

Dartmouth, N. S.

March 4/86.

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

Present - Mayor Savage

Ald. Sarto	Thompson
Billard	MacFarlane
Connors	Levandier
Withers	McCluskey
Pye	Woods
Hawley	Greenough
Bregante	Hetherington
City Solicitor, M. Moreash	
City Administrator, C. A. Moir	
City Clerk-Treasurer, B. Smith.	

Council agreed to add two items to the agenda:

(1) a report from Mr. Moir on the World Canoe Championships, and (2) a report from the Mayor on behalf of the Housing Committee.

MINUTES

On motion of Ald. Greenough and Bregante, the minutes of meetings held on Feb. 4, 11, 18, and 25 were approved with the following amendments:

- 1) Feb. 25 (page 3): the transit routes referred to should have read 56, 57 and 59.
- 2) Feb. 11 (page 11): the money raised by Ald. Withers was for the Big Brothers/Big Sisters organization and not for the Boys & Girls Club.
- 3) Feb. 4 (page 5) : the wording of Ald. Withers' motion should have read 'parties' and not 'partners' as recorded.

PETITION:
REGAL ROAD
RESIDENTS

Ald. Thompson asked to have a petition for sidewalk, from Regal Road residents, referred to the T.M.G. for report.

LETTER: FAMILY
SERVICE CANADA

A letter has been received from the Executive Director of Family Service Canada, concerning Bill C-70, which will be before the Senate Committee shortly and which deals with the proposed de-indexation of Family Allowances. A resolution adopted by the City of Vancouver in this connection has been included with the letter, together with other related documentation.

Ald. MacFarlane made reference to the tables included with the submission, noting the impact that de-indexing of Family Allowances will have on the income of families in the lower income bracket. He said this impact is reflected at the municipal level and is

therefore a concern of local governments. He commented on the many pressures, both social and financial, that are placed on family units already, and considered this move toward de-indexation to be a further hardship placed upon parents trying to bring up their children, and ultimately, the impact of this additional burden is felt within the community. He questioned whether the Federal Government would have fully examined the consequences of such a policy change, and suggested that it should be resisted even at this point, before the legislation is finalized. He proceeded to introduce the following motion, seconded by Ald. Greenough:

WHEREAS it would appear that the result of partial de-indexation of Family Allowance will mean the loss of child benefits and subsequent loss in the capacity of lower-income families to provide an adequate level of food, clothing and shelter for children;

AND WHEREAS 64% of the Federal Government's proposed savings of 49.5 million dollars in 1986, in the amount of 32.6 million dollars, will be at the expense of families with incomes below the national average of \$35,853., the policy therefore extending to middle-income families;

AND WHEREAS the effects of this change in Federal Government policy will be a reduced commitment to families raising children;

AND WHEREAS these effects will be experienced locally and may result in increased costs through increased demand for local services;

BE IT RESOLVED that Dartmouth City Council join other municipal units across the country in asking the Federal Government to reconsider this change in policy, in light of its damaging consequences for Canadian families.

Ald. Hetherington did not consider the introduction of this motion to be in order without prior notice of motion having been given. The Solicitor was consulted and advised that since the motion pertains to an item on the agenda being dealt with by Council, it is in order as presented. Ald. Hetherington did not accept the Solicitor's opinion and challenged the ruling of the chair to let the motion stand. A vote was taken on the challenge to the chair and the decision of the chair was upheld by a majority of Council with Ald. Levandier, Billard and Hetherington voting against.

Debate therefore proceeded on the motion on the floor. Ald. Billard did not consider the de-indexation issue to be a responsibility that local municipal councils should be dealing with, particularly in view of the fact that the bill in question has already been passed by the Commons and is now before the Senate. He said he did not favour the universality of Family Allowance benefits anyway, and pointed out that there are people who could do without this form of assistance entirely.

Ald. Greenough took the position of Ald. MacFarlane that what affects residents of Dartmouth should be a concern of Council and members therefore have an obligation to express their views to other levels of government in these situations. He did not see the concern of a local council as being critical of the Federal Government, but rather of bringing to their attention the impact of Federal policy changes on people within our own community.

Ald. Hetherington felt the FCM is the appropriate body to be dealing with this matter, instead of making representation to a Senate Committee. He moved in amendment that the motion introduced be forwarded to the FCM as well; the amendment was seconded by Ald. Levandier. When the vote was taken, the amendment carried and the amended motion carried (Ald. Billard voting against).

MOTION: Moved by Ald. MacFarlane & Greenough:
text on page 2 of these minutes.

AMENDMENT: Moved in amendment by Ald. Hetherington and Levandier that the motion introduced be forwarded to the FCM as well as to the Senate Committee.

LETTER RE
TRAFFIC:
DON CAMERON

On motion of Ald. Sarto and Bregante, Council received and filed a letter from Mr. Don Cameron on the subject of traffic problems at the MicMac Rotary and on arterial highways leading into it.

MOTION: Moved by Ald. Sarto and Bregante and Council receive and file a letter received from Mr. Don Cameron, on the subject of traffic problems at the Rotary and on arterial highways leading into it.

REPORT: OFFICIAL
RECEIPTS

A report from the Mayor has been circulated on the subject of official receipts for tax payments, and on motion of Ald. McCluskey and Sarto, it was deferred for one week to give members an opportunity to read the report and consider it more thoroughly.

MOTION: Moved by Ald. McCluskey and Sarto that the report from Mayor Savage on the subject of official receipts for tax payments, be deferred for one week to give members time to read it and consider it more thoroughly.

REPORT: HOUSING
COMMITTEE

In a further report to Council, submitted by Mayor Savage on behalf of the Housing Committee, it has been recommended that Ms. Sharon Chisholm be hired by the City as Housing Coordinator. Mr. Moir has concurred in this recommendation from the Committee, subject to a salary being negotiated with her in the range of \$38,000. to \$40,000. per annum, in a two-to-three-year contract for her services.

Ald. Bregante and Hawley moved the adoption of the recommendation, but Ald. Levandier was opposed to what he called the creation of an additional beaureauracy within City Hall. He felt the Dartmouth Housing Authority and the Non-Profit Housing Society are bodies that are able to look after the City's housing needs rather than having the City establish a housing department for this purpose. He also pointed out that other levels of government have a responsibility for housing programs and the City does not have to take on such an added responsibility. Ald. Hetherington also referred to the recently-announced Provincial housing units that will be allocated over a five-year program (1,000 units per year for five years), and maintained the City should find out more about the units available for Dartmouth before making any move to hire a Housing Coordinator.

Ald. Levandier and Hetherington moved deferral of the appointment until after City budget discussions have taken place. The motion to defer was opposed by Ald. Hawley, Bregante, McCluskey and MacFarlane. They

all shared the opinion that immediate action is needed to address housing problems in Dartmouth, and the best way to take advantage of programs offered by other levels of government, is to have a coordinator to deal with the appropriate government bodies on the City's behalf and initiate action to get housing units underway in the City. Ald. Connors questioned whether the original need for crisis housing still exists, and he referred to statements contained in the report from the Mayor, which tend to indicate that the concern of the Housing Committee is no longer for crisis housing units. He tended to agree with those members of Council who wanted to deal with the budget before making any decisions on the position of Housing Coordinator, and in the meantime, to assess the new Provincial allocation of housing units, as announced in the Speech from the Throne last week.

The Mayor wished to address Council on the motion and Deputy Mayor Withers therefore took the chair to permit the Mayor to speak from the floor.

Mayor Savage emphasized to Council that the key to success in securing Provincial and Federal housing funds is to have someone in place who is ready to take immediate advantage of programs offered and to submit proposals as quickly as possible on behalf of the City. He commended to Council, the ability of Ms. Chisholm to fill the position that Council has approved, and expressed concern that if her appointment is deferred, an opportunity will be lost to secure the best possible person for the job. The Mayor returned to the chair at this point and debate continued with Ald. Greenough and Woods speaking against the motion to defer. Ald. Withers felt a decision should at least be deferred until Council knows what other costs are involved, over and above the salary that will be paid to the Housing Coordinator. He said it is important for Council to be aware of all the cost implications, a

point that Ald. Hetherington agreed with as well.

Ald. Hetherington was not certain that the Housing Committee had authority to make a recommendation to Council on the appointment of a Housing Coordinator. The Mayor quoted from minutes of the Council meeting of Dec. 10/85, when a decision was made to approve this position and the motion to this effect carried by a vote of 12 to 2. Ald. Hetherington and Billard were not prepared to support the appointment until Council has dealt with the budget estimates and is provided with information on the total cost involved to set up the position. In response to questions from Ald. Hetherington, Mr. Moir gave a rough estimate that the total cost involved would be about \$50,000. per year, although in 1986 the salary for the Coordinator may be only about \$25,000. since she is not able to come to the position until April 1st, and then would only be working part-time for the first month in the job. It is likely that she would work out of the RRAP office, and it may be possible to make use of support services in place there already. Ald. Sarto and Pye spoke against deferral and were prepared to support the main motion. Ald. Hetherington asked if it would be possible to obtain copies of the job description for the position of Coordinator. Mr. Moir said this information can be provided, and he noted the job description was outlined in the advertisement for the position when it appeared in the newspaper.

When the vote was taken on the motion to defer, it was defeated by a vote of 8 to 6. The main motion carried by a vote of 8 to 6 with Ald. Thompson, Withers, Levandier, Billard, Hetherington and Connors voting against.

MOTION: Moved by Ald. Bregante and Hawley that Council adopt the recommendation on the appointment of Ms. Sharon Chisholm as Housing Coordinator for the City, subject to a salary being negotiated with her in the range of \$38,000. - \$40,000. per annum, and subject to entering a two-to-three year contract for her services.

PENSION PLAN
AMENDMENTS

Proposed By-law C-571, which will amend the Pension Plan By-law, as explained in an accompanying memo from the City Solicitor, was before Council for consideration. The amendments will serve two purposes:

- (a) to implement the increase in minimum benefits which was approved by Council on Dec. 17/85, and
- (b) to provide for some flexibility in retirement age, by permitting Council to approve extension of normal retirement age for up to 12 months.

Mr. Moreash has recommended approval of the proposed by-law and Council proceeded with three readings, as required.

It was moved by Ald. Sarto and Thompson and carried that leave be given to introduce the said By-law C-571 and that it now be read a first time.

It was moved by Ald. Hetherington and Sarto that By-law C-571 be read a second time. Questions from Ald. Hawley to Mr. Moir were discussed before proceeding to third reading. The motion for second reading carried.

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

It was moved by Ald. Thompson and Sarto and carried that By-law C-571 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.

MOTIONS: Three readings given to By-law C-571: amendments to the Pension Plan By-law.

AMENDMENT TO
C-188 AGREEMENT:
NANTUCKET
SUBDIVISION

Council was asked to set a date for public hearing of an application from Redemption Properties Ltd. to amend the development agreement for Nantucket Subdivision, which would permit the construction of semi-detached dwellings on Lots 271 and 272, civic numbers 1 and 3 Regal Road. Mr. Bayer has recommended that a date be set for hearing and Council set April 8th as the date, on motion of Ald. Thompson and Sarto.

MOTION: Moved by Ald. Thompson and Sarto that April 8th be set for public hearing of an application to amend the Nantucket Subdivision development agreement.

WORLD CANOE
CHAMPIONSHIPS

Council dealt next with a report from Mr. Moir added to the agenda, on the subject of a new judges stand required for the World Canoe Championships to be held on Lake Banook in 1989. It has been recommended that in preparation for construction of this new stand, which would be built out over the lake, permission be given for steel pilings to be driven through the ice on the lake during the next few weeks, thereby reducing the impact of environmental damage to the lake.

Mr. Moir's recommendation to Council is that the World Canoe Championships Committee be permitted to have Woodlawn Construction drive the steel pilings during the winter months, this project to be supervised by the City Engineer. Woodlawn Construction are prepared to carry out this work and to withhold billing for the cost until funding for the Championships is in place. The Lakes Advisory Board has indicated support for the proposed location of the stand, on the assumption that the pilings will be installed from the ice surface.

Council approved Mr. Moir's recommendation, on motion of Ald. Hetherington and Bregante.

MOTION: Moved by Ald. Hetherington & Bregante that Council adopt Mr. Moir's recommendation to permit steel pilings to be driven for the new judges stand required for the World Canoe Championships, as outlined above .

VIDEO APPLICATION:
DARTMOUTH LIBRARY

On motion of Ald. Bregante and McCluskey, Council indicated no objection to the video outlet application submitted by the Dartmouth Regional Library Board for the Dartmouth Library service. Ald. Hetherington noted that the address on the application designates only the location at 100 Wyse Road, and he asked to have the Woodlawn Branch location checked out for inclusion as well.

MOTION: Moved by Ald. Bregante & McCluskey that Council indicate no objection to the video outlet application for the Dartmouth Library, as submitted by the Dartmouth Regional Library Board. (Woodlawn Branch designation to be checked on to make sure it is included in the application.)

MOTIONS:

Notice of motion having been duly given, the following motions were introduced for consideration by Council:

ALD. MACFARLANE

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

WHEREAS an on-going sidewalk program for the City is needed;

AND WHEREAS many of the streets in this area support large volumes of children walking to school;

AND WHEREAS this condition is hazardous to pedestrians, particularly in the winter;

THEREFORE, BE IT RESOLVED that the Engineering Dept. include a capital estimate on the cost of sidewalk installations for Somerset Street, to that this figure might be included in the City's estimates for 1986.

Ald. MacFarlane explained to Council the present need for this sidewalk installation, the particular concern being for the children walking on the street to get to Alderney School from their homes. Mr. Moir noted that a sidewalk construction program has been provided for in the 1986 capital budget, and Council will have the opportunity to review all of these projects in conjunction with the capital budget.

Ald. Hetherington suggested that residents living on Somerset Street should be made aware of the charges for sidewalk installation before the project is carried out. Ald. MacFarlane agreed to take this matter up with the residents as suggested. The motion carried.

MOTION: Moved by Ald. MacFarlane and Hawley:
text of motion above.

ALD. WOODS:
DEFERRED

Ald. Woods requested deferral of the motion he proposed for this meeting, advising that he has not yet received all of the information he requires.

Additional information requested was as follows:

- 1) the number and type of fixtures now in use.
- 2) the rental fees for fixtures now installed.
- 3) Ald. Woods also asked to review the terms of reference under which the Power Corp. are doing their present study.
- 4) Ald. Woods submitted a list of lamps he has made note of throughout the various wards, and requested information on the date of manufacture of each of these lamps, and secondly, the lumen output of the lamps listed, in their present condition. The list was passed to Mr. Moir.

ALD. CONNORS

2) Ald. Connors moved, seconded by Ald. Levandier,

That the question of public tendering of the auditing and accounting service provided to the City, be referred to the Finance & Program Review Committee for consideration.

Ald. Connors explained to Council the intent of his motion, pointing out that he has no fault with the auditing services the City is presently receiving, but in all fairness, the public tendering process should be followed for all services the City receives, including those of auditing and accounting. He asked why these particular services should be treated any differently from others, noting that there are other accounting firms of equal competence that would like to have the opportunity to bid for City work if the tendering process were followed.

Ald. Withers made reference to the action taken at the Feb. 11th meeting when a similar motion did not receive the support of Council. He asked if Council is now able to deal with the subject again in such a short period of time. The Mayor made the point that if the Finance & Program Review Committee were to deal with the item, it is unlikely that their report would be back to Council for two months time, in which case the two-month requirement under Section 42 of By-law C-247 will have been met anyway.

Aside from Ald. Withers and Bregante, other members who spoke on the motion tended to support referral to the Committee, and when the vote was taken, it carried by a majority of 10 to 4.

ALD. LEVANDIER

3) Ald. Levandier moved, seconded by Ald. MOTION: Text above.

MacFarlane:

That City staff, including the Police and Planning Departments, report on performances by exotic dancers in the City, particularly in the downtown; the report to include comments on any means of curtailing these types of performances in future, if necessary by M.P.S. and zoning changes, similar to those passed to deal with massage parlours.

Ald. Levandier brought to Council's attention, the fact that the executive of the Downtown Dartmouth Corp. and other members of the downtown merchant community saw fit to attend this meeting because of their concerns about an establishment on Portland Street where exotic dancers are performing, and the detrimental effect that this type of business can have on a business district. He said it is important that all the work and money that has gone into the revitalization of the downtown should not be jeopardized by operations that the City is not able to control or regulate in any way.

Other members of Council speaking on the motion indicated similar concerns about the adverse impact of beverage rooms or any other establishment where these performances might be permitted, either in the downtown area or at other locations in the City. Ald. McCluskey also requested that in addition to the motion, the Solicitor be asked to consider what steps can be taken to prevent the existing business from expanding their operation at the Portland Street location. There were no members of Council speaking against the motion and when the vote was taken, the motion carried unanimously.

MOTION: Moved by Ald. Levandier and MacFarlane:
text on page 10 of these minutes.

4) Ald. Levandier moved, seconded by Ald. Sarto,
that:

WHEREAS the City of Dartmouth is only served by an annual clean-up day;

AND WHEREAS, in my opinion, the City would be cleaner and better-served by having a continuous pick-up program similar to Halifax;

THEREFORE, BE IT RESOLVED that staff investigate this question and advise Council as soon as possible, of the cost and best way to implement this program, if Council feels we should proceed.

Ald. Withers noted that this idea was looked at previously by Council, and Mr. Fougere advised that a pick-up program on a weekly basis has been in the budget in recent years at level three, but

was rejected in the budget discussions. He agreed to include it at level three again this year, which will give Council the opportunity to approve it if a majority of members want the service.

The vote was taken on the motion and it carried.

MOTION: Moved by Ald. Levandier and Sarto:
text of motion on page 11 .

Ald. McCluskey's motion was deferred until next week's Council meeting, due to the lateness of the hour.

NOTICES OF MOTION:
ALD. LEVANDIER

Notices of motion given for the next regular Council meeting were as follows:

1) Ald. Levandier:

WHEREAS the operators of the Dominion Metals Scrap yard, located in Dartmouth on Lyle St., are operating a smelter at this site;

AND WHEREAS this is in total violation of an agreement reached by all parties involved, through the Planning Appeals Board;

AND WHEREAS the Provincial Government departments involved have failed to take corrective steps;

THEREFORE BE IT RESOLVED that the City of Dartmouth commence legal action against this company (Dominion Metals Ltd.).

ALD. PYE

2) Ald. Pye:

(a) Given, that the City has a Sign By-law, C-454;

AND WHEREAS this by-law protects City property from obstruction of signs and billboards;

AND WHEREAS no protection is afforded to residential property owners abutting commercial and industrial properties;

THEREFORE BE IT RESOLVED that the City engage the services of its Solicitor, with the intent to draft an amendment to protect such property owners.

(b) WHEREAS the City has a number of by-laws, approx. 580;

AND WHEREAS many of the by-laws are outdated or appear to be unenforceable because of legal language;

AND WHEREAS it is considered incumbent upon all Aldermen to be knowledgeable about existing by-laws;

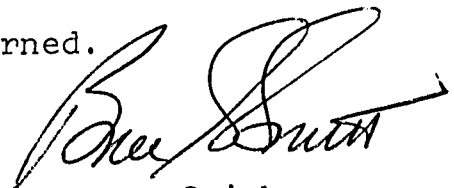
THEREFORE BE IT RESOLVED that the appropriate City department hire articling students to research all existing by-laws, with the intent of deleting those no longer enforceable, and providing all of the Aldermen with a booklet containing all enforceable by-laws.

On motion of Ald. McCluskey and Sarto, Council

agreed to meet in camera to deal with several items of business.

After having reconvened in open meeting, the action taken in camera was ratified, on motion of Ald. Sarto and Connors.

The meeting then adjourned.


Bruce Smith,
City Clerk-Treasurer.

City Council, March 4/86

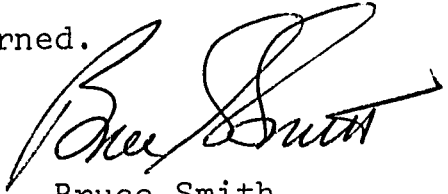
ITEMS:

- 1) Petition: Regal Rd. residents, page 1.
- 2) Letter: Family Service Canada, page 1 to 3.
- 3) Letter re traffic: Don Cameron, page 3.
- 4) Report: Official receipts, page 4.
- 5) Report: Housing Committee, page 4 to 6 incl.
- 6) Pension Plan amendments, page 7.
- 7) Amendment to C-188 Agreement: Nantucket Subdivision,
page 7 .
- 8) World Canoe Championships, page 8.
- 9) Video application: Dartmouth Library, page 8.
- 10) Motions: Ald. MacFarlane, page 9.
Woods (deferred) page 9.
Connors, page 10.
Levandier, page 10 & 11.
- 11) Notices of Motion:
Ald. Levandier Page 12.
Pye

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Bruce Smith,
City Clerk-Treasurer.

City Council, March 4/86

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Levandier, page 10 & 11.
 - 11) Notices of Motion:
Ald. Levandier Page 12.
Pye
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Dartmouth, N. S.

March 10/86.

Regularly called meeting of City Council
held this date at 6:00 p.m.

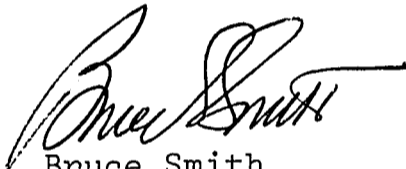
Present - Mayor Savage

Ald. Sarto	Thompson
Billard	MacFarlane
Connors	Levandier
Withers	McCluskey
Pye	Woods
Hawley	Greenough
Bregante	Hetherington
City Administrator, C. A. Moir	
Admin. Assistant, T. Rath	
City Clerk-Treasurer, B. Smith.	

1986 CAPITAL
BUDGET
& PRIORITIES
LIST

Council met to consider a list of priorities for capital spending, prepared in accordance with a motion adopted in December of 1985, and to begin dealing with the 1986 capital budget.

Council went into Committee, on motion of Ald. Greenough and Bregante. The meeting adjourned in Committee at 10:00 p.m.


Bruce Smith,
City Clerk-Treasurer.

City Council, March 10/86

ITEMS:

- 1) 1986 Capital Budget & priorities list, page 1.
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Dartmouth, N.S.

March 11, 1986

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

Present - Mayor Savage

Ald. Sarto	Thompson
Billard	MacFarlane
Connors	Levandier
Withers	McCluskey
Pye	Woods
Hawley	Greenough
Bregante	Hetherington
City Solicitor, M. Moreash	
Acting City Administrator, R. Fougere	
Deputy City Clerk, G. Brady	

PRESENTATION OF
AWARD TO
ENGINEERING
STAFF

The meeting commenced with a presentation by the Mayor of a Nova Scotia Environmental Award to Messrs. Fougere, Purdy, Bernard and Boyd of the Engineering Department. This award is in recognition of their outstanding contribution to enhancement and preservation of the Nova Scotia Environment. The project involved was the Woodlawn Stormwater Retention Pond and Park, referred to as the Moreash marsh area. Photographs of the site before and after the improvements were displayed.

Mayor Savage also presented an award to Mr. Jim Harrison for drawing this project to the attention of the Environmental Council.

CONTINUATION
OF PUBLIC HEARING
AMENDMENT TO
ZONING BY-LAW
FERGUSON ROAD

The Public Hearing of February 18th was adjourned to this evening to provide an opportunity for the Planning Department and the Solicitor to look at any alternative solutions acceptable to both parties. The members were in receipt of a memorandum dated March 4th from Mr. L'Esperance in which an alternative solution involving a development agreement is described.

A further written submission, dated March 7th has been made by Heritage Motors Limited. Ald. Hawley noted that members of the public have not had an opportunity to peruse the written submission. It was therefore moved by Ald. Hawley and seconded by Ald. Sarto that the public hearing be adjourned, until items 3 and 4 of the agenda were completed. The motion carried.

MOTION: Moved by Ald. Hawley and Ald. Sarto that the public hearing be adjourned until items 3 and 4 of the agenda were completed.

OFFICIAL
RECEIPTS
FOR PAYMENT
OF ACCOUNTS

This matter was dealt with at the February 25th Council meeting at which time it was deferred to allow more time for the Mayor to obtain further information on the subject. A memorandum dated March 3 from the Mayor on the subject resulted. The Mayor reviewed with the members the contents of this memorandum.

Ald. Hetherington indicated that he was pleased with the report, but felt that although there is a provision in policy for the issuance of official receipts, in practice this has not been happening over the past year. He felt the problem has arisen as a result of a statement in Mr. Corrigan's memorandum of August 22, 1985 which reads as follows: "You can use your judgement, but I would hope that no more than a few dozen receipts will be issued each year."

Mayor Savage stressed that corrective action has been taken.

Ald. Greenough suggested that the invoice for taxes and water bills be altered so the payer can tick off a block if he desires a receipt. Mr. Corrigan indicated that in the past this box has been almost universally ignored. Ald. Greenough felt the situation should continue to be monitored and perhaps the box referred to was in an inconspicuous location in past.

It was moved by Ald. Thompson and seconded by Ald. Greenough that the official receipts not be issued upon payment but when rate payers request one. The motion carried.

MOTION: Moved by Ald. Thompson and Ald. Greenough that the official receipts not be issued upon payment but when rate payers request one.

Mr. Corrigan will be advising his staff of Council's decision both verbally and in writing tomorrow, emphasizing that their judgement is no longer a requirement.

The Mayor expressed his appreciation that staff is trying to develop ways to save money.

REGULATE
BUSINESS
HOURS

The following motion was introduced by Ald. McCluskey and seconded by Ald. Billard.

WHEREAS some stores in this City operate on a 24 hour basis;

AND WHEREAS some of these stores are located in residential areas;

AND WHEREAS this late night shopping causes an unreasonable disturbance to the people who reside in these residential areas;

AND WHEREAS in my opinion all residents in this City should be entitled to peace and quiet at least between the hours of 12 midnight and 6 A.M.;

THEREFORE, BE IT RESOLVED that Council instruct the Legal Department to draft an amendment to the City Charter, to give Council authority to regulate business hours in the City so that retail stores remain closed between the hours of 12 o'clock midnight and 6 o'clock A.M.

Speaking in support of her motion, Ald. McCluskey referred the members to two petitions re the construction of a convenience store on Windmill Road. She argued that all residents of the City should expect to enjoy the same quality of life and suggested Council consider the effect on their lifestyle if their home was in the vicinity of a 24 hour operation.

Ald. Levandier spoke against the motion citing the fact that the majority of these stores are located in a Commercial Zone and he felt the problems associated with such operations could be effectively addressed under the Nuisance Bylaw. He also referred to the apparent demand by the public for 24 hour operations. Ald. Levandier also referred to the impending Supreme Court decision on Sunday openings and the effect this might have on the drafting of amendments to the City Charter.

Ald. Hetherington addressed several questions to the Solicitor re the City's jurisdiction in this area. The Solicitor confirmed that hours of operation are a Provincial jurisdiction, but in his opinion the Province could give authority to the City to enact bylaws to control closing hours.

Ald. Greenough felt the City is still in a gray area about the power to legislate store openings and moved the

matter be deferred until such time as we get a clear picture of how the matter is going to be handled by the Supreme Court with respect to Sunday closings. The motion was seconded by Ald. Thompson. The vote on the deferral resulted in a tie. Mayor Savage broke the tie by voting against the deferral, therefore defeating the motion.

Referring to comments Ald. McCuskey had made re the operation of a Green Gables on Victoria Road, Ald. Withers reviewed with Council how this situation was handled under the Nuisance Bylaw and it was his opinion that the matter had been resolved. He also indicated that he has been in contact/with management/of the store under construction on Windmill Road and has been informed that it will be closed between the hours of midnight and 6:00 a.m. He was not in favour of any further amendments in this regard to the City Charter.

Ald. MacFarlane spoke in support of the motion and referred to the experience of residents in Ward 5 who had problems with the establishment on Paddler's Cove. Their concerns were addressed under the Nuisance Bylaw, but the noise continues. He suggested that the problem with these Commercial zones are in large measure due to their proximity to residential neighbourhoods.

It is Alderman Connors' opinion that he doubted that the Supreme Court decision on the Sunday closing will have any bearing on the issue of hours of operation. Their decision will be narrowly defined. He felt real legal problems would be created if there was any discrimination between similarly zoned businesses. He felt that there were other ways to solve the problem such as the Nuisance Bylaw and referred to a motion he had made sometime earlier that the Legal staff is addressing. He felt confident that the resultant report will contain enough solutions to deal with the control of 24 hour operations in residential neighbourhoods.

In response, Ald. McCluskey noted that she has followed this route, after being advised by the Solicitor that this was the procedure to follow. Referring to some of the comments of previous speakers she referred to inconsistency in their remarks. She also updated Council on the situation respecting the Green Gables on Victoria Road and what has happened since a solution was supposed to have been arrived at. She suggested that perhaps the Mayor might wish to listen to the noise level in this area as he had when residents were having difficulty with the Mic Mac Amateur Aquatic Club on Prince Albert Road. She felt that it seemed there was more concern with stores under the Charter of Rights than residents.

In response to a question from Ald. Hawley regarding whether the City could regulate one store against another selling the same commodity, the Solicitor felt it could be done if the Province gives the power to discriminate, i.e. distance from residential dwellings, subject to the Charter of Rights and Freedoms. It could even be retroactive subject to the proper legislation.

In conclusion, when the vote was called the motion was defeated by a vote of 8 to 6.

PUBLIC HEARING
CONVENED

The Public Hearing referred to earlier in the minutes reconvened with Mr. MacKinnon addressing the hearing. He referred to his letter of March 7th and the list of concerns attached to it. He stressed that the residents have indicated their concern about the future development of the land but Heritage Motors intends to use it strictly for parking. Ald. Woods questioned Mr. MacKinnon on the statement that some of the people who spoke at the public hearing lived some distance away. Mr. MacKinnon felt these individuals had a right to speak but Heritage Motors was more concerned about the residents directly affected.

Ald. Pye noted that the Planning Department was

recommending an alternative solution to rezoning in the form of a development agreement. Mr. MacKinnon indicated that his lawyer has recommended that the company only consider a rezoning to Commercial. Ald. Pye noted that Heritage Motors seemed to express interest in finding a compromise previously. Mr. MacKinnon referred to the problems that a development agreement would cause if the property was sold in the future.

The Mayor called for speakers in favour of the application and Mr. Ken Asprey a marine geologist and operator of a car business, addressed the meeting. He referred to the land in question being very small and he could not see any harm in it being rezoned. He noted that a Building Permit to build a duplex on the property would^{not} be denied.

There being no further individuals to speak in favour of the application, the Mayor called for representatives opposed and Council heard from Mrs. William Harrison, 15 Ferguson Road. She was concerned that a situation similar to the one of the Green Gables on Victoria Road might happen. She noted the street was a deadend and anticipated additional traffic problems. She referred to the small sizes of the lots.

Mrs. Gerald Bowers, 5 Tidewater Lane expressed concern that if the property is rezoned it could be sold and used for something other than car parking. The traffic which could be generated was a concern and she felt some sort of deal between the residents and Heritage Motors, to permit them to park their cars on the lot would be best.

Kay Connolly, 15 Primrose Street, Chairperson of the Ward 5, Community Action Committee spoke next in opposition to the application. She expressed support of the views expressed by James Andrews at the Feb. 18th meeting and Mrs. Bowers and Harrison.

Adair Stewart, 22 Ferguson Road indicated that he recently purchased a home in what he thought was a quiet little residential neighbourhood. He felt this might be the first step in turning the area into commercial property.

Bob Burns a resident of Ward 5 referred to the promises made by the City at the time of amalgamation and what has become of this ward subsequently.

There being no further public representations, the Mayor declared the public hearing to be at an end.

Council proceeded with first reading of By-law C-567.

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

It was moved by Ald. Hetherington and Greenough that By-law C567 be read a second time.

Ald. Hetherington spoke against the rezoning noting that the residents are not opposed to the lot being used for parking, but fear that if it is rezoned to C-1 and sold there is no guarantee for the future. They need this area to act as a buffer zone.

Reference was made to the additional costs that would be incurred for application of a development agreement and if his original application fee of \$1,500 could also be used for this purpose. Mr. L'Esperance explained that this is not an actual application fee but a deposit against expenses associated with advertising, etc.

Ald. Greenough spoke in favour of the rezoning stating that the area in question was small in size and any additional encroachments on the residential area would have to come before Council for approval.

Ald. Levandier spoke against rezoning, as he felt an existing residential neighbourhood should be protected.

Replying to Ald. Pye, Mr. L'Esperance gave some explanations about what a Development Agreement is, i.e. a legal document which is entered into by the owner of land and the City. The development agreement applies to the parcel of land even if it changes hands. It can be quite specific but Mr. L'Esperance understood that it did not necessarily push aside existing zoning. Council can rescind a development agreement. Ald. Connors indicated his reasons why he

felt the Development Agreement alternative was a suitable compromise.

Ald. Woods felt that the residents needed Council's help to stabilize this area from further deterioration by allowing this buffer zone.

Ald. Hawley also supported a compromise with a development agreement thereby maintaining control over future developments.

Ald. Sarto supported rezoning after making a site visit. He did not feel any further traffic would be generated and felt Heritage Motors would continue to use the lot for parking only.

Ald. Thompson referred to the fact that Mr. MacKinnon could appeal Council's decision by going to the Municipal Appeals Board of the Province and based on the number of Commercial properties in the vicinity has decided to support rezoning.

The vote on second reading was defeated, with Ald. Thompson, Sarto, Bregante and Greenough voting in favour.

Ald. McCluskey questioned whether there are any regulations regarding the number of passengers that can be carried on the ferries. Mr. Fougere advised that there are regulations and the ferry carries sufficient lifejackets to cover the maximum allowed.

She also expressed concern that cars are allowed to park on Ochterloney Street in the vicinity of Belmont House. Ald. Hawley noted that no parking signs were installed yesterday.

Ald. Pye advised that he has made enquiries to the Police Department on the problem of enforcing disabled parking. The courts tend to drop charges because the signs are often portable and he requested that the City write shopping mall owners, etc. encouraging them to make these signs fixed.

As Chairman of the 25th Anniversary Committee, Ald. Withers invited members of Council, staff and general public to attend a ceremony which will be held at the Plaza, noon Thursday, March 13th. Council was asked to wear,

ENQUIRIES AND
ANSWERS:

ALD. McCLUSKEY

ALD. PYE

ALD. WITHERS

their chains of office.

ALD. SARTO

Ald. Sarto requested a meeting with the Mayor and members of the Traffic Management Group to discuss concerns by residents of Kelly Drive and Spikenard Street for the speeding of cars and squealing of tires.

ALD. HAWLEY

Referring to the expertise available through Police Officers on their off-duty hours for volunteer work, Ald. Hawley noted that he understands that due to some Union regulations they can't do such work. He requested that the Mayor look into this situation and assess if it exists and if so, what can be done to circumvent such problems.

ADDITIONS TO AGENDA

Council agreed to add two items to the agenda at this time. Under 7 (a)(ii) - 65 Alderney Drive and 7 (c) (i), Appointment of Fund Manager. It was also agreed that item 7 (b) (i) be moved up on the agenda to follow discussion of the appointment of Fund Managers.

APPOINTMENT - NEW FUND MGRS.

A report from the Pension Committee dated March 10th was before Council. Ald. Greenough noted that it was the unanimous decision of the Pension Committee that the City of Dartmouth Employees Pension Fund be split between two separate fund managers, E.J. McConnell & Associates Limited and Jarislowsky, Fraser and Company Limited. A motion to this effect was moved by Ald. Greenough and seconded by Ald. Thompson. The motion carried.

MOTION: Moved by Ald. Greenough and Ald. Thompson that City Council authorize the management of the Employee Pension Fund by E.J. McConnell & Associates Limited and Jarislowsky, Fraser & Company Limited.

Ald. Thompson introduced Mr. McConnell to the members.

LAWN BOWLING GREEN

A report from the Director of Parks and Recreation recommending three possible locations for a lawn bowling green was before Council, dated March 5th. It was moved by Ald. Hetherington and Ald. Withers that the lawn bowling site be the Woodside Fire Hall Area.

One of the benefits of this site was that it should be relatively vandalism free.

Ald. Sarto referred to the situation respecting recreation due to the rapid expansion of Phase V & VI, Forest Hills and asked the Parks and Recreation Department to continue their good work in trying to establish recreation facilities in the area of Mt. Edward Road for both children and adults.

Ald. McCluskey and Greenough spoke in support of the Woodside site, but Ald. Greenough stressed that approval in principle should be given, subject to necessary funding being provided in ^{the} 1986 Capital Budget.

Ald. Thompson felt that perhaps the City should be looking into obtaining a longer lease from the Province than 10 years, if they are considering constructing a club house.

Mr. Atkinson recommends that one lawn bowling green and a club house be constructed. There is some question however that one green will be sufficient. Mr. Atkinson did not feel it was practical to have two greens at the Woodside location if a building and parking were also located there.

Harvey Hodgson, Chairman for the Lawn Bowling Steering Committee spoke. He indicated that he felt there are enough people interested in lawn bowling to support two greens, otherwise membership would be limited. The Lions Club have offered temporary use of their facilities, located in an old school nearby.

Referring to budget discussion, Ald. Levandier felt Council was wrong in endorsing the site tonight when they have not set their priorities. Considerable concern was expressed about parking, since other recreational activities will be going on at this location. It was subsequently moved by Ald. Hawley and Ald. Sarto that the matter be referred back to the Recreation Department for a more detailed, emphatic presentation, with site plans, square footage, estimates of vehicles using this facility and others in the vicinity.

Ald. Connors spoke against the deferral referring to the fact that the Association has been waiting since 1972 for a

decision and the National Championships are drawing near.

Ald. McCluskey had several questions to Mr. Atkinson regarding the cost of the various alternatives and the funds available from past years and proposed in this year's budget. The vote on the motion to refer passed, 8 to 6.

MOTION: Moved by Ald. Hawley and Ald. Sarto that the matter be referred back to the Recreation Department for a more detailed, emphatic presentation, with site plans, square footages, estimates of vehicles using this facility and others in the vicinity, to return at Capital Budget time.

It was moved by Ald. Greenough and Ald. Bregante that the meeting continue past the hour of 11:00 p.m. The motion carried.

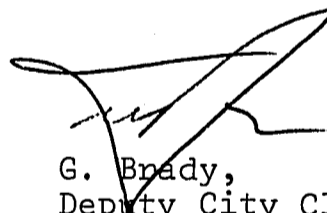
MONTHLY REPORTS

On motion of Ald. Greenough and Ald. Thompson the monthly reports were referred without recommendation to Council.

On motion of Ald. Greenough and Ald. Withers Council adjourned the meeting to go in Camera to deal with an item.

On motion of Ald. Sarto and Ald. Greenough the action taken in camera was ratified.

The meeting adjourned on motion of Ald. Thompson and Ald. Bregante.



G. Brady,
Deputy City Clerk

City Council, March 11, 1986

ITEMS:

- 1) Presentation of Award to Engineering Staff, page 1.
- 2) Continuation of Public Hearing - Amendment to Land Use By-Law - 3 Ferguson Road, pages 1 & 2 and 5 to 8.
- *3) Official Receipts for Payment of Accounts, page 2.
- 4) Enquiries and Answers, pages 8 & 9.
- 5) Appointment of New Fund Managers, page 9.
- 6) Lawn Bowling Green, pages 9 to 11.
- 7) Monthly reports, page 11.
- *8) Regulate Business Hours, pages 3 to 5.

Dartmouth, N. S.

March 25/86.

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

Present - Mayor Savage

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

The Mayor extended sympathy on Council's behalf to Ald. McCluskey in the recent death of her sister.

Three items were then added to the agenda, dealing with: (a) the use of the City crest
(b) appointment to United Way
(c) appointment to Municipal Awareness Week

Council proceeded to items still not dealt with from a previous agenda, and to new items of business.

336 WINDMILL RD.

A further report has been submitted to Council on City land at 336 Windmill Road, proposed for conveyance to Mr. A. Zombolin, for a price of \$3,970.22. As requested when this item was previously deferred, a Planning Dept. report has been attached, addressing concerns raised about viewplane factors and traffic safety at the Windmill Road/Trinity Ave. intersection. Also attached, with Mr. Moir's report, is Resolution 85-68, which would authorize the land conveyance, as recommended.

Mr. Bayer made a presentation to Council, to explain in further detail the points brought out in his report about the adequacy of site distances at the Windmill Road/Trinity Ave. intersection and their compliance with existing Canadian standards. His other comments had to do with the fifty-foot setback rule and the fact that a variation of this rule will probably have to be applied in this instance. Reference was also made to the obstruction of site distances at this location by parked cars. In such cases elsewhere in the City, it has been necessary to overcome this problem by marking property lines on the pavement, thereby enabling the

Police Dept. to ticket cars that are illegally parked. If car parking becomes a problem at this corner, Mr. Bayer has recommended that the Engineering Dept. be contacted and the markings put on the asphalt at this location.

RESOLUTION 85-68

Ald. Levandier and Bregante moved that Council authorize the sale of the property to Mr. Zambolin, as recommended, and that Resolution 85-68 be adopted in this connection. Ald. Pye felt the sale of the property should be delayed until Yorkshire Ave. Extension has been completed through to Trinity Ave., providing an alternate exit route from Trinity. Ald. Woods also had reservations about the safety of the intersection if the entire property is sold; he would have agreed to the sale of a portion of it, however.

When the vote was taken on the motion, it carried with Ald. McCluskey, Pye, Woods, Connors, and Hawley voting against. (Ald. Pye withdrew from the meeting at this point and when he returned, Council was in the process of adjournment.)

MOTION: To adopt Res. 85-68 (Levandier & Bregante)
Ald. Billard indicated to Mr. Bayer that he

wished to discuss the fifty-foot setback rule further with him, in relation to a specific situation.

PROPERTY PURCHASE:
65 ALDERNEY DRIVE

As directed by Council, Mr. Moir has negotiated for purchase of the property at 65 Alderney Drive, and a purchase price of \$92,500. is being recommended, on the understanding that funding through the Mainstreet Program will be used to offset the purchase price. Further, that when the property has been acquired, quotations will be received for the demolition of the building; then the Parks & Recreation Dept. will look at the opportunities of expanding the park area at the corner of Queen Street and Alderney Drive.

CONFLICT OF INTEREST

Ald. Connors declared a conflict of interest on this item, since a partner in his law firm represents the owner. He withdrew from his place on Council to sit in the gallery until the item was completed.

Ald. Sarto and Bregante moved the adoption of the recommendation. Ald. Levandier asked if consideration is being given to the idea of development proposals being called for the site. Mr. Moir said it would be necessary to assemble other properties in the same area before that could be done. The vote was taken on the motion and it carried.

MOTION: Moved by Ald. Sarto & Bregante that Mr. Moir's recommendation be adopted on the purchase of 65 Alderney Drive, as detailed on page 2 of these minutes.

VIDEO APPLICATION:
OLD DAIRY STORE
55 PRINCE ALBERT RD

On motion of Ald. Sarto and Bregante, Council indicated no objection to a retail video outlet application for for 55 Prince Albert Road (the Old Dairy Store).

MOTION: Moved by Ald. Sarto and Bregante that Council indicate no objection to a retail video application for 55 Prince Albert Road (the Old Dairy Store).

MINUTES & REPORTS
FROM COMMITTEE

On motion of Ald. Bregante and Levandier, Council approved Committee minutes of Feb. 11th, forwarded from the March 18th meeting .

Also forwarded from the March 18th meeting, without recommendation, were the regular monthly reports. Council proceeded to give these approval, as follows:

- 1) Social Services (Feb.): approved on motion of Ald. reenough and Sarto.
- 2) Development Officer (Feb.): approved on motion of Ald. Sarto and MacFarlane.

Ald. Levandier had a question about the Seawood Enterprises Ltd. subdivision (item A-68), and drainage problems associated with this area. In discussing the problems further with Mr. Fougere, it was noted that private properties are involved and a decision was taken by Council not to take action in situations like this. Ald. Levandier asked if some type of joint approach could not be encouraged by the City, in order to have the residents act on their own behalf. The suggestion was made that Ald. Levandier might want to pursue the idea with the residents himself.

- 3) Building Inspection (Feb.) : approved on motion of Ald. Greenough and MacFarlane.
- 4) Building Inspection (report for 1985): approved on motion of Ald. McCluskey and Sarto.

Ald. Levandier had a question about the impact of new assessment on this year's tax rate. Mr. Moir acknowledged that it will help to some degree. He pointed out, however, that some of the buildings included in the report would not have been completed by Dec. 31/85.

- 5) Minimum Standards (Feb.): approved on motion of Ald. Greenough and Sarto.

Ald. Levandier brought to the attention of Council, the condition of rental premises at 87 Rose Street, which he felt should be condemned in their present condition. It was noted by the Solicitor and other staff members that this property has been an on-going problem for quite some time. Mayor Savage said he would look into the situation further with Ald. Levandier and would also bring it to the attention of the Housing Committee.

- 6) Fire Chief (Feb.): approved on motion of Ald. Greenough and Sarto.

- 7) Dog Control (Jan. & Feb.): approved on motion of Ald. Sarto and Greenough.

MOTIONS: To approve the monthly reports, as detailed above and on page 3 of these minutes.

USE OF CITY LOGO
DARTMOUTH HIGHLANDS
CAR RALLY

Council has been requested to give final approval for the use of the City crest by the Dartmouth Highlands Rally Society, in conjunction with their own logo, and as shown on their letterhead paper, copies of which have been circulated to members of Council.

Council gave approval of the design, as it has been presented, on motion of Ald. Hawley and Bregante.

MOTION: Moved by Ald. Hawley & Bregante that Council approve the design for use of the City crest by the Dartmouth Highlands Rally Society, as presented.

APPOINTMENT:
BOARD OF DIRECTORS
UNITED WAY

Council was asked to submit a nomination to the Board of Directors of the United Way. Ald. Connors indicated his willingness to serve on the Board and he was appointed as Council's nomination, on motion of Ald. Bregante and McCluskey.

MOTION: Moved by Ald. Bregante and McCluskey that Ald. Connors be appointed as Council's nomination to the United Way Board of Directors.

APPOINTMENT:
MUNICIPAL AWARENESS
WEEK COMMITTEE

On the nomination of Ald. MacFarlane, Council chose Ald. Bregante to serve on the Municipal Awareness Week Committee, in response to a request from Mayor Savage that such an appointment be made.

NOMINATION: Ald. Bregante to serve on the Municipal Awareness Week Committee.

EXTENSION OF DATE
FOR TAX RATE:
RESOLUTION 86-07

On motion of Ald. Sarto and Greenough, Council approved Resolution 86-07, extending the date for setting the 1986 tax rate to April 30/86 and requesting such an extension from the Minister of Municipal Affairs.

ALPINE BIG
FISH DERBY

A proposal has been received to hold an 'Alpine Big Fish Derby' on Lakes Banook and MicMac during the weekend of May 24/25. Copies of the proposal have been circulated, along with a memo from Mr. Atkinson and a report to Council from Mr. Moir, which recommends that Council refuse to grant permission to hold the Derby, for the various reasons that have been outlined.

Just prior to this meeting, additional material was distributed by Mr. Griggs, one of the organizers, including a letter from the Senobe Aquatic Club, addressing some of the concerns that have been raised about the proposed event, and a copy of Lakes Advisory Board minutes from the meeting when this item was considered by the Board. Ald. Billard requested that Mr. Griggs be given the opportunity to address Council and members agreed to hear from him. Mr. Atkinson was first asked to comment on the concerns his department has noted, with which the Lake Safety Committee has tended to agree. Mr. Atkinson made reference to the problems already being experienced with City lakes that are stocked for fishing, these being Maynards Lake and Albro Lake.

In his presentation to Council, Mr. Griggs discounted the problems that are anticipated with the fishing derby, and reviewed with Council the provisions that are to be made for such aspects as sanitation, parking, litter, boat launching, and consideration of the property of private owners around the lakes. He felt this event could become an annual one for the City if it proves to be successful this year, and would give the City another promotional vehicle that would be of benefit to the whole community. The event is now being organized by the Senobe and MicMac Clubs; Banook Canoe Club is not able to participate this year as originally planned.

Ald. Connors and Hawley moved that Council approve the holding of the fishing derby on May 24/25,

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Ald. Connors and Hawley moved that Council approve the holding of the fishing derby on May 24/25,

on Lakes Banook and MicMac, as requested by the organizers.

During debate on the motion, points of issue raised and discussed had to do with:

- 1) provision for the protection of private properties around the lakes so there is no intrusion on such properties unless the owners are willing to permit it.
- 2) boat launching facilities and arrangements for these. Mr. Griggs said that about ten to twelve launching points are planned, including one at the Lions' beach and one at Red Bridge Pond.
- 3) protection of vegetation on the banks of the lakes, one of the concerns addressed in particular by the Lakes Advisory Board.
- 4) provision for a clean-up of the lakes and lakeshores after the event. Mr. Griggs said there will be an immediate clean-up afterward and the organizers would be willing to carry out a second clean-up at a later point as a follow-up measure.
- 5) sanitation facilities. These will be provided through the use of facilities at each of the clubs, plus portable on-the-spot units at other points.
- 6) safety aspects and control of drinking. Mr. Griggs said that drinking will not be permitted and City police will be asked to assist in these control measures and in safety provisions.
- 7) any possible liability on the part of the City, as a result of having given approval for the event. The Solicitor commented on this point and the difference between responsibility for water-related accidents vs. any that would occur on a beach area (ie. fish hooks left behind in the sand after the event).
- 8) parking arrangements. Areas will be designated for parking and all of these details have yet to be worked out by the organizers.

Reference was made by Ald. MacFarlane to the continuing problems being experienced by residents with properties around Maynards Lake, as a result of fishing that is allowed to take place. He felt the stocking of other lakes will mean similar problems at those locations as well. Mr. Griggs pointed out that the stocking of Lakes Banook and MicMac will be on a much smaller scale (about 2,000 fish) and after the event itself, fishing will not be a recreational use for these two lakes as it is for Maynards and Albro Lakes, stocked every year and with many more fish.

Ald. Billard noted that one difference between the two situations is that the properties on Banook and MicMac run down all the way to the lake, whereas at Maynards Lake there is a strip of City land all around the lake and this is one reason why problems occur.

Ald. Greenough agreed that the project is worthwhile, but he considered that Council should be provided with more specific information on the issues raised. He preferred to have the concerns addressed by the organizers, with a report back to Council, as a possible condition for approval. Ald. Levandier had a similar opinion and favoured deferral for a report from Mr. Moir on the cost involved for the City if police are required to be on duty. Ald. McCluskey's main concern was for the property owners on the lake and some kind of assurance that there will not be any trespassing on properties where owners do not want it.

Mr. Griggs made a concluding statement to Council, indicating that if the clubs come to the point where they feel they cannot successfully proceed with the project, it will be scrapped.

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

The Mayor asked the organizers if they are willing to appear before Council again, prior to the derby, to respond to the some of the areas of concern indicated in debate. Mr. Griggs said his group will attend the first Council meeting in May and will be prepared to respond with the information requested.

MOTION: Moved by Ald. Connors and Hawley that Council approve the holding of the fishing derby on May 24/25, on Lakes Banook and MicMac, as requested by the organizers.

REQUEST TO AMEND
LAND USE BY-LAW
BIO LAND

An application has been received from Public Works Canada to rezone lands to the north of the A. Murray Mackay Bridge, from H Zone to I-2 Zone. The land concerned is adjacent to the Bedford Institute,

and the proposed use for the property is for a regional laboratory building for Health & Welfare Canada.

The Planning Dept. has recommended in favour of this application and that staff be instructed to proceed with a neighbourhood information meeting.

CONFLICT OF INTEREST

Ald. Woods declared a conflict of interest, based on the fact that he is employed by Public Works Canada, and withdrew from his place on Council while the item was being considered.

Council adopted the staff recommendation, on motion of Ald. Levandier and Greenough.

MOTION: Moved by Ald. Levandier & Greenough that staff be instructed to proceed with a neighbourhood information meeting in connection with the application to amend the Land Use By-law, to permit construction of a regional laboratory building for Health & Welfare Canada.

REQUEST TO AMEND
LAND USE BY-LAW
K-MART LANDS

An application has been received from L & A Investments Ltd. to rezone the remaining lands of K-Mart Mall from C-3 Zone to R-3 and R-2 Zones, to permit residential uses, as outlined in the Planning Dept. report of March 11/86. It has been recommended that the rezoning request be granted and that staff be instructed to hold a neighbourhood information meeting.

CONFLICT OF INTEREST

Ald. Connors declared a conflict of interest, on the basis that one of his law partners represents L & A Investments Ltd., and he withdrew from his place on Council to sit in the gallery for both this, and the following item on the agenda.

Council adopted the staff recommendation, on motion of Ald. Levandier and MacFarlane. Ald. Sarto requested that when notices of the meeting are sent out, they be delivered to houses on both sides of Oakwood Ave. and not just on one side.

MOTION: Moved by Ald. Levandier & MacFarlane that staff be instructed to proceed with a neighbourhood information meeting in connection with the Land Use Amendment application involving K-Mart lands.

REQUEST TO AMEND
LAND USE BY-LAW
MICMAC VILLAGE

On motion of Ald. Greenough and Sarto, Council set April 29th for public hearing of a Land Use By-law Amendment application, submitted by Can-Euro Investments for lands in the MicMac Village.

CONFLICT OF INTEREST

Ald. Connors had previously declared a conflict of interest in connection with this and the previous item on the agenda. He remained seated in the gallery while this item was before Council. The conflict of interest is based on the fact that one of his law partners represents a principal of the Can-Euro firm.

MOTION: Moved by Ald. Greenough and Sarto that Council set April 29th for public hearing of a Land Use By-law Amendment application, submitted by Can-Euro Investments for lands in the MicMac Village.

REQUEST TO AMEND
LAND USE BY-LAW
73/77 LAKECREST DR.

Council has received a report on the neighborhood information meeting held to explain the rezoning request for land at 73/77 Lakecrest Drive. The report indicates those areas of concern expressed by residents who attended the meeting. Planning Dept. staff have previously recommended against the request in their report to Council, dated Feb. 13/86.

Ald. Hawley and Greenough moved that Council not proceed further with this rezoning request. Ald. Levandier and McCluskey were in favour of allowing the application to at least go to public hearing, at which time the developer and residents would have the opportunity for a full exchange of opinions and information. Ald. Greenough and Hawley supported the position of the residents, as they have clearly expressed it at the neighborhood meeting already. When the vote was taken on the motion, it carried with Ald. Levandier, Billard and McCluskey voting against.

MOTION: Moved by Ald. Hawley & Greenough that Council not proceed further with the rezoning request for 73/77 Lakecrest Dr.

ROUTE 55
SERVICE

On motion of Ald. Bregante and MacFarlane, Council approved a recommendation from the Transit Advisory Board, to continue the improvement in peak-hour service on Route 55 (thirty-minute service at peak hours). Route 55 is the Port Wallace run.

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

FERRY OPERATIONS
REPORT: JAN.

On motion of Ald. Bregante and Sarto, Council adopted the Ferry Operations report for January, recommended from the Transit Advisory Board. Additional information requested on increased gallonage figures has been included with the report as requested at the Board meeting.

MOTION: Moved by Ald. Bregante and Sarto that Council approve the Ferry Operations report for January, recommended by the Transit Advisory Board.

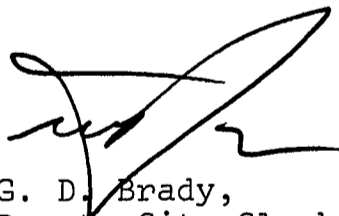
RESOLUTION 86-06

On motion of Ald. Bregante and MacFarlane, Council approved Resolution 86-06, whereby the City, as one of the members of the Metropolitan Authority, agrees to transfer the Halifax County Correction Centre to the Province.

MOTION: Moved by Ald. Bregante & MacFarlane that Council approve Resolution 86-06, authorizing the transfer of the Halifax County Correction Centre to the Province (ie. from the Metropolitan Authority).

On motion of Ald. Bregante and Sarto, Council went in camera to deal with one item of business. After reconvening in open meeting, the action taken in camera was ratified by Council, on motion of Ald. Sarto and Greenough.

Meeting adjourned.



G. D. Brady,
Deputy City Clerk.

City Council, March 25/86

ITEMS:

- 1) 336 Windmill Rd., page 1 & 2.
Resolution 85-68, page 2.
- 2) Property purchase: 65 Alderney Dr., page 2.
- 3) Video application: Old Dairy Store, page 3.
- 4) Minutes & reports from Committee, page 3 & 4.
- 5) Use of City logo: Dart. Highlands Rally, page 4.
- 6) Appointment: Board of Directors, United Way, page 4.
- 7) Appointment: Municipal Awareness Week Comm., page 4.
- 8) Extension of date for tax rate, page 4
Resolution 86-07, page 4.
- 9) Alpine Big Fish Derby, page 5 to 7 incl.
- 10) Request to amend Land Use By-law: B.I.O. land, page 7.
- 11) " " " " " " : K-Mart lands, pg. 8.
- 12) " " " " " " : MicMac Village, pg. 9.
- 13) " " " " " " : 73/77 Lakecrest Dr, pg9.
- 14) Route 55 service, page 9.
- 15) Ferry Operations report: Jan., page 10.
- 16) Resolution 86-06, page 10.

MOTION: To approve the continuation of improved service on Route 55.

Moved by Ald. Bregante & MacFarlane.

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

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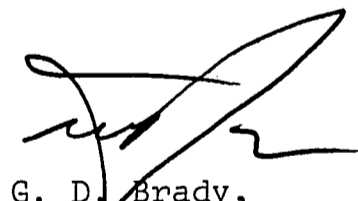
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