

DARTMOUTH CITY COUNCIL
AGENDA

* TUES., OCT. 01/91 *
* 7:30 PM *
* COUNCIL CHAMBER *
* IN CAMERA SESSION *
* 10:00 PM *

1. INVOCATION
2. APPROVE THE MINUTES FROM THE MEETINGS: Aug. 19, 27, Sept. 3, 10, 17, & 24, 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
7. PUBLIC HEARING
 - i) Amendments to Municipal Planning Strategy and Land Use By-law - Development Agreement - Apartment Buildings
8. PRESENTATION
 - i) Grace Maternity Hospital
9. PETITION
10. SECOND APPROVAL - OVER EXPENDITURE - \$10,500 - REINSTATEMENT OF THREE CROSSWALK GUARD POSITIONS
11. REPORTS
 - 11.1 MAYOR
 - 11.1.1 Report on Race Relations
 - 11.2 CITY ADMINISTRATOR
 - 11.2.1 Contract PR91-08, Dorothea Dr. Park
 - 11.2.2 Contract PR91-04, Maynards & Oathill Lake Trails
 - 11.2.3 Contract PR91-07, Silvers Hill Park
 - 11.2.4 Contract PR91-10, Portland Estates Park, Phase 1 (to be circulated)
 - 11.2.5 Water System Extensions - County of Halifax - Cherrybrook Area
 - 11.2.6 Construction Agreement D-9
 - 11.2.7 Water System Extension - Caldwell Road

- 11.2.8 Application for Development Agreement -
Proposed Day Care - 81 Spring Ave (set date
for neighborhood information meeting)
- 11.2.9 Site for Burnside Reservoir

11.3 GRANT COMMITTEE

- 11.3.1 Recommendations - Grant Requests

11.4 BOARD OF HEALTH

- 11.4.1 Water Treatment Process - City of Dartmouth
Water Utility

12. MOTIONS

13. NOTICES OF MOTION

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

1.0 INVOCATION

Mayor Savage opened the Council meeting with the Invocation.

2.0 APPROVAL OF MINUTES

MOTION: To approve the minutes of Council meetings held on August 19, 27, Sept. 3, 10, 17, and 24th, as circulated.

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

3.0 BUSINESS ARISING FROM THE MINUTES

4.0 CONCERNS OF COUNCIL MEMBERS OR QUESTIONS

ALD. MCCLUSKEY Ald. McCluskey requested and received permission to add a motion on the subject of the City's liability for fallen trees that have caused damage to private property. The motion was added under item 12.0, Motions.

Having received a copy of the by-law dealing with the cleaning of garbage containers, as she requested from the September 17th Council meeting, Ald. McCluskey asked that copies also be forwarded to the companies who handle these containers, reminding them of the cleaning requirement.

ALD. CONNORS

Ald. Connors had two concerns, raised by him on behalf of Alderney Manor residents: the first, concerned a retaining wall that is in danger of falling down on the property behind the Manor, and secondly, there are trees that need to be trimmed in the area as well.

- ALD. SARTO Ald. Sarto had several concerns about traffic safety in the Collins Grove/Regal Road area. He asked that police attention be given to the Stop sign at Collins Grove and Regal Road, which is being ignored by many drivers. He also requested a vehicular stop sign at the approach to the main sign; referred to T.M.G.
- Ald. Sarto brought to Council's attention, the need for pedestrian markings on Topsail Blvd. at Windward, for the protection of children crossing from the west to the east side of the street. Pedestrian crossing lines are also required at Lea Street on Topsail Blvd. to assist children in crossing safely at that point.
- ALD. PYE Ald. Pye asked for any information Mayor Savage may have on the possible closure of the Dartmouth Marine slip. The Mayor gave a report to Council on his meeting with HDIL officials and with union representatives. The concern of the City has been voiced about a closure of this industry, but the Mayor pointed out that it is a private business decision, and the City cannot interfere with that. Other members with similar concerns to those of Ald. Pye, were Ald. Hetherington, Walton and Greenough.
- ALD. MACFARLANE Ald. MacFarlane again requested a report on the status of the Solid Waste By-law and its enforcement in relation to commercial garbage receptacles.
- ALD. HETHERINGTON Ald. Hetherington asked that notices be circulated to area residents, with information on the Portland Street construction project (to create turning and holding lanes) in the area of Regal Road and Alpine Drive.
- ALD. THOMPSON Ald. Thompson's question concerned the Akerley Blvd. extension, to connect with Highway 118, and any possible way of speeding up this project. Mayor Savage provided information on the environmental impact study, which is now complete, and being reviewed by the Ministers of Environment and Transportation. Further information is then expected on the project within about two weeks time.
- ALD. GREENOUGH Ald. Greenough suggested that the Minister of Transportation be invited to Dartmouth within that time-frame, to make the official announcement of the project. The Mayor agreed to communicate this suggestion to the Minister.

5.0 DELEGATIONS & HEARINGS OF PROTEST

6.0 ORIGINAL COMMUNICATIONS

8.0 PRESENTATIONi) GRACE MATERNITY HOSPITALPRESENTATION:
GRACE MATERNITY
HOSPITAL

Mr. Arthur Hustins Jr. made a presentation to Council as Chairman of the Special Delivery Campaign, on behalf of the new Grace Maternity Hospital. This campaign is to raise four-and-a-half-million dollars, toward the cost of furnishings and equipment for the new Grace, and the City of Dartmouth is being asked to renew its annual \$100,000. grant for the next five years, to assist in the purchase of furnishings and equipment. Mr. Hustins noted, in his presentation, that 25% of the births at the Grace last year, were from Dartmouth, including the Colby Village, Forest Hills area.

Ald. Thompson commended the campaign to Council and the valuable place the Grace Maternity Hospital has in the total metro community. He supported the City's on-going support for the fund-raising efforts of the campaign committee, and presented a motion to continue the City's annual contribution for another five-year period.

MOTION: To approve the continuation of the City's annual \$100,000. contribution to the Grace Maternity Hospital, for the next five-year period.

Moved: Ald. Thompson
Second: Ald. Connors

Ald. Connors and McCluskey spoke in support of the motion, but Ald. Hawley felt the Finance Committee, with the Grants Committee, should look at the request first and moved referral instead.

MOTION: To refer the request from the campaign committee to the Finance & Program Review Committee and the Grants Committee, to discuss funding arrangements, etc., and report back to Council.

Moved: Ald. Hawley
Second: Ald. Pye
In Favour: Eight members
Against: Six members
Motion Carried

Since October 8th will be the final meeting of the present Council, before the municipal election, it was requested that the Finance/Grants Committees try to meet as quickly as possible in order to have the item back to Council for October 8th. Mr. Hustins indicated his willingness to meet with the Committees at any time. All members of Council will be invited to attend the joint Committee meeting when it is scheduled.

Ald. Greenough asked that staff give some consideration to the best means of payment, for continuing our contributions, in order to impact least on the City's budget.

7.0 PUBLIC HEARING

i) AMENDMENTS TO M.P.S. & LAND USE BY-LAW - DEVELOPMENT AGREEMENT
APARTMENT BUILDINGS

AMENDMENTS:
DEVELOPMENT
AGREEMENTS

This date was set by Council for public hearing of the Council-initiated amendments to the M.P.S. and Land Use By-law, which would allow Council to enter into development agreements for apartment building development in all R-3, R-4, C-2, MF-1 and GC Zones. This change would apply to all buildings comprised of three units or more. Members of Council have received with their agenda, the Planning Dept. report, proposed By-laws C-691 and 692, and the minutes and covering memo of the Public Information Meeting held on Sept. 9/91.

CONFLICT OF INTEREST

Ald. Connors declared a conflict of interest, by reason of the fact that one of the presenters to be heard by Council is a partner from his law firm, representing Can-Euro Investments Ltd. He withdrew from his place on Council until the public hearing was later adjourned.

All other members of Council were recorded as being present for the public hearing.

The Planning Dept. presentation was made by Ms. Patricia Richards. She explained the Development Agreement requirements that will be put in place as a result of the proposed amendments to the M.P.S. and the Land Use By-law. No recommendation for or against has been made by Planning Dept. on the proposed amendments.

Mayor Savage opened the public hearing, calling for speakers in favour of the amendments. He called three times for speakers, but there was no one wanting to be heard by Council.

He then called for speakers opposed, and Council first heard Mr. John Young, representing the Can-Euro interests. A written submission from Mr. Young, dated Sept. 26/91, was circulated to all members of Council.

Mr. Young said that while he could understand Council's concerns about the control of apartment development, his client has been caught in the middle of a development plan by a blanket application of restrictions throughout the entire City. He noted that an application for building and development permits for the Can-Euro companion tower to the existing Horizon Estates, was submitted to City

staff on July 30/91. The application was subsequently caught in the development freeze imposed through the advertising of the MPS public hearing, and has been unable to proceed with the project Can-Euro already had underway (ie. with contracts, suppliers, workers).

Mr. Young's position was that if there is to be a Development Agreement process, agreements should apply to particular pieces of land or areas of the City so designated, but not as an overall application to the entire City. He also requested that his client be exempted from the Development Agreement process, in order to go ahead with a project that has already complied with existing zoning and other City development requirements.

The second speaker opposed to the amendments was Mr. Jan Jachimowicz, representing S. Jachimowicz Ltd. He also felt the proposed Development Agreements should not be applied City-wide, and that the additional layer of cost they represent will be the difference between a development going ahead or not, especially in the present economic climate. He also questioned the introduction of a new requirement, such as the Development Agreement, when the MPS is still not in place and development agreements for apartment buildings have not been recommended as MPS policy. A question was raised about the Halifax and Bedford requirements for Development Agreements, and Ms. Richards advised that they do not apply universally in either municipality; there are designated secondary planning areas to which they apply. (Ald. Hetherington later asked for further clarification of this point, by Planning staff, for the Oct. 8th Council meeting.)

Mr. Peter Connor, an Architect with considerable background in the MPS process, also addressed Council as one of the speakers opposed to the MPS and Land Use amendments. He said they make a mockery of the planning process represented by the MPS, and in his opinion, the Development Agreements would be a cumbersome additional hurdle for developers, involving further costs, over and above those developers are already faced with. He felt that housing costs will be increased as a result, and was concerned that such a negative move will cause developers to go elsewhere. He suggested that secondary planning would be a preferable way to control apartment development, without impacting adversely on the development community with City-wide restrictions.

Mr. John MacLeod, the final speaker opposed, supported the positions taken by the previous speakers and by the newspaper article on this same subject, from the Sept. 30th Mail-Star. He explained to Council the problems he has with the compatibility criteria that form a part of the proposed amendments.

Asked about the possible exemption of the Can-Euro development from the Development Agreement amendments, Mr. Moreash said he was not sure if or how this could be accomplished in the process now underway. He said he would need additional time for consultation with Planning staff and to research the question, before he could give Council an answer. He recommended that Council adjourn proceedings to the next meeting, in order to provide time for the preparation of his legal opinion. Members were willing to adjourn the public hearing, before it closed, for this purpose.

MOTION: To adjourn the public hearing
for one week, to Tues., Oct. 8th
at 9:30 p.m.

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

It was at this point that Ald. Hetherington requested further information on Development Agreement designations and requirements in Halifax and Bedford. Ald. Rodgers asked that the legal question of exempting Can-Euro not be the main point of adjournment, but that other points at issue, such as secondary planning designations, etc. receive equal consideration.

9.0

PETITION

✓ 10.0

SECOND APPROVAL - OVER-EXPENDITURE - \$10,500., REINSTATEMENT OF THREE CROSSWALK GUARD POSITIONS

SECOND APPROVAL:
OVER-EXPENDITURE

Council was required to give second approval for an over-expenditure in the amount of \$10,500. in order to reinstate crosswalk guard positions approved and given first approval at the Sept. 24th Council meeting; the locations are:

- 1) Penhorn Drive crosswalk
- 2) Prince Albert Rd. & Ochterloney St.
- 3) Brule Street and Iroquois/Shannon Park.

MOTION: To give second approval for an over-expenditure in the amount of \$10,500. to reinstate three crosswalk guard positions, as noted above.

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

11.0 REPORTS11.1 MAYOR11.1.1 REPORT ON RACE RELATIONSREPORT ON RACE
RELATIONS

Members of Council have received copies of the Report of the Nova Scotia Advisory Group on Race Relations, with recommendations in seven different areas. The Mayor noted that sixteen of these apply to municipalities, and suggested that Council make any comments at this time, to be forwarded to the Attorney-General's office. Ald. Levandier and Connors felt the report should first go to the Affirmative Action Committee for their input, and were prepared to make a motion of referral. Ald. Walton asked that the Committee give particular attention to the all-encompassing statement at the top of page 15, first paragraph; he felt this paragraph summarizes the entire thrust of what must be done to fight racial discrimination.

MOTION: To refer the report on Race Relations to the Affirmative Action Committee for their input and report back to Council.

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

11.2 CITY ADMINISTRATOR11.2.1 CONTRACT PR91-08, DOROTHEA DRIVE PARKAWARD TENDER:
CONTRACT PR91-08

Report from Mr. Burke (W. Stevens, C. Macomber, H. George) on tenders received for Contract PR91-08, construction of Dorothea Drive Park, recommending that the tender be awarded to the lowest evaluated bidder, Elmsdale Landscaping, for a total tendered price of \$28,841.85 (GST included).

MOTION: To award the tender for Contract PR-91-08 (Dorothea Dr. Park) to the lowest evaluated bidder, Elmsdale Landscaping, in the amount of \$28,841.85, as recommended.

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

11.2.2 CONTRACT PR91-04, MAYNARDS & OATHILL LAKE TRAILS

AWARD TENDER: Report from Mr. Burke (W. Stevens, C. Macomber, M. Crowell)
CONTRACT PR91-04 on tenders received for Contract PR91-04, development of trails on Oathill Lake and Maynards Lake, recommending that the tender be awarded to the low bidder, Elmsdale Landscaping, for a total tendered price of \$34,860.60 (GST included).

MOTION: To award the tender for Contract PR91-04 (trails, Oathill and Maynards Lakes) to the low bidder, Elmsdale Landscaping, in the amount of \$34,860.60, as recommended.

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

11.2.3 CONTRACT PR91-07, SILVERS HILL PARK

AWARD TENDER: Report from Mr. Burke (W. Stevens, C. Macomber, H. George)
CONTRACT PR91-07 on tenders received for Contract PR91-07, upgrading of Silver's Hill Park, recommending that the tender be awarded to the low bidder, Merit Construction, for a total tendered price of \$31,843.00 (GST included).

MOTION: To award the tender for Contract PR-91-07 (Silver's Hill Park) to the low bidder, Merit Construction, in the amount of \$31,843.00, as recommended.

11.2.4 CONTRACT PR91-10, PORTLAND ESTATES PARK, PHASE 1

Item deleted from the agenda; contract being tendered again, to be brought back to Council at a later date.

11.2.5 WATER SYSTEM EXTENSIONS, COUNTY OF HALIFAX - CHERRYBROOK AREA

WATER SYSTEM
EXTENSIONS

Report from Mr. Burke (R. Fougere, E. Purdy) on water system extensions being requested in the Westphal area of Halifax County, recommending in connection with approval for the extensions, that the Dartmouth Water Utility pay to the County of Halifax, a single capital payment of \$117,800. from the Depreciation Reserve account, on completion of the installation, and on receipt of a bill of sale and the cost breakdown, as required for the Utility Plant Ledger, the financial arrangement being subject to approval of the Board of Commissioners of Public Utilities.

MOTION: To approve the water extension recommendation (Westphal, Halifax County) from Mr. Burke, as detailed at the bottom of page 8 of these minutes.

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

11.2.6 CONSTRUCTION AGREEMENT D-9 (RESOLUTION 91-34)

CONSTRUCTION
 AGREEMENT:
 RES. 91-34

Report to Council from Mr. Burke (R. Fougere, E. Purdy), recommending the adoption of Resolution 91-34, which authorizes the Construction Agreement D-9, between the City of Dartmouth and the N. S. Dept. of Transportation, with respect to the Victoria Road/Highfield Park Drive intersection modifications. Mr. Burke's report was accompanied by copies of the agreement and the resolution.

MOTION: To adopt Resolution 91-34, as recommended by Mr. Burke.

Moved: Ald. Pye
Second: Ald. Hetherington
In Favour: All members except
Against: Ald. McCluskey
Motion Carried

11.2.7 WATER SYSTEM EXTENSION - CALDWELL ROAD

WATER SYSTEM
 EXTENSION:
 CALDWELL RD.

Report from Mr. Burke (R. Fougere, E. Purdy) on an application from the County of Halifax for the extension of the water system on Caldwell Road, from Astral Drive to Sherwood Street. He has recommended to Council that the Dartmouth Water Utility pay to the County of Halifax, a single capital payment of \$14,250.00, from the Depreciation Reserve Account, on completion of the installation, and on receipt of a bill of sale and cost breakdown, as required for the Utility Plant Ledger, the financial arrangement being subject to approval of the Board of Commissioners of Public Utilities.

MOTION: To approve Mr. Burke's recommendation on the water extension application from the County of Halifax, from Astral Drive to Sherwood Street.

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

11.2.8 APPLICATION FOR DEVELOPMENT AGREEMENT - PROPOSED DAY CARE
81 SPRING AVE.

DEVELOPMENT
AGREEMENT:
81 PSRING AVE.

A Planning Dept. report, with accompanying report from Mr. Burke (V. Spencer, G. L'Esperance) has been submitted to Council, on a Development Agreement application for a proposed day care centre at 81 Spring Ave. It is being recommended that Council instruct staff to proceed with a Neighbourhood Information Meeting in connection with this application.

MOTION: To instruct staff to proceed with a Neighbourhood Information meeting, in connection with the Development Agreement application for 81 Spring Ave.

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

11.2.9 SITE FOR BURNSIDE RESERVOIR

SITE FOR
BURNSIDE
RESERVOIR

Report from Mr. Burke (R. Fougere, E. Purdy) on discussions with M.T. & T. representatives, regarding the site for the Burnside Reservoir, owned in part by M.T. & T., recommending that an agreement for exchange of land between the City and Maritime Telegraph & Telephone Co. Ltd., in the Burnside Park, as shown on the CBCL Ltd. drawing, titled M.T.&T. lot, Option 5, be approved, and that the Mayor and City Clerk be authorized to execute the agreement and deeds to lands as defined in the agreement. Copies of the agreement were attached to Mr. Burke's report on this item.

MOTION: To adopt Mr. Burke's above-noted recommendation.

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

CONTRACT 91-26 - STREET CONSTRUCTION, CREELMAN DR., ISLANDVIEW
DR., SUTHERLAND TERRACE, & WYNDCREST DR.

AWARD TENDER:
CONTRACT 91-26

An item added to the agenda was dealt with by Council, being a report from Mr. Burke (R. Fougere, E. Purdy) on tenders received for Contract 21-26, street construction. It is recommended that the tender be awarded to the lowest bidder, Ocean Contractors Ltd., with a bid price of \$161,011.47; completion time: 35 working days.

MOTION: To award the tender for Contract 91-26 (street construction) to the lowest bidder, Ocean Contractors Ltd., in the amount of \$161,011.47, as recommended.

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

11.3 GRANTS COMMITTEE

11.3.1 RECOMMENDATIONS - GRANT REQUESTS

GRANT REQUESTS

Recommendations from the Grants Committee were presented by Ald. Hawley, in connection with requests from (a) the Dartmouth Senior Citizens' Service Centre, and (b) the Learning Disabilities Assn. of Nova Scotia. The recommendations were approved as follows:

✓ MOTION: To adopt the recommendation of the Committee that a grant in the amount of \$90,426. be approved for the period Jan. 1/91 to March 31/92 for the Dartmouth Senior Citizens' Service Centre. Of this amount, \$25,000. has been advanced, and a further \$25,000. of the above amount would be paid now, with the balance of \$40,426. held until after a report is received on the operations of the Dartmouth Senior Citizens' Service Centre, to Dec. 31/91.

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

MOTION: To adopt the recommendation of the Committee that a grant in the amount of \$1,000. be approved for the Learning Disabilities Assn. of Nova Scotia.

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

11.4 BOARD OF HEALTH11.4.1 WATER TREATMENT PROCESS - CITY OF DARTMOUTH WATER UTILITYWATER TREATMENT
PROCESS

Ald. Hetherington presented a report from the Board of Health on the subject of City water treatment, discussed at a recent Board meeting, in connection with a letter from Dr. F. S. Rockwell, Medical Health Officer for the Atlantic Health Unit. Copies of this letter have been circulated, with a written report from the Board and minutes of the Sept. 19th meeting (page 3), recording the motion adopted by the Board. Further to recommendations made by Dr. Rockwell, the Board has recommended to Council that his letter be forwarded to the Water Utility Committee, for an update on the U.M.A. Report and a subsequent report back to Council.

MOTION: To adopt the recommendation of the Board of Health, as presented by the Chairman, Ald. Hetherington.

Moved: Ald. Hetherington
Second: Ald. Connors

Ald. Connors urged Council's support for the motion, referring to specific information he has been collecting on the standard of water quality in the Dartmouth system. He noted the carcinogenic risks associated with the presence of a THM compound found in water, caused by leaf decay, and also, risks that relate to the presence of lead in the water. He commented on the importance of public education and information initiatives, and of having the new Council give priority to water treatment as a pressing City health issue.

Members tended to agree that the Water Utility Committee should be able to proceed with the U.M.A. update, through Mr. Burke, bringing the results directly to Council from that point. As an amendment to the motion, therefore, Council was willing to authorize Mr. Burke to have the U.M.A. study updated, up to the expenditure limit allowed, after which the Water Utility Committee will deal with the updated information and report to Council.

AMENDMENT: That the City Administrator be authorized to have the U.M.A. study and report updated, up to the expenditure limit allowed for him to do so, after which the Water Utility Committee will deal with the updated information and report to Council.

Moved: Ald. Connors
Second: Ald. McCluskey
In Favour: All
Against: None
Amendment Carried

The amended motion carried with all members voting in favour.

12.0

MOTIONS

ALD. MCCLUSKEY

Ald. McCluskey proceeded with her motion on the responsibility of the City for fallen trees on City property, that have caused damage to abutting private property, in particular, a property located on Woodland Ave.

MOTION: That the City assume responsibility for damage from falling trees owned by the City.

Moved: Ald. McCluskey
Second: Ald. Rodgers

Ald. Greenough and Hawley were concerned about what they considered were some far-reaching implications for the City in assuming responsibility for trees blown down in wind storms or otherwise falling from other causes onto private properties. They were not willing to support the motion.

In Favour: Four members
Against: All other members
Motion Defeated

13.0

STRATEGIC PLANNING PROCESS. NOTICES OF MOTION (none)

Mayor Savage informed Council of the strategic planning process taking place in relation to the budget process, and requested opinions from members on the overall usefulness of budgets that have been dealt with in the past - in general, an assessment of members' reaction to previous budget process.

He advised Council that a tour of the new Police Headquarters, for Council, will take place at 6:45 p.m., on October 8th, just prior to the regular Council meeting.

Meeting adjourned at 10:45 p.m.

V. Carmichael
V. Carmichael,
Assistant City Clerk.

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.
- 8.0 Presentation, page 3.
 - i) Grace Maternity Hospital, page 3.
- 7.0 Public Hearing, page 4.
 - i) Amendments to M.P.S. & Land Use By-law, Development Agreement
Apartment Buildings, page 4 to 6.
- 9.0 Petition, page 6.
- 10.0 Second approval, over-expenditure: \$10,500. - Crosswalk guards,
reinstatement, page 6.
- 11.0 Reports, page 7.
 - 11.1 Mayor, page 7.
 - 11.1.1 Report on Race Relations, page 7.
 - 11.2 City Administrator, page 7.
 - 11.2.1 Contract PR91-08, Dorothea Dr. Park, page 7.
 - 11.2.2 Contract PR91-04, Maynards & Oathill Lake Trails, pg. 8.
 - 11.2.3 Contract PR91-07, Silver's Hill Park, page 8.
 - 11.2.4 Contract PR91-10, Portland Estates Park, page 8.
 - 11.2.5 Water system extensions, County of Hfx. (Cherrybrook), page 8.
 - 11.2.6 Construction Agreement D-9 (Res. 91-34), pg. 9.
 - 11.2.7 Water system extension, Caldwell Road, page 9.
 - 11.2.8 Application for Development Agreement, 81 Spring Ave., page 10.
 - 11.2.9 Site for Burnside Reservoir, page 10.
 - Contract 91-26, street construction, page 10.
 - 11.3 Grants Committee, page 11.
 - 11.3.1 Recommendations, Grant requests, page 11.
 - 11.4 Board of Health, page 12.
 - 11.4.1 Water Treatment process - City Water Utility, page 12.
 - 12.0 Motions, page 13 (Ald. McCluskey).
 - 13.0 Notices of Motion, page 13.
 - Strategic Planning Process, page 13.

DARTMOUTH CITY COUNCIL
AGENDA

* TUES., OCT. 08/91 *
* 7:30 PM *
* COUNCIL CHAMBER *
* IN CAMERA SESSION *
* 10:00 PM *

1. CONCERNS OF COUNCIL MEMBERS OR QUESTIONS (15 MINUTE MAXIMUM)
2. REPORTS
 - 2.1 CITY ADMINISTRATOR
 - 2.1.1 Debenture Issue
 - 2.1.2 Contract 91-36, Walkways, Apian Way to Montebello Recreation Field, Lawnsdale Dr. to Susan Place and Sullivan's Pond (to be circulated)
 - 2.1.3 Contract - Portland Estates, Phase 1 (to be circulated)
 - 2.1.4 Contract - Sidewalks - Carver Street
 - 2.2 FINANCE & PROGRAM REVIEW COMMITTEE
 - 2.2.1 Request Grant - Grace Maternity Hospital
 - 2.2.2 Tax Exemption Request - Society for the Prevention of Cruelty
3. PUBLIC HEARINGS
 - i) Pinecrest/Highfield Park Neighborhood Plan
9:30 P.M.
 - ii) Amendments to Municipal Planning Strategy and Land Use By-law - Development Agreement - Apartment Buildings (continuation from Oct. 1/91 Council - report previously circulated)
4. PRESENTATION
 - i) Housing Committee - Housing Needs Assessment
5. REPORTS
 - 5.1 SOLICITORS
 - 5.1.1 Land on Bancroft Drive to be Sold to C & T Investments Ltd.

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

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

MEMBER ABSENT: ALD. SARTO

CITY ADMINISTRATOR: J. BURKE
CITY SOLICITORS: S. HOOD/M. MOREASH
ASST. CITY CLERK: V. CARMICHAEL
DEPARTMENT HEADS & ASSISTANTS

PRESENTATION

At the beginning of the meeting, Mayor Savage welcomed Vince Horsman on Council's behalf, and acknowledged his accomplishment as the first Dartmouth baseball player to pitch in the major league, as a member of the Toronto Blue Jays team. He then made a presentation to Mr. Horsman, following which a second presentation was made to him by Paul Arsenault, on behalf of Dartmouth Minor Baseball.

A present^{ation} was also made by Mayor Savage at this time, to Gloria Kelly of the Mail-Star, who has been reporting Dartmouth City Council for eight years, and is now transferring to the Halifax office. He commended her work as a reporter and her participation in civic activities and in conjunction with City agencies, such as the Tourist Commission.

1.0 CONCERNS OF COUNCIL MEMBERS OR QUESTIONS

ALD. MCCLUSKEY This being the final meeting of the present Council, Ald. McCluskey commended the contribution of Ald. Connors and Billard, who are not re-offering for another term on Council. The other members of Council joined in recognition of these two departing Aldermen.

ALD. PYE Ald. Pye asked for a report on a building on Brule Street, which has been broken into and needs to be secured.

Ald. Pye requested that the Mayor send a letter of objection to the United Colors of Benneton billboard in the north end of the City. He said that cultural and racial differences could be addressed in a better way than through this controversial depiction.

D. WALTON Ald. Walton indicated concerns about the lane markings at the Parclo, and the Mayor advised that he has taken this matter up with Donna McCready of the Transportation Dept.

Ald. Walton also raised a point about the need for a clean-up of access and egress points from the Circumferential Highway; he noted in particular, the ones at Penhorn Mall.

Ald. Walton advised that seniors wishing to claim a percentage rebate on their property taxes, now have to send for the application form themselves; they can request the forms they require from the Senior Services Secretariat in Halifax.

ALD. RODGERS

Ald. Rodgers requested and received from the City Administrator, an update on the additional two-million-dollar cost for the environmental assessment associated with the harbour clean-up project. Mr. Burke explained that the Environmental Panel is requiring far more than originally anticipated, and this has resulted in the increased expenditure. Ald. Rodgers was concerned that taxpayers will have to pay for added cost, without any recourse, and he asked that the Mayor send a letter, on Council's behalf, objecting again to the process that has been followed from the start, including the circumventing of competitive bidding that would have resulted in savings to the municipalities.

Other members with similar concerns were Ald. MacFarlane and Greenough. Ald. Woods said it is not fair to criticize the consultants themselves for the cost over-runs, since they are only responding to the requirements of the Environmental Panel.

ALD. THOMPSON

Ald. Thompson's concerns were about the situation on Carver Street, where right and left-turning traffic patterns have been prohibited, causing problems for motorists. He said the measures taken should only be of a temporary nature until sidewalks can be completed on Carver and Day Ave.; after that, the jersey barriers should be removed.

ALD. MACFARLANE

Ald. MacFarlane commended the Power Smart competition between Dartmouth and Nanaimo, B. C., as a good community initiative. He noted the water saving that individual homeowners can achieve by replacing regular shower nozzles with the new type of nozzle now available at a minimum cost, advising that he has made this change in his own home.

ALD. HAWLEY

Further to the traffic restrictions on Carver Street, Ald. Hawley suggested that Mr. Burke and the Ward 1 Aldermen get together and see what can be done to resolve the matter, in view of problems resulting from the changes that were made.

2.0 REPORTS2.1 CITY ADMINISTRATOR2.1.1 DEBENTURE ISSUE

DEBENTURE ISSUE

A report from Mr. Burke (B. Smith, D. McBain) was before Council on the funding of the 1991 debt issue, through arrangements made with the Municipal Finance Corporation, recommending Council's approval of Issuing Resolution 91-A-1; (2) approval of the agreement between the City and the Nova Scotia Municipal Finance Corporation (attached to the report as Schedule B); and (3) approval for the Mayor and the City Clerk to execute the related documents referred to in Dept. of Municipal Affairs Schedules 2 and A. Motions were presented as follows for all three recommendations:

MOTIONS: (1) To approve Issuing Resolution 91-A-1, as recommended.

Moved: Ald. MacFarlane
Second: Ald. Thompson

(2) To approve the agreement between the City and the N.S. Municipal Finance Corp. (Schedule B), as recommended.

Moved: Ald. Greenough
Second: Ald. McCluskey

(3) To approve the execution of related documents (Schedule 2 & Schedule A) by the Mayor and the City Clerk, as recommended.

Moved: Ald. Hetherington
Second: Ald. MacFarlane

The vote was taken separately on all three motions, as follows:

In Favour: All
Against: None
Motion Carried

2.1.2 CONTRACT 91-36, WALKWAY CONSTRUCTION - APPIAN WAY, LAWNSDALE DR,
SULLIVAN'S PONDAWARD TENDER:
CONTRACT 91-36

Report from Mr. Burke (R. Fougere, E. Purdy) on tenders received for Contract 91-36, walkway construction, recommending that the tender be awarded to the low bidder, Doug Richard Backhoe & Trucking Ltd., with a bid price of \$105,552.35; completion time: 25 working days.

MOTION: To award the tender for Contract 91-36 (walkway construction, Appian Way, Lawnsdale Dr., Sullivan's Pond) to the low bidder, Doug Richard Backhoe & Trucking Ltd., in the amount of \$105,552.35, as recommended.

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

2.1.3 CONTRACT - PORTLAND ESTATES, PHASE 1

AWARD TENDER:
CONTRACT PR91-10

Report from Mr. Burke (W. Stevens, C. Macomber, H. George) on tenders received for Contract PR91-10, construction of Phase 1 of the Portland Estates Park, recommending that the tender be awarded to the low bidder, J. Kennedy Lumber & Resources, for a total tendered price of \$186,900.00 (GST included).

MOTION: To award the tender for Contract PR91-10 (Phase 1, Portland Estates Park) to the low bidder, J. Kennedy Lumber & Resources, in the amount of \$186,900.00, as recommended.

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

2.1.4 CONTRACT - SIDEWALKS - CARVER ST.

AWARD TENDER:
SIDEWALKS
CARVER STREET

Report from Mr. Burke on the sidewalk required from Woodlawn Road to Portland Street, via Day Ave., and on Carver Street, to be constructed from unexpended Ward 1 budget funds of approx. \$64,000., and tendered through the Black Business Consortium. Mr. Burke recommends that the sidewalk be constructed, that funds be taken from the 1991/92 Ward 1 capital budget allocation, and that the project be tendered through the Black Business Consortium.

MOTION: To adopt Mr. Burke's recommendations on the sidewalk construction for Carver Street and from Woodlawn Road to Portland Street, via Day Ave., to be funded from the 1991/92 Ward 1 capital budget allocation, and tendered through the Black Business Consortium.

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

Ald. Thompson again requested that upon completion of the sidewalks, the jersey barriers be removed from Carver Street so that normal traffic patterns can be resumed.

2.2 FINANCE & PROGRAM REVIEW COMMITTEE

2.2.1 GRANT REQUEST - GRACE MATERNITY HOSPITAL

GRANT REQUEST:
GRACE HOSPITAL

As requested by Council, the Finance & Program Review Committee has reviewed the grant request from the Grace Maternity Hospital, and has recommended that in view of the many financial obligations facing the City in this present fiscal year, the request from the Grace be considered in conjunction with the budget debate for the 1992/93 fiscal year, rather than a commitment being made at this time; and that the Grace representatives be so advised.

Ald. Connors addressed Council on the subject of the Grace request, taking the position that in the context of other City priorities and expenditures for such facilities as the police station, the library, etc., this expenditure deserves considerable priority and should have Council's approval now.

MOTION: That the City pledge to the Grace,
a grant in the amount of \$100,000.
for the next five years, as requested.

Moved: Ald. Connors
Second: Ald. Thompson

Members in favour shared Ald. Connors' view on the priority this expenditure item should have, even if it means that Council will have to forego some other expenditure in its place, but those who opposed the motion felt a decision can wait until budget time, without impacting adversely on the fund-raising campaign of the Grace, since their campaign does not close until June of 1992. It was pointed out that a grant is not being refused by the City, but only deferred for consideration in the context of the total budget and all the other priorities a new Council will have to review. At the conclusion of a lengthy debate, the vote was taken on the motion.

In Favour: All members except
Against: Ald. Greenough, Hetherington, Hawley
Walton, Rodgers, Billard
Motion Carried

2.2.2 TAX EXEMPTION REQUEST - SOCIETY FOR THE PREVENTION OF CRUELTYSPC TAX
EXEMPTION
REQUEST

The Finance & Program Review Committee has discussed a request from the SPC for tax exemption on their property, located on Scarfe Court in the Burnside Park, and has recommended against the granting of an exemption, based on two reasons:

- 1) the organization receives endowments that assist them financially.
- 2) the Committee is reluctant to recommend any tax exemptions for properties in the Burnside Park.

MOTION: To adopt the above-noted recommendations of the Finance & Program Review Committee.

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

3.0 PUBLIC HEARINGSi) PINECREST/HIGHFIELD PARK NEIGHBORHOOD PLANPUBLIC HEARING:
PINECREST/
HIGHFIELD PARK

This date was set by Council for public hearing of the proposed Pinecrest/Highfield Park Secondary Plan, as prepared by consultants and presented to Council on August 20/91. The rezoning process associated with the plan has been documented by Planning Dept., and M.P.S. and Land Use By-law amendments have been prepared to accomplish the plan recommendations. Proposed By-laws C-693 (M.P.S. amendment) and C-694 (Land Use By-law amendment), together with Resolution 91-28 (amendment to Subdivision Regulations) were all before Council, with the Planning Dept. report, circulated previously with the agenda for this meeting.

In the accompanying report from Mr. Burke (V. Spencer, R. Wells), it has been recommended that Council approve both by-laws (C-693 & C-694), as well as Resolution 91-28.

All members of Council were present for the public hearing, with the exception of Ald. Sarto.

Presentation of the Planning Dept. report was made by Roger Wells. He explained details of the Secondary Planning Strategy for the Pinecrest/Highfield Park neighbourhood, and how the recommendations of the study report presented to Council and approved in principle, have been translated into policy statements and regulations for implementing

the various elements, such as zoning, back lot development, community development, recreation, environment, policing & security, etc. He explained the concept of the new R-1M Zone (Modified), and the advantages it will have in terms of neighborhood stability, and permitting development on smaller-sized lots. An amendment to the City Subdivision Regulations is also required in this latter instance, as provided for in Resolution 91-28.

The Mayor opened the public hearing for speakers in favour of the MPS and Land Use By-law amendments, and Council heard from the following citizens:

- 1) Mr. Alan Collins, President of the Ward 5 Residents Association, who urged Council to support the Plan and proceed with the amendments.
- 2) Mr. Val Howard - stated the present concern of Highfield Park residents, about access for emergency vehicles with existing road patterns.
- 3) Mr. Doug Trider, representing an interest in heritage and Friends of the Albro Lake lands. Considered that the Plan before Council represents a good balance for the area, from the point of view of the community and environmental interests.
- 4) Mr. Douglas Bundy, speaking as a business owner from Primrose Plaza - felt the Plan is a good step for commercial interests, and has been well-thought-out in its preparation.
- 5) Mr. Bill Bell, a landowner from the area, requested that consideration be given to a slight modification in the designated R-1M zoning line, so that lands owned by him at 77/79 Jackson Road will not be adversely affected by the zoning change.
- 6) Ms. Linda Young, Brule Street resident - spoke in support of the north-end Plan and the benefits it will bring to the area.
- 7) Mr. Bob Pike, 66 Pinecrest Dr. - said the Plan is needed to bring the area up to standard. Concerned that the area is under-policed at present.
- 8) Mr. Don Williams, a Leaman Drive resident - agreed on the need for the Plan and changes proposed in it. He expressed disappointment that the Highfield Park development did not turn out as expected, and did not improve the situation in the north end.
- 9) Mr. Ed Birch of Pinehill Road - supported the Plan in principle, but had concerns about capital funding of the projects it proposes, and how such funding priorities will impact on the Ward 5 capital allocation.

When there were no further speakers wanting to be heard in favour, the Mayor called for speakers opposed. One speaker addressed Council, Mr. Michael Burke of 36 Alfred Street; he felt an R-1 zoning would serve the area better than the proposed R-1M Zone, and was concerned that taxes will increase for property owners as a result of the zoning changes. Mr. Wells responded to a number of questions from Mr. Burke about the implications of R-1M zoning provisions, particularly as they relate to the present property owners who may want to develop their properties in the future.

After the Mayor had called three more times for speakers opposed and there were none, the public hearing was declared to be closed, on motion of Ald. Pye and Walton.

BY-LAW C-693

Council proceeded to By-law C-693, amendments to the MPS, requiring three readings.

MOTION: That leave be given to introduce the said By-law C-693 and that it now be read a first time.

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

MOTION: That By-law C-693 be read a second time.

Moved: Ald. Pye
Second: Ald. Hetherington

Council was willing to consider the request from Mr. Bill Bell, for a modification to the R-1M line, involving his property at 77/79 Jackson Road; members were willing to grant this minor variance, which could be approved as an amendment at this time. Mr. Bell conferred with the City Solicitor and Mr. Wells, after which an amendment was presented to accommodate Mr. Bell's request.

AMENDMENT: To approve the relocation of the R-1M line, to the west of the single-family dwelling at 77/79 Jackson Road (ie. to leave lands zoned R-3, as at present).

Moved: Ald. Woods
Second: Ald. Pye
In Favour: All
Against: None
Amendment Carried

The vote was taken on second reading, as amended.

In Favour: All

Against: None

Motion Carried, as amended (second reading)

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

MOTION: That By-law C-693 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. Pye

Second: Ald. Woods

In Favour: All

Against: None

Motion Carried

BY-LAW C-694

By-law C-694 was then presented for three readings, being the Land Use By-law amendments required in connection with the Secondary Plan.

MOTION: That leave be given to introduce the said By-law C-694 and that it now be read a first time.

Moved: Ald. Pye

Second: Ald. Woods

In Favour: All

Against: None

Motion Carried

MOTION: That By-law C-694 be read a second time.

Moved: Ald. Woods

Second: Ald. Pye

The amendment previously adopted in connection with By-law C-693 was required again for the Land Use By-law, and was introduced in second reading of By-law C-694.

AMENDMENT: To approve the relocation of the R-1M line, to the west of the single-family dwelling at 77/79 Jackson Road (ie. to leave lands zoned R-3, as at present).

Moved: Ald. Hetherington.
Second: Ald. MacFarlane
In Favour: All
Against: None
Amendment Carried

The vote was taken on second reading, as amended.

In Favour: All
Against: None
Motion Carried, as amended (second reading)

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

MOTION: That By-law C-694 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. Woods
Second: Ald. Pye
In Favour: All
Against: None
Motion Carried

RESOLUTION 91-28 The Resolution required to amend the Subdivision Regulations (91-28) was also adopted by Council, as recommended, at this time.

MOTION: To adopt Resolution 91-28, as prepared and presented, to amend the City Subdivision Regulations pursuant to the Secondary Plan.

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

In the brief debate, which took place at second reading of the first by-law (C-693), Ald. Pye and Woods expressed their satisfaction that the Secondary Plan for the Pinecrest/Highfield Park area has reached this stage of completion, and they were commended by other members of Council for the efforts they have made to bring the Plan to fruition.

City Solicitor Suzanne Hood left the meeting at the end of this item, and Michael Moreash was present for the next public hearing, continued from the October 1st meeting of Council.

POWER SMART PRESENTATION

Following a brief recess, a short presentation was given by Phil Elliot of the Nova Scotia Power Corp., on their energy-saving program known as 'Power Smart'. The City of Dartmouth is presently participating in this program, in the form of a challenge between Dartmouth and Nanaimo, British Columbia. Mr. Elliot sought the support of Council in the Power Corporation's initiatives, through the upgrading of capital equipment items at budget time, in order to achieve higher efficiency and power saving in the operation of such equipment; and also, in the promotion of power-saving projects, such as the shower-head water savers, referred to at an earlier point in the meeting by Ald. MacFarlane.

PUBLIC HEARING:
DEVELOPMENT
AGREEMENTS
APARTMENT BLDGS.

ii) AMENDMENTS TO MUNICIPAL PLANNING STRATEGY AND LAND USE
BY-LAW - DEVELOPMENT AGREEMENTS

The public hearing was resumed from adjournment on Oct. 1st, in connection with proposed amendments to the M.P.S. and Land Use By-laws, to require development agreements for apartment building development.

All members of Council were recorded as being present, with the exception of Ald. Sarto.

CONFLICT OF INTEREST

Ald. Connors declared a conflict of interest, as he had done at the Oct. 1st meeting, by reason of the fact that a member of his law firm is representing the CanEuro interests. He withdrew from his place on Council to sit in the gallery.

Since this was a resumption of the public hearing, which was not closed on the Oct. 1st date, the Mayor called three times for any speakers in favour of the amendments. There were no speakers wanting to be heard, so Mayor Savage called for speakers opposed. Council heard Mr. Peter McInroy of Boyne Clarke, representing Can-Euro Investments Ltd.

He re-stated the concerns of Can-Euro about their position, in that they were caught with a development proposal midway in the proceedings initiated by Council, and the development freeze imposed in conjunction with the M.P.S. process. He suggested that the present amendments be abandoned at this point, and that an alternative form of development control be considered, through the designation of specific parts of the City, where apartment development has been concentrated, for the development agreement requirements.

Mr. Moreash explained the legal implications of deferring the proposed amendments for further alternative planning procedures that would have to be undertaken if Council were to change direction at this point, involving also the continuation of the development freeze Council wished to maintain in relation to apartment development.

Since there were members of ^{the} public in the gallery who may have been unclear about the specifics of the proposed M.P.S. and Land Use By-law amendments, the Mayor was willing to have Patricia Richards provide clarification a second time of the main points that were previously presented by Planning Dept. at their original presentation.

After she had done this, Ald. Hetherington raised the question of exempting any one specific property from the provisions of the amendments before Council, in line with the Can-Euro request for exemption. Mr. Moreash said that in his opinion, Council could not grant an exemption for a single property, because there is no planning basis for it; the only way in which this could be done, would have to be on a planning basis. Further, it would only be possible to differentiate between parts of the City (ie. for purposes of by-law designation) if it were to be on a planning basis and agreeable to Council.

After having the Planning Dept. clarification for members of the public, Mayor Savage said it would be in order to call again for any speakers in favour of the amendments. This time, Mr. Tom Burchell and Mr. Robert Fraser addressed Council, both giving favourable opinions of the proposed development agreement requirements.

The Mayor called three more times for any speakers in favour and when there were none, he called again for those speakers wanting to oppose the amendments.

Council heard Mr. Don Valardo of 34 Kingston Crescent, speaking against. (On motion of Ald. Hawley and Pye, Council agreed to continue meeting beyond the hour of 11:00 p.m.) After Mayor Savage had called for further speakers opposed, and there were none, the public hearing was declared to be closed, on motion of Ald. Hetherington and Levandier.

BY-LAW C-692

Council proceeded to By-law C-692, amendments to the M.P.S., requiring three readings.

MOTION: That leave be given to introduce the said By-law C-692 and that it now be read a first time.

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

MOTION: That By-law C-692 be read a second time.

Moved: Ald. Walton
Second: Ald. Hetherington

Speaking on second reading, Ald. Rodgers quoted from two items of correspondence from the Can-Euro interests, dated May 16th and May 28th, 1991, indicating their development plans for both an apartment building and a small shopping centre, with office space, on lands adjacent to MicMac Mall. He felt there is a need to protect single-family neighborhoods from development pressures during the interim period until the new M.P.S. policies are in place; Ald. McCluskey also favoured a protection of single-family development from the infringement of apartment development.

Ald. Levandier considered the proposed development agreement requirements to be a regressive step for the City; Ald. Hetherington was also concerned about driving development out of Dartmouth by the imposition of unreasonable demands for such agreements. Asked about the density protection that will be provided through development agreements, Ms. Richards indicated that it may be possible to negotiate some density reductions, but not necessarily; development agreements apply to other considerations and density is not the main one.

Ald. Levandier felt that Planning Dept. staff have been rushed too much on this matter, and Council should have their professional opinion for the proper course of action, rather than proceeding with the proposed amendments. Ald. Greenough suggested that Council should instruct Planning staff to start looking for a better way of controlling apartment development, but in the meantime, the present measures will serve as a temporary stop-gap measure until something better is in place. The vote was taken on second reading.

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

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

MOTION: That By-law C-692 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. McCluskey
Second: Ald. Rodgers
In Favour: All
Against: None
Motion Carried

BY-LAW C-691

By-law C-691 was then presented for three readings, to amend the Land Use By-law with respect to the Development Agreement requirement for apartment buildings.

MOTION: That leave be given to introduce the said By-law C-691 and that it now be read a first time.

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

MOTION: That By-law C-691 be read a second time.

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

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

MOTION: That By-law C-691 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. Woods
Second: Ald. Pye
In Favour: All
Against: None
Motion Carried

5.0 REPORTS5.1 SOLICITORS5.1.1 LAND ON BANCROFT DR. TO BE SOLD TO C & T INVESTMENTS LTD.SALE OF LAND:
BANCROFT DR.

Report from the City Solicitor on the sale of City lands on Bancroft Drive to C & T Investments Ltd., requiring the approval of By-law I-204, to amend the pricing schedule to the Industrial Commission By-law. The by-law has been recommended for Council's approval by the Solicitor.

BY-LAW I-204

MOTION: That leave be given to introduce the said By-law I-204, and that it now be read a first time.

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

MOTION: That By-law I-204 be read a second time.

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

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

MOTION: That By-law I-204 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. Hawley
Second: Ald. MacFarlane
In Favour: All
Against: None
Motion Carried

Council went in camera at 12:00 a.m., and after reconvening in open meeting, proceeded to ratify the action taken while meeting in camera.

MOTION: That Council ratify the action taken while meeting in camera on this date (land settlements).

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

Meeting adjourned at 12:15 a.m.

V. Carmichael,
Asst. City Clerk.

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- 1.0 Concerns of Council members or questions, page 1 & 2.
 - 2.0 Reports, page 3.
 - 2.1 City Administrator, page 3.
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 - 2.1.2 Contract 91-36, Walkway construction, page 3.
 - 2.1.3 Contract, Portland Estates, Phase 1, page 4.
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 - 2.2 Finance & Program Review Committee, page 5.
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 - 3.0 Public Hearings, page 6.
 - i) Pinecrest/Highfield Park Neighborhood Plan, page 6 to 10.
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 - ii) Amendments to M.P.S. & Land Use By-law, Development Agreements, Power Smart, page 11. Page 11 to 14.
 - By-law C-692, page 12.
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 - 5.0 Reports, page 15.
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 - 5.1.1 Land on Bancroft Dr., to C & T Investments Ltd., page 15.
 - By-law I-204, page 15.