

REGULAR SESSION - TOWN COUNCIL - DECEMBER 14, 198712.6 CON'T

NOTICE OF MOTION was served by Councillor Nolan of the intention of the Town of Bedford to approve, in principle, changes to Section 3 of the Bedford By-Law Number 28431, dated September 9, 1986 respecting cost-sharing of the Metro Transit deficit.

EXTENSION OF TIME OF MEETING

ON MOTION of Councillor Roy and Deputy Mayor Christie, it was moved that the meeting be extended for one half hour. Motion approved unanimously.

13.1 BEDFORD WATERS ADVISORY BOARD POSITION PAPER - BEDFORD WATERFRONT DEVELOPMENT PROJECT

Copies of the Bedford Waters Advisory Committee Position Paper re Bedford Waterfront Development and associated waterfront concerns, were circulated to Members of Council.

Councillor Nolan advised that this Position Paper is meant to be a working document, to be used as a guideline with respect to the future Bedford Waterfront Development.

ON MOTION of Councillor Nolan and Councillor Roy, it was moved that the recommendations contained on page 4, (as attached), be approved. Motion approved. Councillor Short, Councillor Kelly and Deputy Mayor Christie abstained from voting.

13.2 BEDFORD TRANSIT ADVISORY COMMITTEE - TRANSIT SERVICE - COBEQUID MULTI-SERVICE CENTRE

By memorandum, the Bedford Transit Advisory Committee advised Council with respect to its concern regarding lack of transit service to the Cobequid Multi-Service Centre. Council was requested to take the necessary steps to bring this matter to the Metropolitan Authority.

Some concern was expressed by Councillor Short that it might not be reasonable to expect the large transit buses to provide door to door service to the Cobequid Multi-Service Centre but that there might be some other option which would be more reasonable.

ON MOTION of Councillor Roy and Councillor Kelly, it was moved that this matter should initially be referred to the Urban Services Committee of the Municipality of the County of Halifax, following which it should be referred by the two municipalities to the Metropolitan Authority. Motion approved unanimously.

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13.3 BEDFORD PLANNING ADVISORY COMMITTEE

Copies of the minutes of the Bedford Planning Advisory Committee for December 2, 1987, were circulated to Members of Council from Councillor Chris Nolan, Chairman, Bedford Planning Advisory Committee.

Councillor Nolan requested that Council take particular notice of item 5A-2 Commercial Zone Amendments - Bedford Highway.

The report was received for information.

13.4 RECREATION COMMISSION REPORT

By memorandum, Robert Nauss, Recreation Director, circulated copies of a report respecting the Recreation Commission meeting of December 9, 1987.

Councillor Roy reviewed for the benefit of the Council, the opinions that were expressed at this meeting by an insurance liability expert. The result is that the Recreation Commission is now developing a plan to place appropriate signage at the location of potentially dangerous park areas in order that residents will be suitably warned to take care. It is also planned to periodically caution residents through publications such as the Bedford Blueprint.

The report was received for information.

14. STAFF REPORTS

14.1 FIRE CHIEF'S MONTHLY REPORT - NOVEMBER, 1987

14.2 BUILDING INSPECTOR'S MONTHLY REPORT - NOVEMBER, 1987

14.3 FINANCE DEPARTMENT - TAX COLLECTIONS REPORT

14.4.1 PLANNING AND DEVELOPMENT CONTROL- SUBDIVISION ACTIVITY REPORT #3

14.4.2 PROPOSED WALKWAY - BEDFORD HIGHWAY AND FIRST STREET (SEIMAC)

ON MOTION of Councillor Nolan and Councillor Lugar, it was moved that the Fire Chief's Report for November, 1987; Building Inspector's Report for November, 1987; Finance Department Tax Collections Report; Planning and Development Control's Subdivision Activity Report #3 and a report respecting the Proposed Walkway - Bedford Highway and First Street (Seimac), be received for information. Motion approved unanimously.

STREET NAME - FIRST STREET/FIRST AVE.

ON MOTION of Councillor Roy and Councillor Short, it was moved that the name of "First Ave.," be ratified. Motion approved unanimously.

14.5.1 ENGINEERING AND WORKS DEPARTMENT - PROPOSED POLICY - SEWER MAINTENANCE AND REPAIR - BUILDING SERVICE LATERALS

By memorandum, Rick Paynter, Director of Engineering and Works reviewed the details of a proposed Policy Respecting Sewer Maintenance and Repair for Building Service Laterals in the Town of Bedford.

In assessing this matter, Mr. Paynter noted the problems which are arising when his Works personnel have been involved in the clearing of building service laterals on private property. He asked that his Department be relieved of this role through the approval of the proposed Policy.

ON MOTION of Councillor Nolan and Councillor Lugar, it was moved that the Policy Respecting Sewer Maintenance and Repair for Building Service Laterals in the Town of Bedford be approved and accepted as presented. Motion approved unanimously.

14.5.2 ENGINEERING AND WORKS DEPARTMENT - DEPARTMENTAL REPORT #5

The 1987 Departmental Year End Information Report (#5) was received for information.

15. CORRESPONDENCE15.1 F.C.M. - RADIO LICENSE FEES

Correspondence from the Federation of Canadian Municipalities respecting radio license fees was received for information.

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15.2 TOWN OF BRIDGEWATER - CROWNLIFE PARTICIPATION CHALLENGE

Copies of correspondence from W. E. Hebb, Town Clerk and Treasurer, Town of Bridgewater, were circulated to Members of Council in which Mr. Hebb advised that the Town of Bridgewater will not be participating in the Crownlife Participation Challenge for the year 1988. The correspondence was received for information.

15.3 BEDFORD HERITAGE '80 - HERITAGE ADVISORY COMMITTEE

Copies of correspondence from T. Kenneth Barnard, Chairman, Bedford '80 Society, were circulated to Members of Council in which Mr. Barnard advised that the Bedford Heritage '80 Society was interested in becoming involved with the responsibilities of the Town's Heritage Advisory Committee for two years.

Mr. Barnard advised that the Motion approved by his Society states that Bedford Heritage '80 agrees to take over the responsibilities of the Town's Heritage Advisory Committee for two years setting up a "Heritage Property Committee," of five (with the power to add) to do that work, and requires that all recommendations of that Committee be approved by the membership before being forwarded to Town Council.

Mr. Barnard requested concurrence of Town Council in this proposal.

It was unanimously agreed that the proposal of Heritage '80 society be accepted.

15.4 METROPOLITAN AREA TOURISM ASSOCIATION - MOIRS MILL PUMPHOUSE

Copies of correspondence from Duncan A. Cross, Executive Director, Metropolitan Area Tourism Association, were circulated to Members of Council in which Mr. Cross requested that the Town Council consider the renovation of the Moirs Mill Generating Station for a future use as a Tourist Bureau.

It was agreed that Mr. Cross should be advised that such a proposal is under consideration through the Capital Budget for 1988.

CHIEF ADMINISTRATIVE OFFICER

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15.5 METROPOLITAN AREA TOURISM ASSOCIATION - REQUEST FOR FUNDING - 1988

Copies of correspondence from Duncan A. Cross, Executive Director, Metropolitan Area Tourism Association, were circulated to Members of Council in which Mr. Cross expressed the thanks of the Association for the support of the Town of Bedford during the 1987 year.

Mr. Cross further requested consideration of the Town of Bedford for further financial support during 1988.

The correspondence was received for information.

16. NOTICE OF MOTION

NIL

17. QUESTIONS

17.1 ACTION SHEET

The Action Sheet dated December 14, 1987 was received for information.

18. ADDED ITEMS

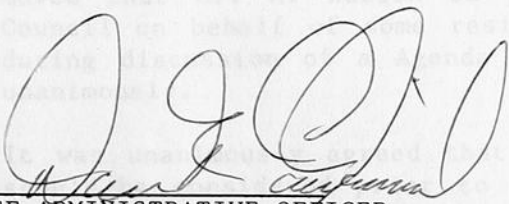
NIL

19. OTHER

NIL

20. ADJOURNMENT

ON MOTION of Councillor Kelly and Councillor Short, it was moved that the meeting adjourn at approximately 11:30 p.m. Motion approved unanimously.


CHIEF ADMINISTRATIVE OFFICER


MAYOR

TOWN OF BEDFORD
REGULAR COUNCIL SESSION
JANUARY 18, 1988

A Regular Session of the Town Council of the Town of Bedford was held on Monday, January 18, 1988, 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 Peter Christie and Councillors Peter Kelly, David Lugar, Chris Nolan, 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; Ron Singer, Director of Finance; Barry Zwicker, Director of Planning and Development Control; Rick Paynter, Director of Engineering and Works and John Malcolm, Senior Planner. Peter McInroy, Solicitor, was also in attendance for a portion of the Session.

3. APPROVAL OF MINUTES

ON MOTION of Deputy Mayor Christie and Councillor Nolan, it was moved that the Minutes of the Regular Session of December 14, 1987; Minutes of Public Hearing of December 14, 1987 (87-16) and Public Hearing of December 14, 1987 (87-17) be approved. Motion approved unanimously.

4. ADDITIONS/DELETIONS TO ORDER OF BUSINESS

Councillor Kelly requested the permission of Council to receive a submission from Mr. A. Watson during consideration of Item 9.1 - Development Agreement, Civic #39 Dartmouth Road."(Public Hearing December 14/87).

ON MOTION of Councillor Kelly and Councillor Short, it was moved that Mr. A. Watson be permitted to speak to Town Council on behalf of some residents of the area involved during discussion of a Agenda Item 9.1. Motion approved unanimously.

It was unanimously agreed that Agenda Items 9.1 and 12.4 should be considered prior to the consideration of Agenda Item 7.1.

5. APPROVAL OF ORDER OF BUSINESS

ON MOTION of Councillor Kelly and Deputy Mayor Christie, it was moved that the Order of Business, as amended, be approved. Motion approved unanimously.

6. MOTIONS OF RECONSIDERATION

NIL

9. PUBLIC HEARINGS AND MOTIONS ARISING THEREFROM

9.1 PUBLIC HEARING (87-16) DEVELOPMENT AGREEMENT , CIVIC #39 DARTMOUTH ROAD (PUBLIC HEARING DECEMBER 14/87)

Prior to consideration of this matter, Mayor Roberts requested Barry Zwicker, Director of Planning and Development Control to clarify the situation relative to questions which have arisen respecting renovations currently taking place to the building located on this property. Mr. Zwicker was also asked to clarify whether or not approval of the requested Development Agreement would result in adjacent properties being afforded similar consideration for commercial Development Agreements in the future.

Mr. Zwicker advised that under the provisions of the Planning Act, an owner is permitted to maintain and repair a building classified as a non-conforming use, such that the building will remain in a good and safe condition. Mr. Zwicker further reviewed the history of the renovations which are currently taking place and advised that the Building Permits for same, were issued in compliance with the Town's Building By-Law and the Planning Act.

Council was also advised that approval of this particular Contract, would not, as a matter of right, enable an owner of an abutting property to enter into a Contract for a commercial development due to the fact that the Generalized Land Use Designation of these abutting properties is currently "Residential."

In response to a further inquiry as to whether or not Town Council could force a Residential (R-1) Development on this property, Mr. Zwicker advised that, under the provisions of the Planning Act, any parcel of land which has a non-conforming status, may continue as such, as long as the use has not been discontinued for a period of longer than six months or if the building has not been destroyed beyond seventy five percent of its value.

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9.1 CON'T

In response to an invitation from Mayor Roberts, Mr. A. Watson addressed Council on behalf of his neighbours.

He expressed concern that the approval of the requested Contract Development Agreement would lead to further commercialization of the area and advised Council that residents involved, wished this area to remain under a Residential (R-1) Zoning.

In response to an inquiry from Council, as to whether the requested Contract Development Agreement would permit vehicle repairs and maintenance to be carried out on the property, Mr. Zwicker advised that the proposed Contract precludes such activity.

During a review of several contract clauses, it was unanimously agreed that the term permitted for implementation of same should be reduced from five years to twelve months.

Following a discussion with respect to the parking areas which are planned for the site, it was agreed that some effort should be made to ensure that vehicles do not park on the sidewalk area in front of the property.

ON MOTION of Councillor Nolan and Councillor Lugar, it was moved that the Town Council of the Town of Bedford approve, in principle, entering into a Contract Development Agreement, as circulated, with Mr. David Gardiner for the development of property located at 39 Dartmouth Road. **Motion approved.** Councillor Short voted against the Motion. Councillor Roy abstained from voting due to the fact that he was not in attendance at the Public Hearing.

12. NEW BUSINESS12.4 ARMOYAN GROUP APPEAL - DECISION - BEDFORD HILLS REZONING

Copies of correspondence from Peter A. McInroy, Solicitor, were circulated to Members of Council with which Mr. McInroy enclosed a copy of the Municipal Board decision respecting the Armoyan Group Appeal. Mr. McInroy noted that the Municipal Board ruled in favour of the appellant and has ordered that the forty-eight lots, Bedford Hills Subdivision, are to be re-zoned from R-1 to R-2.

Mr. McInroy also advised that Town Council has two alternatives:

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- (1) accept the decision and carry out the order of the Board to rezone the forty-eight lots from R-1 to R-2 or;
- (2) within thirty days, make an application to seek permission ("leave") of a single judge of the appeal division to appeal to the Nova Scotia Supreme Court - Appeal Division.

Mr. McInroy also noted that any Leave Application must be based on either a question of law or of jurisdiction.

In response to an inquiry from Council as to whether or not there are any grounds open for Council to appeal, Mr. McInroy expressed his doubt and noted that the Appeal Court is usually reluctant to interfere with decisions of the Municipal Board.

Some strong concern was expressed by Members of Council that, in their opinion, this decision will make it very difficult for Town Council to deny any zoning applications from R-1 to R-2 whenever requested, unless the M.P.S. is amended.

ON MOTION of Councillor Kelly and Councillor Roy, it was moved that legal counsel be requested to analyze the Board's decision to determine any legal course that may be open to Council with respect to an appeal and in particular, when reviewing the decision, to determine if, in his opinion, there has been any error in law. Motion approved unanimously.

ON MOTION of Deputy Mayor Christie and Councillor Short, it was moved that Town Council refer to the Bedford Planning Advisory Committee, the matter of the Municipal Board decision and request recommendations which may be required to bridge the gap between the current M.P.S. and the revised M.P.S. as it relates to R-2 Development. Motion approved unanimously.

7. DEFERRED BUSINESS/BUSINESS ARISING FROM THE MINUTES7.2 CONFLICT OF INTEREST - DIRECTORS OF BEDFORD WATERFRONT DEVELOPMENT CORPORATION

Copies of a Press Release dated January 5, 1988 were circulated to Members of Council in which the Board of Directors of the Bedford Waterfront Development Corporation advised that Councillors Peter Christie and Peter Kelly have submitted their resignation as Directors of the Bedford

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Waterfront Development Corporation, effective January 5, 1988.

The release noted that the Council Members resigned in order to avoid any future Conflict of Interest situations which may arise during negotiations between the Town and the B.W.D.C.

Councillor Roy expressed congratulations to Deputy Mayor Christie and Councillor Kelly for their decision in this matter and expressed his thanks for their activities on behalf of the Waterfront Development Corporation since their appointment to the Board of Directors of that organization.

7.1 BEDFORD WATERFRONT DEVELOPMENT PROJECT - PROPOSED AMENDMENTS TO M.P.S.

Deputy Mayor Christie, Councillor Kelly and Councillor Short excused themselves from the meeting.

Copies of a document entitled "Policies and Design Criteria for Bedford Waterfront Development," were circulated to Members of Council. By memorandum, Barry Zwicker, Director of Planning and Development Control, advised that the document has received extensive review by the Bedford Planning Advisory Committee, as requested by Town Council.

In speaking to this matter, as Chairman of the Bedford Waterfront Development Corporation, Councillor Short publicly thanked the Planning Advisory Committee for the number of hours which were spent in reviewing and making recommendations respecting this document.

For the benefit of Council, Councillor Nolan, Chairman, Bedford Planning Advisory Committee, initiated a review of the most recent changes which were made to the document. Councillor Nolan also advised that on completion of its deliberations, the Bedford Planning Advisory Committee approved a Motion that it recommend to Town Council, that the document "Policies and Design Criteria for Bedford Waterfront Development," be accepted as an amendment to the Municipal Planning Strategy and also approve a resolution that any new Contract Development Agreement for the subject lands include an indemnity clause satisfactory to the Town; also that all clauses deleted from originally presented documents, be referred to the M.P.S. Review Committee, with the recommendation that they be included in appropriate chapters of the revised M.P.S. after any necessary revision.

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ON MOTION of Councillor Nolan and Councillor Lugar, it was moved that the Town Council of the Town of Bedford approve an amendment to the Municipal Planning Strategy by the inclusion of the document "Policies and Design Criteria for Bedford Waterfront Development," as circulated at this meeting of January 18, 1988 and further that the Generalized Future Land Use Map be amended as per Policy WF-19. Motion approved unanimously.

ON MOTION of Councillor Nolan and Councillor Roy, it was moved that any future Development Agreement entered into between the Town of Bedford and the Bedford Waterfront Development Corporation shall include a clause providing the Town with all appropriate indemnification regarding any possible claims for damage resulting from activities of the Bedford Waterfront Development Corporation. Motion approved unanimously.

Deputy Mayor Peter Christie, Councillor Kelly and Councillor Short reassumed their positions at the meeting.

7.3 BANKING REQUIREMENTS - AWARD OF CONTRACT

ON MOTION of Councillor Nolan and Councillor Roy, it was moved that the Town of Bedford extend the current Contract for Banking Services, at the Royal Bank of Canada, Bedford Branch, for a further three year period. Motion carried unanimously.

7.4 DOG CONTROL SERVICES - AWARD OF CONTRACT

Copies of proposals to provide Dog Control Services to the Town of Bedford for a two year period were circulated to Members of Council. By memorandum, Joan Pryde, Deputy Clerk advised that at the Regular Session of Town Council held on January 13, 1988, the following Motion was deferred pending further investigation:

"ON MOTION of Councillor Kelly and Councillor Roy, it was moved that the Contract for Dog Control Services for 1988/89 be awarded to Imperial Investments Limited in an amount not to exceed twenty-seven thousand dollars (\$27,000) in 1988 and twenty-seven thousand five hundred dollars (\$27,500)."

ON MOTION of Councillor Nolan and Councillor Short, it was moved that further consideration of this Motion be deferred pending an opportunity for staff to carry out a review of the current level of service for Animal Control in order to determine whether this current level is satisfactory or should be revised; further that, in the meantime, the Town of Bedford continue with the current contract on a month to month basis.

7.4

CON'T

DOG CONTROL SERVICES - AWARD OF CONTRACT

During discussion of this matter, some concern was expressed by Council as to whether or not the Town actually required the level of service that is now being provided. The Motion was put to the meeting and approved unanimously.

7.5

PROPOSED WALKWAY - BEDFORD HIGHWAY AND FIRST AVE.

By memorandum, Barry Zwicker, Director of Planning and Development Control advised Council respecting details of a proposed walkway between First Ave. and Bedford Highway. He noted that both the Planning and Development Control Department and the Engineering and Works Department have reviewed the possibility of developing a formalized walkway in this area on a parcel of land recently declared to be a public street and owned by the Town of Bedford.

Following a review of the details involved, Mr. Zwicker advised that it is the collective opinion of the Planning and Engineering Departments that the above noted 16' strip of land between First Ave. and the Bedford Highway is not required for walkway purposes.

ON MOTION of Councillor Lugar and Councillor Kelly, it was moved that any action on this item be deferred indefinitely.

During discussion of the Motion, some concern was expressed that the Town should deal with this matter and determine whether or not land should be sold.

Other opinions suggested that the owners of abutting land should approach Council and request whatever they wish however, at the present time, no public funds should be expended on this matter.

The Motion was put to the meeting and approved unanimously.

8.

MOTIONS OF RESCISSION

NIL

10.

PETITIONS AND DELEGATIONS

NIL

11.

MOTIONS

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11.1 AMENDMENT TO BY-LAW RESPECTING COMMERCIAL TAX EXEMPTION

ON MOTION of Councillor Nolan and Councillor Lugar, it was moved that an amendment to the By-Law Respecting Commercial Tax Exemption receive Second Reading.

During Discussion of this Motion, it was agreed that the Chief Administrative Officer should investigate whether or not the wording of this amendment could be improved.

The Motion was put to the meeting and approved unanimously.

11.2 AMENDMENT TO BY-LAW RESPECTING TRANSIT DEFICIT COST SHARING

ON MOTION of Councillor Nolan and Councillor Lugar, it was moved that an amendment to the By-Law Respecting Transit Deficit Cost Sharing be received for Second Reading. Motion approved unanimously.

It was further agreed by Town Council, that staff be requested to initiate some financial forecasting respecting Transit Deficit Cost Sharing based on The Town's new assessment for both 1988 and future years.

12. NEW BUSINESS

12.1 ASSESSMENT REPORT - 1988

By memorandum, Ron Singer, Director of Finance, advised Council that the 1988 Property Assessment Roll for the Town of Bedford has been received from the Province of Nova Scotia. He noted that the total taxable property assessment in the Town for the year 1988 is \$406,841,810 and represents a significant 11.03% increase over the 1987 taxable assessment of \$366,414,435 (adjusted).

With his memorandum, Mr. Singer also attached a schedule providing a comparison of the Town of Bedford's assessment with other municipalities throughout the Province. The Town has the largest taxable assessment when compared to other towns and has also experienced the highest percentage of assessment increase over 1987.

The report was received for information.

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12.2 MUNICIPAL ELECTION - 1988 - APPOINTMENT OF RETURNING OFFICER AND DESIGNATION OF POLLING LOCATION

By memorandum, Joan Pryde, Deputy Clerk requested consideration of Town Council to the appointment of the Returning Officer for the 1988 Municipal Election and to consideration of whether or not there should be one or two voting locations.

ON MOTION of Councillor Nolan and Councillor Lugar, it was moved that Dan R. English, Chief Administrative Officer, be appointed by Town Council as the Returning Officer for the Town of Bedford in the 1988 Municipal Election. Motion approved unanimously.

Following a brief discussion, it was unanimously agreed that there should be one voting location only, within the Town, but that it should be located at the Lion's Den in the LeBrun Centre, rather than in the Sidney Stephen School Building.

12.3 HOUSING DEMONSTRATION PROJECT - MOTION TO APPROVE TRANSFER TWO LOTS TO THE NOVA SCOTIA HOUSING DEPARTMENT

By memorandum, Joan Pryde, Deputy Clerk requested consideration of Town Council for the approval of the transfer of two properties to the Minister of Housing in order that these properties could be used in conjunction with the proposed Housing Demonstration Project planned for the Town of Bedford.

ON MOTION of Councillor Roy and Councillor Kelly, it was moved that Town Council approve the transfer of two properties located at 134 Bedford Highway and Lot 4 Wardour Street to the Minister of Housing to be used for the Housing Demonstration Project subject to the value of each lot being determined to be \$20,000. Motion approved unanimously.

12.5 1988 CAPITAL BUDGET - PROPOSED POLICY RESPECTING THE SERVICING OF PREVIOUSLY DEVELOPED (UNSERVICED) AREAS

By memorandum, Dan R. English, Chief Administrative Officer discussed details respecting a Proposed Policy Respecting the Servicing of Previously Developed (Unserviced) Areas. In particular, he noted that if such a policy is deemed necessary, it would require the enactment of a By-Law to enable the Town to recover a portion of the cost from the residents in the area or the subdivision where the services are extended. He requested the consideration of the policy as circulated with his memorandum.

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ON MOTION of Councillor Kelly and Councillor Lugar, it was moved that further discussion of this item be deferred pending the planned meeting with the Minister of Municipal Affairs and residents of the Peerless Subdivision. The Motion was put to the meeting and was defeated. Deputy Mayor Christie, Councillor Nolan, Councillor Short and Councillor Roy voted against the Motion.

A lengthy discussion ensued during which various concerns were raised by Members of Council with respect to the implementation of such a policy and by-law (s) that would also be required:

- (1) that the proposed policy only addresses the financial aspect and does not address the problems that may arise if and when such services are extended beyond the Primary Development Area;
- (2) how would Town Council differentiate between two areas such as the Peerless Subdivision and the rest of the Hammonds Plains Road - also how would the cost be shared?
- (3) would cost sharing of the installation of central services in an area such as Peerless Subdivision be the opening wedge that would initiate the Town becoming involved in cost sharing of installation of sewer and water services in new subdivisions.

During the discussion, many of the questions raised by Council were addressed by staff members - however, the opinion was expressed by the Chief Administrative Officer, that in some cases the questions should be forwarded to a solicitor for a professional legal opinion.

ON MOTION of Deputy Mayor Christie and Councillor Roy, it was moved that Town Council approve First Reading of the Proposed Policy Respecting the Servicing of Previously Developed (Unserviced) Areas. Motion approved. Councillor Nolan, Councillor Kelly and Councillor Lugar voted against the Motion.

13. REPORTS

13.1 BOARD OF HEALTH (ANNUAL REPORT)

Copies of the Annual Report for 1987 of the Town of Bedford Board of Health was circulated to Members of Council.

ON MOTION of Councillor Kelly and Councillor Lugar, it was moved that the 1987 Annual Report of the Town of Bedford

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Board of Health be approved subject to the actual approval by the Board itself. Motion approved unanimously.

13.2 RECREATION COMMISSION - 1988 APPOINTMENTS

By memorandum, Mr. Robert Nauss, Director of Recreation, advised Council of the annual appointments for 1988 which were made by the Recreation Commission at its January 13, 1988 meeting. He requested ratification of the 1988 Commission Chairman and Vice-Chairman and also asked that Town Council appoint a Councillor as a Co-Chairman of the 1988 Bedford Days Committee.

ON MOTION of Councillor Short and Councillor Nolan, it was moved that the appointment of Ann MacVicar as Chairperson and Dave Gorsline as Vice-Chairman, be ratified by Town Council. Motion approved unanimously.

It was unanimously agreed that Councillor Peter Kelly be selected as a Co-Chairman of the 1988 Bedford Days Committee, representing Town Council.

EXTENSION OF TIME OF MEETING

ON MOTION of Councillor Lugar and Councillor Kelly, it was moved that the time of the meeting be extended to 11:00 p.m. Motion approved unanimously.

14. STAFF REPORTS

14.1 BUILDING INSPECTION - DECEMBER 1987 REPORT

ON MOTION of Councillor Lugar and Councillor Nolan, it was moved that the Building Inspection Report for the month of December be received for information. The report indicated the value of construction issued in Building Permits was \$45,106,792 as compared to \$25,832,670 issued in 1986 representing an increase of seventy-five percent.

14.2 ENGINEERING AND WORKS DEPARTMENT

14.2(a) SNOW REMOVAL - EQUIPMENT REQUIREMENTS

By memorandum, Rick Paynter, Director of Engineering and Works provided details and requested the concurrence of Town Council to the purchase of the following equipment:

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1. one new Trackless MT Series 4, Diesel, Municipal Tractor (\$49,240)
2. one Bobcat Unit (\$16,499)

ON MOTION of Councillor Roy and Councillor Kelly, it was moved that the Town Council approve the entering into of a Lease/Purchase arrangement with Saunders Equipment Limited for the acquisition of one Trackless MT Series 4, Diesel, Municipal Tractor, complete with all standard equipment, including the one year warranty, 51" snowblower attachment and V plow attachment and flailmower, at a cost not to exceed \$49,240. Motion approved unanimously.

14.2(b) SIDEWALK CONSTRUCTION PROGRAM

By memorandum, Rick Paynter, Director of Engineering and Works provided details of a proposed 1988 Capital Sidewalk Construction Program for the Town of Bedford along with an updated five year (1985-1990 inclusive) sidewalk construction program.

The report was received for information.

15. CORRESPONDENCE

NIL

16. NOTICES OF MOTION

NIL

17. QUESTIONS

17.1 ACTION SHEET

The Action Sheet dated January 18, 1988 was circulated for information.

18. ADDED ITEMS

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18.1 COORDINATED HOMECARE PROGRAM

On request of Councillor Roy, it was agreed that a paper developed by the Task Force on Aging Population, City of Halifax, concerning a "Coordinated HomeCare Program," be circulated to all Members of Town Council.

19. OTHER

NIL

20. ADJOURNMENT

ON MOTION of Councillor Kelly and Councillor Short, it was moved that the meeting adjourn at approximately 11:00 p.m.


CHIEF ADMINISTRATIVE OFFICER

MAYOR

(3) Senior Lateral Maintenance Policy

(4) Transfer of Lands to Nova Scotia Housing Corporation

(5) Waterfront Development Corporation

(6) Viaplanas

(7) Burnside Expressway

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TOWN OF BEDFORD
SEMI-ANNUAL PUBLIC INFORMATION SESSION
MONDAY, JANUARY 25, 1988

A Semi-Annual Public Information Session was held by the Town Council of the Town of Bedford in the Bedford Fire Hall, on Monday, January 25, 1988, Mayor Keith Roberts presiding.

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

Staff members in attendance included Dan R. English, Chief Administrative Officer; Joan Pryde, Deputy Clerk; Rick Paynter, Director of Engineering and Works; Barry Zwicker, Director of Planning and Development Control; Deputy Chief George Meisner, Police Department and Micheel Towner, Executive Director, Bedford Economic Development Commission. Peter McInroy, Solicitor, attended a portion of the Session.

Approximately one hundred members of the general public were in attendance for all or a portion of the meeting.

In opening the meeting, Mayor Roberts advised that it was the intention of Council to place the following two items on the Agenda:

- (1) Proposed By-Law Respecting Noise
- (2) Ward vs At-Large System

In response to an inquiry from Mayor Roberts as to whether or not there were other topics members of the general public would liked discussed, it was agreed that the following items should also be placed on the Agenda:

- (3) Sewer Lateral Maintenance Policy
- (4) Transfer of Lands to Nova Scotia Housing Comission
- (5) Waterfront Development Corporation
- (6) Viewplanes
- (7) Burnside Expressway

PUBLIC INFORMATION SESSION - JANUARY 25, 1988

1. PROPOSED BY LAW RESPECTING NOISE

For the benefit of those in attendance at the meeting, Dan R. English, Chief Administrative Officer, reviewed the history and intent of the Proposed By-Law Respecting Noise and also reviewed details of many of the clauses contained in Draft #8. Mr. Peter McInroy, Solicitor, also addressed the meeting, outlining various problems which have been encountered by Town Council and staff in developing a By-Law which would be suitable for the Town of Bedford.

JOHN CARNAGHAN addressed the meeting, expressing the opinion, that the permitted hours for the operation of light and heavy equipment might be a bit excessive, especially to those people who live in an area in which such activities are taking place day after day, month after month.

Mr. Carnaghan was also concerned with the exemption respecting Sunday, which was granted to those persons who have elected to consider Saturday as their day of rest. In particular, he was concerned that there may be some way for construction companies/developers to keep work underway seven days a week.

A resident from Douglas Drive addressed Council requesting that consideration be given to including ordinary musical instruments (not amplified) in Clause 2(g).

He also inquired as to what form of enforcement of this By-Law would be initiated, i.e. a complaint from another property owner, or would a policeman be obliged to act even though there might not be a complaint.

In response he was advised that in most cases, action would be initiated by the complaint.

JAMES GRAY addressed Council expressing some concern with the wording in Table 3-1 of Items (2) and (3) in that he wondered if it would be possible to leave machinery engines to idle whereas it is an offence to leave a motor vehicle engine to idle.

PUBLIC INFORMATION SESSION - JANUARY 25, 1988

FRED HALL addressed Council and requested that consideration be given to reduced hours for the operation of industrial rug cleaning.

AL CHAISSON addressed Council asking that construction activities be permitted earlier than planned on Saturday mornings but also advised Council that the curtailing of activities on Saturday afternoon, could easily be reduced from 7 to perhaps 5 o'clock in the afternoon.

SHIRLEY TOWILL requested more leniency with respect to the operation of loud speaker systems. Mrs. Towill also expressed the opinion that Clause 11, Paragraph 2 should not indicate that the number of residences located in close proximity to the proposed source of noise, should have a bearing on whether an exemption should be granted. She expressed the opinion that one residence should have just as much influence on such a decision as a number of residences.

HUGH MACKINLAY expressed concern with the lack of control with respect to the use of Jake Brakes on large trucks and the fact, that up to the present time, he is receiving no cooperation in trying to have such noise curtailed.

DOUGLAS BEADY addressed Council also supporting the contention that something should be done with respect to Jake Brakes. Mr. Beady also expressed concern with the number of organizations and persons which will automatically be granted exemptions under Clause 5 (a). He expressed the opinion that such a broad clause gives little or no protection to the private citizen. In particular, he noted the problem with respect to the noise which is being caused during the current work taking place on the railway bridge.

NANCY MURRAY addressed Council advising that as a solicitor for Sobey's Ltd., she was of the opinion that the By-Law would interfere with Sobey's 24 hour operation. Ms. Murray reviewed the clauses which would effect this establishment and asked that the store be considered for an exemption.

CAROL LONCAREVIC addressed Council requesting that the hours during which rock crushing should be more restricted. She also noted that there was nothing pertaining to the conveyance of having the equipment running during early morning hours.

BYRON YUILL addressed Council requesting an indication as to whether or not there would be any control of snow removal and the vacuuming of the parking lots after 10 p .m.

PUBLIC INFORMATION SESSION - JANUARY 25, 1988

Mr. Yuill was advised that the By-Law does not contain any control with respect to snow removal but a "gentleman's agreement" has been reached with Bedford Place Mall whereby little or no snow removal will be take place on the area of the parking lot adjacent to the Union Street homes until 6 or 7 in the morning.

With respect to the operation of sweepers, this type of equipment would be included under the rules and regulations for light construction equipment.

ALAN HAYMAN, Solicitor and Municipal Contracting Ltd., addressed Council noting that the construction industry normally starts at 7:00 a.m. therefore, he requested that the permitted times for such activity on Saturday mornings commence at 6:30 or 7:30 a.m. He expressed the opinion that the industry would accept such a compromise.

GRANT WALKER addressed Council requesting that some consideration be given to permitting the movement of dangerous goods during hours when traffic is normally not heavy.

With respect to Clause 6 (b), Mr. Walker also suggested that there should be a better definition for the term "preservation of property."

DONALD KELLY addressed Council expressing the opinion that if the people present at the meeting had an opportunity to go home and discuss the proposed by-law, they would vote against it at a plebisite.

SHARON HORNE addressed Council expressing the opinion that a 10:00 p.m. deadline was too late for rock crushing operations.

2.

WARD VS AT-LARGE SYSTEM

For the benefit of the meeting, Mayor Roberts reviewed the differences between electing Councillors through a Ward System and an At-Large System in a Town in Nova Scotia.

LORNE VERABIOFF addressed Council advising that he was personally in favour of the At-Large System, expressing the opinion that a Ward System would create parochialism.

MENGIE SHULMAN addressed Council expressing the opinion that it might be in the best interest of the Town to at least try a Ward System - in particular he noted the numerous Homeowners and Residents Associations which have been created since the Incorporation of the Town.

PUBLIC INFORMATION SESSION - JANUARY 25, 1988

MARY FOSTER addressed Council advising that she was in favour of the Ward System.

DEPUTY MAYOR PETER CHRISTIE addressed the meeting noting that he was in favour of raising this question and giving the residents an opportunity to express their opinion through a plebisite.

JOHN CARNAGHAN addressed Council suggesting that an alternative to a Ward System might be a proposal to add two more Councillors to the membership of Town Council, thus reducing the workload for each individual.

GRANT WALKER addressed Council expressing the opinion that a Ward System would be very devisive.

JACK INNES addressed Council and expressed the opinion that if a plebisite is to be held on this subject, a map should be produced showing the proposed Ward divisions.

COUNCILLOR PETER KELLY expressed the opinion that a plebisite should be held on this subject.

CAROL LONCAREVIC addressed Council and noted that in a Ward System, a representative does not have to live in that Ward.

3.

SEWER LATERAL MAINTENANCE POLICY

LORNE VERABIOFF addressed Council expressing concern with respect to the recent Sewer Lateral Maintenance Policy approved by Council. He expressed the opinion that this new policy is implementing an erosion of service.

In response Rick Paynter, Director of Engineering and Works reviewed the reasons why the policy has been implemented.

SHIRLEY TOWILL addressed Council advising that she is in favour of the new policy.

FRED HALL addressed Council expressing the opinion that it is an erosion of service.

LORNE VERABIOFF addressed Council a second time on this subject noting that he is concerned, in particular, because of problems which have arisen on his property caused by problems with the main trunkline.

PUBLIC INFORMATION SESSION - JANUARY 25, 1988

4. BURNSIDE EXPRESSWAY

In response to an inquiry from the meeting, Mayor Roberts advised those in attendance with respect to the status on the proposed Burnside Expressway. He noted that provincial officials now advise that this project is considered to be a number one priority following the completion of the MicMac Rotary.

5. TRANSFER OF LANDS TO NOVA SCOTIA HOUSING COMMISSION

HUGH MACKINLAY addressed Council requesting information with respect to whether or not there was a conspiracy to keep the values down of two properties recently transferred to the Nova Scotia Housing Commission for the construction of portable housing.

In response, Mayor Roberts reviewed the history of the transfer action noting that the Town will receive a credit with respect to this project equal to almost the appraised value of the properties.

6. WATERFRONT DEVELOPMENT CORPORATION

Two residents addressed Council expressing concern with regard to the investment of the Town in the Waterfront Development Project and also suggested that there should be another Public Hearing for this project, if the document, originally presented at the initial Public Hearing as been substantially changed.

In response the opinion was expressed by the Director of Planning and Development Control that while the matter of whether or not the document has been "substantially changed," is a matter for Council to decide, it is his personal opinion that the intent has not changed dramatically.

In response to an inquiry as to whether or not the proposed cultural centre will be publically funded, Councillor Robert Short of the Waterfront Development Corporation, reviewed for the benefit of the meeting, the current plans for such a centre and the means by which it is proposed to be funded.

PUBLIC INFORMATION SESSION - JANUARY 25, 1988

7. VIEWPLANES

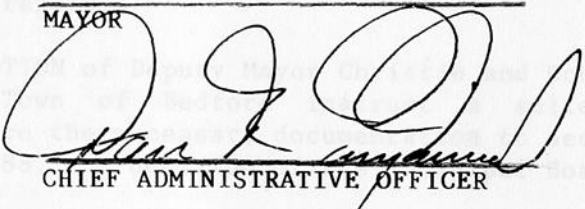
AILEEN MCCORMICK addressed Council expressing the opinion that there is a need for viewplanes legislation and she suggested that the Town look into the idea of developing a list of desired viewplanes as soon as possible.

8. OTHER BUSINESS

HUGH MACKINLAY addressed the meeting requesting that consideration be given to the plowing of snow away from sidewalks on highways that only have sidewalks on one side.

There being no further business, the meeting adjourned at approximately 11:00 p.m.

MAYOR



CHIEF ADMINISTRATIVE OFFICER

MAYOR



CHIEF ADMINISTRATIVE OFFICER

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TOWN OF BEDFORD
PUBLIC HEARING - 37-15
FEBRUARY 1, 1988

TOWN OF BEDFORD
EMERGENCY COUNCIL SESSION
JANUARY 25, 1988

A Public Hearing was held in the Town of Bedford on Monday, February 1, 1988, at the Bedford Fire Hall, 1247 Bedford Highway, Bedford, Nova Scotia, Mayor Keith Roberts presiding.

An Emergency Session of the Town Council of the Town of Bedford was held on Monday, January 25, 1988, at 11:00 p.m. at the Bedford Fire Hall, 1247 Bedford Highway, Bedford, Nova Scotia, Mayor Keith Roberts presiding.

The Session was attended by Deputy Mayor Peter Christie, Councillors Peter Kelly, David Lugar, Robert Short, Bill Roy, and Chris Nolan.

Staff in attendance included Dan R. Englisyh, Chief Administrative Officer; and Barry Zwicker, Director of Planning & Development Control.

Mayor Roberts noted that the purpose of this Emergency Session was to determine Council's position on whether or not to appeal the recent decision of the Municipal Board, dated January 5, 1988, respecting the rezoning of 48 lots in Bedford Hills Subdivision from R-1 to R-2.

A lengthy discussion ensued respecting a possible appeal by the Town in this regard.

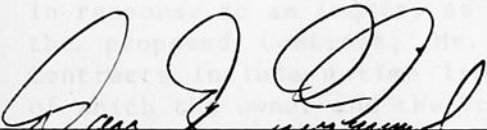
ON MOTION of Deputy Mayor Christie and Councillor Roy, it was moved that the Town of Bedford instruct a solicitor, acting on its behalf, to prepare the necessary documentation to seek Leave to Appeal, by February 4, 1988, the decision of the Municipal Board dated January 5, 1988.

FURTHER, that once this Appeal documentation is completed, same be forwarded to the Chief Administrative Officer.

MOTION carried. Mayor Roberts, Councillor Nolan and Councillor Lugar voted against the Motion.

There being no further business, the meeting adjourned at approximately 11:45 p.m.

MAYOR



CHIEF ADMINISTRATIVE OFFICER

TOWN OF BEDFORD
PUBLIC HEARING - 87-15
FEBRUARY 1, 1988

A Public Hearing was held by the Town Council of the Town of Bedford on Monday, February 1, 1988, 7:30 p.m. in the Bedford Fire Hall, 1247 Bedford Highway, Bedford, Nova Scotia, Mayor Keith Roberts presiding.

ATTENDANCE

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

Staff members attending this Public Hearing included Barry Zwicker, Acting Chief Administrative Officer; Joan Pryde, Deputy Clerk and Michael Dillistone, Junior Planner.

Approximately thirty members of the general public were in attendance at the commencement of the Session.

PURPOSE OF PUBLIC HEARING

Michael Dillistone advised the meeting that the purpose of this Public Hearing was to consider a proposed Contract Development Agreement which would allow an internal conversion of a single family dwelling at 1388 Bedford Highway to permit the construction of a second unit on the top floor of the house. Mr. Dillistone further advised that the Public Hearing was duly advertised as required by the Planning Act of Nova Scotia and residents and property owners within two hundred feet of the subject property involved were notified individually.

QUESTIONS FROM COUNCIL

In response to an inquiry from Council, staff reviewed the location of the driveway access to the property in question.

In response to an inquiry as to why the desire for a conversion from one to two units was being made through a Contract Development Agreement, Council was advised that the entering into the Contract as requested, would allow the unit to accommodate two families without a zoning change.

In response to an inquiry as to whether or not there was a time limit to the proposed Contract, Mr. Zwicker advised Council that all such Contracts include a time limit, often five years, following the expiry of which the owner and the Town would renegotiate.

SUBMISSIONS FROM THE GENERAL PUBLIC

Peter Coulthard, Solicitor, addressed Council on behalf of Seimac Limited. He noted that in the opinion of the owners of Seimac Limited, the status of the access to 1388 Bedford Highway is not a settled matter. Therefore, the company would like to see an agreement reached between themselves and the owners of 1388 Bedford

PUBLIC HEARING - FEBRUARY 1, 1988 - 87-15

Highway with respect to the use of the driveway access before any Contract Development Agreement is approved.

Shirley Jerram addressed Council expressing the opinion that the matter of the right of way or driveway access, should not affect the question with respect to the Contract Development Agreement. She further advised, that in her opinion, the two owners of Seimac Limited have known for years, that the right of way was a fact.

Dr. J. J. Mangalam addressed Council expressing the opinion that Seimac Limited is not concerned with this request for a Contract Development Agreement but is concerned that, in the future, many more cars will be using the access driveway. Dr. Mangalam also expressed the opinion that such will not be the situation. He further suggested that Seimac Limited should not be burdening the applicant with the anticipation of what might happen far in the future.

David Beattie addressed Council noting that, in the past, there was an attempt to avoid spot re-zoning. He expressed the opinion that approval of this Contract Development Agreement would in essence, be spot re-zoning and that the Town should deny the application.

In response to a request from Mayor Roberts, Mr. Zwicker explained the difference between a request for a re-zoning from R-1 to R-2 and a Contract Development Agreement which would permit two units in an R-1 zone.

Daniel Wallace addressed Council expressing the opinion that if this Contract Development Agreement is approved, it will be one more step in the process of changing the zoning of the area from R-1 to R-2. He asked that the Contract Development Agreement be denied.

Dr. J. J. Mangalam again addressed Council noting that, at the present time, there are currently only two houses in the block from the Cliff Street intersection to the First Avenue intersection on the Bedford Highway that are currently being occupied by only one family. He further expressed the opinion that the change being requested in this Contract Development Agreement will not change the character of the neighbourhood.

QUESTIONS FROM COUNCIL

In response to an inquiry from Council, as to whether Dr. Mangalam would be willing to enter into a Contract that would expire when the property was sold, Dr. Mangalam indicated that he was willing to think about such a clause but would not be particularly happy about it.

Mr. Zwicker noted that any Contract Development Agreement was in regard to the land and the use to which the land is being put. In all likelihood, there would be a time limit and there are several options available at the point of expiry.

ADJOURNMENT

There be no further submissions from the general public in response to three calls from the Mayor, the meeting was declared adjourned at approximately 8:15 p.m.

ATTENDANCE

Deputy Mayor Peter Christie and Councillors Peter Kelly, David Gager, William Roy, Robert Short and ... were in attendance at the

MAYOR

ACTING CHIEF ADMINISTRATIVE OFFICER

Approximately 2 members of the general public were in attendance at the commencement of the Session.

PURPOSE OF PUBLIC HEARING

Harry Zwicker, Director of Planning and Development ... the meeting that the purpose of this Public hearing was to ... a proposed amendment to the Generalized Future Land Use Map ... Municipal Planning Strategy which would change the Future Land Use Designation from Residential to Commercial on property known as ... numbers 1781, 1779, 1785 and 1783 Bedford Highway, Bedford, Nova Scotia. Mr. Zwicker further advised that the Public Hearing was duly advertised as required by the Planning Act of Nova Scotia and residents and property owners within two hundred feet of the subject property involved were notified individually.

Mr. Zwicker, in reviewing the history of this property, noted that a previous application for a Commercial re-zoning was denied. However, he advised that both the Planning Department and the Bedford Planning Advisory Committee feel that the four lots should be re-designated to a Commercial designation to allow for the possibility of a Concept Development Agreement, through which the inclusion of sufficiently stringent site control conditions would result in an acceptable Commercial development proposal for the area involved.

SUBMISSIONS FROM THE GENERAL PUBLIC IN FAVOUR OF THE APPLICATION

Bruce Cushing of 1781 Bedford Highway, addressed Council advising that he was speaking on behalf of himself and also his mother, the owner of 1775 Bedford Highway and his son, the owner of 1783 Bedford Highway.

Mr. Cushing noted the rate of change from Residential to Commercial which has taken place over the past few years. He suggested that a change in the property involved would no doubt mean some levelling of the properties involved which is causing concern to abutting property owners. However, he suggested to Council that such levelling is exactly what happened to other properties in the vicinity, i.e., the Sunnyside Mall property. He further expressed the opinion that the current expansion of Commercial development in the area has resulted in

TOWN OF BEDFORD
PUBLIC HEARING - 87-18
FEBRUARY 1, 1988

A Public Hearing was held by the Town Council of the Town of Bedford on Monday, February 1, 1988, 8:20 p.m., in the Bedford Fier Hall, 1247 Bedford Highway, Bedford, Nova Scotia, Mayor Keith Roberts presiding.

ATTENDANCE

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

Staff members attending this Public Hearing included Barry Zwicker, Acting Chief Administrative Officer; Joan Pryde, Deputy Clerk and Michael Dillistone, Junior Planner.

Approximately 24 members of the general public were in attendance at the commencement of the Session.

PURPOSE OF PUBLIC HEARING

Barry Zwicker, Director of Planning and Development Control advised the meeting that the purpose of this Public Hearing was to consider a proposed amendment to the Generalized Future Land Use Map of the Town's Municipal Planning Strategy which would change the Future Land Use Designation from Residential to Commercial on property known as civic numbers 1763, 1779, 1785 and 1789 Bedford Highway, Bedford, Nova Scotia. Mr. Zwicker further advised that the Public Hearing was duly advertised as required by the Planning Act of Nova Scotia and residents and property owners within two hundred feet of the subject property involved were notified individually.

Mr. Zwicker, in reviewing the history of this property, noted that a previous application for a Commercial re-zoning was denied. However, he advised that both the Planning Department and the Bedford Planning Advisory Committee feel that the four lots should be redesignated to a Commercial designation to allow for the possibility of a Contract Development Agreement, through which the inclusion of sufficiently stringent site control conditions would result in an acceptable Commercial development proposal for the area involved.

SUBMISSIONS FRO THE GENERAL PUBLIC IN FAVOUR OF THE APPLICATION

Bruce Cushing of 1781 Bedford Highway, addressed Council advising that he was speaking on behalf of himself and also his mother, the owner of 1775 Bedford Highway and his aunt, the owner of 1789 Bedford Highway.

Mr. Cushing noted the rate of change from Residential to Commercial which has taken place over the past few years. He suggested that a change in the property involved would no doubt mean some levelling of the properties involved which is causing concern to abutting property owners. However, he suggested to Council that such levelling is exactly what happened to other properties in the vicinity, i.e. the Sunnyside Mall property. He further expressed the opinion that the current expansion of Commercial development in the area has resulted in

PUBLIC HEARING - FEBRUARY 1, 1988 - 87-18

a situation whereby the only way a reasonable price could be obtained for the properties in question would be if they are either zoned Commercial or at least have a future land use designation as Commercial.

Mr. Cushing emphasized that, in his opinion, the only logical move at this point in time, would be to look at future development in terms of a Contract Development Agreement and that, in all likelihood, such a development would be of a Commercial nature.

Rev. Neil Bergman addressed Council expressing sympathy with the owners who are seeking the redesignation of the property and advised Council that, as a property owner in the vicinity, he is in favour of the redesignation.

SUBMISSIONS FROM THE GENERAL PUBLIC AGAINST THE APPLICATION

Mr. Robert Jay expressed concern that the properties in question will be levelled if Commercial development is going to take place and the character of the neighbourhood will change. He suggested that approval of this request will mean that Commercial development will be on the doorstep of the abutting properties. He also requested consideration as to whether or not adjacent properties could be included in this change in designation if such was desired.

Mrs. Sonja Verabioff addressed Council expressing the concern of the residents of the Oakmount Subdivision that there be no driveway access from the properties in question to Oakmount Drive. She also asked that consideration be given to the lowering of the speed limit from the Bedford Highway in the area involved.

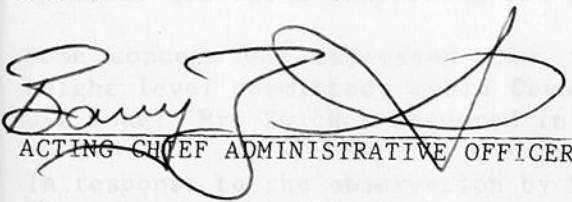
Mr. Lloyd Sears addressed Council also expressing concern that there should be no access from the properties involved to Oakmount Drive.

ADJOURNMENT

There being no further submissions from the general public in response to three calls from the Mayor, the meeting was declared adjourned at approximately 8:45 p.m.

QUESTIONS FROM COUNCIL

MAYOR


ACTING CHIEF ADMINISTRATIVE OFFICER

TOWN OF BEDFORD
PUBLIC HEARING - 87-19
FEBRUARY 1, 1988

A Public Hearing was held by the Town Council of the Town of Bedford on Monday, February 1, 1988, 9:05 p.m. in the Bedford Fire Hall, 1247 Bedford Highway, Bedford, Nova Scotia, Mayor Keith Roberts presiding.

ATTENDANCE

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

Staff members attending this Public Hearing included Barry Zwicker, Acting Chief Administrative Officer; Joan Pryde, Deputy clerk and Michael Dillistone, Junior Planner.

Approximately seventeen members of the general public were in attendance at the commencement of the Session.

PURPOSE OF PUBLIC HEARING

Barry Zwicker, Director of Planning and Development Control advised the meeting that the purpose of this Public Hearing was to consider a proposed amendment to the Town's Land Use By-Law which would establish a new Commercial zone - C-2A. Mr. Zwicker further advised that the C-2A zone would replace the existing C-5 zone along Bedford Highway from Millview Ave. to the city limits and along the portion of the Dartmouth Highway from Wardour Street to Parkers Brook. The C-2A Commercial zone would differ primarily from the existing C-2 zone in reducing maximum building height from seventy-five feet to thirty-five feet.

The meeting was advised that the Public Hearing was duly advertised as required by the Planning Act of Nova Scotia and residents and property owners within two hundred feet of the property involved were notified individually.

Mr. Zwicker also advised that the re-zoning has been initiated as a response to a number of concerns that have been raised at meetings of the Bedford Planning Advisory Committee respecting the impact of highway development in these particular areas of Town, especially with respect to high rise development.

QUESTIONS FROM COUNCIL

In response to an inquiry from Council, Mr. Zwicker provided answers to specific questions respecting the possible uses of the proposed zone.

Some concern was expressed that if the primary reason was to reduce the height level permitted, could Council also restrict some of the uses in the C-2 zone? Mr. Zwicker answered in the affirmative.

In response to the observation by Mr. Zwicker that the primary intent was to reduce the potential height availability from seventy-five feet to thirty-five feet, concern was expressed by Council that owners may not realize the implications of the proposed re-zoning other than the height restriction.

PUBLIC HEARING - FEBRUARY 1, 1988 - 87-19

Councillor Nolan advised that at the next Regular Session of Council, it is his intention to move further consideration of this matter pending an opportunity for further review by the Bedford Planning Advisory Committee.

SUBMISSIONS FROM THE GENERAL PUBLIC

Mrs. Donna Bowridge, 7 Millview Ave. addressed Council advising that she and her husband and other neighbours are in favour of this proposal insofar as the height restriction is concerned. However, she did note that the owners in the area were not aware of any other changes that would be involved.

OWNER OF 768 BEDFORD HIGHWAY A gentleman addressed Council advising that as the owner of property located at 768 Bedford Highway, he does not have a problem with the height restriction involved in the zoning change but he would ask reconsideration that it be left at fifty feet rather than thirty-five feet. He further advised that he would not be in favour of some land uses permitted in a C-2A zone but is in favour of some uses previously permitted under the C-5 zone.

Victor Goldberg, Solicitor, addressed Council advising that he was representing Halifax Chrysler Dodge Limited, which currently occupies property located at 764 Bedford Highway. He noted that this company has only recently established itself in the area and does have the hope of developing the property for a car dealership. He further advised Council that the height restriction does not bother Halifax Chrysler Dodge Limited but, under the present proposal, the current use of the property would become non-conforming and the company would not be able to develop a full scale car dealership. He asked that Council consider a C-2A/C-5 zone for this property.

Mr. Goldberg also expressed the opinion that it was really unfair for a Commercial user to buy land, to establish a corporate presence in the Town and then to have what could be called an expropriation through a zone change.

In response to Mr. Goldberg's submission, Mr. Zwicker advised that the Bedford Planning Advisory Committee is looking at the possibility of a change in the type of uses permitted in this area of the Bedford Highway. In particular, he noted that the Chrysler Dodge property is probably the only property that is currently being used under the current zoning rather than under a non-conforming use.

Mr. Frank Babcock addressed Council noting that a parcel of land on the Dartmouth Road which he has assembled, currently has been zoned C2/C5 with a seventy-five foot restriction. He expressed the opinion that he has a very good property to add to the assessment base of the Town when developed but finds it very hard to accept a reduction from seventy-five feet to thirty-five feet. He also expressed concern that in all likelihood, there may be other restrictions with respect to this re-zoning beyond the height restriction.

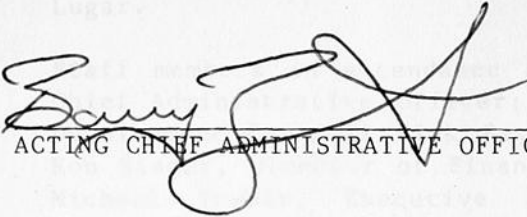
ADJOURNMENT

TOWN OF BEDFORD
SPECIAL SESSION

There being no further submissions from the general public in response to three calls from the Mayor, the meeting adjourned at approximately 9:30 p.m.

Munday, February 22, 1988. The Town Council Chambers, Suite 400, 1496 Bedford Highway, Bedford, Nova Scotia, Mayor Keith Roberts presiding.

MAYOR


ACTING CHIEF ADMINISTRATIVE OFFICER

LORD'S PRAYER

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

TOWN OF BEDFORD VS ARMOYAN REZONING - 48 LOTS - BEDFORD HILLS SUBDIVISION PHASE 3 FROM R-1 TO R-2

Barry Swicker, Director of Planning and Development Control, reviewed for the benefit of Council the fact that the Town's Application for Leave to Appeal the Municipal Board decision relative to the rezoning request by the Armoyan Group of 48 lots in Bedford Hills Subdivision, Phase 3, from R-1 (Single Family Dwelling) to R-2 (Two Family Dwellings) was denied by the Supreme Court.

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

"WHEREAS the Nova Scotia Municipal Board, on January 3, 1988, ordered the Town of Bedford to rezone 48 lots in the Bedford Hills Subdivision, Phase 3 from R-1 to R-2;

AND WHEREAS, by decision of the Nova Scotia Supreme Court, the Town of Bedford was unsuccessful in seeking leave to appeal the Decision of the Municipal Board;

BE IT REMOVED that the Town of Bedford, in accordance with the Order of the Municipal Board, approve the rezoning of the 48 lots in Bedford Hills Subdivision, Phase 3 from R-1 to R-2."

TOWN OF BEDFORD
SPECIAL SESSION
FEBRUARY 22, 1988

A Special Session of the Town Council of the Town of Bedford was held Monday, February 22, 1988, in the Town Council Chambers, Suite 400, 1496 Bedford Highway, Bedford, Nova Scotia, Mayor Keith Roberts presiding.

Those in attendance at the commencement of the Session included Deputy Mayor Peter Christie and Councillors Peter Kelly, Robert Short and David Lugar.

Staff members in attendance at this Session included Dan R. English, Chief Administrative Officer; Barry Zwicker, Director of Planning and Development Control; Rick Paynter, Director of Engineering and Works; Ron Singer, Director of Finance; Robert Nauss, Director of Recreation; Micheel Towner, Executive Director, Bedford Economic Development Commission; Eric Sheppard, Assistant Deputy Chief, Bedford Fire Department; Dave Selig, Chief, Bedford Volunteer Fire Department and Jane Gray, Secretary.

1. LORD'S PRAYER

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

2. TOWN OF BEDFORD VS ARMOYAN REZONING - 48 LOTS - BEDFORD HILLS SUBDIVISION FROM R-1 TO R-2.

Barry Zwicker, Director of Planning and Development Control, reviewed for the benefit of Council the fact that the Town's Application for Leave to Appeal the Municipal Board decision relative to the rezoning request by the Armoyan Group of 48 lots in Bedford Hills Subdivision, Phase 3, from R-1 (Single Family Dwelling) to R-2 (Two Family Dwellings) was denied by the Supreme Court.

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

"WHEREAS the Nova Scotia Municipal Board, on January 5, 1988, ordered the Town of Bedford to rezone 48 lots in the Bedford Hills Subdivision, Phase 3 from R-1 to R-2;

AND WHEREAS, by decision of the Nova Scotia Supreme Court, the Town of Bedford was unsuccessful in seeking Leave to Appeal the Decision of the Municipal Board.

BE IT RESOLVED that the Town of Bedford, in accordance with the Order of the Municipal Board, approve the rezoning of the 48 lots in Bedford Hills Subdivision, Phase 3 from R-1 to R-2."

SPECIAL SESSION - FEBRUARY 22, 1988

A brief discussion ensued relative to whether Town Council had to make a final decision on this matter at this time especially when there were other issues outstanding respecting the Armoyan Group. It was noted that all other outstanding issues relative to the Armoyan Group would be dealt with separately and that legally, the Order stood on its own.

Mayor Roberts advised Town Council that it was the recommendation of the Solicitor representing the Town, that this matter be dealt with as soon as possible as not to deal with this Order now would place the Town in a Contempt of Court situation.

Councillor Lugar expressed the opinion that he was concerned with the action of the Municipal Board and the fact that the preceding Motion was brought about by a Court Order. He suggested that the Town look at changes to its Land Use By-Law and obtain guidance for future years to ensure that this problem does not occur again.

Motion carried. Deputy Mayor Peter Christie abstained from voting.

3. 1988 CAPITAL BUDGET (PREVIOUSLY CIRCULATED) - DRAFT #1

Dan English, Chief Administrative Officer, reviewed for the benefit of Council, by the use of overhead projector, the fact that the 1988 Capital Program amounts to \$4,274,800. Taking into consideration revenue generated from various sources (\$2,008,000), the Capital Program Proposal for 1988 is therefore reduced to \$2,266,900.

In attempting to adhere to the policy of not allowing 1989 debt charges to exceed 12% of the projected tax levy, Mr. English recommended that a reduction in 1988 borrowings in the amount of \$500,000 would be required. He noted that should the Town borrow \$1.6 million, then the ratio of debt charges to tax levy would be 13.2% of tax levy vis a vis 12% as suggested.

Mr. English advised, that through the elimination of certain projects, this reduction (\$500,000) could be realized. He also reiterated the fact that the financial impact of the Capital Program would not appear until the 1989 Operating Budget.

A general discussion ensued relative to the process of elimination or cutbacks of major projects.

Rick Paynter, Director of Engineering and Works requested Council's approval to proceed with the design work relative