

Dartmouth, N. S.

December 1/81.

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

Present - Mayor Brownlow

Ald. Ibsen	Sarto
Williams	Cunningham
Crawford	Brennan
Valardo	Withers
Hart	Greenwood
Hawley	Greenough
Ritchie	Fredericks
City Solicitor, M. Moreash	
City Administrator, C. A. Moir	
City Clerk-Treasurer, B. Smith	

Council agreed to add to the agenda, a letter from Dr. Ummat, on the subject of recent zoning changes that involve properties owned by him in the North End, Improvement area. The letter was added to the agenda after the item 'Petitions'.

MINUTES

On motion of Ald. Ibsen and Valardo, Council approved the minutes of meetings held on October 26th, Nov. 3, 10, 17 and 24th.

RECONSIDERATION:  
REPAIRS TO LOCKS

At the meeting of November 24th, notice of reconsideration was given on the motion adopted by Council with respect to repairs required in one of the locks in the Shubenacadie Canal, the cost of which is to be cost-shared between the City and the Province. In a subsequent report to Council on the land ownership question, Mr. Moreash has advised that the land on which the lock is situated is within certain lands purchased by the City from Mr. Gerald Mossman in 1968. The City is therefore entitled to make the expenditure for repairs to a lock on its own lands. Mr. Mossman's consent would have to be sought, however, for access to the lock with the necessary equipment to carry out the repairs.

In the introduction to his motion of reconsideration, Ald. Crawford quoted from a number of documents and letters which he said indicate that ownership of the Canal system and the locks does in fact, rest with the Province. Responsibility for repairs to the locks is therefore a Provincial jurisdiction and should not involve the expenditure of funds by the City. He moved reconsideration

Dartmouth, N. S.

December 1/81.

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

Present - Mayor Brownlow

Ald. Ibsen	Sarto
Williams	Cunningham
Crawford	Brennan
Valardo	Withers
Hart	Greenwood
Hawley	Greenough
Ritchie	Fredericks
City Solicitor, M. Moreash	
City Administrator, C. A. Moir	
City Clerk-Treasurer, B. Smith	

Council agreed to add to the agenda, a letter from Dr. Ummat, on the subject of recent zoning changes that involve properties owned by him in the North End, Improvement area. The letter was added to the agenda after the item 'Petitions'.

MINUTES

On motion of Ald. Ibsen and Valardo, Council approved the minutes of meetings held on October 26th, Nov. 3, 10, 17 and 24th.

RECONSIDERATION:  
REPAIRS TO LOCKS

At the meeting of November 24th, notice of reconsideration was given on the motion adopted by Council with respect to repairs required in one of the locks in the Shubenacadie Canal, the cost of which is to be cost-shared between the City and the Province. In a subsequent report to Council on the land ownership question, Mr. Moreash has advised that the land on which the lock is situated is within certain lands purchased by the City from Mr. Gerald Mossman in 1968. The City is therefore entitled to make the expenditure for repairs to a lock on its own lands. Mr. Mossman's consent would have to be sought, however, for access to the lock with the necessary equipment to carry out the repairs.

In the introduction to his motion of reconsideration, Ald. Crawford quoted from a number of documents and letters which he said indicate that ownership of the Canal system and the locks does in fact, rest with the Province. Responsibility for repairs to the locks is therefore a Provincial jurisdiction and should not involve the expenditure of funds by the City. He moved reconsideration

of Council's action in approving the expenditure of \$5,000. for repairs to the lock (to be matched by an equal \$5,000. amount from the Province), as outlined in reports from the City Engineer and Mr. Moir to the Nov. 24th Council meeting. The motion to reconsider was seconded by Ald. Valardo and resulted in a tie vote. The Mayor cast the deciding vote against and declared the motion to be defeated.

PETITION: ROTARY  
107 BY-PASS

A petition, bearing 625 names, has been received from merchants and employees on Main Street, stating that they do not agree to any improvements to Main Street and the MicMac Rotary until a 107 by-pass has been completed. Ald. Fredericks and Williams moved that the petition be received and filed, in view of the public meeting scheduled for Thurs., Dec. 3rd, when the merchants and area residents will have an opportunity to express their views and have the plans for Main Street presented. Members of Council who spoke on this motion did not agree with it and felt that the people in the gallery, who have come to the meeting expressly for this item, should have their opportunity to be heard as they expected. The motion was defeated, with Ald. Fredericks, Hawley and Williams voting in favour.

Mr. Foy then made the presentation of the petition on behalf of the Main Street merchants, explaining their concerns about loss of business and revenue while the work on Main Street is in progress. He pointed out that businesses in this area pay over one million dollars in taxes to the City and therefore should receive some consideration by Council in this contentious issue.

Mr. Nat Cole, representing the Sobey interests, endorsed the position taken by the Main Street merchants and noted that the two existing entrances to the Westphal shopping plaza are to be eliminated in the present plan for Main Street, thereby cutting off access to Sobeyes and the other stores and businesses in that area. He said the economic impact on the total business community along Main Street should have been determined before any plans

are proceeded with, and he commented on the effects of a lengthy construction period in terms of lost business for store owners affected. Mr. Bayer noted that the portion of Main Street in front of the Westphal Plaza forms part of the Rotary contract which is the responsibility of the Province and not the City. The section of Main Street included in the City plan begins at Gordon Ave. intersection and the time schedule planned for this work is one construction season only, as opposed to the two - four-year period expected for the Provincial contract.

Ald. Valardo asked about the diversion of traffic via a by-pass in terms of the effect it would have on Main Street businesses. Mr. Foy did not consider that the diversion of transient traffic would produce an adverse effect on the businesses.

Mr. Jerry Lethbridge was heard on behalf of the Port Wallis Residents Assn. He said the residents do not oppose the idea of a by-pass, provided it does not go through Port Wallis, the Shubie Park and Canal system. He did not want to see the problems that already exist on Main Street moved from there to Port Wallis. Council also heard Mr. David Reid, the licensee for MacDonald's on Main Street, and Mr. Donald Keddy, owner of the Dartmouth Inn, both with concerns about the reconstruction of the Rotary and Main Street, and the effects of construction on their two locations. Mr. Jachimowicz, owner of the Alfa building on Main Street, spoke in favour of a by-pass highway before any work is undertaken to improve the Rotary/Main Street situation. He questioned the heavy acquisition costs that will have to be borne by the City for land that is required in connection with the Main Street widening.

Ald. Hawley and Hart then proceeded to move that Council recognize the need for a by-pass and approach the Premier to try and convince him that the by-pass should go through Porto Bello. The Solicitor advised that a substantive matter of this nature would either require a notice of motion to be given for a future meeting, or with

a two-thirds majority vote, Council could waive notice of motion and permit the introduction of the motion directly at this point. The other alternative would be to agree that the Mayor has Council's concurrence to approach the Premier, without the necessity of a formal motion, to communicate Council's position on a by-pass highway, based on action that Council has previously taken.

Discussion followed as to the best course of action that Council can now take to reinforce its position in favour of a by-pass highway being in place before work on Main Street & the Rotary is commenced, provided that by-pass does not go through Port Wallis. Based on the ruling given by the Solicitor to the Mayor, Ald. Hart and Ibsen subsequently moved that notice of motion be waived in order to permit the introduction of Ald. Hawley's motion for debate. The necessary two-thirds majority vote required was not secured to waive notice of motion. (Ald. Valardo, Crawford and Sarto voting against and Ald. Brennan abstaining from the vote). (Ald. Cunningham was not present in the Chamber when this vote was taken.)

Ald. Greenough spoke on the position that Council has maintained on the 107 by-pass issue and referred to motions still outstanding that clearly represent the wish of Council to (a) have a by-pass in place prior to the Main Street/Rotary improvements; and (b) indicate Council's express opposition to a by-pass route through Port Wallis. He proposed a motion that would in fact not alter substantively the action that Council has previously taken. The text of the motion was considered by the Solicitor to be acceptable within the parameters he had indicated, since it does not represent a new position by Council but rather an extension of a former decision. Ald. Greenough therefore moved, seconded by Ald. Valardo, that the committee of Council that was in place on the last two occasions when Council met with the Minister of Transportation and the local MLA's, meet with the Premier to plead the case of the City that Dartmouth

now wants a by-pass before the reconstruction of Main Street and the Rotary.

Ald. Hawley wanted to see the preference for a Porto Bello route specified in the motion, but since this was considered to represent a new addition to Council's position, it was not permitted. Ald. Greenough said it is obvious that since Council does not approve of a Port Wallis route, the Poto Bello by-pass would be the only alternative that would be likely to be discussed with the Premier. The Mayor asked if anyone on Council wished to challenge the motion by requesting that notice of motion be waived by a two-thirds majority vote. The motion was not challenged by any of the members and debate resumed.

Ald. Greenough noted that there is another group of concerned citizens involved in this issue, living in the residential areas off Main Street, such as Helene Ave., Raymond Street, Walker Street, Tam O'Shanter Ridge, etc. One of their main concerns is for the safety of children who will have to try to get back and forth to schools in the area during a long period of construction. Ald. Crawford referred to the motion adopted by Council on October 7/80, with reference to a four-lane highway for Main Street, and proposed that the motion be rescinded so that improvements to Main Street are not undertaken until a by-pass highway is available. The Mayor pointed out that a motion to rescind would not be in order with another motion on the floor. When the vote was taken on the motion before Council, it carried with Ald. Crawford voting against and Ald. Brennan abstaining from the vote.

MOTION: Moved by Ald. Greenough, seconded by Ald. Valardo, that the committee of Council that was in place on the last two occasions when Council met with the Minister of Transportation and the local MLA's, meet with the Premier to plead the case of the City that Dartmouth now wants a by-pass before reconstruction of Main Street & the Rotary.

LETTER: DR. UMMAT

Council next dealt with the letter from Dr. Ummat, added to the agenda at the beginning of the meeting. The letter is concerned with the effect of the recent

North End Improvement rezoning, involving properties owned by him on Wyse Road and on Dawson Street. The developments proposed for these properties, for which building permits have already been approved by Council, will have the effect of producing non-confirming properties, since the uses will be commercial, while the properties will be rezoned to R-2 from their existing zoning. Dr. Ummat has indicated in his letter that 'non-confirming buildings of this magnitude would not qualify for proper funding and would not be viable' for the reasons set out in his letter. He has asked for clarification of Council's intent about the zoning of his properties when building applications were approved for them.

Mr. Bayer advised that Dr. Ummat has the right to proceed with his buildings in accordance with the permits issued, but they will, in due course, be situated on non-confirming properties, once the rezoning process is completed. Under the circumstances, he has two courses open to him if he is not in agreement with the zoning changes: (1) he can appeal the rezoning before the Dec. 7th deadline for appeals; or (2) he can make application for a development contract for the properties concerned and go through the zoning process from the beginning to have contract zoning placed on the properties with the approval of Council.

Ald. Hawley moved that Council acknowledge the action taken in the recent rezoning, with respect to Dr. Ummat's properties, and indicate to him the choice he has open of either appealing before the Dec. 7th deadline, or applying for a development contract for the properties. The motion was seconded by Ald. Greenwood and it carried.

MOTION: Moved by Ald. Hawley and Greenwood that Council acknowledge the action taken in the recent rezoning, with respect to Dr. Ummat's properties, and indicate to him the choice he has open of either appealing before the Dec. 7th deadline, or applying for a development contract for the properties.

Council considered a request from the School Board, that the City cost-share on a 50/50 basis in renovations and repairs to the Prince Andrew auditorium,

RENOVATIONS &  
REPAIRS: PRINCE  
ANDREW AUDITORIUM

North End Improvement rezoning, involving properties owned by him on Wyse Road and on Dawson Street. The developments proposed for these properties, for which building permits have already been approved by Council, will have the effect of producing non-confirming properties, since the uses will be commercial, while the properties will be rezoned to R-2 from their existing zoning. Dr. Ummat has indicated in his letter that 'non-confirming buildings of this magnitude would not qualify for proper funding and would not be viable' for the reasons set out in his letter. He has asked for clarification of Council's intent about the zoning of his properties when building applications were approved for them.

Mr. Bayer advised that Dr. Ummat has the right to proceed with his buildings in accordance with the permits issued, but they will, in due course, be situated on non-confirming properties, once the rezoning process is completed. Under the circumstances, he has two courses open to him if he is not in agreement with the zoning changes: (1) he can appeal the rezoning before the Dec. 7th deadline for appeals; or (2) he can make application for a development contract for the properties concerned and go through the zoning process from the beginning to have contract zoning placed on the properties with the approval of Council.

Ald. Hawley moved that Council acknowledge the action taken in the recent rezoning, with respect to Dr. Ummat's properties, and indicate to him the choice he has open of either appealing before the Dec. 7th deadline, or applying for a development contract for the properties. The motion was seconded by Ald. Greenwood and it carried.

MOTION: Moved by Ald. Hawley and Greenwood that Council acknowledge the action taken in the recent rezoning, with respect to Dr. Ummat's properties, and indicate to him the choice he has open of either appealing before the Dec. 7th deadline, or applying for a development contract for the properties.

Council considered a request from the School Board, that the City cost-share on a 50/50 basis in renovations and repairs to the Prince Andrew auditorium,



as outlined in a report accompanying the letter from the Supt. of Schools, dated Nov. 16/81. The work would be carried out over the next two-year period, with the first phase beginning in 1982. The total cost of Phase 1 only would be \$81,500. Council approved the request from the School Board, on motion of Ald. Fredericks and Sarto.

MOTION: Moved by Ald. Fredericks and Sarto that Council share on a 50/50 basis in the cost of renovations and repairs to the Prince Andrew auditorium, as requested by the School Board, to be carried out over a two-year period phased program.

APPOINTMENT:  
COMM. SERVICES  
ADVISORY BOARD

On motion of Ald. Williams and Greenwood, Council approved the appointment of Mrs. Charlotte Wright as the School Board representative on the Dartmouth Community Services Advisory Board, for a two-year term to expire in November, 1983.

MOTION: Moved by Ald. Williams and Greenwood that the appointment of Mrs. Charlotte Wright be approved as the School Board representative on the Dartmouth Community Services Advisory Board, for a two-year term, to expire in November, 1983.

DARTMOUTH SEA BASE

Members of Council have received copies of the report on the Dartmouth Sea Base proposal, approved and recommended by the Industrial Commission, with the following recommendations:

- 1) An expenditure of \$40,000. 'maximum' for administrative and consulting services for 1982; such funds to be committed in the 1982 Capital Budget of the City of Dartmouth.
- 2) Staff to engage consultants to prepare a detailed report and engineering plans for the works that would be required to provide a base upon which an offshore Sea Base operation could be established.
- 3) Staff to prepare Operating & Capital Budgets relating to the establishment of the Sea Base, for consideration by City Council.
- 4) Staff to secure approvals and permits for the project from the Dept. of Transport, the National Harbours Board, and the Dept. of National Defence. This will require working in cooperation with and securing the support of the Province.

Council approved these recommendations for the Sea Base proposal, on motion of Ald. Fredericks and Ritchie.

MOTION: Moved by Ald. Fredericks and Ritchie that the above recommendations be adopted in connection with the Dartmouth Sea Base proposal recommended by the Industrial Commission for approval.

APPLICATION TO DEMOLISH:  
222 CRICHTON AVE.

Mr. Bayer has advised Council of an application to demolish the vacant, single-family dwelling located at the entrance of Crichton Ave. and Glen Manor Drive. This site has already been identified by the Heritage Advisory Committee as a potential heritage property for inclusion in the heritage register, the public hearing for which will be held on Dec. 15th. In the interim, it is recommended that the application be referred to the Committee for their review and report back to Council pursuant to By-law C-429, the Heritage By-law. Ald. Valardo and Williams moved the adoption of the recommendation. Ald. Brennan suggested that consideration should be given to the feasibility of relocating the building on another site. The motion carried.

MOTION: Moved by Ald. Valardo and Williams that the recommendation be adopted with respect to referral of the application to demolish the building at 222 Crichton Ave., to the Heritage Advisory Committee for review and report back to Council, pursuant to By-law C-429.

CITY POLICY: SEWER  
LATERAL INSTALLATION

As directed, the City Engineer and the Solicitor have provided reports on changes proposed by Ald. Brennan in the City's policy with respect to sewer lateral installations and the charge for these. They have both recommended against revisions to the existing by-law covering sewer lateral installations for the reasons set out in their reports. Ald. Brennan and Ibsen moved that the reports be received and filed. Ald. Brennan said he would like to explore his ideas further with staff to see if there may not be some ways of resolving what he considered to be inequities in the present sewer charge policy. Mr. Fougere commented further on the points in his report, and Ald. Fredericks said that Council should act very carefully in dealing with our sewer charge policy and realize all of the cost implications for the City if any changes were to be made. The motion on the floor carried.

MOTION: Moved by Ald. Brennan and Ibsen that reports from the City Engineer and the Solicitor on sewer lateral installations and charges, be received and filed.

TAXI BY-LAW  
AMENDMENT

Proposed By-law C-447 has been returned to Council in a redrafted form, incorporating the 1/12 of a mile provisions discussed in second reading at the meeting of November 24th. This change was required in view of the fact that taxi meters are calibrated in the 1/12 measurement and not in the 1/8 mile measurement included in the original presentation of By-law C-447 . After further clarification of this difference, the vote was taken on second reading (from the Nov. 24th meeting) and it carried .

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

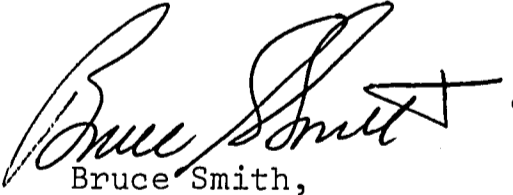
It was moved by Ald. Hart and Valardo and carried that By-law C-447 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the said by-law on behalf of the City.

MOTION: Third reading given to By-law C-447, on motion of Ald. Hart & Valardo.

Council then adjourned to meet in camera, on motion of Ald. Valardo and Hawley (Ald. Crawford voting against).

Council later reconvened in open meeting and ratified the action taken in camera, on motion of Ald. Ibsen, seconded by Ald. Hawley.

Meeting adjourned .

  
Bruce Smith,  
City Clerk-Treasurer

City Council, Dec. 1/81

ITEMS:

- 1) Reconsideration: repairs to locks, page 1.
- 2) Petition: Rotary & 107 by-pass, pages 2 to 5.
- 3) Letter, Dr. Ummat: rezoning, page 5 & 6.
- 4) Renovations, Prince Andrew A/V room, page 6.
- 5) Appointment, Comm. Services Adv. Board., page 7.
- 6) Dartmouth Sea Base proposal, page 7.
- 7) App. to demolish, 222 Crichton Ave., page 8.
- 8) City policy, sewer laterals, page 8.
- 9) Taxi By-law amendment, page 9.

Dartmouth, N. S.

December 8/81.

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

Present - Mayor Brownlow

Ald. Sarto	Ibsen
Williams	Cunningham
Brennan	Crawford
Withers	Hawley
Hart	Greenwood
Ritchie	Fredericks
City Solicitor,	S. Hood
City Administrator,	C. A. Moir
City Clerk-Treasurer,	B. Smith

At the opening of the meeting, Mayor Brownlow advised Council that Dartmouth has received the Green Survival City award, being only the third Canadian City to do so since the inception of the award.

This meeting of Council constituted a public hearing for two rezoning applications, the first of which has been withdrawn for properties at 204 & 208 Waverley Road, also 5 and 7 MicMac Drive.

REZONING REQUEST:  
14 JAMIESON STREET

The second application, submitted by the N. S. Housing Commission on behalf of the Dartmouth Lions Club, is to rezone the Lions Club property at 14 Jamieson Street from P (Park) Zone to R-4 (multiple-family) to permit the development of six additional senior citizen housing units, in conjunction with the thirty-unit apartment building for senior citizens presently being developed on the former St. Paul's School property. The Planning Dept. has recommended in favour of the rezoning and proposed By-law C-448 has been prepared to amend the Zoning By-law as required for this application.

It was moved by Ald. Crawford and Greenwood and carried that leave be given to introduce the said By-law C-448 and that it now be read a first time.

It was moved by Ald. Crawford and Ibsen that By-law C-448 be read a second time.

Mr. Dennis Kerr made the presentation on behalf of the N. S. Housing Commission, assisted by Lynn Brimble, the Architect, who presented drawings and a site plan for the proposed development. The new development will add six additional parking spaces to those that are being provided

for the thirty-unit apartment building, and discussion during second reading centered mainly around the question of adequate parking for senior citizen complexes generally and these two buildings in particular. Ald. Brennan was especially concerned about this problem, and felt that there should be some commitment from the Housing Commission that parking needs will be met in the case of the Jamieson Street units and in future housing developments that may come to Dartmouth for senior citizens.

Other members tended to share this concern, although the general reaction of Council to the Jamieson Street rezoning for housing units was favourable. A similar point of view was expressed by Mr. Hirschfield on behalf of area residents, who are in favour of the rezoning and renovations to the building at 14 Jamieson Street, but would like to see more adequate parking provisions in what is already a heavily-congested traffic area where there is insufficient parking to meet existing needs. Ald. Brennan asked about alternatives for additional parking spaces that could be provided, and Mr. Moir noted that Planning staff have been looking at the fifteen-foot right-of-way owned by the City as a possible strip of land that could serve the two senior citizen buildings with extra parking facilities. Mr. Kerr commented on some of the problems faced by the Housing Commission in trying to come up with locations for housing units where adequate parking can be accommodated. He said the Commission would work with the Dartmouth Housing Authority to deal with any parking problems that may arise in the future at the Jamieson Street location. The vote was taken on second reading and it carried.

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

It was moved by Ald. Crawford and Brennan and carried that By-law C-448 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the by-law on behalf of the City.

Following third reading, Ald. Brennan and Crawford proceeded to move that staff be instructed to make an official request to the N. S. Housing Commission to monitor the parking situation at Jamieson Street, and to provide sufficient parking spaces for the overall senior citizen housing development at that location. The motion carried.

MOTION: Three readings given to By-law C-448, rezoning 14 Jamieson Street from P Zone to R-4 Zone.

MOTION: Moved by Ald. Brennan and Crawford that staff be instructed to make an official request to the N. S. Housing Commission to monitor the parking situation at Jamieson Street, and to provide sufficient parking spaces for the overall senior citizen housing development at that location.

MOTIONS:

ALD. WITHERS

In keeping with notice of motion previously given, the following motions were introduced for Council's consideration:

1) Ald. Withers moved, seconded by Ald. Crawford, that:

WHEREAS the demand for housing in both the private and public sector is becoming extremely acute;

AND WHEREAS such conditions tend to have an effect on the quality of housing, especially that which is available to lower-income consumers;

AND WHEREAS the City of Dartmouth, through its Dept. of Social Services, contributes to a great extent toward payment of rent for such premises;

AND WHEREAS some properties are known to be substandard when occupied by recipients;

THEREFORE, BE IT RESOLVED that steps be taken to correct this situation by increased vigilance on the part of our Dept. of Social Services and (1) staff be directed to inspect properties prior to occupancy by recipients; and (2) periodic reports be made to the Department when such conditions are observed by its case workers.

In presenting his motion, Ald. Withers explained his wish to co-ordinate a better dialogue between the various City departments with respect to substandard housing units and their occupancy by social assistance recipients. He suggested that in many instances where this is occurring, the taxpayers are in fact, subsidizing premises that are not being properly maintained by the absentee landlords who own them. The intent of the motion received Council's support, but the main concerns expressed during the debate were about the mechanics of administering an adequate inspection system, in view of the additional

workload that would be placed on the Social Services Dept. if case workers were expected to submit reports on apartments and housing units before clients can occupy them. Ald. Ibsen suggested that the Social Services Dept. and the Building Inspection Dept. should have an opportunity for input before any decision is taken by Council on the motion; there were other members who also shared this opinion. Ald. Brennan referred to the present housing shortage and suggested that one of the ways to improve the situation for people on assistance is to continue to press for additional housing units in Dartmouth to meet low income needs, also, to improve the level of rents that clients are able to pay, so they can afford better accommodation.

Mr. McNeil was asked to comment and indicated to Council that it would be impossible for his staff to carry out such inspections when they are already carrying heavy caseloads. A consensus reached by the conclusion of the debate was that some liaison and co-ordination procedures for implementing the intent of the motion should be looked at by staff and a report made back to Council for further consideration. Ald. Withers and Fredericks therefore moved referral to staff for a report on implementation procedures, this report to be forthcoming in the near future. The motion to refer carried.

MOTION: Moved by Ald. Withers and Fredericks that the motion presented by Ald. Withers, as set out on page 3, be referred to staff for a report on implementation procedures, this report to be forthcoming in the near future.

ALD. CRAWFORD

2) Ald. Crawford moved, seconded by Ald. Greenwood, that:

WHEREAS the oil-related development companies are proceeding at an advanced pace, in particular, the Federal Government Corporation of Petrocan;

AND WHEREAS the City of Dartmouth, due to its geographical location, will literally be at the centre of the hub of activity;

AND WHEREAS there have been recent meetings held in Halifax between the Provincial & Federal Governments, concerning off-shore oil and related topics and meetings in Alberta between Halifax and Albertan businessmen concerning east coast oil ventures;

AND WHEREAS the knowledge of the oil industry is somewhat limited in the City of Dartmouth;

THEREFORE BE IT RESOLVED and I so move that the City of Dartmouth, through City Council, appoint an Oil Commission, comprised of a minimum of five Aldermen, five businessmen-at-large, a staff resource person from the Provincial Dept. of Development, in an advisory capacity, and a staff resource person from the City of Dartmouth; the Commission to investigate all avenues of the oil business, with contact of oil companies, with a view to sharing in aspects of the offshore-oil and service-related enterprises, and the impact of same on the City of Dartmouth, terms of reference of said Commission to be ratified by City Council.

Ald. Crawford circulated copies of a brief he has prepared in connection with his motion, setting out some of the questions that have to be considered in conjunction with the impact of oil-related development and the planning for it. The brief also makes reference to the potential there is for the City to take advantage of development opportunities available and makes note of companies and contacts the City should be involved with and in touch with at this point in time if we are to maintain a competitive position with other Atlantic cities that are also interested in oil development benefits.

Ald. Fredericks and most other members who spoke on the motion, acknowledged the work put into the presentation made by Ald. Crawford, but tended to feel that the City's Industrial Commission and members of staff should have a chance to consider the formation of an Oil Commission before Council makes any move in that direction. Reference was made to the recently-endorsed Sea Base proposal and to other development opportunities being pursued by the Industrial Commission in relation to oil development potential. Ald. Ibsen asked about the Ocean Industries Park planned for south Dartmouth and said he would like to have additional information on the potential of this development and its implications for the City. Ald. Brennan said that perhaps it would be a good time for the Industrial Commission to bring forth a progress report on planning for oil-related development and the steps the City will be taking to provide the necessary infra-structure to encourage and accommodate such development.



Ald. Fredericks and Cunningham moved that Ald. Crawford's motion and brief be referred to staff and to the Industrial Commission for report back to Council.

Ald. Crawford spoke against referral, but the motion received general support from Council and it carried (Ald. Crawford and Hart voting against).

MOTION: Moved by Ald. Fredericks and Cunningham that the motion and brief presented by Ald. Crawford, as set out on pages 4 and 5, be referred to staff and to the Industrial Commission for report back to Council.

ALD. HART

3) Ald. Hart moved, seconded by Ald. Crawford, that Council direct the Recreation Dept. to study and bring forward, recommendations regarding a user-pay concept, to affect all recreational facilities within the City. Ald. Hart explained her reasons for proposing a user-pay concept, as recommended in the '20% or . . .' report some time ago, and felt that further consideration should be given to this idea, over and above its application to such items as ice rentals. Ald. Fredericks spoke in support of the motion and it carried.

MOTION: Moved by Ald. Hart and Crawford that Council direct the Recreation Dept. to study and bring forward, recommendations regarding a user-pay concept, to affect all recreational facilities within the City.

Ald. Hart indicated her wish to withdraw a second motion, based on the subject of offshore oil development and its impact, in view of the action taken by Council in referring Ald. Crawford's motion along these lines to staff and the Industrial Commission. Council agreed to have the motion withdrawn.

ALD. BRENNAN

4) Ald. Brennan moved, seconded by Ald. Cunningham, that City staff and relevant Boards & Commissions, undertake a review of the lakes and watercourses in the City, and that a five-year capital plan be identified for acquisition and development of recreational use water frontage, with a view to substantial expansion of the same.

Ald. Brennan said he did not feel that the City has a sufficient number of active recreational facilities

developed on our lakes at the present time; in other words, we are not taking the maximum advantage of the recreational potential available to us through the use of our lakes. Ald. Crawford was in favour of the motion and suggested that referral should include the City's legal staff, so that legal questions with regard to the ownership of the Shubenacadie Canal can be addressed as well. Ald. Fredericks and Cunningham agreed with the intent of the motion and it carried.

MOTION: Moved by Ald. Brennan and Cunningham that City staff and relevant Boards and Commissions, undertake a review of the lakes and water-courses in the City, and that a five-year capital plan be identified for acquisition and development of recreational use water frontage, with a view to substantial expansion of the same.

NOTICES OF MOTION:

ALD. WITHERS

Notices of motion given for the first January Council meeting were as follows:

1) Ald. Withers: That staff be directed to examine the problems created by amusement and pinball machines, and provide Council with a recommendation as to how these problems can be dealt with.

ALD. FREDERICKS

2) Ald. Fredericks:

(a) That the City of Dartmouth Tourist Commission undertake to inform themselves of the tourism potential of the Shubenacadie Canal and the Regional Park, and thereafter, to press for restoration and development of this proposed park & historic area.

(b) That the City of Dartmouth Tourist Commission undertake a study to inform themselves of the need for and advantage of a new hotel in downtown Dartmouth, and to pursue the same on behalf of the City.

(c) That the City of Dartmouth Tourist Commission obtain a copy of the Dept. of Development Green Paper on development with reference to tourism and to liaise with the Provincial Dept. of Tourism on their plans for tourism so that Dartmouth may take full advantage of working in concert with these two departments of the Province.

(d) WHEREAS the cost of servicing building lots is quite high and affects the final cost of a home;

AND WHEREAS individual builders and developers must adhere to the standards set by the City;

THEREFORE BE IT RESOLVED that the Planning and Engineering Departments prepare a report and recommendations for Council on servicing standards for housing lots, a cost-effective study with a view to lowering of these costs; this would include sewers, streets, curbs, etc. (A cost-effective strategy is used in several cities in Ontario).

(e) WHEREAS there is a shortage of social housing in Dartmouth, both senior and low-rental;

AND WHEREAS the City is subsidizing social housing;

BE IT THEREFORE RESOLVED that staff prepare a report on the City's involvement in social housing, its cost, the number of units now in the City, expected costs without social housing, the number of units required, and what Council should be acting on in the near term and the long term, to provide the needed number of units, (should the City purchase lots of land and housing at tax sales, etc. for social housing) in co-operation with the Dartmouth Housing Commission.

(f) WHEREAS there are very few homes or apartments being built;

WHEREAS there is a grave shortage of housing in Dartmouth and other areas of the country;

WHEREAS unemployment is high;

AND WHEREAS the lack of new housing affects many other businesses such as lumbering, saw-mills, building & furniture stores, appliance manufacturing, etc.;

THEREFORE BE IT RESOLVED that this Council write to the Minister of Finance and the Minister of Housing, to urge them to immediately lower the interest rate on all housing mortgages to 10%, either by action through CMHC or by ordering the banks to use part of their loans for housing mortgages.

(g) That staff be requested to prepare a plan and cost estimate to visually upgrade Pleasant St. from Renfrew Street to Cameron Street; (this area requires tree-planting and sodding of areas between curb & sidewalk, etc.) - and that this be included in the 1982 budget.

ALD. GREENWOOD

3) Ald. Greenwood: That Yorkshire Ave. be extended from Springhill Road through to Trinity Ave., a distance of approx. 200 feet, with a width thereof of 22 feet, as per calculations and cost factors in the report of the City Engineering Dept. of April, 1981.

ALD. SARTO

4) Ald. Sarto: WHEREAS several home owners residing on Carr Street, Pauline Crescent, Jayden Drive cul-de-sac and Robert Drive, are subject to frequent sewer back-ups;

AND WHEREAS such back-ups are of a serious nature and seemingly are caused by lack of proper or inadequate storm sewer and drainage in said areas;

THEREFORE BE IT RESOLVED that Council request staff to carry out a study to identify the cause of the problem and to formulate a solution for each which is physically and economically feasible, along with a preliminary cost estimate.

ALD. HART

5) Ald. Hart: I will seek Council's approval to direct the City Administrator to contact the Human Rights Commission, with a view to encouraging them to conduct workshops with City employees at all levels regarding the Human Rights Act;

That following the workshops, the City Administrator bring forward a recommendation regarding the establishment of a Status of Women Committee within City Hall, coopted from existing staff members.

INQUIRIES:

ALD. BRENNAN

Ald. Brennan asked about Council appointments to MAPC, which were not made when the other Boards and Commissions were named by Council. He asked that these appointments be dealt with by Council.

Ald. Brennan asked that staff review the design of the plan for vehicular and pedestrian crossing of the railroad track at the foot of Ochterloney Street, to see how the situation can be made safer for pedestrians.

ALD. HART

Ald. Hart asked if it will be possible to secure an extension for NIP funds beyond the December deadline for Tufts Cove; Mr. Moir said this inquiry would have to be checked out further with the NIP staff person, Patricia Richards.

Ald. Hart asked about a meeting being arranged with the Minister of Municipal Affairs to discuss the Burnside shuttle service. The Mayor said he is still waiting for word from the Minister about these discussions.

ALD. WITHERS

Ald. Withers asked about the status of a motion introduced by him some time ago with regard to signs at entrances to the City. Ald. Cunningham said it was his understanding that this matter was referred to Mr. Moir for discussions with service club representatives. Ald. Withers asked for an update on the item.

ALD. FREDERICKS

Inquiries made by Ald. Fredericks were:

- 1) he referred to an industrial development area that is being proposed by the County on lands near the Halifax International Airport, and because of the drainage implications for Lake Major from this area, asked that staff liaise with the County to avoid any potential pollution problems.
- 2) asked about two items that will be reflected in our budget discussions, namely, an increase in the per capita grant for transit and the take-over of Correction Centre costs by the Province. The Mayor discussed these two areas further with Ald. Fredericks, advising that we expect to hear within the next two or three days about the per capita grant increase.
- 3) asked about the compliance of Bonnie Brae trailer park with our mobile home by-law requirements. Mr. L'Esperance advised that the report on this item has been completed and will be coming to Council.
- 4) asked when a report could be expected from staff on areas that are being looked into in connection with oil development implications for such aspects as housing, police and fire protection, community impact, et c.

- 5) requested a comparative report on the Police contracts for the cities of Moncton, St. John, and Halifax with the Dartmouth contract.
- 6) asked for an update on energy-saving measures being instituted by the City; Mr. Fougere said that such a report should be ready sometime in January.
- 7) asked what is being done to recover monies from the Provincial Dept. of Social Services when our own Department has to look after clients who are placed in difficult circumstances as a result of not receiving Provincial allocations; discussed with Mr. McNeil who was present in the Council Chamber.
- 8) asked why grants in lieu of taxes from the Federal Government are not paid to the City on time and within the budget year they should be. Ald. Fredericks suggested that the Mayor, as Pres. of the FCM, should bring this matter to the attention of that body for consideration.

CRAWFORD

Ald. Crawford suggested that Council meet in the near future to be briefed on some of the aspects of MTC, particularly in relation to the budget proposed for next year and our participation in it. The Mayor asked Mr. Smith to arrange for a lunch-time meeting for this purpose.

Ald. Crawford requested that the Solicitor check the ruling with respect to a spontaneous confession made to a person in authority and the definition of a person in authority.

Ald. Crawford asked that attention be given to the top deck of one of the ferries that needs to be cleaned up and is in an unsatisfactory condition.

A report from Mr. Moir was considered on the proposed transfer of the lease on the second floor of the Halifax ferry terminal building from the Waterfront Development Corp. to DREE for the purpose of establishing an Ocean Industry Development office at this location. The report recommends that Council authorize City staff to continue negotiations with the two parties (Ocean Industry Development being represented by Public Works Canada) in order to accomplish this lease transfer. The recommendation was adopted, on motion of Ald. Fredericks and Sarto.

OFFICE SPACE:  
HFX. FERRY  
TERMINAL BLDG.

MOTION: Moved by Ald. Fredericks and Sarto that Council authorize City staff to continue negotiations with the WDC and Ocean Industry Development for a lease transfer on the second floor of the Hfx. ferry terminal bldg.

REQUEST: MTM.  
TEL & TEL  
SAI SE

RESOLUTION #81-41

The City Engineer has reported to Council on a request from Maritime Tel & Tel, for permission to construct an S.A.I. Base (a junction cubicle used to interconnect cable systems) on a small section of undeveloped park land on Crichton Ave., as shown on a plan which accompanied Mr. Fougere's report. Resolution #81-41 has been prepared, authorizing the execution of the necessary easement required, and Ald. Sarto and Crawford moved the adoption of the resolution, a copy of which is attached.

Questions were raised by the members about the appearance of this unit in the park and whether or not it will detract from the beautification program being carried out. It was suggested that perhaps some shrubbery could be planted near the unit to screen it from sight. Mr. Fougere did not feel that the location of the cubicle would detract from the park's appearance since it will not take up a large amount of space. Ald. Fredericks felt that Maritime Tel & Tel should be paying a permit fee to cover the cost of administering this type of request and said he would like to know what costs are involved in processing the request and easement requirement. The motion was put and carried.

MOTION: Moved by Ald. Sarto and Crawford that Resolution #81-41 be adopted, authorizing an easement for Maritime Tel & Tel to locate an S.A.I. base on park land on Crichton Ave.

MUNICIPAL FINANCE  
CORP.: DEBT ISSUE

A report was before Council from the City Clerk-Treasurer, informing Council that the Municipal Finance Corp. has advised that the sum of \$4,707,500. will be available to the City of Dartmouth on Dec. 22/81 for General Purpose long-term funding. In order to obtain this funding, Council is required to approve Resolution #81-42 and an agreement with the Municipal Finance Corp., copies of which have been circulated with Mr. Smith's report. Details of the funding agreement proposed are set out in the report and Mr. Smith has recommended that Resolution #81-42 be adopted, allowing the City to obtain

long-term financing in the amount of \$4,707,500. under the terms outlined.

RESOLUTION #81-42

Ald. Crawford and Ritchie moved the adoption of Resolution #81-42, a copy of which is attached. Mr. Smith responded to questions from several of the members about the terms of the agreement, after which the vote was taken on the motion and it carried.

MOTION: Moved by Ald. Crawford and Ritchie that Resolution #81-42 be adopted as recommended, providing for long-term funding through the Municipal Finance Corp. in the sum of \$4,707,500.

WARD TENDER:  
EMERGENCY  
COMMUNICATION  
SYSTEM

Council has been provided with copies of the summary of bids received for the Mobile Radio Project, and in his accompanying report, Mr. Smith has recommended that the tender for this system be awarded to Maritime Tel & Tel at \$951,449. for an outright purchase of equipment at Level 2, with a seven-year maintenance contract in the amount of \$1,400.25 per month. Ald. Crawford and Ritchie moved that the tender be awarded as recommended.

Ald. Fredericks felt that for the amount of money involved, it would be worth going to Level 3 to insure a system with complete confidentiality. He moved in amendment, seconded by Ald. Hart, that the tender be approved at Level 3 instead of Level 2. Discussion followed as to whether Level 2 will provide satisfactory service, particularly in the case of the Police Dept. (Council agreed to continue meeting beyond the hour of 11:00 p.m., on motion of Ald. Crawford and Hawley.)

Ald. Crawford noted that the Acting Chief of Police has indicated that he would be satisfied with Level 2 and on this basis, most members were willing to stand by the motion and did not support the amendment. When the vote was taken on the amendment, it was defeated. The main motion carried with Ald. Fredericks voting against.

MOTION: Moved by Ald. Crawford and Ritchie that the tender for the emergency communication system be awarded to Maritime Tel & Tel as recommended, at Level 2, as detailed in Mr. Smith's report to Council of Dec. 3/81.

BY-LAW C-449

Council was asked to approve a further by-law, C-449, to correct a problem with the Taxi By-law, discussed at previous meetings and explained in a report to Council from the City Solicitor.

It was moved by Ald. Crawford and Brennan and carried that leave be given to introduce the said By-law C-449 and that it now be read a first time.


It was moved by Ald. Brennan and Ibsen and carried that By-law C-449 be read a second time.

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

It was moved by Ald. Williams and Hawley and carried that By-law C-449 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the by-law on behalf of the City.

MOTIONS: Three readings given to By-law C-449.

Meeting adjourned.

  
Bruce Smith,  
City Clerk-Treasurer.

City Council, Dec. 8/81.

ITEMS:

- 1) Rezoning request, 14 Jamieson St., page 1 & 2.
- 2) Motions: Ald. Withers, page 3 & 4.  
Crawford, page 4 & 5.  
Hart, page 6.  
Brennan, page 6.
- 3) Notices of motion, pages 7 & 8.
- 4) Inquiries, pages 9 & 10.
- 5) Office space, Hfx. ferry terminal bldg., page 10.
- 6) Request, Maritime Tel & Tel  
(Resolution #81-41), Page 11.
- 7) Debt issue, Municipal Finance Corp., page 11.
- 8) Award tender: emergency comm. system, page 12.
- 9) By-law C-449 (amend Taxi By-law), page 13.



Dartmouth, N. S.

December 15/81.

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

Present - Mayor Brownlow

Ald. Williams	Cunningham
Crawford	Brennan
Valardo	Withers
Hart	Greenwood
Hawley	Greenough
Ibsen	
City Solicitor, M. Moreash	
City Administrator, C. A. Moir	

CLOSURE OF  
GREEN ST. &  
WENTWORTH ST.  
EXTENSION

RESOLUTION #81-45

This meeting of Council constituted a public hearing for the proposed closure and disposal of Green Street and Wentworth Street Extension, these areas having been requested by the W.D.C. as part of their development proposal for high-density housing in downtown Dartmouth. The staff report on the closure indicates that traffic patterns will not be adversely affected by it, and recommends the approval of Resolution #81-45, which will accomplish the closure. Ald. Ibsen and Brennan moved the adoption of Resolution #81-45, a copy of which is attached.

Ald. Crawford raised a number of questions about the effect of the street closure on access to the Shipyard Club and to a house remaining in this area. Mr. Moir said there will still be access available in these two cases, as explained by he and Mr. Lukan. Ald. Valardo asked about the reduction in playground space that will be caused by the portion of Wentworth park that is also going to be taken in conjunction with the street closure. Mr. Lukan advised that only one piece of play equipment in the park is located on land that will be required by W.D.C. There being no public representations at this time, the vote was taken on the motion and it carried.

MOTION: Moved by Ald. Ibsen and Brennan that Resolution #81-45 (closure of Green St. & Wentworth Street Extension) be adopted. A copy of the resolution is attached.

DISPOSAL OF  
WENTWORTH ST.  
PARK

This Council meeting also constituted the public hearing for the disposal of the Wentworth Street park, required by the W.D.C. in connection with their housing development proposal for this area of the downtown.

RESOLUTION #81-44

The staff report has recommended in favour of the W.D.C. request for this land and Resolution #81-44 was before Council to accomplish the land conveyance. Ald. Brennan and Greenwood moved the adoption of Resolution #81-44, a copy of which is attached.

Mr. Al Collings was heard by Council on the subject of the park closure, and suggested that an alternate playground should be developed on lands beside the shipyards that will be taken over by W.D.C. for a continuation of the waterfront park. Ald. Brennan and several other Council members felt the suggestion made by Mr. Collings deserves further consideration, so that the playground space being lost will be replaced for the use of children living in this section of the City. After the vote was taken on the resolution and carried, Ald. Fredericks and Hawley moved that staff be directed to look at possible sites in the downtown for an appropriate small play area for children living in the vicinity, including consultation with the W.D.C., and that the W.D.C. be asked to bear the cost of the playground development. This motion also carried.

MOTION: Moved by Ald. Brennan and Greenwood that Council adopt Resolution #81-44 (disposal of the Wentworth Street park), a copy of which is attached.

MOTION: Moved by Ald. Fredericks and Hawley that staff be directed to look at possible sites in the downtown for an appropriate small play area for children living in the vicinity, including consultation with the W.D.C., and that the W.D.C. be asked to bear the cost of such a playground development.

HERITAGE  
PROPERTIES

This date was set by Council as the meeting at which the owners of properties recommended for designation in the Heritage Register, have an opportunity to be heard either for or against the recommendations of the Heritage Advisory Board. Letters of intent have been duly forwarded to all of the owners, in accordance with the requirements of the Provincial Heritage Act. The properties that have been recommended by the Heritage Advisory Committee are as follows:

- 1) 57/59 Ochterloney St. (Quaker House)
- 2) 35 Edward Street
- 3) 26 Newcastle St. (Evergreen)

- 4) U.P.C. Building, Queen Street.
- 5) 222 Crichton Ave. (Taylor House)
- 6) 62 Ochterloney Street
- 7) Mount Amelia - Blink Bonnie Terrace
- 8) 86 Ochterloney Street

The Solicitor responded to questions from the members of Council about the provisions of the Heritage Act and the conditions imposed upon properties once they have been designated in the Heritage Register. In a report to Council on the eight properties recommended for consideration at this time, the criteria used for their evaluation has been outlined and the number of points allocated to each property under the evaluation system, has been indicated. The main concern expressed by some members, particularly Ald. Valardo, was for the protection that is afforded property owners whose buildings are determined to fall within the criteria established for heritage designation. He questioned whether the rights of such property owners are adequately addressed in the heritage legislation; this same concern was raised a number of times during the meeting while the heritage properties were under discussion.

TAYLOR HOUSE:  
222 CRICHTON AVE.

The first property owner to be heard was Mr. Ben MacCrea, President of the Armour Group and the owner of the property at 222 Crichton Ave. He said he would not debate the historic merit of the building at this address, but he questioned the practicality of trying to restore or renovate it in its present state of deterioration. He said he did not wish to spend the amount of money that would be required to bring the building up to an acceptable standard, and pointed out that once it is placed in the Heritage Register, he would no longer have the option of being able to tear it down; at the same time, he could be cited under the Unsightly Premises By-law and would be placed in a position of having to carry out costly improvements to the house. Mrs. Walker, a member of the Heritage Advisory Committee, reviewed the historical background of the Taylor House, explaining its significance as a typical Nova Scotian home of the period that represents 'everyday architecture'.

- 4) U.P.C. Building, Queen Street.
- 5) 222 Crichton Ave. (Taylor House)
- 6) 62 Ochterloney Street
- 7) Mount Amelia - Blink Bonnie Terrace
- 8) 86 Ochterloney Street

The Solicitor responded to questions from the members of Council about the provisions of the Heritage Act and the conditions imposed upon properties once they have been designated in the Heritage Register. In a report to Council on the eight properties recommended for consideration at this time, the criteria used for their evaluation has been outlined and the number of points allocated to each property under the evaluation system, has been indicated. The main concern expressed by some members, particularly Ald. Valardo, was for the protection that is afforded property owners whose buildings are determined to fall within the criteria established for heritage designation. He questioned whether the rights of such property owners are adequately addressed in the heritage legislation; this same concern was raised a number of times during the meeting while the heritage properties were under discussion.

TAYLOR HOUSE:  
222 CRICHTON AVE.

The first property owner to be heard was Mr. Ben MacCrea, President of the Armour Group and the owner of the property at 222 Crichton Ave. He said he would not debate the historic merit of the building at this address, but he questioned the practicality of trying to restore or renovate it in its present state of deterioration. He said he did not wish to spend the amount of money that would be required to bring the building up to an acceptable standard, and pointed out that once it is placed in the Heritage Register, he would no longer have the option of being able to tear it down; at the same time, he could be cited under the Unsightly Premises By-law and would be placed in a position of having to carry out costly improvements to the house. Mrs. Walker, a member of the Heritage Advisory Committee, reviewed the historical background of the Taylor House, explaining its significance as a typical Nova Scotian home of the period that represents 'everyday architecture'.

Ald. Fredericks questioned the sources of funding that might be available for work on the house if it could be relocated to another site. Ald. Ritchie asked if the building is in good enough condition to be moved and Mr. MacCrea said he believed it could be. Ald. Greenough and Valardo indicated that they would be opposed to any City expenditure of funds to restore this building, and the general concern of Council was that in designating a number of heritage properties, consideration has to be given to restoration and maintenance costs involved, if the owners do not wish to assume these and the City moves to acquire them as the only means of saving and preserving them. Ald. Brennan and Greenough subsequently moved that Council not proceed with the registration of 222 Crichton Ave. as a heritage property.

Mr. Carmen Moir, another member of the Heritage Advisory Committee, suggested that within the 120-day period that the City has to make a decision on the designation of all eight properties under discussion, it may be possible for the Committee to look at other alternatives for the controversial buildings and make recommendations for Council's consideration in that interim period. Mr. MacCrea indicated that he would have no difficulty with the 120-day freeze on his property since he has no immediate plans for it.

Ald. Crawford felt that the comments from members of Council have been made out of context with the overall intent of By-law C-429, under which the Heritage Advisory Committee was established. He commended the work that has been done to date by the Committee and said- that Council should at least defer a decision on 222 Crichton Ave. for the 120 days that are allowed, to give the Committee a chance to make further efforts to save the building. Ald. Fredericks, Ibsen and Hart spoke against the motion, which was defeated. Ald. Williams and Ritchie then moved that March 9th be set as the date to deal with this property again. The motion carried.

MOTION: Moved by Ald. Williams and Ritchie that March 9th be set as the date to deal with the property 222 Crichton Ave. again.

OUNT AMELIA:  
BLINK BONNIE TCE.

The next heritage property considered was Mount Amelia on Blink Bonnie Terrace. The owner, Mr. Manuel, said he and his wife want to see their property continue as part of the heritage of the City, but his concern was about the lowering of the property value when it comes time ultimately for him to dispose of it. He said that by registering his property, Council is in fact lessening his chances of selling it; he suggested that if the City is going to take this kind of action, they should move to acquire the property as a means of dealing fairly with the owner. Mrs. Joan Payzant provided additional information on Mount Amelia and its historic significance.

Ald. Valardo and Ritchie moved that Mount Amelia not be designated as a heritage property, and debate along the lines of the previous motion to this effect (for 222 Crichton Ave.) followed. Ald. Hart asked what has happened to the value of heritage properties that have been designated in other areas, and suggested that perhaps the Committee should look into this point further. Mr. Manuel was asked if he objected to the 120-day period for a decision on his property, and he indicated that he would have no problem with this waiting period. Ald. Fredericks and Withers therefore moved deferral of a decision on Mount Amelia until the meeting of March 9th when the property at 222 Crichton Ave. will be considered again. The motion to defer carried.

MOTION: Moved by Ald. Fredericks and Withers that a decision be deferred on Mount Amelia until the meeting of March 9th, to give the Heritage Advisory Committee time for further review and discussions.

86 OCHTERLONEY ST.

There were no owners present to be heard on behalf of 86 Ochterloney Street, the next heritage property dealt with by Council, but Ald. Brennan asked about any future plans there may be for this property in relation to an expansion of the police station. Mr. Moir commented on the interest the City originally had in this building,

which has since been acquired by other owners.

Ald. Brennan felt that no decision should be taken on 86 Ochterloney Street until there has been a further assessment of the future needs in the area for any possible expansion of the police building, and he moved deferral until the March 9th meeting, along with the other two previous properties. The motion to defer was seconded by Ald. Greenough and it carried.

MOTION: Moved by Ald. Brennan and Greenough that a decision be deferred on 86 Ochterloney Street, pending a further assessment of the future needs in the area for any possible expansion of the police building. The property will come up again at the March 9th meeting, along with the other two previous properties.

5 EDWARD ST.

The owner of the property at 35 Edward Street is presently out of the country, and while he has not indicated an objection to having his property included in the Heritage Register, he has indicated a number of concerns by letter, the answers to which he would not have received before he left for Scotland. It was felt that Mr. MacKay should be able to have all of his concerns addressed before the property is registered, and on motion of Ald. Greenough and Valardo, a decision was deferred to March 9th on 35 Edward Street, pending Mr. MacKay's receipt of information provided by Judith Cookey in response to his particular areas of concern.

MOTION: Moved by Ald. Greenough and Valardo that a decision be deferred to March 9th on 35 Edward Street, pending Mr. MacKay's receipt of information in response to the areas of concern he has communication in his letter.

57/59 OCHTERLONEY ST.

On motion of Ald. Brennan and Williams, Council designated the City-owned property at 57/59 Ochterloney Street (the Quaker House) as a property in the Heritage Register.

MOTION: Moved by Ald. Brennan and Williams that 57/59 Ochterloney Street be designated for registration as a heritage property.

26 NEWCASTLE ST.

On motion of Ald. Williams and Withers, Council designated the City-owned property at 26 Newcastle Street (Evergreen) for registration as a heritage property.

MOTION: Moved by Ald. Williams and Withers that 26 Newcastle Street be designated for registration as a heritage property.

U.P.C. BUILDING:  
QUEEN STREET

A representative of the Union Protection Company, the owners of the U.P.C. building on Queen Street, indicated to Council his agreement with the registration of the U.P.C. property, and on motion of Ald. Crawford and Ritchie, Council designated the U.P.C. property on Queen Street for registration as a heritage property.

MOTION: Moved by Ald. Crawford and Ritchie that the U.P.C. building on Queen Street be designated for registration as a heritage property.

62 OCHTERLONEY ST.

On motion of Ald. Cunningham and Valardo, Council deferred a decision on 62 Ochterloney Street until the March 9th meeting when the other heritage properties recommended will be reconsidered.

MOTION: Moved by Ald. Cunningham and Valardo that a decision be deferred on 62 Ochterloney Street until the March 9th meeting.

It was noted by the Solicitor that all of the properties noted do not have to be dealt with on March 9th, but could come back to Council in the interim if the Heritage Advisory Committee is able to make recommendations for Council's consideration at an earlier time.

PERMIT TO BUILD:  
POLICE ASSN.

On motion of Ald. Fredericks and Greenough, Council approved a permit to build for 16 Portland Street, submitted by the Police Assn. of Nova Scotia, to permit alterations to the building for a private club. Approval would be subject to all the City requirements, as set out in the staff report to Council of Dec. 9/81.

MOTION: Moved by Ald. Fredericks and Greenough that Council approve a permit to build for 16 Portland Street, submitted by PANS. Approval is subject to compliance with City requirements as detailed in the staff report of Dec. 9/81.

PERMIT TO BUILD:  
LOT L-48A  
ILSLEY AVE.

On motion of Ald. Williams and Valardo, Council approved a building permit application submitted by Multi-Span Builders Ltd. for Lot L-48A, Ilsley Ave., subject to compliance with City requirements, as outlined in the staff report of Dec. 10/81.



ADDITIONAL NIP FUNDS:  
RESOLUTION #81-46

On motion of Ald. Valardo and Fredericks, Council adopted the attached Resolution #81-46, permitting the City to take advantage of additional NIP funds that may be available to the City for completion of projects identified in the Austenville & North Woodside areas, as recommended by the Director of Planning & Development.

MOTION: Moved by Ald. Valardo & Fredericks that Resolution #81-46 be adopted, permitting the City to take advantage of additional NIP funds that may be available.

PERMIT TO BUILD:  
9 CRYSTAL DRIVE

Plans were before Council for a ten-unit apartment building proposed for 9 Crystal Drive, as per the building application submitted by Homburg Holding Ltd. After the plans had been reviewed by Council, the building permit was granted, on motion of Ald. Valardo and Fredericks, subject to compliance with City requirements as outlined in the staff report of Dec. 15/81, including a landscaping bond.

MOTION: Moved by Ald. Valardo and Fredericks that a building permit application be approved for a ten-unit apartment building at 9 Crystal Drive, subject to compliance with City requirements, including a landscaping bond in the amount of \$10,000.

CITY HALL  
ALTERATIONS

A report from Mr. Moir was considered on further changes being recommended in the City Hall building, while the current renovations are in progress; these include:

- 1) elimination of the Conference Room on the third floor.
- 2) at this time, the Recreation Dept. employees not be moved back into City Hall.
- 3) the third floor be used by:
  - (a) Purchasing Dept., which is currently in the space allocated for that department.
  - (b) Data Processing.
  - (c) the whole Accounting Dept.

It is further recommended that changes be made on the first floor to provide the Conference Room on the west side of the general office. The changes being recommended in Mr. Moir's report can be made for an estimated cost of \$10,000., and will be advantageous for the several reasons stated in the report.

Ald. Greenough and Ritchie moved the adoption of the report and recommendations from Mr. Moir, but

Ald. Williams and Crawford questioned the expenditure of additional money on the City Hall building, over and above what has already been spent to renovate it. Ald. Greenough said that none of the members like the additional costs involved, but they are necessary and the same improvements would cost even more if they are delayed and have to be carried out in a year or so. The motion on the floor carried with Ald. Crawford, Hart, and Williams voting against.

MOTION: Moved by Ald. Greenough and Ritchie that the report and recommendations from Mr. Moir on additional alterations required in the City Hall building, be adopted.


COMMITTEE ITEMS

On motion of Ald. Cunningham and Greenough, Council agreed to refer all of the current Committee items to Council without recommendation for consideration, so they are not delayed further.

Council then adjourned to meet in camera, on motion of Ald. Crawford and Ibsen.

Having later reconvened in open Council, the action taken in camera, as Committee-of-the-Whole, was ratified, on motion of Ald. Williams and Greenwood (Ald. Hart voting against).

Meeting adjourned.

  
C. A. Moir, City Administrator.

City Council, Dec. 16/81

ITEMS:

- 1) Closure of Green St. & Wentworth St. Ext. Page 1.
- 2) Disposal of Wentworth St. park, page 1 & 2.
- 3) Heritage Properties:
  - 1) 222 Crichton Ave., page 3 & 4.
  - 2) Mount Amelia, page 5.
  - 3) 86 Ochterloney St., page 5.
  - 4) 35 Edward St., page 6.
  - 5) 57/59 Ochterloney St., page 6
  - 6) 26 Newcastle St., page 6.
  - 7) U.P.C. Building, page 7.
  - 8) 62 Ochterloney St., page 7.
- 4) Permit to build, PANS, page 7.
- 5) " " " , Multi-Span, page 7.
- 6) Additional NIP funds, page 8.
- 7) Permit to build, 9 Crystal Dr., page 8.
- 8) City Hall alterations, page 8.

Dartmouth, N. S.

December 22/81.

Special meeting of City Council held this date  
at 4:00 p.m.

Present - Mayor Brownlow

Ald. Ibsen	Sarto
Williams	Cunningham
Valardo	Withers
Hart	Greenwood
Hawley	Greenough
Ritchie	Fredericks
Crawford	

City Solicitor, S. Hood  
City Administrator, C. A. Moir  
Deputy City Clerk, G. Brady.

MAIN STREET  
IMPROVEMENTS

(NU)

This special meeting of Council was called to deal with a letter from the Minister of Transportation regarding a decision by the City on its intention to proceed with improvements to Main Street, required in conjunction with the Rotary improvements, in order that a decision can be taken by the Province on the awarding of a tender for the Rotary.

The Mayor reviewed the course of action that has been followed by Council in connection with the Main Street and 107 By-pass issue, as confirmed in the motions that have been adopted since the matter began to be dealt with. Ald. Crawford questioned the January 8th deadline referred to by the Minister for a decision on Main Street, and the Mayor said it may be that the contract for the Rotary improvements has to be awarded by that date.

Ald. Valardo circulated copies of a submission he has prepared, posing a series of questions about the delay on the part of the Province in proceeding with a by-pass highway and the selection of a routing for it. At the conclusion of his presentation, he moved deferral of a decision on Main Street until a report can be prepared for Council's consideration on the owners of undeveloped land within a radius of the proposed Port Bello routing, and the size of the land holdings involved, in order to identify who may have vested interests in this highway routing. The motion to defer was seconded by Ald. Crawford.

Ald. Ibsen and Hart did not see any benefit to be gained from deferral, and Ald. Hart, like several other members, expressed concern that the Premier has not met with the committee of Council to discuss the Main Street/107 by-pass question, in accordance with the expressed wishes of the Council. She suggested that it may be necessary to consider going to a public plebiscite on this issue because of its very contentious nature. Ald. Hawley said he did not really know what is meant by the Minister's letter or what the Province wants from Council at this point. He did not support the motion to defer, nor did Ald. Greenough who spoke next on the motion. Ald. Greenough said it would be a chaotic situation if work on the Rotary and Main Street were to be commenced without a by-pass route to handle the traffic during the lengthy construction period. He felt that Council must emphasize the need for such a by-pass again through another motion and said he would be prepared to introduce one if the motion of deferral were to be defeated.

Ald. Fredericks wanted to see Council stand by the motions that have already been approved on the Main Street/Rotary improvements and the decision not to have a by-pass highway through Port Wallis. He was prepared to have the Main Street work go ahead as planned.


Ald. Crawford felt that the Premier should have made arrangements to meet with the Mayor and the committee of Council, and Ald. Cunningham considered that once again, a lack of communication has been demonstrated on the part of the Province with the City about this issue. He referred to Dartmouth as one of the few municipalities in the Province that does not have a by-pass highway for easy access around it. Ald. Valardo suggested that there has been a considerable amount of manipulation associated with the 107 by-pass question, and he maintained that land ownership questions should be brought out into the open to clarify once and for all the reasons why the Province is unwilling to proceed with a by-pass when it is so obviously needed.

In general, the motion to defer did not receive Council's support and it was defeated.

Ald. Greenough and Cunningham then moved that the Minister of Transportation be advised that we do not intend to proceed with the improvements to Main Street until such time as the construction of the 107 by-pass is put in place. Ald. Hawley said he would like to see some reference in the motion to the fact that Council favors a Porto Bello by-pass only, and he asked that reference be made in the communication with the new Minister, to the letter forwarded to the previous Transportation Minister, so that Council's position on a Port Wallis by-pass is clearly understood.

At this point in the debate, Ald. Crawford and Valardo moved that the question be put, but when a vote was taken, the motion to put the question was defeated. Debate resumed on the main motion, with the majority of members speaking in favour of it. Ald. Hart did not consider the motion to be appropriate because she said it will only have the effect of stopping all progress completely and will again tie the hands of City staff who are trying to work on the plans for improving Main Street. When the vote was taken, the motion carried with Ald. Hart, Ritchie, Withers and Hawley voting against.

Meeting adjourned.

  
G. D. Brady,  
Deputy City Clerk.

City Council, Dec. 22/81

ITEMS:

- 1) Main Street improvements, pages 1 to 3 incl.