

TOWN OF BEDFORD

SPECIAL SESSION - TOWN COUNCIL - OCTOBER 13, 1987

6. OTHER

NIL

7. ADJOURNMENT

ON MOTION of Deputy Mayor Nolan and Councillor Roy, it was moved that the meeting adjourn at approximately 5:00 p.m. Motion approved unanimously.


MAYOR


CHIEF ADMINISTRATIVE OFFICER

APPROVAL OF MINUTES

REGULAR SESSION #74 - SEPTEMBER 26, 1987

EMERGENCY SESSION #75 - SEPTEMBER 30, 1987

SPECIAL SESSION #76 - OCTOBER 13, 1987

ON MOTION of Councillor Short and Councillor Kelly, it was moved that the minutes of the Regular Session (74) - September 26, 1987; Emergency Session (75) - September 30, 1987 and Special Session (76) - October 13, 1987 be approved. Motion approved unanimously.

ADDITIONS/DELETIONS TO DRAFT OF BUSINESS

On the request of Councillor Kelly, it was agreed that Item 18.1 "Smiths Road" be deferred to the next Regular Meeting of Council.

On the request of Councillor Kelly, it was agreed that the following items would be added to the agenda as follows:

- 18.1 Long Range Planning Committee for Bedford "Fire Department"
- 18.2 Bedford Blueprint
- 18.3 Removal of Carpeting - Administrative Offices.

TOWN OF BEDFORD
REGULAR SESSION
OCTOBER 19, 1987

A Regular Session of the Town Council of the Town of Bedford was held on Monday, October 19, 1987, 7:30 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, N. S. Mayor Keith Roberts presiding.

1. LORD'S PRAYER

Mayor Roberts opened the Session by the leading of the Lord's Prayer.

2. ATTENDANCE

Deputy Mayor Chris Nolan and Councillors Peter Christie, Peter Kelly, David Lugar, William Roy and Robert Short were in attendance at the commencement of the Session.

Staff members attending this Session included Dan R. English, Chief Administrative Officer; Joan Pryde, Deputy Clerk; Rick Paynter, Director of Engineering and Works and Barry Zwicker, Director of Planning and Development Control. Peter McInroy, Solicitor, was also in attendance.

3. APPROVAL OF MINUTES

REGULAR SESSION #74 - SEPTEMBER 28, 1987

EMERGENCY SESSION #75 - SEPTEMBER 30, 1987

SPECIAL SESSION #76 - OCTOBER 13, 1987

ON MOTION of Councillor Short and Councillor Kelly, it was moved that the minutes of the Regular Session (#74) - September 28, 1987; Emergency Session (#75) - September 30, 1987 and Special Session (#76) - October 13, 1987 be approved. Motion approved unanimously.

4. ADDITIONS/DELETIONS TO ORDER OF BUSINESS

On the request of Councillor Kelly, it was agreed that Item 10.1, "Smiths Road," be deferred to the next Regular Session of Council.

On the request of Councillor Kelly, it was agreed that the following items would be added to the Agenda as follows:

18.1 Long Range Planning Committee for Bedford Fire Department

18.2 Bedford Blueprint

18.3 Renewal of Carpeting - Administrative Offices.

REGULAR SESSION - TOWN COUNCIL - OCTOBER 19, 1987

4. CON'T

On the request of Mayor Roberts, it was agreed that an item, "Proclamation re Driving With Lights On," should be added to the Agenda as Item 18.4.

5. APPROVAL OF ORDER OF BUSINESS

ON MOTION of Councillor Roy and Councillor Lugar, it was moved that the Order of Business, as amended, be approved. Motion approved unanimously.

6. MOTIONS OF RECONSIDERATION

NIL

7. DEFERRED BUSINESS/BUSINESS ARISING FROM THE MINUTES

7.1 HOUSING DEMONSTRATION PROJECT

The Chief Administrative Officer advised Council with respect to the Nova Scotia Housing Department's position respecting the Housing Demonstration Project planned for the Town of Bedford.

Following a review of the suggested sites submitted by the Town, the Housing Commission is prepared to use two of these sites for two single units and to purchase another R-2 site for the construction of two additional units.

Mr. English also advised Council that the Housing Commission now has applications on file for the two "low-cost income" housing units which recently have been completed in the Town and are available for rent.

ON MOTION of Councillor Short and Councillor Lugar, it was moved that the Town Council support the revised Housing Demonstration Project for four units located on three sites subject to Council's approval of the site locations and the funding involved. Motion approved unanimously.

ON MOTION of Councillor Kelly and Councillor Roy, it was moved that during Capital Budget deliberations for 1988, the required funding be considered for four additional units of "affordable housing." Motion approved unanimously.

8. MOTIONS OF RESCISSION

NIL

REGULAR SESSION - TOWN COUNCIL - OCTOBER 19, 19879. PUBLIC HEARINGS AND MOTIONS ARISING THEREFROM9.1 PROPOSED DEVELOPMENT AGREEMENT - NOS. 1711, 1715 and 1717
BEDFORD HIGHWAY

Barry Zwicker, Director of Planning and Development Control reviewed briefly the details respecting a proposed Development Agreement for 1711, 1715 and 1717 Bedford Highway. In particular, he advised that this Development Agreement is to allow one commercial building containing a total of 12,000 square feet which does not exceed 30 feet in height.

He further advised that the building would be used for the types of local commercial uses permitted in the C-1 (Commercial - Local Business) Zone of the Town's Land Use By-Law.

Council was advised that a Public Hearing held prior to this Council Session was advertised in accordance with the requirements of the Provincial Planning Act and that correspondence has been received and circulated to Council from the owners of the property located at 18 Oakmount Drive. Mr. Zwicker also advised that he received a telephone call from one additional property owner who indicated his support in having C-1 Commercial uses on the site as opposed to C-5 Highway Oriented uses.

In response to an inquiry from Council as to whether or not the proposed Development Agreement could be amended to include the requirement that the developer cost share on the installation of sidewalks, it was suggested by the Director of Planning and Development Control that it is possible to include a clause whereby the developer would contribute \$15 per linear foot towards the construction of sidewalks as has been done in other situations.

During the ensuing discussion, conflicting opinions were expressed as to whether or not the inclusion in the contract of such a clause respecting sidewalks at this stage in the process was fair to the developer.

ON MOTION of Councillor Kelly and Councillor Roy, it was moved that the Town Council of the Town of Bedford approve, in principle, the entering into a Contract Development Agreement with Kiel Dev. Ltd. for the development of property known as 1711, 1715 and 1717 Bedford Highway, as amended by the addition of a clause whereby the developer would be responsible to construct sidewalks to the standard of the Town or contribute \$15 per linear foot in lieu of construction. Motion approved. Deputy Mayor Nolan and Councillor Lugar voted against the Motion.

REGULAR SESSION - TOWN COUNCIL - OCTOBER 19, 198710 PETITIONS AND DELEGATIONS

NIL

11. MOTIONS11.1 BY-LAW RESPECTING NOISE - SECOND READING - DRAFT #6

Copies of a revised draft By-Law Respecting Noise were circulated to Members of Council.

By correspondence, Peter McInroy, Solicitor, advised Council that this draft was developed in response to previous suggestions from Town Council, Town staff and the Ad Hoc By-Law Committee.

During the ensuing review of the clauses contained in the draft By-Law, several suggestions were made by Members of Council, and it was agreed that the Ad Hoc By-Law Committee and the Solicitor should address these concerns.

In particular, it was suggested that:

- a) the prohibited times indicated in Table 3-1 might be worded in an easier to understand manner;
- b) that the situation with respect to industrial parks should be reconsidered;
- c) consideration be given to whether any heavy construction equipment noise should be permitted on a Sunday or holiday.

ON MOTION of Councillor Kelly and Councillor Roy, it was moved that the By-Law Respecting Noise be received for Second Reading. Motion approved unanimously.

In response to an inquiry from the Chief Administrative Officer as to when Town Council would be willing to receive opinions in an open forum from the general public respecting this by-Law, it was agreed that the next public information session might be suitable for such presentations.

The Chief Administrative Officer suggested, and Council agreed, that because of the isolated nature of the Union Street residents' concerns relative to noise emanating from Bedford Place Mall; a meeting should be arranged of all the parties involved in an effort to resolve the perceived problems in a cooperative manner.

REGULAR SESSION - TOWN COUNCIL -11.2 AMENDMENT TO BY-LAW RESPECTING FIREARMS - THIRD READING

Copies of a proposed amendment to the By-Law Respecting Firearms were circulated to Members of Council for Third Reading.

ON MOTION of Deputy Mayor Nolan and Councillor Roy, it was moved that a proposed amendment to the By-Law Respecting Firearms be received for Third Reading and approved subject to the approval of the Minister of Municipal Affairs. Motion approved unanimously.

11.3 BY-LAW RESPECTING ALTERATION OF GRADES - SECOND READING

ON MOTION of Deputy Mayor Nolan and Councillor Christie, it was moved that the Second Reading of a proposed By-Law Respecting Alteration of Grades, be deferred to the next Regular Session of Council. Motion approved unanimously.

11.4 AMENDMENT TO BY-LAW RESPECTING BUILDING - SECOND READING

ON MOTION of Councillor Kelly and Deputy Mayor Nolan, it was moved that a proposed amendment to the By-Law Respecting Building be received for Second Reading. Motion approved unanimously.

11.5 DISPOSAL OF SURPLUS LANDS - SNOWY OWL DRIVE - DEFERRED MOTION

Council was advised that consideration of the following Motion was deferred at the last Regular Session of Council pending a report from the Director of Engineering and Works as to whether or not the Town has any use of the property;

ON MOTION of Councillor Christie and Councillor Lugar, it was moved that Town Council declare the thirty foot (30') strip of land, located behind lots 426 to 433, Snowy Owl Drive (designated as parkland), as surplus to the Town's needs.

By memorandum, Rick Paynter, Director of Engineering and Works advised Council that, from his department's perspective, he would have no problem with the conveyance of this strip of land out of the ownership of the Town of Bedford.

For the benefit of Council, Barry Zwicker, Director of Planning and Development Control reviewed the location of the thirty foot (30') strip of land in question and the history of its ownership by the Town of Bedford.

The Motion was put to the meeting and approved unanimously.

REGULAR SESSION - TOWN COUNCIL - OCTOBER 19, 198712. NEW BUSINESS12.1 APPOINTMENTS FROM COMMUNITY-AT-LARGE TO
BOARDS/COMMITTEES/COMMISSIONS

By memorandum, Joan Pryde, Deputy Clerk, advised with respect to appointments from the Community-at-Large to Boards/Committees/Commissions and noted that an advertisement will be placed in the local newspapers on Saturday October 24, 1987 requesting expressions of interest to serve on one or more of these committees.

During the ensuing discussion, it was suggested that Council might consider the changing of the effective date of most of these appointments to September rather than November as is currently the practice. However, the Chief Administrative Officer reminded Council that the November date is a result of the timing of the municipal elections every three years.

The report was received for information.

12.2 1994 COMMONWEALTH GAMES - REQUEST FOR FINANCIAL ASSISTANCE

Copies of correspondence from Peter G. Green, Chairman, 1994 Halifax Commonwealth Games Society, were circulated to Members of Council in which Mr. Green requested the consideration of the Town of Bedford contributing five thousand dollars (\$5,000) to the Society's Bid Budget.

ON MOTION of Councillor Lugar and Councillor Christie, it was moved that the Town of Bedford approve the contribution of five thousand dollars (\$5,000) towards the 1994 Halifax Commonwealth Games Society's Bid Budget and this funding be included in the 1988 General Operating Estimates. Motion approved unanimously.

12.3 SEMI ANNUAL PUBLIC INFORMATION SESSION: ESTABLISH DATE AND
AGENDA TOPICS

The Chief Administrative Officer requested consideration of Town Council with respect to a date for the next Semi Annual Public Information Session and also advice as to the desired format agenda etc. of this meeting.

It was unanimously agreed that this Semi Annual Public Information Session should be held on the evening of November 26, 1987. It was also suggested that the agenda could include a discussion concerning the proposed By-Law Respecting Noise and a discussion respecting the Wards/At Large system.

REGULAR SESSION - TOWN COUNCIL - OCTOBER 19, 198712.4 AWARD TENDER 87-10 - HAULING OF BULK SALT

By memorandum, Rick Paynter, Director of Engineering and Works advised that three Tenders were received with respect to Tender 87-10, Hauling of Bulk Salt with the lowest bid being received from Commercial Highway Services Limited in an amount of \$8.60 per tonne.

It was Mr. Paynter's recommendation that this Tender be awarded to Commercial Highway Services Limited.

ON MOTION of Deputy Mayor Nolan and Councillor Roy, it was moved that Tender 87-10, Hauling of Bulk Salt, be awarded to Commercial Highway Services Limited at its tendered price of \$8.60 per metric tonne. Motion approved unanimously.

12.5 SEIMAC LIMITED VS H.S. WOOD AND D.E. WOOD AND MOHAMMED L. HAMWI - RIGHT OF WAY - SEIMAC LIMITED

By memorandum, Dan R. English, Chief Administrative Officer, reviewed the details of a court action of Seimac Limited to seek determination of the following questions:

(1) Is the Plaintiff's (Seimac) property, located at 1378 Bedford Highway subject to a public right of way?

(2) If question (1) is answered in the affirmative, then is the public right of way a public street within the meaning of the Towns Act?

The result of this court action was that Mr. Justice R. MacLeod Rogers of the Nova Scotia Supreme Court Trial Division ruled that there is a 16' public street over the property owned by Seimac Limited at 1378 Bedford Highway.

Mr. English further advised that the Town has been requested by the Solicitor acting on behalf of Seimac, to state its formal position on this matter.

During the ensuing discussion, some concern was expressed by Members of Council with respect to whether or not there was any necessity for the Town to state a position or take action at this time.

ON MOTION of Councillor Roy and Councillor Christie, it was moved that the question of the status of the strip of land in question, be referred to the Planning and Development Control Department for a report on the desirability of the Town retaining this parcel of land for a walkway between First Ave. and Bedford Highway. Motion approved unanimously.

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SUSPENSION OF RULES OF ORDER

It was unanimously agreed to suspend the Rules of Order in order that item 14.2.3 might be considered as the next item of business.

14.

STAFF REPORTS

14.2.3

VILLAGE CENTRE CONTRACT DEVELOPMENT AGREEMENT - PROPOSED AMENDMENT

By memorandum, Barry Zwicker, Director of Planning and Development Control, advised of a request from Nova West Group for an amendment to the Village Centre Development Agreement to allow for a small drycleaning operation to be part of the Village Centre Project.

Mr. Zwicker advised that the effect of the amendment would be to permit a self contained drycleaning operation versus simply a drycleaning outlet which is presently permitted in the existing contract.

It was recommended by the Department that Council give favourable consideration to this request to amend the Development Agreement to allow for this proposed use with the following conditions forming part of the amended contract:

(a) the operation is to be totally self contained within the leased area, thereby not permitting any outside or external venting of the machinery;

(b) that no satellite outlets be set up for the purposes of forwarding or supplying clothes to this operation in the Village Centre;

(c) at any time odour or emission of any sort are determined to be originating from this operation, it shall cease operating immediately upon written notice from the

REGULAR SESSION - TOWN COUNCIL - OCTOBER 19, 198714.2.3 CON'T

Town.

A lengthy discussion ensued between Members of Town Council and the applicants with respect to the proposed drycleaning operation, and the type of equipment which will be used. Council was assured that the appliance to be used is a totally enclosed closed circuit system that retains all of its cleaning solvents. In fact, it was indicated that the process is so self contained that the appliance does not have any provision for venting since there is no escape from the system.

During this discussion, the applicant expressed some concern with respect to the proposed condition that no satellite outlets be set up for the purposes of forwarding or supplying clothes to this operation in the Village Centre - the applicant noting that if there was a downward turn in the business climate, he might wish to implement such an operation.

ON MOTION of Councillor Roy and Councillor Lugar, it was moved that Town Council approve the request to amend the Development Agreement to allow for a self contained drycleaning operation subject to the Contract also being amended to include the three conditions suggested by the Planning and Development Control Department; subject also to confirmation by the Fire Marshall's Office and the Town Fire Department that the system and chemicals are acceptable. Motion approved unanimously.

It was noted by Members of Town Council, that if following the establishment of this drycleaning operation, the operator feels it is necessary to coordinate it with one or more satellite operations, he can then request a further amendment to the Contract which would be considered by Town Council.

12.6 REMEMBRANCE DAY ACT

By memorandum, Councillor Peter Kelly drew attention to the fact that Remembrance Day is approaching and asked that Members of Council draw attention to the occasion by the approving of a Remembrance Week Proclamation by Mayor Roberts.

During the ensuing discussion, various concerns with respect to the wording of the Proclamation were discussed by Members of Council. It was also noted by several Councillors that most residents and commercial businesses within the community recognize and respect the meaning of Remembrance Day.

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12.6 CON'T

ON MOTION of Councillor Roy and Councillor Kelly, it was moved that:

WHEREAS, the Remembrance Day Act is in force within the Province of Nova Scotia, and;

WHEREAS, the Town of Bedford has had thirty-one residents give unselfishly of their lives during World War 1 and World II so that we may enjoy the Town as it is today, and;

WHEREAS this will be the community's way of paying tribute and thanks to the men and women whose lives were ended so prematurely.

NOW, THEREFORE, the Town of Bedford does hereby urge the residents and the commercial businesses within the community to do their part in paying respect to the Day.

Motion approved unanimously.

13. REPORTS BOARDS/COMMITTEES/COMMISSIONS

13.1 BEDFORD PLANNING ADVISORY COMMITTEE

Copies of the minutes of the Bedford Planning Advisory Committee, Regular Session of October 7, 1987 and the Public Participation Meeting - Proposed amendments to the Municipal Planning Strategy, were circulated and received for information.

13.2 BEDFORD PLANNING ADVISORY COMMITTEE - PROPOSED REVISED TERMS OF REFERENCE

By memorandum, the Ad Hoc Committee on the Terms of Reference for the Bedford Planning Advisory Committee advised that the only specific recommendations received for further consideration is that the membership of the Committee be six residents rather than seven, that Council representation should be three rather than two, and that a quorum should remain as simple majority but requiring two Councillors rather than one. An additional suggestion was that the Chairman and Vice Chairman should not both be either Councillors or residents.

During the ensuing discussion, various opinions were expressed with respect to whether or not the Council representation on this Committee should consist of two or three members, whether there was any need to qualify who

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13.2 CON'T

could be Chairman and/or vice Chairman and whether or not it was necessary that a quorum include one or more Members of Council.

ON MOTION of Councillor Short and Councillor Lugar, it was moved that Clause 3.1 of the Terms of Reference for the Bedford Planning Advisory Committee, be amended to read as follows:

The Committee shall consist of nine members; three Councillors and six residents of the Town;

further, that Clause 3.2 be amended to read as follows:

A quorum shall be a simple majority of the nine members.

The Motion was approved unanimously.

EXTENSION OF TIME OF MEETING

14. STAFF REPORTS

14.1 FIRE CHIEF'S MONTHLY REPORT SEPTEMBER 1987

14.1.1 FIRE DEPARTMENT - ANNUAL ELECTIONS

14.2.2 BUILDING INSPECTOR'S MONTHLY REPORT - SEPTEMBER 1987

14.2.4 SUBDIVISION ACTIVITY REPORT

14.3 TAX COLLECTION REPORT TO SEPTEMBER 30, 1987

Copies of the Fire Chief's Report - September, 1987; Fire Department Annual Elections; Building Inspector's Monthly Report - September 1987; Subdivision Activity Report and the Tax Collection Report to September 30, 1987 were circulated to Members of Council and received for information.

14.2.1 SEVENTH DAY ADVENTIST PROPOSAL - PLAN AMENDMENT

By memorandum, John Malcolm, Senior Planner, advised Council that at its October 7, 1987 meeting, the Bedford Planning Advisory Committee recommended entering into a process to amend the Generalized Future Land Use Plan by dropping the Regional Park designation and replacing it with the Secondary Development Area designation. He also advised

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that B.P.A.C. recommended that Table 3 - potentially permitted uses of a Secondary Development Area be expanded to include Special Care Facilities.

Mr. Malcolm further advised that in all cases wherein an amendment to the plan is being considered by a municipality, the Planning Act requires that Council adopt, by Resolution, a Public Participation Program.

During the ensuing discussion, concern was expressed by Members of Council that the scheduling of a Public Participation Program, as recommended, was premature in that several important matters need to be clarified before Council should proceed.

ON MOTION of Councillor Kelly and Councillor Short, it was moved that further consideration of this matter be deferred pending further information, particularly with respect to the future access road to the Sandy Lake Parkland area. Motion approved unanimously.

15. CORRESPONDENCE15.1 METROPOLITAN AREA PLANNING COMMISSION - PROPOSED MODEL SEWER DISCHARGE BY-LAW

Copies of a Proposed Model Sewer Discharge By-Law were circulated to Members of Council. In correspondence from Keith Roberts, Chairman of the Metropolitan Area Planning Commission, Council was advised that each municipal council is being requested to approve a Sewer Discharge By-Law which will provide for uniform and concurrent implementation.

ON MOTION of Deputy Mayor Nolan and Councillor Roy, it was moved that the Proposed Model Sewer Discharge By-Law be tabled pending advice from the Solicitor. Motion approved unanimously.

ON MOTION of Councillor Kelly and Councillor Christie, it was moved that the time of the meeting be extended to 11:30 p.m. Motion approved unanimously.

16. NOTICES OF MOTION

NIL

17. OTHER

REGULAR SESSION TOWN COUNCIL - OCTOBER 19, 198717.1 ACTION SHEET

The Action Sheet dated October 19, 1987 was circulated for information.

18. ADDED ITEMSLONG RANGE PLANNING COMMITTEE FOR BEDFORD FIRE DEPARTMENT

The Chief Administrative Officer requested consideration of Council to the appointment of Council Members on an Ad Hoc Long Range Planning Committee for the Bedford Fire Department.

It was agreed that Councillor Christie, Councillor Roy, Mayor Roberts and the Chief Administrative Officer, would be considered the Council appointments to this Committee.

18.2 BEDFORD BLUEPRINT

The Chief Administrative Officer reviewed for the benefit of Council, the proposed plans to publish an edition of the Bedford Blueprint in booklet form. It is scheduled to be circulated to the community on or about the middle of December and it is hoped that the booklet will contain input from the various Town Departments, community organizations and Members of Town Council. A meeting of the Senior Administration Committee, with Ms. Helen Graham, is scheduled for Wednesday, November 21, 1987, at which time various topics will be explored for inclusion in the booklet. Mr. English invited Members of Council to attend this meeting.

Council agreed that, if possible, an attempt should be made to secure advertising as a means of reducing costs, estimated at \$6,000.

18.3 CARPET - ADMINISTRATIVE OFFICES

In response to a request from the Chief Administrative Officer, Members of Council agreed that he should negotiate with the landlord a means by which the carpeting located in the Administrative offices could be replaced.


18.4 PROCLAMATION - DRIVE WITH YOUR LIGHTS ON


ON MOTION of Councillor Christie and Deputy Mayor Nolan, it was moved that Town Council support the issuance of a Proclamation by Mayor Roberts respecting, "Drive With Your Lights On." Week. Motion approved unanimously.

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19. ADJOURNMENT

ON MOTION of Councillor Christie and Councillor Roy, it was moved that the meeting adjourn at approximately 11:30 p.m.


MAYOR


CHIEF ADMINISTRATIVE OFFICER

Mayor Roberts noted that the purpose of the public hearing was to receive submissions regarding a proposed Commercial Development Agreement for property located at 174 Bedford Highway, Bedford, N.S.

NEXT ITEMS

Mayor Roberts, Director of Planning and Development, advised that requirements under the Planning Act of Nova Scotia and of the Town of Bedford with respect to the advertising of Public Hearings, were carried out.

Mr. Deister further advised that this application for a Commercial Development Agreement is to allow for a commercial building containing a total of 42,000 square feet which does not exceed 30 feet in height and the building shall be used only for the following Commercial uses:

- Commercial Store
- Advertising Office

The Council and representatives of the public were present at the public hearing.

The Council has received the following information from the applicant:

The applicant has advised that the proposed building will be used for the following Commercial uses:

The Council has received the following information from the applicant:

TOWN OF BEDFORD
PUBLIC HEARING
OCTOBER 19, 1987

A Public Hearing was held by the Town Council of the Town of Bedford, 7:00 p.m., in the Council Chambers, Suite 400, Bedford Tower, Bedford, N. S., Mayor Keith Roberts presiding.

Deputy Mayor Chris Nolan and Councillors Peter Christie, Peter Kelly, David Lugar, William Roy and Robert Short, were in attendance at the commencement of the Hearing.

Staff members attending this Hearing included Dan R. English, Chief Administrative Officer; Barry Zwicker, Director of Planning and Development Control and Joan Pryde, Deputy Clerk.

1. PURPOSE OF PUBLIC HEARING

Mayor Roberts noted that the purpose of the Public Hearing was to receive submissions respecting a proposed Contract Development Agreement for property located at 1711, 1715 and 1717 Bedford Highway, Bedford, N. S.

2. STAFF REPORT

Barry Zwicker, Director of Planning and Development Control advised that requirements under the Planning Act of Nova Scotia and of the Town of Bedford with respect to the advertising of Public Hearings, were carried out.

Mr. Zwicker further advised that this application for a Contract Development Agreement is to allow for one Commercial building containing a total of 12,000 square feet which does not exceed 30 feet in height and the building shall be used only for the following Commercial uses:

- commercial store
- drycleaning outlet
- laundromat
- dental clinic
- Trust Company
- food takeout and restaurant with no drive through window
- legal offices
- insurance offices and,
- other types of commercial use permitted in the C-1 (Commercial - Local Business) zone of the Town's Land Use By-Law; along with the provision for 40 parking spaces on site.

Copies of a memorandum from John Malcolm, Senior Planner, were circulated to Members of Council in which Mr. Malcolm advised pertinent details with respect to this application and noted that it is the recommendation of the Planning and Development Department that this application for a Contract Development Agreement be permitted and approved by Town Council.

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In particular, it was noted by Mr. Malcolm that the Oakmount Homeowners Residents Group have been notified and informed of the Development proposal.

Mr. Malcolm also advised that the owners of property located at 16 Oakmount Drive, immediately adjacent to the proposed development site, have indicated their interest in having C-1 Commercial Uses on the site as opposed to C-5 Highway Oriented Uses.

Copies of correspondence from the owners of property located at 18 Oakmount Drive were circulated to Members of Council in which they advised that their concerns are mainly the possibility of noise and fumes from the properties being considered under this Development Agreement.

3. QUESTIONS FROM COUNCIL

In response to inquiries from Council, Mr. Zwicker reviewed details of the proposed driveway entrances from the Bedford Highway.

Some discussion took place with regard to the possibility of requiring that developers provide a model of any such proposed development which would illustrate the relative height and size of the building in relation to the surrounding area.

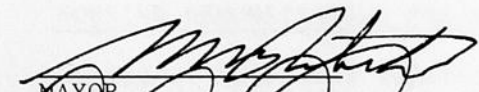
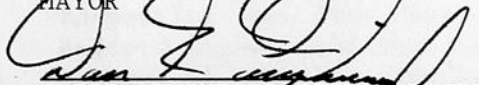
In response to an inquiry from Council, the Director of Planning and Development advised that insofar as this particular Contract Development Agreement is concerned, he was not aware of any discussion with regard to the possibility of the developer contributing to the cost of sidewalk installation.

4. SUBMISSIONS FROM THE GENERAL PUBLIC

In response to an invitation from Mayor Roberts, there were no submissions from the general public.

5. ADJOURNMENT

ON MOTION of Councillor Roy and Councillor Kelly, it was moved that the Public Hearing be adjourned at approximately 7:20 p.m. Motion approved unanimously.


MAYOR

CHIEF ADMINISTRATIVE OFFICER

TOWN OF BEDFORD
SPECIAL SESSION
OCTOBER 26, 1987

A Special Session of the Town Council of the Town of Bedford took place on Monday, October 26, 1987, 4:30 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, N. S. Mayor Keith Roberts presiding.

1. ATTENDANCE

Deputy Mayor Chris Nolan and Councillors Peter Kelly, Peter Christie, David Lugar, William Roy and Robert Short were in attendance at the commencement of the Session.

Staff members attending the Session included Barry Zwicker, Acting Chief Administrative Officer; Rick Paynter, Director of Engineering and Works and Joan Pryde, Deputy Clerk. Peter McInroy, Solicitor, was also in attendance at this Session.

2. DONALD KELLY - DRAFT COURT ORDER

Copies of correspondence from David G. Coles, Barrister and Solicitor, were circulated to Members of Council in which Mr. Cole included a draft copy of a proposed Court Order respecting an agreement between Donald Edward Kelly and the Town of Bedford.

During discussion of this matter, it was noted that meetings have been held between solicitors, on behalf of Donald Kelly and the Town of Bedford, to determine if it would be possible to develop a settlement agreement which would avoid future court actions.

During a clause by clause review, it was agreed that Clause 7 should be amended to read as follows, "that the commercial use of the property shall not be carried on beyond the parameters of S.27 of the general provisions of the Town of Bedford Zoning By-Law except as otherwise permitted in this order."

In speaking to the matter, Peter McInroy, Solicitor, expressed the opinion that the proposed agreement seems to be quite reasonable for both parties.

ON MOTION of Councillor Lugar and Councillor Christie, it was moved that the Town of Bedford approve the proposed Order, as circulated, subject to the revision of Clause 7 as previously noted. Motion approved unanimously.

3. HOUSING DEMONSTRATION PROJECT

Copies of appraisal reports from Turner, Drake and Partners respecting two Town owned properties located on lot 134 Bedford Highway and lot 4 Wardour Street, were circulated to Members of Council. The appraised value for each lot was

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3.

CON'T

\$23,500.

In speaking to this matter, Barry Zwicker advised that the Nova Scotia Housing Commission has requested that the Town of Bedford accept a value of \$20,000 per lot to be applied as the Town's contribution toward the cost of erecting single family residences which would be operated under the Housing Demonstration Project.

During the ensuing discussion, it was generally agreed that the value of \$20,000 was acceptable but some concern was expressed, in particular by Mayor Roberts, as to whether or not any residential dwellings should be envisaged on the Bedford Highway at this time.

Further discussion also ensued with respect to how these properties would be maintained by the Halifax County Housing Authority once the residences were constructed and occupied.

ON MOTION of Councillor Kelly and Councillor Roy, it was moved that the Town of Bedford approve the use of the lots located at 134 Bedford Highway and lot 4 Wardour Street for the Housing Demonstration Project, subject to the value of each lot being determined to be \$20,000 and subject to the approval by Town Council of the construction design and ongoing maintenance program. Motion approved. Mayor Roberts voted against the Motion.

4.

EAGLEWOOD DRIVE EXTENSION

Rick Paynter, Director of Engineering and Works advised Council that the construction work, with respect to the Eaglewood Drive extension, is currently under way. He noted that it may be necessary to construct some additional gabian wall material beyond that which was originally planned, in order to properly stabilize the project. Depending on weather conditions, it may be necessary to defer the final dressing of the slope until next spring.

5.

PEERLESS SUBDIVISION - INSTALLATION OF CENTRAL SEWER AND WATER SERVICE

Councillor Kelly requested information as to when residents of Peerless Subdivision could meet with Members of Town Council to discuss the possible installation of central sewer and water services.

Following a brief discussion, it was agreed that Council would hope to meet with the residents sometime during the

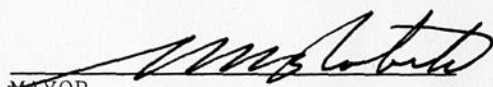
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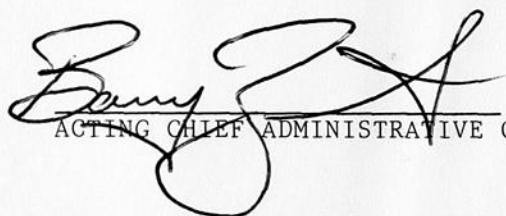
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month of November following the receipt of pertinent information from the Atlantic Health Unit regarding their testing program and the Municipal Affairs Department relative to cost sharing.

6. ADJOURNMENT

The meeting adjourned at approximately 6 p.m.


MAYOR


ACTING CHIEF ADMINISTRATIVE OFFICER