

Lib. Ref. Dept.

**DARTMOUTH CITY COUNCIL  
AGENDA**

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**TUES., JUNE 7/94  
7:30 PM  
COUNCIL CHAMBER  
IN-CAMERA  
10:00 PM**

**INVOCATION**

1. **NOTICE OF RECONSIDERATION** - Ald. May
  - i) Food Scales and Maximum Retainable Liquid Assets
2. **APPROVE THE MINUTES FROM THE MEETINGS:** April 30, May 3, 10, 17, 24 & 31, 1994.
3. **BUSINESS ARISING FROM THE MINUTES**
4. **DELEGATIONS & HEARINGS OF PROTEST**
5. **CONCERNS OF COUNCIL MEMBERS OR QUESTIONS**
6. **ORIGINAL COMMUNICATION**
  - i) Draft Resolution - Recycling
7. **PRESENTATIONS**
  - i) Zoning By-law for Home Occupation - Sandra McKenzie
  - ii) Removal of the Marshalling Yards from Dartmouth Waterfront - Gretchen Pohlkamp
8. **PETITION**
9. **REPORTS**
  - 9.1 **CHIEF ADMINISTRATIVE OFFICER**
    - 9.1.1 MPS Amendment - Development Boundary (set date for public hearing) (to be circulated)
    - 9.1.2 Proposed Amendment to Land Use By-law - Home Occupations
    - 9.1.3 Nova Scotia Casino Project - Request for Proposals

9.2 **CITY SOLICITOR**

- 9.2.1 Parcel C-2A Windmill Road
- 9.2.2 Prostitution

10. **MOTION**10.1 **ALD. MAY**

WHEREAS on January 10, 1994, the Mayor and members of Council received a letter from an individual with a parent residing in Dartmouth;

AND WHEREAS the writer wrote about "a very urgent matter", and referred to the rates set by Social Services for food and clothing for the elderly as "antiquated by just a few decades. In no way possible can anyone exist on \$109. a month for food, or clothe themselves for \$18. a month".

AND WHEREAS the writer further asked, "Could anyone on this Council live on such a meagre food allowance?".

THEREFORE BE IT RESOLVED that the food allowance scale be increased by 5%, effective May 1st, 1994, and the maximum allowable assets be increased from \$2,500. to \$3,000.

11. **NOTICES OF MOTION**

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**IN CAMERA SESSION 10:00 P.M.**

1. Legal Matters.
2. Land Matter.

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

MEMBERS PRESENT: MAYOR MCCLUSKEY  
ALDERMEN THOMPSON, MACFARLANE  
CUNNINGHAM, LEVANDIER  
MAY, MACDONALD, RODGERS  
PYE, WOODS, GREENOUGH  
HAWLEY, WALTON, HETHERINGTON

MEMBER ABSENT: ALD. SARTO (ILLNESS)

C/A OFFICER: L. CORRIGAN  
CITY SOLICITOR: S. HOOD  
ASST. CITY CLERK: V. CARMICHAEL  
DEPARTMENT HEADS & ASSISTANTS

INVOCATION

Mayor McCluskey opened the meeting with the Invocation.

1.0 NOTICE OF RECONSIDERATION - ALD. MAY

With the permission of Council, Ald. May withdrew his notice of reconsideration (Food Scales & Maximum Retainable Liquid Assets), in favour of a motion on the subject, for which he had previously given notice. The motion was presented, following additions to the agenda, as follows:

- 1) a verbal presentation by representatives of the Citizen's Committee on Recycling.
- 2) a motion to rescind a previous motion adopted by Council (Ald. Pye).
- 3) appointment of Youth Advisory Committee members (Greg Nepean).

10.0 MOTION

10.1 ALD. MAY

MOTION:

WHEREAS on January 10, 1994, the Mayor and members of Council, received a letter from an individual with a parent residing in Dartmouth;

AND WHEREAS the writer wrote about "a very urgent matter", and referred to the rates set by Social Services for food and clothing for the elderly as "antiquated by just a few decades. In no way possible can anyone exist on \$109. a month for food, or clothe themselves for \$18. a month".

AND WHEREAS the writer further asked, "Could anyone on this Council live on such a meagre food allowance?"

THEREFORE BE IT RESOLVED that the food allowance scale be increased by 5%, effective May 1st, 1994.

Moved: Ald. May  
Second: Ald. Pye  
In Favour: Minority of Council  
Against: Majority of Council  
Motion Defeated

2.0 APPROVAL OF MINUTES

MOTION: To approve the minutes of meetings held  
on April 30, May 3, 10, 17, 24, 31, 1994.

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

3.0 BUSINESS ARISING FROM THE MINUTES

Items of business arising from the minutes approved,  
were:

- 1) Ald. Pye, May 3rd minutes, page 3: asked if the City has taken a stand on the restoration of free collective bargaining. He proposed a motion on this subject, but the required majority of Council was not received by him to add the item. He subsequently gave notice of motion, with the same text, recorded on page 11 of these minutes.
- 2) Ald. MacFarlane, April 30th minutes, page 4: asked if information on the crosswalk guard program will be ready for the June 14th date requested. Mr. Corrigan said it will not be possible to meet that date. Ald. MacFarlane will contact Ald. Sarto, to find out the status of the survey information he is compiling. He said this matter should be finalized by the end of June, at the latest.
- 3) Ald. MacDonald, May 24th, page 6: asked about the letter to the North End Residents Assn.; the Solicitor noted her report to Council on this matter, item 9.2.2 on the agenda. Council agreed to allow Ald. MacDonald to present a motion in conjunction with item 9.2.2, when it was reached on the agenda.
- 4) Ald. May, May 17th, page 9: asked about a submission to the Law Amendments Committee, in connection with Bill 44 (incubator malls). Mr. Corrigan provided information on the presentation made by the Mayor and himself, which was well-received but did not result in any changes to the legislation.

- 5) Ald. Hetherington, May 31, page 7: noted his reference to the overtime costs for Fire Services, but at the same time, he said it is in order to commend the department for their successful efforts to save the block of buildings on Portland St., during the recent fire.
- 6) Ald. Thompson, May 31st, page 9: asked about the driveway reinstatement at 41 Fenwick St., a concern raised by Ald. Hetherington. Mr. Fougere to find out why this work has not gone ahead to date.

4.0 DELEGATIONS & HEARINGS OF PROTEST

5.0 CONCERNS OF COUNCIL MEMBERS OR QUESTIONS

Item 5.0 was deferred until later in the agenda.

6.0 ORIGINAL COMMUNICATION

i) DRAFT RESOLUTION - RECYCLING

A presentation was made to Council by Graham Judge and Paul Arnold on behalf of the Citizen's Advisory Committee on Recycling for Metro Authority, providing information on the most recent recycling program, dedicated to increasing public awareness and participation through several components, such as: education, promotional projects (brochure distribution, signs on buses, radio program, T-shirts, etc.), and grass-roots initiatives that will be carried on through the summer months and into the fall. Council was requested to endorse, support and encourage recycling.

Council proceeded to adopt a draft resolution, forwarded with an accompanying letter, dated May 18/94.

MOTION: To adopt the draft resolution forwarded to Council:

WHEREAS the City of Dartmouth operates a curbside recyclable material collection program;

AND WHEREAS the City of Dartmouth delivers this material to the Recycling Centre operated by the Metropolitan Authority, for processing and sale to markets;

AND WHEREAS the week of June 5 to 11 has been designated as Environment Week;

BE IT THEREFORE RESOLVED that the Council of the City of Dartmouth encourages recycling in the community and supports the recycling program and efforts to promote recycling in

the City; and that the City of Dartmouth supports Environment Week and activities scheduled for Environment Week, to promote recycling in the City.

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

7.0 PRESENTATIONS

i) ZONING BY-LAW FOR HOME OCCUPATION - SANDRA MCKENZIE

PRESENTATION:  
HOME OCCUPATION  
BY-LAW

A presentation was made to Council by Sandra McKenzie, representing the Shubie Park Residents Assn., who are opposed to the use of a garage constructed on a Jaybe Drive property, for use as a distribution outlet for Dickie Dee icecream products. A re-examination of the City's Home Occupation By-law is being requested, even though amendments to it could not be applied to this particular Jaybe Drive situation. It was requested, in Ms. McKenzie's presentation, that concerns about the monitoring of allowable space be addressed; also, the question of operating within an enclosed space.

Council next heard from Mrs. MacLeod, the operator of the outlet. She said that many people who signed the petition in opposition to her operation, did so under false pretense, and that any concerns the residents might have could easily have been clarified at the beginning, before the matter was blown out of all proportion. At the request of Ald. Hawley, she provided information on the operation, which is for a period of three months, during the summer, and consists of Dickie Dee bikes leaving her premises between 11:00 a.m. and noon, and being returned at about 8:00 p.m. Small vans deliver the icecream to her premises and the freezers being operated are those found in any private dwelling. The vendors who sell the icecream are students and university students who operate on their own with the Dickie Dee products.

Ald. Greenough said it is unfortunate that this controversy has arisen between neighbors, and he would like to see the Home Occupation By-law amended, so that other similar problems will not arise in the future. This item will be dealt with at the June 14th Council meeting.

ii) REMOVAL OF MARSHALLING YARDS FROM DARTMOUTH WATERFRONT

PRESENTATION: The next presentation was made by Gretchen Pohlkamp, MARSHALLING YARDS Chair for the Harbourview Residents' Assn., seeking to have the CN marshalling yards relocated and the Dartmouth waterfront developed for the benefit of citizens. One project being proposed is a continuous boardwalk along the waterfront, and the residents represented by Ms. Pohlkamp, in her presentation, want to have the City give priority to implementation of the Waterfront Development Plan, with the first step being the removal of the marshalling yards. The possibility of Federal infrastructure assistance was suggested, and the point was made in the presentation that any costs for waterfront development should not come out of the Ward 3 capital budget allocation, since this would be a City-wide project.

Members of Council received copies of a memo from the Waterfront Development Task Force, with their recommendation that high priority be given to the relocation of the marshalling yards and an event plaza, in the allocation of project funding under the Infrastructure Program. Also received, were copies of a petition, requesting the removal of CN tracks from the Dartmouth waterfront and extension of a boardwalk towards the MacDonald Bridge.

It was noted that this project has been included in the City's priority list for Infrastructure Program projects, and that the local MP, Ron MacDonald has indicated it as a priority item himself. He is meeting, as of today's date, with a CN representative, in this connection, and Ald. Levandier later requested that the Mayor contact Mr. MacDonald, to determine the outcome of his discussion, for a report to Council.

Ald. Levandier concurred with the citizen presentation and their position on the relocation of the marshalling yards. He felt that if funding is not made available through the Infrastructure Program, major efforts should be made to secure funding elsewhere, at least for the relocation study that is likely to be required as a first step. Ald. May agreed that it should be possible to find cost-sharing at least for the study, estimated to cost about \$100,000. Members felt the Federal Government and/or CN have a role to play in the project, and should assume some responsibility for cost-sharing.

Ald. Woods suggested that the study could be funded from the Ward 3 capital allocation, if it is considered by the Aldermen for the ward to be a top priority for their citizens. He referred to the Secondary Planning Study for Ward 5, for which funds were initially allocated as a ward item.

Ald. MacFarlane asked if it is true that the deposits being dredged from the harbour, in the vicinity of Pier 31, are being dumped at a location just north of the marina on the Dartmouth side of the harbour. Mr. Fougere was asked to check this inquiry out with the Port Authority.

There were questions to Mr. Corrigan about the items that have made the Federal and/or Provincial Infrastructure lists. Mr. Corrigan said the items are still being negotiated but probably within a week, recommendations for funding will be ready for Council to consider. Ald. Rodgers felt that Council should be privy to both the Federal and Provincial priority lists, and that copies should be requested.

MOTION: That copies of both the Federal and Provincial lists for Infrastructure projects (for Dartmouth) and their priority, be requested.

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

#### APPOINTMENTS - YOUTH ADVISORY COMMITTEE

#### APPOINTMENTS: YOUTH ADVISORY COMMITTEE

The Chair of the Youth Advisory Committee, Greg Nepean, requested the appointment of four replacement members to fill vacancies on the Committee.

MOTION: To approve the appointment of the following four members, to serve on the Youth Advisory Committee:

Laura Pulsifer  
Sigrid O'Hearn  
Joseph Thomas  
Kelly Bonin

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

Ald. May requested that in future, requests for appointment to the Youth Advisory Committee be forwarded to Council through the regular process followed for other boards and committees.



8.0 PETITION9.0 REPORTS9.1 CHIEF ADMINISTRATIVE OFFICER9.1.1 MPS AMENDMENT - DEVELOPMENT BOUNDARYMPS AMENDMENT:  
DEVELOPMENT  
BOUNDARY

A further report was before Council, from Mr. Corrigan, on the MPS Amendment for the Port Wallace area (Development Boundary), recommending that Council revise the date for public hearing of this proposed amendment to Sept. 13, 1994. In the meantime, the engineering consultation process requested by Council, will take place, as outlined in Mr. Corrigan's report.

MOTION: To set September 13, 1994, as the revised date for public hearing of the proposed MPS Amendment that would extend development boundaries in the Port Wallace area.

Moved: Ald. May  
Second: Ald. Hetherington  
In Favour: All members except  
Against: Ald. Hawley  
Motion Carried

Ald. May said he hoped that in the meantime, until sewer capacity questions have been answered, Planning Dept. staff will be vigilant about the sixty lots that can already be developed within the development boundary. He felt there is some question now as to whether or not they can even be accommodated.

9.1.2 PROPOSED AMENDMENT TO LAND USE BY-LAW - HOME OCCUPATIONS

PROPOSED AMENDMENT: Council received a report from Mr. Corrigan (V. Spencer) on the subject of proposed amendments to the Land Use By-law, as it applies to Home Occupations. The report recommends that Council review all of its requirements for home occupations at the June 14th Council meeting. The request for amendments was precipitated by the Jaybe Drive situation, but any changes made will not preclude that operation.

MOTION: To adopt the recommendation:  
That Council review all of its requirements for home occupations at the June 14th Council meeting.

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

9.1.3 NOVA SCOTIA CASINO PROJECT - REQUEST FOR PROPOSALS

## CASINO PROJECTS

Mr. Corrigan presented a report on the request for proposals for the Nova Scotia casino project, recommending that Council authorize the Mayor to request the Province to amend the Terms of Reference for the Request for Proposals, to ensure that the intended host community for a casino has a full opportunity to review and comment upon the social, economic and land use impacts of the project, before a recommendation is made to the Provincial Cabinet, and a binding contract has been signed.

MOTION: To adopt the recommendation:

That Council authorize the Mayor to request the Province to amend the Terms of Reference for the Request for Proposals, to ensure that the intended host community for a casino has a full opportunity to review and comment upon the social, economic and land use impacts of the project, before a recommendation is made to the Provincial Cabinet, and a binding contract has been signed.

Moved: Ald. Hetherington

Second: Ald. Thompson

During debate on the motion, two amendments were presented, intended to address stated concerns about impact factors other than those covered in the recommendation, and citizen considerations. These amendments were approved, as follows:

AMENDMENT: To insert the words '. . . or any other' before the word: 'impacts'.

Moved: Ald. MacDonald

Second: Ald. Walton

In Favour: All

Against: None

Amendment Carried

AMENDMENT: To insert the words '. . . and its citizens', after the words 'intended host community'.

Moved: Ald. Pye

Second: Ald. May

In Favour: All

Against: None

Amendment Carried

Ald. May and Levandier stated their objection to casino developments generally, and to one in Dartmouth in particular - on any of the three sites for which proposals might be received. Ald. MacDonald did not want to see any part of a casino development on City land, located adjacent to any privately-owned site. Ald. Cunningham pointed out that the City land would probably be in private ownership as well, before a developer would proceed. Ald. Pye advised that the Dartmouth Visitors & Convention Bureau, while not in favour of gambling itself, would still support the idea of Dartmouth indicating an interest in attracting a casino, taking into consideration the financial benefits that could be expected for the City.

The vote was taken on the motion, as amended.

In Favour: All members except  
Against: Ald. May & Levandier  
Motion Carried, as amended

RESCIND MOTION - SHANNON EIGHT BALL & SOCIAL CLUB

MOTION TO  
 RESCIND:  
 LD. PYE

As agreed to by Council, Ald. Pye was permitted to present a motion to rescind the motion adopted at the Council meeting of May 17/94 (page 8), whereby Council would have placed an objection to the licensing of the Shannon Eight Ball & Social Club, by the Liquor License Board.

Ald. Pye said the Club has now made acceptable concessions and arrangements that have precluded the need for intervention before the Liquor License Board.

MOTION: To rescind the motion adopted on May 17/94, which at that time, called for an objection by Council to the licensing of the Shannon Eight Ball & Social Club.

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

9.2 CITY SOLICITOR

9.2.1 PARCEL C-2A WINDMILL RD.

PARCEL C-2A:  
 WINDMILL RD.

A report from the Solicitor was considered on the City property, Parcel C-2A Windmill Road, which Annie Murphy of 340 Windmill Road wishes to purchase. For purposes of clearing the title, Mrs. Murphy has requested that the City expropriate the land from "Owner Unknown", and she is willing to pay the costs involved, amounting to approx. \$600.00.

The Solicitor has recommended that Council approve Resolution 94-15 for expropriation purposes.

RESOLUTION 94-15

MOTION: To approve the adoption of Resolution 94-15, as recommended by the Solicitor, for expropriation purposes, Parcel C-2A Windmill Road.

Moved: Ald. Cunningham

Second: Ald. Pye

In Favour: All

Against: None

Motion Carried

9.2.2

PROSTITUTION

PROSTITUTION

The Solicitor has reported to Council in response to the presentation made by the North End Residents Assn, advising that "The City of Dartmouth has no authority to legislate with respect to street soliciting or street prostitution. These are criminal law matters, and, according to the Constitution Act, are solely within Federal jurisdiction. Any legislation which might be passed by a municipality, which in effect deals with criminal law matters, such as street prostitution, would be invalid".

Ms. Hood states that in her opinion, the proper response is the one taken by Mayor McCluskey, in writing letters to the Federal Minister of Justice, and to the Provincial Minister of Justice. It was later requested by Ald. Pye that copies of these letters go to the local MP, Ron MacDonald, and to the local MLA's.

Following the Solicitor's presentation of her report to Council, Ald. MacDonald proceeded with a motion, as he had requested and received permission for at the early part of the meeting (page 2 of minutes).

In the motion, he proposed a committee, as requested by the North End Residents Assn., that would be comprised of: three Aldermen, one member of the Police Commission (citizen appointment), two members of the North End Residents Assn., and two citizens at large. It was suggested to Ald. MacDonald that terms of reference for a committee should come first, so the motion actually called for staff to prepare terms of reference for a committee, based on the composition proposed.

MOTION: That staff (Solicitor & the Police Chief) be asked to prepare terms of reference, for a committee to be formed as proposed by Ald. MacDonald.

Moved: Ald. MacDonald  
Second: Ald. Pye

Ald. Woods requested that the committee also include representation from the Ward 5 Residents Assn.; Council concurred with the request. Ald. Hetherington felt the terms of reference, once they have been prepared, should go to the Police Commission. Ald. Rodgers agreed, suggesting that the new committee could in fact, be a sub-committee of the Commission. Ald. Pye requested that Mr. Ron MacDonald be kept regularly informed.

MOTION: To refer the terms of reference for the proposed committee, to the Police Commission.

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

11.0 NOTICE OF MOTION

The following notice of motion was given for the next regular Council meeting:

Ald. Pye:

WHEREAS, fifty years ago, thousands of Canadians, which includes many Nova Scotians, were making the ultimate sacrifice in Italy and France, to defeat the anti-democratic forces of Nazism;

AND WHEREAS these men and women joined with other Allied Forces to preserve the democratic institutions and rights of all people;

AND WHEREAS the right to free collective bargaining is one of the rights our men and women fought for;

BE IT RESOLVED that our City Council urge the Government of Nova Scotia to restore free collective bargaining as soon as possible.

At 11:10 p.m., Council went in camera, on motion of Ald. Rodgers and Hetherington. After reconvening in open meeting, the action taken in camera was ratified.

MOTION: To ratify the action taken while meeting in camera on this date.

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

Council adjourned at 10:55 p.m.

*V. Carmichael*  
V. Carmichael,  
Asst. City Clerk.

ITEMS:

- Invocation, page 1.
  - 1.0 Notice of Reconsideration, Alg. May, page 1.
  - 10.0 Motion, page 1.
  - 10.1 Ald. May, page 1.
  - 2.0 Approval of minutes, page 2.
  - 3.0 Business Arising from Minutes, page 2.
  - 4.0 Delegations & Hearings of Protest, page 3.
  - 5.0 Concerns of Council members or questions, page 3.
  - 6.0 Original Communication, page 3.
    - i) Draft Resolution, recycling, page 3.
  - 7.0 Presentations, page 4.
    - i) Zoning By-law for Home Occupation, Sandra McKenzie, pg. 4
    - ii) Removal of marshalling yards from Dart. Waterfront, page 5
  - Appointments, Youth Advisory Committee, page 6.
  - 8.0 Petition, page 7.
  - 9.0 Reports, page 7.
    - 9.1 Chief Administrative Officer, page 7.
      - 9.1.1 MPS Amendment, Development Boundary, page 7.
      - 9.1.2 Proposed amendment to Land Use By-law, Home Occupations, pg. 7
      - 9.1.3 Nova Scotia casino project, request for proposals, page 8.
  - Motion to rescind, Ald. Pye, page 9.
  - 9.2 City Solicitor, page 9.
    - 9.2.1 Parcel C-2A, Windmill Rd., page 9.
      - Resolution 94-15, page 10.
    - 9.2.2 Prostitution, page 10
  - 11.0 Notice of Motion, page 11.
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**DARTMOUTH CITY COUNCIL  
AGENDA**

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**TUES., JUNE 21/94  
7:30 P.M.  
COUNCIL CHAMBER  
IN CAMERA  
10:00 P.M.**

**1. PRESENTATION**

- i) Financial Statements

**2. REPORTS**

**2.1 CHIEF ADMINISTRATIVE OFFICER**

- 2.1.1 Withdrawal from Special Reserve Capital - Res. 94-19  
and Res. 94-20  
2.1.2 Tender, Contract 94-14, Curb & Sidewalk, Alfred St.,  
John Cross Dr., & Victoria Road  
2.1.3 Summer Recess - Council  
2.1.4 Proposed Amendment to Land Use By-law - Home Occupations  
2.1.5 Craighburn Drive - Cost Sharing  
2.1.6 Dartmouth District School Board funding  
2.1.7 Social Services Accounts Receivable - Legal Action

**2.2 CITY SOLICITOR**

- 2.2.1 Street Takeover - Elwood Drive

**3. CONCERNS OF COUNCIL MEMBERS OR QUESTIONS**

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**IN CAMERA SESSION 10:00 P.M.**

1. Land Matter.

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

MEMBERS PRESENT: MAYOR MCCLUSKEY  
ALDERMEN LEVANDIER, MAY  
HAWLEY, GREENOUGH  
SARTO, THOMPSON  
MACFARLANE, RODGERS  
MACDONALD, CUNNINGHAM  
PYE, WOODS, WALTON  
HETHERINGTON

ACTING C/A OFFICER: B. SMITH  
CITY COMPTROLLER: D. MCBAIN  
CITY SOLICITOR: S. HOOD  
DEPARTMENT HEADS & ASSISTANTS

Mayor McCluskey opened the meeting and informed Council of the trophy won by Dartmouth at the Senior Games, held in Sackville, which she attended on Saturday.

She also informed Council of the new Housing Authority Board, to which the City is asked to name two representatives, by the first of July. She suggested one senior member and one other person, who would be named without going through the regular advertising process. Members of Council agreed with the suggestion.

Ald. Sarto tabled his crosswalk report at this time, asking if it could be included for Council's consideration at next Tuesday's Council meeting. The Mayor said it may be possible, but there is a committee appointed to review the report first. Ald. Sarto is a member of that committee and would be included when they meet.

Ald. Pye received permission from Council to add an item pertaining to a fund-raising event for the Dartmouth Boys & Girls Club. The item was dealt with just prior to Concerns of Council.

Ald. Hawley asked to have item 2.1.5 (Craigburn Dr. cost-sharing) moved up on the agenda, immediately after item 1.0. Council concurred with the request.

1.0 PRESENTATION

i) FINANCIAL STATEMENTS

FINANCIAL  
STATEMENTS

All members of Council have received their copies of the 1993/94 Financial Statements, prepared by Doane Raymond. Presentation of the Statements was made by Mr. Mallowney, with Ms. C. McLeod also present from Doane Raymond, for the presentation.



Ald. Rodgers reported to Council that the Audit Committee has carried out a detailed review of the Financial Statements, and has recommended their acceptance by Council.

MOTION: To accept the 1993/94 Financial Statements, as recommended.

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

A series of overheads formed the presentation, copies of which were circulated to all members of Council. Mr. Mallowney then took questions from several members. Ald. May and MacFarlane commended Mr. Smith's comments and information, provided at the opening of the Financial Statements, and he was later asked to convey to senior staff, the thanks of Council for their work and efforts. Ald. Rodgers noted in particular, the reference made by Mr. Smith to the importance of ' . . . facilitating a favourable economic climate for increased business investment, and active participation in regional issues and initiatives that will impact on our long-term financial obligations.'

Ald. Greenough felt that the City's financial picture is beginning to brighten somewhat, as evidenced by some positive indicators. He noted that the payment of the Pension Plan's unfunded liability is ahead of schedule, and this will result in savings for both the City and employees. A report from the Actuary will be coming to Council, probably for next week's meeting, on this matter.

When questions from Council had been answered to their satisfaction by Mr. Mallowney, the Mayor thanked him and Ms. McLeod for their attendance and for presenting the Financial Statements to Council.

#### 2.1.5 CRAIGBURN DRIVE - COST SHARING

CRAIGBURN DR.  
COST SHARING

Council dealt next with the report from Mr. Corrigan (R. Fougere, E. Purdy) on a cost-sharing proposal for servicing Craighburn Drive and the former Piercey Land Subdivision, through an agreement between the City and the Armoyan Group Ltd. The company wishes to subdivide and develop fourteen lots within the Development Boundary, and fronting on Craighburn Drive. A petition from Craighburn Drive residents, who are requesting services, has also been received and circulated.

The proposed cost-sharing agreement has been recommended to Council, as per the details negotiated between the developer and the City.

CONFLICT OF  
INTEREST

Declaring a conflict of interest on this item were: Ald. Greenough, who is a resident of Craighburn Drive, and Ald. Woods, whose business associate has been working on the project for the developer. Both members left their places on Council while the item was being discussed.

MOTION: To adopt the recommendations from Mr. Corrigan's report of June 8/94:

That the cost-sharing agreement between Armoyan Group Ltd. and the City of Dartmouth for Craighburn Drive and former Piercey Land Subdivision, be approved, and that the required funding be provided in the 1995/96 Capital Budget.

Further, that in this case, the laterals for existing lots be included in the project, and that the cost be recovered from the property owners before they are permitted to connect. Also, that for lots with 100 ft. or more of street frontage, two sewer laterals be installed to cover the possibility of future subdivision of those lots.

Moved: Ald. Hawley  
Second: Ald. MacFarlane

Ald. May had questions about the impact of this project on capital items for next year, and in relation to funds that will be required for the infrastructure program. Ald. Rodgers suggested that any funds committed this year to the infrastructure program, to be spent during the next three years, should be allocated as a percentage of the capital budget that would normally be dealt with in those particular years.

In Favour: All  
Against: None  
Motion Carried

2.0 REPORTS

2.1 CHIEF ADMINISTRATIVE OFFICER

2.1.1 WITHDRAWAL FROM SPECIAL RESERVE CAPITAL - RES.94-19 & 94-20

RESOLUTIONS  
94-19 & 94-20

Report from Mr. Corrigan (B. Smith, D. McBain) on withdrawals from Special Reserve for the fiscal year 1994/95, recommending approval of Resolutions 94-19

and 94-20 for these purposes.

MOTION: To adopt Resolutions 94-19 (\$1,000,000., Burnside Sale of Land) and Resolution 94-20 (\$962,000., Principal Debt repayment, Ferry), as recommended.

Moved: Ald. Sarto  
Second: Ald. Hetherington  
In Favour: All members except  
Against: Ald. MacDonald  
Motion Carried

2.1.2 TENDER, CONTRACT 94-14, CURB & SIDEWALK, ALFRED ST.,  
JOHN CROSS DR., VICTORIA RD.

AWARD TENDER: Report from Mr. Corrigan (R. Fougere, G.M. Boyd) on  
CONTRACT 94-14 tenders received for Contract 94-14 (Alfred St.,  
John Cross Drive & Victoria Road, curb & sidewalk),  
recommending that the tender be awarded to the lowest  
bidder, Ocean Contractors Ltd., with a bid price of  
\$91,700.01; completion time: 10 workdays.

MOTION: To award the tender for Contract  
94-14 to the lowest bidder, Ocean  
Contractors Ltd., with a bid price  
of \$91,700.01, as recommended.

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

2.1.3 SUMMER RECESS - COUNCIL

SUMMER RECESS: Report from Mr. Corrigan (B. Smith, V. Carmichael) on  
COUNCIL the subject of a summer recess for Council, usually taken  
at the end of July and the beginning of August. The recess  
being recommended for 1994, is the last two weeks in July  
and the first three weeks in August, except for public  
hearings or other business where Council's direction is  
essential.

MOTION: To adopt the recommendation:

That Council's 1994 recess be taken during  
the last two weeks in July and the first  
three weeks in August, except for public  
hearings or other business where Council's  
direction is essential.

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

2.1.4 PROPOSED AMENDMENT TO LAND USE BY-LAW - HOME OCCUPATIONS

AMENDMENTS:  
HOME OCCUPATIONS

Information has been provided for Council's review of the City's requirements for home occupations, and in his accompanying report, Mr. Corrigan has recommended that the review begin with a Committee-of-the-Whole session, which staff would be willing to arrange.

There was difficulty in coming up with a date to suggest to staff for a Committee session, and it was decided to put the item on next week's Council agenda (June 28th), since the Committee-of-the-Whole meeting scheduled for July 7th already has a major item for discussion, likely to take up the time available.

2.1.6 DARTMOUTH DISTRICT SCHOOL BOARD FUNDING

SCHOOL BOARD  
FUNDING

Report from Mr. Corrigan on the recovery of funding, as a result of the Public Sector Compensation Act, and the disposition of school payroll savings, calculated in the case of the City of Dartmouth, at approx. \$200,000. Based on the position previously taken by the City, that savings generated in one unit ought to remain with that unit, it is being recommended, in this instance, that Council confirm its original budget allocation to the Dartmouth District School Board, even though it is legally entitled to reduce the allocation as a result of the Public Sector Compensation Act.

MOTION: To adopt the recommendation:

That Council confirm its original budget allocation to the Dartmouth District School Board, even though it is legally entitled to reduce the allocation (from recovery of funding) as a result of the Public Sector Compensation Act.

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

2.1.7 SOCIAL SERVICES ACCOUNTS RECEIVABLE - LEGAL ACTION

ACCOUNTS:  
LEGAL ACTION

Mr. Corrigan has reported to Council on the legal action being started, in attempting to recover outstanding social services accounts receivable in the amount of

\$1.3 million dollars, the first municipality to face legal action being the Town of Antigonish. Since their Town Council is withholding payment of the Dartmouth claim, in the amount of \$16,050., even though they have acknowledged that the money is legally owed, the City will now take action to seize municipal assets of the Town of Antigonish.

MOTION: To receive and file the information report from Mr. Corrigan.

Moved: Ald. Hetherington

Second: Ald. MacFarlane

In Favour: All

Against: None

Motion Carried

Mr. Smith answered questions from several members about the collection process, advising that it is felt that about one million dollars of the total amount owed us, is collectable.

## 2.2 CITY SOLICITOR

### 2.2.1 STREET TAKEOVER - ELWOOD DRIVE

STREET TAKEOVER:  
ELWOOD DRIVE

The City Solicitor has submitted a report to Council on the proposed takeover of Elwood Drive, in order to clarify the City's title to it by an expropriation from Owner Unknown, so it can be taken over as a City street and paved, being an item in the 1994/95 capital construction program.

RESOLUTIONS  
94-16 & 94-17

Resolutions 94-16 and 94-17 have been recommended for Council's approval, as required to carry out the street takeover.

MOTION: To approve Resolutions 94-16 and 94-17, as recommended for the takeover of Elwood Drive.

Moved: Ald. Hetherington

Second: Ald. Pye

In Favour: All

Against: None

Motion Carried

## FUND-RAISING EVENT - DARTMOUTH BOYS & GIRLS CLUB

Ald. Pye informed Council of the proposed outdoor event at the Penny On the Park Pub, in conjunction with Natal Day activities, to raise funds for the Dartmouth Boys & Girls Club. This musical event will take place from 3:00 p.m. to 11:00 p.m., and sound barriers will be put in place to reduce noise levels and disturbance

in neighboring residential areas.

Council was asked to indicate no objection to the event and to the liquor license that will be required. Ald. Thompson said the motel nearby should be notified in advance, and Ald. MacDonald felt the Natal Day Committee should be made aware of the event so it can be tied in with their program and promotion. Ald. Hetherington noted that if food is being served, health regulations have to be adhered to as well.

MOTION: To indicate no objection to the event, as outlined by Ald. Pye, or to the liquor license that will be required for the event.

Moved: Ald. Pye  
Second: Ald. Woods  
In Favour: All members except  
Against: Ald. Thompson  
Motion Carried

### 3.0 CONCERNS OF COUNCIL MEMBERS OR QUESTIONS

Common concerns, inquired about by several members, were as follows:

#### 1) Unsightly Premises (City) where grass cutting is required

Complaints were received from Ald. May, MacDonald and Cunningham. Ald. MacDonald brought 'bouquets' of long grass and weeds from several locations in the City, as examples of the need for grass-cutting and park maintenance. Mr. Smith said it may be possible to have Mr. Stevens re-address priorities, so that grass-cutting can receive attention over other Parks & Rec. expenditures. Ald. Hawley asked about charging the City with unsightly violations, but the City Solicitor explained why such action would not be possible.

#### 2) Prostitution Problems

Concerns of Ald. Pye and MacDonald. The Mayor advised that the matter was addressed by the Police Commission, and it would be advisable to wait for results from the plan the Police Chief has, before the Commission makes any recommendations to Council.

Ald. MacDonald asked about the committee that is to be formed; the Solicitor asked him to check with her tomorrow for a response.

3) Animal Control

Members with concerns relating to animal control, were Ald. Walton, Ald. Pye, and Ald. Thompson. Ald. Walton requested an insert with water billings, and other publicity, to make citizens aware of the violation and penalty for not cleaning up after their dogs, in public areas.

Ald. Pye asked if the service we receive for dogs, also covers cats. Mr. Smith said there is not sufficient funding to offer a cat control program, and there is none.

Ald. Thompson was concerned about the lack of authority the dog patrol officer has, and said he would follow up on this concern with the Police Dept. (reference a problem on Owen Drive).

There were individual items of concern as well, raised separately by members.

- ALD. CUNNINGHAM Ald. Cunningham requested a report on the outstanding violations still remaining at 32 Murray Hill Drive.
- ALD. HAWLEY Ald. Hawley asked about the status of the Waverley Road sewer capacity study. Mr. Purdy said that there will be a meeting tomorrow with the CBCL representatives, to see if there is any concensus, and to determine if third party consultation is required.
- ALD. HETHERINGTON By way of information on the illegality of pedestrian crossing of Highway 111 (from Pleasant to the Parco), Ald. Hetherington referred to the Oct. 1/87 ministerial restriction placed on that section of highway, subject to a \$100. fine for violation. He passed the information he has obtained, on this pedestrian restriction, to the Mayor, as Chairman of the Police Commission, for follow-up enforcement by the Police Dept.
- ALD. WALTON The Mayor responded to a question from Ald. Walton by providing information on the three infrastructure projects just announced for Dartmouth this week - on our priority list, #5 the wall at Lake Banook; #7 the bike trail; and #12, the Sportsplex expansion.
- ALD. THOMPSON Ald. Thompson asked about contacting the Dept. of Transportation, regarding a number of places where there is garbage along the roadways. The Mayor said that a request for clean-up has already been made to them.

- ALD. MACDONALD     Ald. MacDonald asked to have properties identified in Burnside Park, which belong to the City but are being used for parking trucks by the owners of businesses in the Park. He suggested that if these properties could be sold to the business owners, the City would realize some revenue from this source.
- ALD. MAY             Referring to the May 19th Industrial Commission minutes, and the Buckrell report discussed, Ald. May noted that it has not been possible for Council to take a position on regionalization of industrial development, without ever having seen the report. Ald. Hetherington noted that the report is not a public document, having been released only to the Province so far. The Mayor agreed to call the office of the Development Minister, to see if a copy can be obtained by the City.
- ALD. MACFARLANE     Concerns of Ald. MacFarlane:
- 1) as to the possibility of material from a dredging operation in the harbour being deposited on the Dartmouth side, a follow-up to an inquiry he has made previously. He said that if this is going to take place, there should at least have been some consultation with the City. He said he wants to know what is going on with this matter.
  - 2) when will the Joffre/Lakefront path be completed?
  - 3) he suggested that there may be a need for legislation, to deal with the increasing problem of commercial signs, on City and private properties; particular reference to the property at 267 Portland Street, where there are two signs.
  - 4) asked that the Dept. of Transportation be requested to again make repairs to the fence on the Circumferential Highway, adjacent to Harris Road & Jean Ave., just before the pedestrian overpass.
- ALD. PYE             Ald. Pye asked that unauthorized parking signs be put in place on the north side of Albro Lake Road, from Ernest Ave. to the boundary of the beach area, a response to concerns about problems of traffic short-cutting through residential communities.
- ALD. SARTO            Concerns of Ald. Sarto:
- 1) asked to have a car removed from in front of the property at 47/47A Spring Ave.



- 2) asked about the prohibition of air pellet guns in the City; the Solicitor advised that this matter is already being looked at, and she will check with the Deputy Chief on the status.
- 3) asked about the Peter Foy Enterprises appeal; the Mayor advised that Mr. Moreash is defending for the City.

ALD. WOODS

Ald. Woods requested four-way Stop signs at Lancaster Drive and Albro Lake Road. With the agreement of Council, Ald. Woods was allowed to present a motion for installation of the signs, without requesting a report from Mr. Purdy.

MOTION: That four-way Stop signs be erected at the Lancaster Dr. and Albro Lake Rd. intersection.

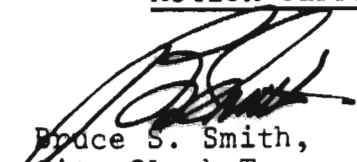
Moved: Ald. Woods  
Second: Ald. Rodgers  
In Favour: All members except  
Against: Ald. Cunningham  
Motion Carried

At 10:00 p.m., Council went in camera, on motion of Ald. Hawley and MacFarlane. Ald. Levandier and Hetherington left the meeting before the in camera item.

After reconvening in open meeting, the action taken in camera was ratified, on motion of Ald. Hawley and MacDonald.

MOTION: To ratify the action taken while meeting in camera on this date.  
(Land matter.)  
Moved: Ald. Hawley  
Second: Ald. MacDonald  
Motion Carried

Meeting adjourned at 10:05 p.m.

  
Bruce S. Smith,  
City Clerk-Treasurer.

ITEMS:

- 1.0 Presentation, page 1.
    - i) Financial Statements, page 1 & 2.
  - 2.1.5 Craighburn Drive, cost sharing, page 2 & 3.
  - 2.0 Reports, page 3.
  - 2.1 Chief Administrative Officer, page 3.
  - 2.1.1 Withdrawal from Special Reserve Capital, page 3.
    - Resolutions 94-19 & 94-20, page 3.
  - 2.1.2 Tender, Contract 94-14, Alfred St., John Cross Dr., page 4.
  - 2.1.3 Summer recess, Council, page 4.
  - 2.1.4 Proposed amendment to Land Use By-law (Home Occupations), pg.5
  - 2.1.6 Dartmouth District School Board funding, page 5.
  - 2.1.7 Social Services accounts receivable, legal action, page 5.
  - 2.2 City Solicitor, page 6.
  - 2.2.1 Street takeover, Elwood Dr., page 6.
    - Resolutions 94-16 & 94-17, page 6.
    - Fund-Raising event, Dartmouth Boys & Girls Club, page 6.
  - 3.0 Concerns of Council members or questions, page 7 to 10 incl.
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Lib. Ref. Dept.

**DARTMOUTH CITY COUNCIL  
AGENDA**

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TUES., JUNE 28/94  
7:30 P.M.  
COUNCIL CHAMBER  
IN CAMERA  
10:00 P.M.

1. **REPORTS**

1.1 **CHIEF ADMINISTRATIVE OFFICER**

1.1.1 Proposed Amendment to Land Use By-law Home Occupations

1.2 **FINANCE & PROGRAM REVIEW COMMITTEE**

1.2.1 Dartmouth Titans Gymnastics Club - Rent Forgiveness

1.3 **DARTMOUTH YOUTH COMMITTEE**

1.3.1 Quarterly Report/Strategic Planning

2. **CONCERNS OF COUNCIL MEMBERS OR QUESTIONS**

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**IN CAMERA SESSION - 10:00 P.M.**

1. Land Matter.

LOCATION: CITY COUNCIL CHAMBERS

TIME: 7:30 P.M.

MEMBERS PRESENT: MAYOR MCCLUSKEY  
ALDERMEN SARTO, THOMPSON  
CUNNINGHAM, MACFARLANE  
MAY, LEVANDIER, RODGERS  
MACDONALD, WOODS, PYE  
HAWLEY, GREENOUGH, WALTON

MEMBER ABSENT: ALD. HETHERINGTON (25th ANNIVERSARY)

C/A OFFICER: L. CORRIGAN  
CITY SOLICITOR: S. HOOD  
ASST. CITY CLERK: V. CARMICHAEL  
DEPARTMENT HEADS & ASSISTANTS

At the request of the Chairman of the Dartmouth Youth Committee, Council agreed to move item 1.3.1 up to the beginning of the agenda.

1.3 DARTMOUTH YOUTH COMMITTEE

1.3.1 QUARTERLY REPORT/STRATEGIC PLANNING

REPORT: YOUTH  
COMMITTEE

The Chair of the Dartmouth Youth Committee, Greg Nepean, introduced Committee members attending the meeting with him, and proceeded to present a summary of the Strategic Plan for the Committee, copies of which were circulated with the agenda. During the course of the presentation, members of Council raised several questions and concerns, resulting in referrals and other courses of action, recorded as follows:

1) Goal II (Recreation programs & services)

A motion to refer this section to the Parks & Recreation Dept. (Bill Stevens) and the Recreation Advisory Board, for their consideration and comments, was adopted.

MOTION: To refer Goal II (Action Plan 3 & 4) to the Parks & Recreation Dept. (Bill Stevens), and the Recreation Advisory Board, for their consideration and Comments.

Moved: Ald. Walton  
Second: Ald. MacFarlane  
In Favour: All members except  
Against: Ald. Pye  
Motion Carried

Ald. Woods suggested that there should be someone from Parks & Rec. Dept. on the Committee in a resource/liaison capacity, and Mr. Corrigan said he would take this under advisement, since appointments of staff to committees are within

his area of responsibility.

2) Goal III (Youth violence)

There was no motion of referral for Goal III, but the general concensus was that the Youth Committee should be working in conjunction with the Police Commission on the strategies proposed.

Referring to the proposed memorandum, to Dartmouth District School Board, Ald. May suggested that the wording should be changed to indicate that problems of youth violence are in society (ie. in the City) and also in the schools, taking away the inference of violence mainly or only in the schools.

3) Goal IV (Strategy A: involvement in the political system)

Ald. MacDonald objected to the general tenor of the report, and to this section particularly. A Committee representative, who later responded to some of his comments, said the Committee would welcome guidance from Council, and is in fact, recommending an aldermanic representative be appointed to the Committee. Ald. MacDonald later stated his willingness to serve as that member.

MOTION : That Ald. MacDonald be appointed as Council's representative on the Dartmouth Youth Committee.

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

4) Terms of Reference

Terms of Reference for the Committee, with some revisions, were referred to the City Solicitor for review.

Several members of Council commended the work the Committee has done, in preparing and presenting their report. Council was willing to give the report approval in principle, along with the other motions adopted and sections referred, etc.

MOTION: To give approval in principle to the Dartmouth Youth Committee report, presented to Council on this date.

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

The Mayor thanked the Chair of the Committee, and his members, for the time and effort they have given to the work of the Committee, and for coming to Council to make their presentation.

Ald. Thompson rose on a point of privilege, to congratulate Ald. Hawley on his retirement, after 35 years in the teaching profession, acknowledged by all other members of Council as well.

1.0 REPORTS

1.1 CHIEF ADMINISTRATIVE OFFICER

1.1.1 PROPOSED AMENDMENT TO LAND USE BY-LAW - HOME OCCUPATIONS

HOME OCCUPATIONS

Ms. Spencer and Mr. L'Esperance were present for the next item, proposed amendments to the Land Use By-law (Home Occupations). A report has been circulated previously on the subject, and Ms. Spencer made a presentation, based on the report, at this time. She advised that of the other local municipalities consulted, Dartmouth does tend to have the most generous standards for home occupation requirements; this does not mean, however, that they are unacceptable. It is not considered that we have any more or less problems than the other municipalities, resulting from our own particular standards. It was noted that changes can be made to the by-law, at the direction of Council, and also, to the permits and approvals systems for home occupations. Asked by the Mayor about the determination of assessments, Ms. Spencer said a business licensing system is a possibility for home occupation properties.

Ald. Greenough referred to the petition from Jaybe Dr. area residents, that precipitated his request for Home Occupation amendments, and to the objection to construction of a garage planned specifically for use as a distribution centre for Dickie Dee product. He had a number of questions about the amount of space that is being allowed for this operation, in relation to the by-law requirements. Ms. Spencer explained the 25% provision and its application in this instance, to an ancillary building. It was later pointed out that while separate ancillary buildings are not permitted in some of the other municipalities, attached garages are allowed, which accomplishes basically the same end. Ms. Spencer felt it is preferable to have a regulation that is clearly understood and with less margin for manipulation.

At a later point, Ald. Greenough submitted copies of letters from Ridgecrest Drive residents who previously complained about the same Dickie Dee operation at a Ward 1 location; he asked to have copies of the letters circulated to all members of Council. He also requested permission for a Jaybe Drive resident to be heard by Council. Permission was given by a majority vote.

Ms. Sandy MacKenzie raised two questions: (a) whether the product involved and carts leaving this location to sell product, does not constitute a retail operation; and (b) whether the carts being loaded and unloaded, external to the building and taking up to an hour of time, is not tantamount to a retail definition. Ms. Spencer responded, noting that the by-law prohibits retail sales, but felt that her staff would have to check out the points raised first, before giving answers for this specific location.

Other than the Jaybe Drive issue, there were other concerns and objections brought out in the general discussion with Ms. Spencer; these included:

- 1) automotive/autobody repair shops being operated in residential areas, causing noise and general disturbance. Ald. Walton gave an example of one such operation in his ward, on a second lot where a garage had been constructed.

Some of the apprehension difficulties involved were explained by Ms. Spencer, where there are are questions of 'hobbies' vs. 'occupations'.

- 2) a siding company business being operated in a Ward 2 residential area, causing traffic and disruption. Ald. Cunningham asked if Mr. L'Esperance would review this particular case and get back to him on it.
- 3) Ald. Hawley felt that in many cases, home occupations have an unfair competitive advantage, not being subject to commercial taxes as regular business owners in the City are. He said the people operating home occupations should be licensed, and fined if they do not have licenses. There should be an inspector to check for violations.

People living close to home occupations should not have their enjoyment of life effected visually, aesthetically, or from a safety point of view; their properties should not decline in value either.

- 4) Ald. Sarto asked about development agreements for home occupation properties. Ms. Spencer referred to this requirement for day care operations, and pointed out that public hearing requirements would create much more complicated processes, involving additional meetings of Council.
- 5) Ald. MacFarlane considered some problems to be with the vagueness of the legislation and its ambiguity; there should be more clarity than we presently have.

The general agreement reached was that a Committee-of-the-Whole meeting is required for this one item, and that public input should be received in conjunction with it, either prior to or after. Ald. Hawley was in favour of hearing from the public before Committee meets, so the views of citizens are reflected in the Committee discussion. The other suggestion was to have the meeting and formulate some ideas for amendments, which the public would then have as the basis for their input. No final decision was reached on the best approach to take, but a motion was adopted to hold a Committee meeting; no date was set, in view of summer recess considerations and the fall election.

MOTION: To hold a Committee-of-the-Whole meeting, dedicated entirely to this one item, and to receive public input as part of the process.

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

1.2 FINANCE & PROGRAM REVIEW COMMITTEE

1.2.1 DARTMOUTH TITANS GYMNASTICS CLUB - RENT FORGIVENESS

REQUEST:  
DARTMOUTH TITANS

In a report to Council, the Finance & Program Review Committee has recommended approval of a request from the Dartmouth Titans Gymnastics Club, for a forgiveness of their rent at 10 Ragus Road, for July and August, amounting to \$5,000.

MOTION: To adopt the recommendation of the Finance & Program Review Committee:

That Council approve the request from Dartmouth Titans Gymnastics Club, for a forgiveness of their rent at 10 Ragus Road, for July & August, amounting to \$5,000.



Moved: Ald. Thompson  
Second: Ald. Cunningham

The motion was opposed by Ald. Levandier, May and MacDonald. They felt an exemption should not be granted for a club that receives paid dues and memberships, and that other organizations in a similar position would expect to receive similar consideration. Ald. May asked why their request did not go to the Grants Committee in the first place, and asked that in future, any subsequent requests be forwarded as Council has directed, to Grants Committee. Mr. Corrigan noted that this particular request differed somewhat from the tax exemption basis followed in most other cases, being a rental concession request.

Members in favour commended the programs offered by Dartmouth Titans, and the efforts they have made to assist themselves with fund-raising events. They felt the concession asked for by the club is not unreasonable, in consideration of the number of Dartmouth children and young people who participate in their programs.

Ald. May noted a correction in the figure recorded as being written off for Business Occupancy Tax, on behalf of Dartmouth Titans; he said the corrected figure should read \$21,438., and not \$41,000., as recorded in the minutes of the Finance & Program Review Committee minutes of their June 15/94 meeting. The vote was taken.

In Favour: All members except  
Against: Ald. May, Levandier, MacDonald  
Motion Carried

Ald. Pye was in favour of having the kind of analysis of subsidization, referred to in the last paragraph on page 2 of the June 15/94 minutes of the Finance & Program Review Committee meeting, through this Committee and the Grants Committee.

MOTION: That ~~an analysis of the subsidization~~ <sup>be requested</sup> that goes into the support of organizations (so that the cost to taxpayers and the benefits to recipients can be assessed), through the Grants Committee and the Finance & Program Review Committee.

Moved: Ald. Pye  
Second: Ald. May  
In Favour: All members except  
Against: Ald. Hawley  
Motion Carried

At 10:15 p.m., Council went in camera, on motion of Ald. Thompson and Sarto. After reconvening in open meeting, the action taken in camera was ratified

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

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

Meeting adjourned at 11:00 p.m.

*V. Carmichael*  
V. Carmichael,  
Asst. City Clerk.

ITEMS:

- 1.3 Dartmouth Youth Committee, page 1.
  - 1.3.1 Quarterly Report/Strategic Planning, page 1 to 3.
  - 1.0 Reports, page 3.
  - 1.1 Chief Administrative Officer, page 3.
  - 1.1.1 Proposed amendment to Land Use By-law, Home Occupations, page 3
  - 1.2 Finance & Program Review Committee, page 5. to 5.
  - 1.2.1 Dartmouth Titans Gymnastics Club, rent forgiveness, page 5 & 6
-