Second: Ald. Sarto  
In Favour: All  
Against: None  
Motion Carried

3.3 MAYOR

3.3.1 CANADIAN UNION OF POSTAL WORKERS

LETTER: CUPW

Members of Council have received copies of a letter from the Canadian Union of Postal Workers, to Mayor Savage, seeking support in protesting the replacement of full-time jobs with part-time jobs.

CONFLICT OF INTEREST

Ald. Connors declared a conflict of interest on this item, by reason of the fact that he represents a CUPW client. A conflict of interest was also declared by Ald. Hetherington, who is a civil servant with the Federal Government. Both members withdrew from the Council meeting at this point.

MOTION: To receive and file the letter  
from CUPW, dated Sept. 11/91.

Moved: Ald. Greenough  
Second: Ald. Thompson  
In Favour: All  
Against: None  
Motion Carried

Having completed the agenda, Council adjourned at 10:10 p.m.

*V. Carmichael*

V. Carmichael,  
Asst. City Clerk.



ITEMS:

- 1.0 Public Hearing, page 1.
    - i) Appeal from granting of minor variance, 8 Beech St., pg.1 to 3.  
Concerns of Council members and questions, page 3 & 4.
  - 2.0 Ald. Hetherington, page 5.
    - i) Presentation - Video re taxi industry, page 5.
  - 3.0 Reports, page 5.
  - 3.1 City Administrator, page 5.
  - 3.1.1 Contract 91-23, Russell St. reconstruction, page 5.
  - 3.1.2 Contract 91-24, Maple Street reconstruction, page 6.
  - 3.2 Solicitors, page 6.
  - 3.2.1 Street by-laws, page 6.
    - By-law S-802, page 7.
    - By-law V-102, page 8.
    - By-law S-1401, page 8.
  - 3.4 Housing Committee, page 9.
  - 3.4.1 Special Resolution 91-27, page 9.
  - 3.3 Mayor, page 9.
  - 3.3.1 Canadian Union of Postal Workers, page 9.
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Lib. Ref. Dept.

DARTMOUTH CITY COUNCIL  
AGENDA

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\* TUES., SEPT 24/91 \*  
\* 7:30 PM \*  
\* COUNCIL CHAMBER \*  
\* IN CAMERA SESSION \*  
\* 10:00 PM \*  
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1. REPORTS

1.1 CITY ADMINISTRATOR

- 1.1.1 Expropriation of Easement, Irving Street
- 1.1.2 Expropriation of Parcel BJ-1, Wyndcrest Dr.
- 1.1.3 Takeover Private Streets - Islandview Dr.,  
Sutherland Terrace, Wyndcrest Dr.
- 1.1.4 Contract 91517C, Burnside Reservoir Site Works
- 1.1.5 Contract 91526, City of Lakes Business Park,  
Underground Electrical Service
- 1.1.6 Contract 91-30, Portland Street Widening at  
Regal Road (*to be circled*)
- 1.1.7 Contract 91-38, Windmill Road Resurfacing
- 1.1.8 Contract 91-37, Waverley Road Resurfacing

LOCATION: CITY COUNCIL CHAMBERS  
TIME: 7:30 P.M.

MEMBERS PRESENT: MAYOR SAVAGE  
ALDERMEN SARTO, THOMPSON  
BILLARD, CONNORS  
LEVANDIER, RODGERS  
MCCLUSKEY, PYE, WOODS  
HAWLEY, GREENOUGH  
WALTON, HETHERINGTON

MEMBER ABSENT: ALD. MACFARLANE

CITY ADMINISTRATOR: J. BURKE  
CITY SOLICITOR: M. MOREASH  
CITY CLERK-TREAS.: B. SMITH  
DEPARTMENT HEADS & ASSISTANTS

PRESENTATION - ART EXHIBITION

In connection with the 'Celebration' art exhibition, opened on September 21st at the Dartmouth Heritage Museum, a presentation was made to the City of an art work (a cartoon study) by the artist, Ernest Smith, whose paintings are part of the current exhibition in the Dartmouth gallery. Present for this item were: Robert Dietz, Ernest Smith, Betty Ann Aaboe-Milligan, and members of the Dartmouth art community. A slide was shown to Council of the art work being given to the Dartmouth gallery; the actual work is 12 feet by six-and-a-half feet in size. Mr. Smith addressed Council briefly, commending Mr. Gosley and the Dartmouth Museum staff on the gallery, after which gifts were presented by Mayor Savage to Mr. Dietz and Mr. Smith. A T-shirt was given to the Mayor by Mr. Dietz, marking Mozart's 200th Anniversary year.

PRESENTATION - HEALTHY DARTMOUTH

The next presentation was made by Ann Coughlan, the Healthy Dartmouth Coordinator, and Vince Marsh, Co-chair of the Healthy Dartmouth Committee.

Opening remarks from Ms. Coughlan dealt with the Healthy Community concept, and she gave as a definition, '... one in which all groups, both formal and informal, are working together effectively to improve the quality of life for all persons in the community.' The City of Dartmouth became involved as a healthy community in 1987, and began with such initial efforts as: the non-smoking by-law in civic buildings; environmental concerns; newspaper recycling; curbside pick-up of leaves and composting; the Employee Assistance Program; the Dartmouth Book Awards; and the hazardous spraying by-law.

Mr. Marsh provided information on citizen involvement in the Healthy Dartmouth process, through the main Committee established, and subsequently, the three sub-committees, which are: the PR Committee, the Program Committee, and the Profile Committee. He also outlined the public participation initiatives that have been undertaken, including a series of public meetings, at which people were invited to give their views and ideas on the various aspects that comprise a healthy community. About seventy people are now involved, as volunteers in the Healthy Dartmouth program, and the present aim is to reach the number of 200 involved citizens by the end of this year.

Ms. Coughlan concluded the presentation by indicating to Council what projects are currently being started: the Violence Against Women Task Force; the City committee on youth; the Heart Health project; and the work of the Five Star Committee.

Ald. Hetherington thanked Ms. Coughlan and Mr. Marsh for the work they have done and for making their presentation to Council. He pointed out that the Healthy Dartmouth Committee has functioned, until now, under the umbrella of the Board of Health, but suggested that perhaps it is time for the Committee to become constituted separately, in their own right and reporting directly to Council. The Mayor will first meet with Ald. Hetherington and the Co-chair members to discuss the suggestion further, before a recommendation is made to Council. Acknowledged at this time were Joe Grant and Geraldine Phillips, who originally chaired the committee in its beginning stages.

The Mayor reminded members of Council of the official opening of the Don Bayer Memorial Field, at 12:30 p.m. on Sept. 25th.

#### CONCERNS OF COUNCIL MEMBERS AND QUESTIONS

ALD. MCCLUSKEY

Ald. McCluskey indicated that she would be interested in serving on the Violence Against Women Task Force. Mayor Savage said he would submit her name to Ms. Legere.

Ald. McCluskey asked if a City presentation will be made on the subject of taxing powers for School Boards. The Mayor advised that he will be making a presentation on behalf of the UNSM, but a City brief is not planned. Ald. Rodgers later made some comments on the same subject, and said he felt there would not be much the City could add to what will be contained already in the other representations.

Ald. McCluskey asked if it would be possible to provide some additional parking for library patrons, over and above the spaces already allocated.

- ALD. LEVANDIER Ald. Levandier extended congratulations to Mayor Savage on his appointment as President of the Union of Nova Scotia Municipalities; the rest of Council acknowledged his appointment as well.
- Ald. Levandier asked that something further be done to keep cars from turning onto Maple Street while it is under construction. Mr. Purdy advised that modifications will have to be made to the traffic signals at Maple and Ochterloney Street, to discourage cars from turning up Maple Street. Ald. Levandier asked about the other problem area, Beech Street; Mr. Burke said that staff are trying to address and sort out all of these spots, and to divert traffic, insofar as possible, onto Alderney Drive.
- ALD. PYE Referring to page 3 of the Development Officer's report, Ald. Pye requested information on the permit for development for Lot HH2X, Windmill Road (1.9 million dollars). Ald. McCluskey later asked that the same information be provided on this permit as requested by Ald. Woods for the Highfield Park Drive development.
- ALD. WOODS The information requested by Ald. Woods, as referred to above,, was in connection with the 14 million dollar apartment development proposed for Highfield Park Drive. He asked for information on the location of the lots; how the development is to be sited; are there architectural renderings; and would it be restricted by the development agreement process. (This same information asked for by Ald. McCluskey, with reference to Lot HH2X, Windmill Rd.)
- ALD. HETHERINGTON From the same report, Ald. Hetherington asked about the County of Halifax notification of intent, with respect to lands for development that may be within the City watershed; he asked that any such County plans be carefully monitored, to make sure there is no infringement on our watershed.
- ALD. WALTON Ald. Walton asked about the completion of the work on Everette Street; Mr. Purdy noted that this contract was extended to include Dustan Lane and the completion schedule will therefore be delayed somewhat.
- Ald. Walton said there is some confusion about the hours designated by signage at the lower end of Thistle Street for lane use, between 6:00 and 9:00; he asked if this refers to a.m. or p.m.
- ALD. HAWLEY Ald. Hawley thanked staff and other members of Council for the assistance he has received, which enabled him to be returned as Alderman for Ward 6, by acclamation. The other three members also returned by acclamation, made similar acknowledgements. (Ald. Rodgers, Greenough and McCluskey.)

ALD. THOMPSON Ald. Thompson asked if pitbull dogs are covered under the City by-law, which deals with fierce and dangerous dogs. The Solicitor said that specific breeds are not singled out for purposes of the by-law; the Mayor also referred to the difficulty in establishing exactly what a pitbull is (ie. for prosecution purposes).

Ald. Thompson was concerned that the three crosswalks requested for painting in Ward 1, are not able to be done, due to budget constraints. He asked that they be reconsidered by Mr. Burke, in light of their need. Ald. Sarto stated his objection as well to the budget constraint where crosswalk painting is required and could be carried out by City employees. Mr. Burke explained that the budget for this activity has been expended, both for contract and for work by employees.

1.0 REPORTS

1.1 CITY ADMINISTRATOR

1.1.1 EXPROPRIATION OF EASEMENT, IRVING ST. (RES. 91-33)

EXPROPRIATION: Report from Mr. Burke (R. Fougere, E. Purdy) on the  
RESOLUTION 91-33 expropriation of land on Irving Street (between Civic #20 and Civic #22), required for storm sewer installation, recommending the approval of Resolution 91-33, respecting the expropriation of title to land designated as Easement D-1272.

MOTION: To approve the adoption of  
Resolution 91-33, as recommended.

Moved: Ald. Walton  
Second: Ald. McCluskey  
In Favour: All  
Against: None  
Motion Carried

1.1.2 EXPROPRIATION OF PARCEL BJ-1, WYNDCREST DR. (RES. 91-32)

EXPROPRIATION: Report from Mr. Burke (R. Fougere, E. Purdy) on the  
RESOLUTION 91-32 expropriation of Parcel BJ-1, Wyndcrest Drive, required for the acceptance of the right-of-way as a City street, recommending the approval of Resolution 91-32, which authorizes the expropriation of Parcel BJ-1 from Owners Unknown.

MOTION: To approve the adoption of  
Resolution 91-32, as recommended.

Moved: Ald. McCluskey  
Second: Ald. Sarto  
In Favour: All  
Against: None  
Motion Carried

Ald. Billard referred to a request made previously by him, for a small map with reports such as the one submitted in item 1.1.2, as additional information to assist members of Council.

1.1.3 TAKEOVER PRIVATE STREETS - ISLANDVIEW DR., SUTHERLAND TERRACE,  
WYNDCREST DR.

STREET TAKEOVER: Report from Mr. Burke (R. Fougere, E. Purdy), recommending  
RESOLUTIONS 91-29, the approval of Resolutions 91-29, 91-30 and 91-31, in  
91-30 & 91-31 order to accept as City streets, Islandview Drive,  
Sutherland Terrace & Wyndcrest Drive.

MOTION: To approve the adoption of  
Resolutions 91-29, 91-30 and  
91-31, as recommended.

Moved: Ald. Greenough  
Second: Ald. Hawley  
In Favour: All  
Against: None  
Motion Carried

1.1.4 CONTRACT 91517C, BURNSIDE RESERVOIR SITE WORKS

AWARD TENDER: Report from Mr. Burke (R. Fougere, E. Purdy) on tenders  
CONTRACT 91517C received for Contract 91517C, Burnside Reservoir Site  
Works, recommending that the tender be awarded to the low  
bidder, Dexter Construction Co. Ltd., with a tender price  
of \$456,629.99; completion time: 5 months.

MOTION: To award the tender for Contract  
91517C to the low bidder, Dexter  
Construction Co. Ltd., with a  
tender price of \$456,629.99, as  
recommended.

Moved: Ald. Thompson  
Second: Ald. Sarto  
In Favour: All  
Against: None  
Motion Carried

1.1.5 CONTRACT 91526, CITY OF LAKES BUSINESS PARK, UNDERGROUND  
ELECTRICAL SERVICEAWARD TENDER:  
CONTRACT 91526

Report from Mr. Burke (T. Rath, E. Purdy) on tenders received for Contract 91526, City of Lakes Business Park, Phase 1 Electrical, recommending that the tender be awarded to the low bidder, L. J. Casavechia Contracting Ltd., with a tender price of \$176,871.00; completion time: 2 months. Further, that since the 1990 budget for construction was not expended, that the particular account be closed, and that an amount of \$318,000. be approved for the 1991/92 capital budget for the City of Lakes Business Park.

MOTION: To adopt the two recommendations in connection with the awarding of the tender for Contract 91526, City of Lakes Business Park, Phase 1 Electrical, one being the awarding of the tender to the low bidder, L. J. Casavechia Contracting Ltd., in the amount of \$318,000.

Moved: Ald. Sarto  
Second: Ald. Greenough  
In Favour: All  
Against: None  
Motion Carried

1.1.6 CONTRACT 91-30, PORTLAND ST. WIDENING AT REGAL ROADAWARD TENDER:  
CONTRACT 91-30

Report from Mr. Burke (R. Fougere, E. Purdy) on the tenders received for Contract 91-30, Portland Street widening at Regal Road, recommending that the tender be awarded to the lowest bidder, Dexter Construction Co. Ltd., with a tender price of \$295,857.14; completion time: 86 workdays. The shortfall in funds (\$105,000.) to be reallocated from the Windmill Road excess funds.

MOTION: To approve the awarding of the tender for Contract 91-30 to Dexter Construction Co. Ltd., as recommended; their bid is the lowest, in the amount of \$295,857.14. Funding shortfall to be made up by a reallocation of excess funds from the Windmill Road project, in the required amount of \$105,000.

Moved: Ald. Thompson  
Second: Ald. Sarto  
In Favour: All  
Against: None  
Motion Carried



1.1.7 CONTRACT 91-38, WINDMILL ROAD RESURFACINGAWARD TENDER:  
CONTRACT 91-38

Report from Mr. Burke (R. Fougere, E. Purdy) on tenders received for Contract 91-38, Windmill Road resurfacing, recommending that the tender be awarded to the low bidder, Standard Paving Maritime Ltd., with a tender price of \$374,500.00; completion time: 29 workdays.

MOTION: To award the tender for Contract 91-38 to the low bidder, Standard Paving Maritime Ltd., in the amount of \$374,500.00, as recommended.

Moved: Ald. Thompson  
Second: Ald. Greenough  
In Favour: All  
Against: None  
Motion Carried

1.1.8 CONTRACT 91-37, WAVERLEY ROAD RESURFACINGAWARD TENDER:  
CONTRACT 91-37

Report from Mr. Burke (R. Fougere, E. Purdy) on tenders received for Contract 91-37, Waverley Road resurfacing, recommending that the tender be awarded to the low bidder, Standard Paving Maritime Ltd., with a tender price of \$256,800.00; completion: by Nov. 8/91. Budget shortfall for this project to be covered by the reallocation of the Ward 6 budgets as required.

MOTION: To award the tender for Contract 91-37 to the low bidder, Standard Paving Maritime Ltd., in the amount of \$256,800.00, as recommended. Budget shortfall for this project to be covered by the reallocation of Ward 6 budgets as required.

Moved: Ald. Greenough  
Second: Ald. Hawley  
In Favour: All  
Against: None  
Motion Carried

REINSTATEMENT - CROSSWALK GUARDSREINSTATEMENT:  
CROSSWALK GUARDS

Mr. Burke has provided additional information gathered by the Police Dept. on the number of children using crosswalks at various locations throughout the City, and on the traffic volumes at locations proposed for deletion, as previously discussed and approved by Council. An additional report, from Cst. McIntyre, on the crosswalk at Prince Albert Road & Ochterloney Street, was also circulated to members prior to this Council meeting.

The three specific locations dealt with again at this time, at the request of Ald. Sarto (Thompson), Ald. Connors (Levandier) and Ald. Pye (Woods) respectively, were:

- 1) a Penhorn Drive crosswalk
- 2) Prince Albert Rad. & Ochterloney St.
- 3) Brule Street, also Iroquois/Shannon Park.

Deputy Chief Cole and Cst. McIntyre were present to answer questions about the traffic conditions and survey counts carried out at each of the above-noted locations. Ald. Billard felt that the seriousness of the traffic situation at a given location, should be considered as a stronger incentive for the presence of a crosswalk guard, than actual child counts, since the number of children may be small, but the traffic conditions far more dangerous than at another point with higher child counts. He referred in particular to the dangerous crossing at Maynard and Portland Street.

After a period of questions and discussion, Council proceeded to reinstate three crosswalk guards, at the above-noted locations, for a total over-expenditure of \$10,500., including an amount of \$1,500. for the Iroquois/Shannon Park crossing (to be cost-shared with DND, if possible).

## FIRST APPROVAL

MOTION: To give first approval for a \$10,500. over-expenditure for crosswalk guards to be reinstated at the locations listed above.

Moved: Ald. Sarto (Connors, Pye)  
Second: Ald. Thompson (Levandier, Woods)  
In Favour: All  
Against: None  
Motion Carried

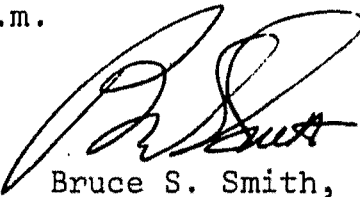
Second approval for this over-expenditure will be required at the next regular Council meeting.

At 9:10 p.m., Council went in camera, on motion of Ald. Sarto and Hetherington. After reconvening in open meeting, the action taken while meeting in camera was ratified.

MOTION: To ratify the action taken while meeting in camera on this date. (Legal item, contractual items.)

Moved: Ald. Hetherington  
Second: Ald. Rodgers  
In Favour: All  
Against: None  
Motion Carried

Meeting adjourned at 9:45 p.m.



Bruce S. Smith,  
City Clerk-Treasurer.

ITEMS:

- Presentation, art exhibition, page 1.
- Presentation, Healthy Dartmouth, page 1 & 2.
- Concerns of Council members & questions, page 2 to 4.
- 1.0 Reports, page 4.
- 1.1 City Administrator, page 4.
- 1.1.1 Expropriation of easement, Irvine St. (Res. 91-33), pg. 4.
- 1.1.2 Expropriation of Parcel BJ-1, Windcrest Dr. (Res. 91-32), pg. 4.
- 1.1.3 Takeover private streets, Resolutions 91-29, 91-30 & 91-31, pg. 5.
- 1.1.4 Contract 91517C, Burnside Reservoir site works, page 5.
- 1.1.5 Contract 91526, City of Lakes Business Park, page 6.
- 1.1.6 Contract 91-30, Portland St. widening (Regal Rd.), page 6.
- 1.1.7 Contract 91-38, Windmill Road resurfacing, page 7.
- 1.1.8 Contract 91-37, Waverley Road resurfacing, page 7.
- Reinstatement, crosswalk guards, page 7.
  - First approval, page 8.