

REGULAR SESSION - TOWN COUNCIL - MARCH 28, 1988

12.3 PAVEMENT EVALUATION REPORT - CON'T

appropriate recommendation based on the present structural condition of the road base and asphalt overlay along the entire route.

**ON MOTION** of Councillor Nolan and Councillor Kelly, it was moved that further consideration of this request be deferred to a future date. Motion approved. Councillor Short abstained from voting.

12.4 ENGINEERING SERVICES - PEERLESS SUBDIVISION

By memorandum, Rick Paynter, Director of Engineering and Works, reviewed details of the receipt of proposals from consulting engineers relative to the provision of engineering services associated with the proposed Peerless Subdivision. It was recommended by Mr. Paynter, that if Council wishes to proceed at this time, with the engineering design works associated with the Peerless Subdivision project, the award for engineering services should go to Interprovincial Engineering Limited at a cost not to exceed \$28,571 for design services. It was also noted that project supervisor services (if retained for this service) could be provided by Interprovincial Engineering Limited at a cost not to exceed \$40,416.

**ON MOTION** of Councillor Kelly, it was moved that the Town of Bedford accept the low bid for the provision of the engineering design services associated with the Peerless Subdivision project as opposed to the recommendation by the Town Engineer. There being no response to three calls by the Mayor for a Secunder, the Motion was declared invalid.

**ON MOTION** of Councillor Nolan, it was moved that further discussion on this matter be deferred indefinitely.

In speaking to the Motion, Councillor Nolan expressed the opinion that there was no point at this time in expending the funds in question due to the fact that there was little likelihood of the project proceeding in the near future due to a lack of available funding.

There being no response to three calls for a Secunder by the Mayor, the Motion was declared invalid.

**ON MOTION** of Councillor Roy and Councillor Lugar, it was moved that the Mayor and Chief Administrative Officer be authorized to enter into an Agreement with Interprovincial Engineering Limited for the design services of the proposed Peerless Subdivision Servicing project at a cost not to exceed \$28,571. Motion approved. Councillor Kelly and

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12.4 PEERLESS SUBDIVISION CON'T

and Councillor Nolan voted against the Motion.

Councillor Kelly requested that it be placed on the record that he was not opposed to the Peerless Subdivision project but was opposed to the awarding of the design services to Interprovincial Engineering Limited, preferring that it be awarded to the low bidder.

It was suggested by Councillor Roy that in future, an In Camera briefing be given to Council with respect to tender calls for professional services before such tenders are considered at a public meeting.

12.5 AUDITED FINANCIAL STATEMENTS - DECEMBER 31, 1987

By memorandum, Ron Singer, Director of Finance, submitted and reviewed the audited Financial Statements for the Town of Bedford for the fiscal year ending December 31, 1987.

It was recommended by Mr. Singer that the 1987 Audited Financial Statements be formally accepted as tabled and that the accounting firm Levy, Casey and MacLean be appointed as the Town's auditors for the year 1988.

**ON MOTION** of Deputy Mayor Christie and Councillor Short, it was moved that the Financial Statements for the Town of Bedford for the year 1987 be formally accepted as tabled. Motion approved unanimously.

**ON MOTION** Deputy Mayor Christie and Councillor Lugar, it was moved that the accounting firm of Levy, Casey and MacLean be appointed as the Town's auditors for the year 1988.

During discussion of the Motion some concern was expressed by Council that tenders should be called for the provision of accounting services for the Town. In response, it was noted by the Director of Finance that in his opinion, the firm of Levey, Casey and MacLean are providing the service to the Town at the lowest possible cost. It was agreed, however that in future, expressions of interest would be sought for the provision of this service.

The Motion was put to the meeting and approved. Councillor Kelly voted against the Motion.

EXTENSION OF TIME OF MEETING

**ON MOTION** of Deputy Mayor Christie and Councillor Lugar, it was moved that the meeting be extended for fifteen minutes. Motion approved unanimously.

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12.6 METROPOLITAN AUTHORITY - TEMPORARY BORROWING RESOLUTION

Copies of Temporary Borrowing Resolutions approved by the Metropolitan Authority were circulated to Members of Council.

By memorandum, Council was advised that Temporary Borrowing Resolutions approved by the Metropolitan Authority Board require that the borrowing be guaranteed by the participating municipalities. Therefore, all four municipalities are being requested to approve the identical Guarantee Resolutions.

**ON MOTION** of Councillor Lugar and Councillor Nolan, it was moved that the Metropolitan Authority Temporary Borrowing Resolutions Numbers 88-01, Solid Waste and 88-02, Metro Transit be approved by the Town of Bedford.

In discussing these Resolutions, Councillor Kelly enquired as to whether or not the Town should approve same until the cost-sharing arrangements desired by the Town of Bedford are implemented. The opinion was expressed by several Members of Council that approval of these Resolutions was a requirement from the Town and would have no bearing on the cost-sharing arrangements for the provision of various services by the Authority.

The Motion was put to the meeting and approved unanimously.

12.7 1988 CROWNLIFE PARTICIPATION CHALLENGE - COUNCIL APPOINTMENT

Details of the upcoming 1988 CrownLife Participation Challenge were circulated to Members of Council.

By memorandum, Jane Gray, Secretary, requested the appointment of a Member of Town Council to assist in this year's Challenge.

It was unanimously agreed by Council, that Councillor Peter Kelly should be volunteered for this position.

13. REPORTS: BOARDS/COMMITTEES/COMMISSIONS

NIL

14. STAFF REPORTS

ON MOTION of Deputy Mayor ... and Councillor ... it was moved that ...



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14.1 FIRE DEPARTMENT - FEBRUARY, 1988

**ON MOTION** Deputy Mayor Christie and Councillor Nolan, it was moved that the Fire Department Report for the month of February, 1988 be received for information. Motion approved unanimously.

14.2 PLANNING AND DEVELOPMENT CONTROL

14.2(a) CONTRACT DEVELOPMENT AGREEMENT PHASE 2 - MILL COVE

By memorandum, Barry Zwicker, Director of Planning and Development Control submitted details with respect to a request from Food City Development Limited to proceed with Phase 2 of the Mill Cove Development. It was noted by Mr. Zwicker that Phase 2 of the General Contract calls for 80,000 sq. ft. of office space and 32,000 sq. ft. retail space.

It was further noted by Mr. Zwicker that the applicant has submitted site plans and conceptual design plans for both the office development and a portion of the retail space in the form of 20,000 sq. ft. of cinema or theatre space on the site proposed to have 40,000 sq. ft. of office facilities within Phase 3 of the Contract.

Council was further advised that the applicant has provided conceptual drawings indicating the first phase of a theatre development site and a further conceptual plan indicating the ultimate perspective of this building which includes the 40,000 sq. ft. of office space above the theatres.

Mr. Zwicker expressed the opinion that the proposal for Phase 2 in its entirety is a variance with clauses 5(a) and (b) of the General Agreement but this variance in his opinion, could be considered minor and does not alter the intent of the overall Development Agreement. He, therefore, recommended that Town Council approve of the entering into of this Phase 2 Development Agreement.

A general discussion ensued during which details of these proposals were discussed by Mr. Zwicker and Members of Town Council. Several Members of Council expressed the opinion that the changes proposed should not be considered a minor variance but should be considered a major variance with the resulting requirement for a new Contract Development Agreement process.

**ON MOTION** of Deputy Mayor Christie and Councillor Roy, it was moved that Town Council consider the proposal a major



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14.2(a) PHASE 2 - MILL COVE CON'T

variance from the existing Contract Development Agreement and therefore, reject any proposed Agreement at this time. Motion approved. Councillor Nolan and Mayor Roberts voted against the Motion.

14.2(b) BUILDING INSPECTION REPORT - FEBRUARY, 1988

Copies of the Building Inspector's Report for the month of February, 1988 were circulated to Members of Council indicating a total of 106 permits issued with a construction value of \$3,916,134 to the end of February, 1988.

**ON MOTION** of Councillor Roy and Councillor Lugar, it was moved that the Building Inspector's Report for the month of February, 1988 be received. Motion approved unanimously.

15. CORRESPONDENCE

NIL

16. NOTICES OF MOTION

NIL

17. QUESTIONS

17.1 ACTION SHEET

The Action Sheet dated March 28, 1988 was received for information.

18. ADDED ITEMS

18.1 AIDS POLICY

In response to an inquiry from Council with respect to a statement issued by Mayor Roberts to the Nova Scotia Aids Task Force, Mayor Roberts advised Members of Council that while he had been introduced to the Task Force as, "Mayor Roberts, " he was expressing his personal opinion, not that of Town Council and this had been conveyed explicitly to the Task Force.

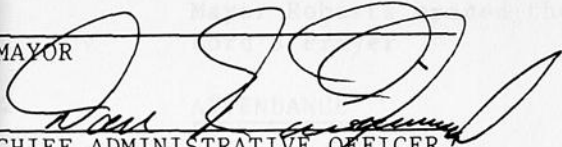
19. OTHER

NIL

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20. ADJOURNMENT

ON MOTION of Councillor Lugar and Councillor Nolan, it was moved that the meeting adjourn at approximately 11:15 p.m.

MAYOR  
  
CHIEF ADMINISTRATIVE OFFICER

APPROVAL OF MINUTES

REGULAR SESSION - MARCH 28, 1988

ON MOTION of Deputy Mayor Christie and Councillor Ryan, it was moved that the minutes of the Regular Session of March 28, 1988 be approved. Motion approved unanimously.

ADDITIONS/DELETIONS TO ORDER OF BUSINESS

On request of Councillor Roy, it was agreed that a report from the Ad Hoc Dog Control Committee would be received as item 2.3.1.

On request of Councillor Kelly, it was agreed that an item, "Insurance Claims," be added to the Agenda as item 2.4.2.

It was agreed that item 2.4 should be deleted from the Agenda.

APPROVAL OF ORDER OF BUSINESS

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

MOTIONS OF RECONSIDERATION

NIL

TOWN OF BEDFORD  
REGULAR SESSION  
APRIL 18, 1988

A Regular Session of the Town Council of the Town of Bedford was held on Monday, April 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, William Roy and Robert Short were in attendance at the commencement of the Session. Councillor Chris Nolan took his place at the meeting at 7:45 p.m.

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; John Robertson, Chief Building Inspector and Joan Pryde, Deputy Clerk.

3. APPROVAL OF MINUTES

3.1 REGULAR SESSION - MARCH 28, 1988

**ON MOTION** of Deputy Mayor Christie and Councillor Roy, it was moved that the minutes of the Regular Session of March 28, 1988 be approved. Motion approved unanimously.

4. ADDITIONS/DELETIONS TO ORDER OF BUSINESS

On request of Councillor Roy, it was agreed that a report from the Ad Hoc Dog Control Committee would be received as item #13.1.

On request of Councillor Kelly, it was agreed that an item, "Insurance Claims," be added to the Agenda as item #19.1.

It was agreed that Item 12.4 should be deleted from the Agenda.

5. APPROVAL OF ORDER OF BUSINESS

**ON MOTION** of Councillor Lugar and Councillor Roy, 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

NIL

8. MOTIONS OF RESCISSION

NIL

9. PUBLIC HEARINGS AND MOTIONS ARISING THEREFROM

NIL

10. PETITIONS AND DELEGATIONS

10.1 CERTIFICATE OF APPRECIATION - R.C.A.F. - 111 MIC MAC WINGS - MR. OAKLEY

It was agreed that this item be deleted from the Agenda due to the absence of Mr. Oakley at the meeting.

10.2 APPLICATION FOR MINOR VARIANCE - REDUCTION IN SETBACK - 1189 BEDFORD HIGHWAY

By memorandum and copies of correspondence, details were circulated to Members of Council respecting an Application for a Minor Variance - Reduction in Setback - 1189 Bedford Highway.

In speaking to this matter, it was noted by Barry Zwicker, Director of Planning and Development Control, that this Application to reduce the frontyard setback of the property located at 1189 Bedford Highway, from the required distance of 32 ft. to 0 ft. for the placement of a sign, was previously refused. Subsequently, this decision was appealed to Town Council and the appropriate advertising and notification of property owners within 200 ft. of the property in question, has been effected.

In response to an invitation from Mayor Roberts, Mr. Wayne Ducolon addressed Council outlining specific details of where the sign would be placed, if permission is granted. He also advised Council with respect to the type of sign and why, in the opinion of the owner of the property in question, permission should be granted as requested.

A general discussion ensued during which some concern was expressed both with regard to the possible placement of the sign immediately abutting the street right of way and also with respect to the proposed design of the sign.

Concern was also expressed that approval of this request would initiate many more such requests. In response, Mr. Ducolon noted the fact that there are already many signs throughout the Town of Bedford which are close if not

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actually at the edge of the Town's right of way. In particular, he noted that in the case of the property in question, a sign will not be seen by northbound traffic unless it is placed as requested, due to the fact that a building on the adjoining property is itself, almost on the right of way.

**ON MOTION** of Councillor Lugar and Councillor Roy, it was moved that this Application for a Minor Variance be denied.

Motion defeated. Councillor Kelly, Deputy Mayor Christie and Councillor Nolan voted against the Motion.

**ON MOTION** of Councillor Kelly and Councillor Lugar, it was moved that further discussion on this Application for a Minor Variance be deferred pending a further opportunity for consultation between staff and the applicants. Motion approved. Councillor Short voted against the Motion.

11. MOTIONS

NIL

12. NEW BUSINESS

12.1 ENGINEERING ANALYSIS AND PLANNING - TRUNK WATER SUPPLY NETWORK AND STORAGE REQUIREMENTS - BEDFORD SOUTH AREA

By memorandum, Rick Paynter, Director of Engineering and Works and Barry Zwicker, Director of Planning and Development Control advised Council that staff have requested a proposal from Project Consultants and Beasy Nicoll Engineering Limited to undertake a detailed analysis of the subject area.

Messrs Paynter and Zwicker advised that, in their opinion, this analysis is essential in order to properly direct future development activity in the area involved.

Council was also advised that, if it is determined that an application to the Public Utilities Board is appropriate relative to a determination on cost sharing for the study, that process can be initiated.

Council was requested to approve the entering into of a Contract with Project Consultants at a cost of \$11,600 to be funded through the 1988 approved Budget of \$25,000 for Professional/Consultant Services.

**ON MOTION** of Councillor Short and Councillor Roy, it was moved that the Town Council approve of the entering into a

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Contract with Project Consultants for the undertaking of detailed analysis of trunk water supply network and storage requirements for the Bedford South area at a cost not to exceed \$11,600;

further that the Town explore all possibilities for cost sharing of this project. Motion approved unanimously.

Councillor Kelly excused himself from the meeting at approximately 8:30 p.m.

Councillor Peter Kelly resumed his position at the meeting at approximately 9:30 p.m.

12.2 BY-LAW RESPECTING MINIMUM STANDARDS

Councillor Kelly addressed Council requesting information as to the status of the By-Law Respecting Minimum Standards and, in particular, requested that a draft which had previously been prepared, be forwarded to the Ad Hoc By-Law Committee for consideration and recommendation to Town Council.

Mr. Zwicker and Mr. Robertson reviewed for the benefit of Council, why consideration of this By-Law has been deferred up to this point in time, following which it was agreed that a revised draft will be prepared and forwarded to the Ad Hoc By-Law Committee for review and recommendation.

12.3 STIPENDS ADVISORY COMMITTEE - REQUEST FOR RECONSIDERATIONS

Copies of correspondence from Councillor Peter Kelly to the Stipends Advisory Committee were circulated to Members of Council. In this correspondence, Councillor Kelly recommended that Council expand the Terms of Reference for the Town's Stipend Advisory Committee to include the possibility and feasibility of increasing the Mayor's position to full time; the possibility and feasibility of increasing the number of Councillors from the existing six (6) and a study of the various options of a ward system as opposed to the at-large system.

Copies of correspondence from Gerald Hoganson, Chairman, Stipends Advisory Committee to Councillor Kelly, were circulated to Members of Council, in which Mr. Hoganson advised that the Stipends Advisory Committee intends to address the question of a ward system of election for Councillors and the feasibility of increasing the current number of Councillors from the existing six (6).



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During the ensuing general discussion, several Members of Council expressed the opinion that the Stipends Advisory Committee has already been given its mandate and that Council should not try to amend these Terms of Reference at this point in time. It was also noted that Mr. Hoganson has already indicated that most of the concerns of Councillor Kelly will be addressed in their report.

Mayor Roberts advised that he wished to speak to this matter and requested that Deputy Mayor Christie take the Chair.

In speaking to this matter, Mayor Roberts expressed concern that newspaper reports of Councillor Kelly's correspondence appeared in print prior to his having received the correspondence.

Mayor Roberts also expressed concern with respect to the content of these press reports whereby it appeared that the current Mayor is working far less than is actually the case. Following an outline of the time normally expended by the Mayor in the course of his duties, Mayor Roberts expressed the opinion that a so called, "full time Mayor," would not work longer or harder than the current Mayor is working, for the benefit of the Town. He also noted that under the provision of the Towns Act, it is not possible for the Town to stipulate that a Mayor must be a, "full time Mayor." Mayor Roberts also expressed concern that if such a proviso was possible, it would reduce the source of possible candidates to a very few.

In rebuttal, Councillor Kely advised, that while he respected Mayor Roberts' right to his own opinion, he personally was still of the opinion that the questions as outlined in his correspondence to the Members of Council and the Stipend Advisory Committee should be considered by the Committee and that the public at large should have an opportunity to express opinions.

**ON MOTION** of Councillor Kelly, it was moved that the Terms of Reference for the Town's Stipend Advisory Committee be expanded to include the three questions which were included in his correspondence dated April 5, 1988 addressed to the Mayor, Members of Council and members of the Stipend Advisory Committee.

There being no response to three calls from the Mayor to a Secunder to this Motion, the Motion was declared invalid.

It was noted by several Members of Council that it appears that the Stipend Advisory Committee is already planning to deal with some of Councillor Kelly's requests and that their

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report is expected to be forwarded to Town Council, in June of 1988. At that time, Council can determine any further action it deems required. It was suggested by some Members of Council that the Stipends Advisory Committee might consider calling a Public Meeting, to determine public opinion on matters included in their mandate.

12.4 BEDFORD WATERFRONT DEVELOPMENT CORPORATION/TOWN OF BEDFORD - APPROVAL OF LEASE AGREEMENT

It was agreed that this item would be deleted from the Agenda.

12.5 FINANCING ARRANGEMENTS - 1987 CAPITAL BUDGET

12.5(a) CONSIDERATION APPROVAL - RESOLUTION - DEBENTURE ISSUE - MUNICIPAL FINANCE CORPORATION - \$744,000

By memorandum, Ron Singer, Director of finance requested approval of an Issuing Resolution in the amount of \$744,000 in order to facilitate the financing of the 1987 Capital Program with Debenture Debt.

It was noted that the proceeds from this Debenture will be allocated as follows:

R.A.P.I.D. Computer System	\$108,000
Streets and Sidewalks	\$410,000
Mainstreet Program	\$177,000
Land	<u>\$ 49,000</u>
TOTAL	<u>\$744,000</u>

**ON MOTION** of Councillor Short and Councillor Roy, it was moved that the Issuing Resolution, as circulated, be approved regarding a Debenture Issue with the Nova Scotia Municipal Finance Corporation in the amount of \$744,000 and that the appropriate documentation be forwarded to the Minister of Municipal Affairs for his approval. Motion approved unanimously.

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12.5(b) CONSIDERATION OF APPROVAL - WITHDRAWAL FROM SPECIAL RESERVE FUND - \$114,658

By memorandum, Ron Singer, Director of Finance, recommended that Town Council approve a Resolution to withdraw \$115,658 from the Special Reserve Fund. It was noted by Mr. Singer, that this matter related to the funding of expenditures for recreational improvements, which took place during the year 1987. It was also noted by Mr. Singer, that the Resolution, as circulated, indicated an amount of \$165,000 which will be changed to \$115,658.

**ON MOTION** of Councillor Lugar and Councillor Roy, it was moved that Town Council approve the Resolution, as circulated and amended, to withdraw \$115,658 from the Special Reserve Fund and that the appropriate documentation be forwarded to the Minister of Municipal Affairs for his approval. Motion approved unanimously.

12.6 MOIRS MILL GENERATING STATION - DESIGNATION AS TOURIST BUREAU

Dan R. English, Chief Administrative Officer, requested confirmation from Town Council that the Town should take steps to examine the possibility of renovating the Moirs Mill Generating Building to be used as a Tourist Bureau, possibly in conjunction with its other suggested use as an Interpretive Centre.

**ON MOTION** of Councillor Nolan and Councillor Roy, it was moved that the Heritage Advisory Committee and appropriate staff explore and examine the feasibility for the possible use of the Moirs Mill Generating Building as a Tourist Bureau/Interpretive Centre, providing that the appropriate egress/access and parking requirements can be implemented. Motion approved unanimously.

12.7 AWARDING OF TENDER - LION'S PLAYGROUND RENOVATIONS

By memorandum, Robert Nauss, Recreation Director, advised that quotations have been received and reviewed respecting a required filtration system for the Lion's pool. It was recommended that the project be awarded to Rockingham Hardware Limited in an amount not to exceed \$21,800.

During the ensuing discussion, Councillor Roy explained for the benefit of Council, why it is recommended that the project be awarded to Rockingham Hardware Limited, at a cost



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of approximately \$1,000 higher than the low tender.

**ON MOTION** of Councillor Short and Councillor Roy, it was moved that the recommendation of the Recreation Commission be accepted and that the tender for the installation of a filtration system in the Lion's pool be awarded to Rockingham Hardware Limited, in an amount not to exceed \$21,800. Motion approved unanimously.

SEWER REDEVELOPMENT FUND - CONTRIBUTIONS FROM OPERATING BUDGET

The Chief Administrative Officer requested consideration of Town Council to the formal approval of a Policy-Sewer Redevelopment Fund-Contribution from the Operating Budget.

**ON MOTION** of Councillor Nolan and Deputy Mayor Christie, it was moved that the Town Council of the Town of Bedford formally approve a Policy, as circulated, respecting contributions from the Operating Budget to the Sewer Redevelopment Fund. Motion approved unanimously.

13. REPORTS: BOARDS/COMMITTEES/COMMISSIONS13.1 DOG CONTROL CONTRACT

Councillor Roy advised the meeting that it is the recommendation that the existing contract for Dog Control be extended to the end of 1988; further that Town staff study the possibility of the town undertaking the provision of this service, "in house," commencing January 1, 1989.

**ON MOTION** of Councillor Roy and Councillor Kelly, it was moved that the Dog Contract with Clayton Park Veterinary Clinic be extended to December 31, 1988;

further, that Town staff study the possibility of undertaking the provision of this service commencing January 1, 1989, possibly in conjunction with the provision of other services, i.e. delivery service. Motion approved unanimously.

14. STAFF REPORTS14.1.1 ENGINEERING AND WORKS - DEPARTMENTAL REPORT

Copies of the 1988 Engineering and Works Department - Departmental Report #1 were circulated to Members of Council.

In response to an inquiry with respect to the project's starting date of July/August 1988 for asphalt resurfacing

14.1.1. CON'T

work on Rocky Lake Drive, Mr. Paynter advised that the reason for the delay is that the Town is awaiting the receipt of information from the Department of Transportation concerning cost-sharing of this project.

Following a brief discussion with respect to the proposed Main Street upgrading, and a planned area site meeting to take place in the near future, it was agreed that Members of Council should be advised of the time and the date of this meeting.

In response to an inquiry from Councillor Roy as to whether or not it had been determined whether there are watercourses in the area of 76 Rocky Lake Drive that would be affected by the Streams and Drains By-Law, Mr. Paynter answered in the negative.

Mr. Paynter also advised that the Department of the Environment has agreed that the Town's interpretation of the By-Law with respect to the development in question, was correct. The Town has as well, received a legal opinion relative to the applicability of the Streams and Drains By-Law.

Mr. Paynter, in response to an inquiry from Council, also reviewed details of the Joint Certificate process which takes place between the developer and the Provincial Departments of Health and Development. He also noted that the planning process of the Town does require the proof of issuance before construction commences.

In response to an inquiry from Council, as to how the Town can ensure that work performed by developers will not increase drainage runoff in the future, Mr. Paynter advised that approval of the proposed Alteration of Grade By-Law will help to ensure that such problems do not arise.

14.1.2 ENGINEERING AND WORKS - PROPOSED AMENDMENT - GRANT OF EASEMENT - BEDFORD HILLS SUBDIVISION

Copies of an amending Agreement respecting a grant of easement between the Town of Bedford and Braeside Homes Limited along with correspondence from Mr. Peter McInroy, Solicitor, recommending the approval of this amending Agreement, were circulated to Members of Council.

**ON MOTION** of Councillor Short and Councillor Lugar, it was moved that the amending Agreement, as circulated, between the Town of Bedford and Braeside Homes Limited to amend a grant of easement made the 22nd day of January, 1987, be approved. Motion approved unanimously.

14.2 PLANNING AND DEVELOPMENT CONTROL - BUILDING INSPECTION REPORT

**ON MOTION** of Councillor Lugar and Councillor Short, it was moved that the Building Inspection Report for the month of March, 1988, indicating a total of 82 permits issued and a total value of \$6,779.384 be approved. Motion approved unanimously.

*amended  
May 16/88  
with 43*

14.3 PLANNING AND DEVELOPMENT CONTROL - APPOINTMENT OF ACTING DEVELOPMENT OFFICER

**ON MOTION** of Councillor Roy and Councillor Nolan, it was moved that Mr. John Malcolm be appointed as Acting Development Officer for the Town of Bedford for the period of May 9th through to and including June 17, 1988. Motion approved unanimously.

14.4 PLANNING AND DEVELOPMENT CONTROL - RATIFICATION OF CONSULTANT - RE TENDER DOCUMENTATION - RANGE PARK

By memorandum, Barry Zwicker, Director of Planning and Development Control recommended that Town Council ratify the appointment of Porter Dillon and Associates to prepare the necessary tender documents and specifications to allow for a tender call relating to Phase 3 of the Range Park proposal.

**ON MOTION** of Councillor Nolan and Councillor Lugar, it was moved that Porter Dillon and Associates be appointed to prepare the necessary documents and specifications at a cost not to exceed fourteen thousand, seven hundred and sixty dollars (\$14,760) to allow for a tender call relating to Phase 3 of the Range Park proposal. Motion approved unanimously.

14.5 PRELIMINARY REVIEW - PROPOSED BEDFORD HIGHWAY IMPROVEMENTS - MAINSTREET PROGRAM

Micheel Towner, Executive Director, Bedford Economic Development Commission, reviewed details of the proposed Mainstreet Program for 1988. In general he noted that the proposal includes improvements to the Bedford Highway from the C.N. Station to a point close to the intersection of the Bedford Highway and Rutledge Street. He noted that this will be Phase 1 of the two phase project which will continue in 1989 from Rutledge to Meadowbrook Drive.

In reviewing the details of the proposed plan, Mr. Towner noted that a major portion of the work will involve the First Avenue/Division Street/Bedford Highway intersection project which has been deferred for over two years.

Mr. Towner also reviewed a proposal for a boardwalk to be placed on the east side of the highway towards the City of



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Halifax from the railway station.

Mr. Towner advised that during the preliminary planning of the project, he will be making contact with all abutting property owners to explain and discuss the plans. He expressed the opinion that he does feel that there will be some concern with respect to parking facilities if the proposed boardwalk is constructed.

*amended  
May 16/88  
item # 3*

In response to an inquiry from Council, Mr. Towner agreed that copies of the proposed plans could be made available to Members of Council in order that they may have an opportunity to study them carefully.

EXTENSION OF TIME OF MEETING

**ON MOTION** of Councillor Lugar and Councillor Nolan, it was moved that the meeting be extended for fifteen minutes. Motion approved unanimously.

14.6 FIRE DEPARTMENT - MONTHLY REPORT - MARCH/88

The monthly report for March, 1988 of the Bedford Fire Department was received for information.

15. CORRESPONDENCE

15.1 HALIFAX COUNTY BEDFORD DISTRICT SCHOOL BOARD RE AREA SCHOOL RATES

Copies of correspondence from the Halifax County Bedford District School Board were circulated to Members of Council in which Council was requested to support a Motion approved by the Halifax County Bedford District School Board recommending to the Minister of Education, that Section 57, Area School Rates, be deleted from the Education Act.

**ON MOTION** of Councillor Lugar and Councillor Roy, it was moved that the Town Council of the Town of Bedford support the Motion approved by the Halifax County Bedford District School Board recommending to the Minister of Education that Section 57, Area School Rates, be deleted from the Education Act. Motion approved unanimously.

15.2 MR. AUSTIN MACDOUGALL - HALIFAX COUNTY HOUSING AUTHORITY

Copies of correspondence from Mr. Austin MacDougall were circulated to Members of Council in which Mr. MacDougall tendered his resignation effective July 31, 1988 as a representative of the Town of Bedford on the Board of the Halifax County Housing Authority.

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15.2 CON'T

The correspondence was received for information and Mayor Roberts advised Council that the thanks of the Council and the Town have been extended to Mr. Macdougall for his services during the past six years.

16. NOTICES OF MOTION

NIL

17. QUESTIONS

17.1 ACTION SHEET

The Action Sheet dated April 18, 1988 was received for information.

18. ADDED ITEMS

NIL

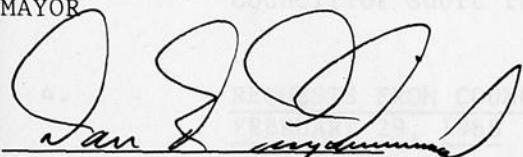
19. OTHER

19.1 INSURANCE CLAIMS

It was agreed that consideration of this item should be deferred to the next Regular Session of Council.

20. ADJOURNMENT

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

MAYOR  
  
CHIEF ADMINISTRATIVE OFFICER

TOWN OF BEDFORD  
SPECIAL COUNCIL SESSION  
MAY 9, 1988

A Special Session of the Town Council of the Town of Bedford took place on Monday, May 9, 1988, 7:00 p.m. in the Town 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 in attendance included Dan R. English, Chief Administrative Officer and Joan Pryde, Deputy Clerk.

3. CONSIDERATION OF PROPOSED EASEMENT AGREEMENT BETWEEN THE TOWN OF BEDFORD AND THE B.W.D.C. RE SEWAGE TREATMENT PLANT LANDS

Councillor Short excused himself from the meeting declaring a Conflict of Interest with respect to the subject under discussion.

Copies of a proposed Easement Agreement between the Town of Bedford and the B.W.D.C. re the Sewage Treatment Plant Lands were circulated to Members of Council.

**ON MOTION** of Councillor Nolan and Councillor Lugar, it was moved that the Mayor and Chief Administrative Officer be authorized to execute on behalf of the Town, an Easement Agreement between the Town of Bedford and the B.W.D.C. respecting access to and movement over lands of the Sewage Treatment Plant located off the Bedford Highway. Motion approved unanimously.

Councillor Short resumed his position at the meeting.

4. REQUESTS FROM COUNCILLOR KELLY RE AMENDMENT TO MOTION PASSED FEBRUARY 29, 1988

Copies of a proposed amendment to a Motion approved February 29, 1988 respecting property tax exemptions for disabled individuals were circulated to Members of Council.

**ON MOTION** of Councillor Short and Councillor Nolan, it was moved that the following Motion originally passed February 29, 1988:



SPECIAL SESSION - TOWN COUNCIL - MAY 9, 1988 CON'T

4. CON'T

"BE IT RESOLVED that the Town Council of the Town of Bedford approve that the Province be requested to consider the additions of a Clause to Section 112(a) of the Towns Act which would permit disabled individuals to apply for a property tax exemption;"

be amended by the addition of the following:

"for those disabled as defined under the Canada Pension Plan, the Canada Pension Act and the Canadian Assistance Act."

Motion approved unanimously.

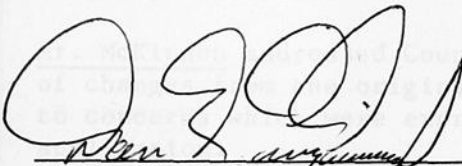
5. OTHER

NIL

6. ADJOURNMENT

**ON MOTION** of Councillor Roy and Councillor Kelly, it was moved that the meeting adjourn at approximately 7:20 p.m.

MAYOR

  
CHIEF ADMINISTRATIVE OFFICER

SUBMISSIONS FROM THE GENERAL PUBLIC

The opinion was expressed by one person from the general public attending the meeting, that the benefits of the proposed development outweigh any difficulties.

TOWN OF BEDFORD  
PUBLIC HEARING  
May 9, 1988

A Public Hearing was held by the Town Council of the Town of Bedford on Monday, May 9, 1988, 7:30 p.m. in the Town Council Chambers, Suite 400, Bedford Tower, Bedford, N. S.; Mayor Keith Roberts presiding.

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

Staff members in attendance included Joan Pryde, Deputy Clerk and John Malcolm, Senior Planner, Acting Development Officer.

In opening the Session, Mayor Roberts advised that the purpose of the Public Hearing was to discuss a Contract Development Agreement Application #88-03 for property commonly known as 1696 Bedford Highway.

STAFF REPORT

John Malcolm, Acting Director of Planning and Development Control, reviewed for the benefit of Council, details of this application for a Contract Development Agreement. In particular he advised that the developer, Texaco Canada Ltd., wished to remove the existing service station and to construct a canopied gasbar, small convenience mart and carwash facility at the setback shown on their submitted site plan.

Following a review of the details, Mr. Malcolm that it is the recommendation of the Planning and Development Control Department that this application for a Contract Development Agreement be approved.

Mr. Malcolm further advised that this proposal has been considered by both the Bedford Planning Advisory Committee and the Bedford Waters Advisory Committee.

Mr. McKinnon addressed Council on behalf of Texaco Canada Ltd. advising of changes from the original proposal which have been incorporated due to concerns which were expressed by Council at the time of the original application.

QUESTIONS FROM COUNCIL

In response to an inquiry from Council respecting provisions for inspection and replacement when required of the tanks, Mr. McKinnon advised that all tanks are checked on a very regular basis to see if they are in need of replacement.

SUBMISSIONS FROM THE GENERAL PUBLIC

The opinion was expressed by one person from the general public attending the meeting, that the benefits of the proposed development outweigh any deficiencies.

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PUBLIC HEARING - MAY 9, 1988 CON'T

Dr. B. Loncarevic addressed the meeting advising Council that while he does not have specific comments on this particular project, he is concerned that almost any time a development is proposed that is in conflict with the Zoning By-Law, Council is willing to consider a Contract Development Agreement.

Dr. Loncarevic also expressed the opinion that this particular development is in conflict with Policy P-13 of the M.P.S.

There were no other submissions from the general public in response to three calls from Mayor Roberts.

QUESTIONS FROM COUNCIL

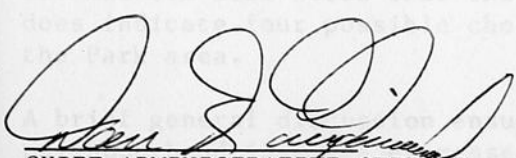
In response to an inquiry from Council as to whether there has been a change in policy by Texaco Canada Ltd. that will give the Town assurance that the maintenance and upkeep of the proposed development will be better in the future than in the past, Mr. McKinnon advised that the company now has a national policy with respect to the changes that are taking place within the company. Stations that are continued to be operated will be kept up in much better condition than in the past - in other words, the company will have fewer locations but higher standards.

In response to an inquiry from Council as to other uses for the site, Mr. Malcolm advised that under the current zoning, a service station is a legitimate use for the property, but without a Contract Development Agreement, the location of some of the buildings would require different placement.

ADJOURNMENT

ON MOTION of Councillor Kelly and Councillor Roy, it was moved that the meeting adjourn. Motion approved unanimously.

MAYOR

  
CHIEF ADMINISTRATIVE OFFICER

Mr. Jay Matthews, Chairman of the Development Committee of the Seventh Day Adventist Church, reviewed details of what his Church is proposing to develop on the property owned by their organization.



PUBLIC HEARING # 87-12

TOWN OF BEDFORD  
PUBLIC HEARING  
MAY 9, 1988

A Public Hearing was held by the Town Council of the Town of Bedford, on Monday, May 9, 1988 8:00 p.m. in the Town Council Chambers, Suite 400, Bedford Tower, Bedford, N. S.; 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 Session included Joan Pryde, Deputy Clerk and John Malcolm, Acting Development Officer.

PURPOSE OF THE MEETING

Mayor Roberts advised that the purpose of the Public Hearing was to discuss a proposed amendment to the Town's Municipal Planning Strategy and Land Use By-Law to change the Generalized Future Land Use Designation for the lands owned by Seventh Day Adventist Church located at Sandy Lake from Regional Park to Secondary Development Area and to amend Table 3 of the M.P.S. by including Special Care Facilities as a potentially permitted use under Secondary Development Area. The Land Use By-Law amendment is to include a definition of Special Care Facility in Part 2 - Definitions.

STAFF REPORT

John Malcolm, Acting Director of Planning and Development, reviewed for the benefit of Council, details of the proposed amendments and noted that if the proposed amendments are approved, they would no doubt be followed by a request for consideration of a Contract Development Agreement between the Town and the Seventy Day Adventist Church.

In response to some concern expressed by Council that to date, the proposed plans do not definitely indicate where a future access road to the Sandy Lake Park area would be located, it was noted by Mr. Malcolm that this particular Public Hearing is in respect to the Generalized Future Land Use Designation and not in respect to a possible subsequent Contract Development Agreement.

Mr. Malcolm also noted that the report circulated to Members of Council does indicate four possible choices of a location for the access road to the Park area.

A brief general discussion ensued during which some residents of the neighbourhood involved expressed concerns with respect to the various possible locations of an access road to the Sandy Lake Park lands.

Mr. Ray Matthews, Chairman of the Development Committee of the Seventh Day Adventist Church, reviewed details of what his Church is proposing to develop on the property owned by their organization.

#100

MEETING # 101

TOWN OF BEDFORD  
COUNCIL SESSION

PUBLIC HEARING - MAY 9, 1988 CON'T

In response to an inquiry from the general public, as to how many people would ultimately be residing on property owned by the Seventh Day Adventist Church, Mr. Matthews suggested that the number of senior citizen apartments being considered would likely in the neighbourhood of twenty-eight (28) and that the proposed nursing home, would in all likelihood accommodate

In response to an inquiry from Council, as to when the proposed new road to the Seventh Day Adventist facilities would be constructed, Council was informed that this road would be constructed during the initial phase of the proposed development.

There were no further submissions from the general public in response to three calls from Mayor Roberts.

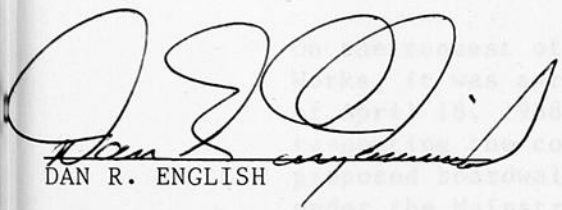
ADJOURNMENT

**ON MOTION** of Councillor Kelly and Councillor, it was moved that the meeting adjourn at approximately 8:15 p.m.

APPROVAL OF MINUTES

- 1.1 Regular Session - April 18, 1988 (#97)
- 1.2 Special Session - May 9, 1988 (#98)
- 1.3 Public Hearing - May 9, 1988 (#99)
- 1.4 Public Hearing - May 9, 1988 (100)

MAYOR



DAN R. ENGLISH

**ON MOTION** of Councillor Short and Councillor, it was moved the minutes of the Regular Session of April 18, 1988, as amended; the Special Session of May 9, 1988; the Public Hearing, May 9, 1988 and the Public Hearing, May 9, 1988 be approved. Motion approved unanimously.

ADDITIONS/DELETIONS TO ORDER OF BUSINESS

NIL

TOWN OF BEDFORD  
COUNCIL SESSION  
MAY 16, 1988

A Regular Session of the Town Council of the Town of Bedford took place on Monday, May 16, 1988, 7:30 p.m. in the Town 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 in attendance at this Session included Dan R. English, Chief Administrative Officer; Joan Pryde, Deputy Clerk; John Malcolm, Acting Director of Planning and Development Control; Rick Paynter, Director of Engineering and Works and John Robertson, Chief Building Inspector. David Selig, Fire Chief was also in attendance at this meeting. Peter McInroy, Solicitor, attended a portion of the Session.

3. APPROVAL OF MINUTES

- 3.1 Regular Session - April 18, 1988 (#97)
- 3.2 Special Session - May 9, 1988 (#98)
- 3.3 Public Hearing - May 9, 1988 (#99)
- 3.4 Public Hearing - May 9, 1988 (100)

On the request of Rick Paynter, Director of Engineering and Works, it was agreed that the minutes of the Regular Session of April 18, 1988 be amended to include his opinion respecting the cost of long term maintenance regarding a proposed boardwalk along a portion of the Bedford Highway under the Mainstreet Program.

**ON MOTION** of Councillor Short and Councillor Nolan, it was moved the minutes of the Regular Session of April 18, 1988, as amended; the Special Session of May 9, 1988; the Public Hearing, May 9, 1988 and the Public Hearing, May 9, 1988 be approved. Motion approved unanimously.

4. ADDITIONS/DELETIONS TO ORDER OF BUSINESS

NIL



REGULAR SESSION - TOWN COUNCIL - MAY 16, 1988

5. APPROVAL OF ORDER OF BUSINESS

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

6. MOTIONS OF RECONSIDERATION

NIL

7. DEFERRED BUSINESS/BUSINESS ARISING FROM THE MINUTES

7.1 APPLICATION FOR MINOR VARIANCE - REDUCTION IN SETBACK - 1189 BEDFORD HIGHWAY (DEFERRED FROM SESSION #97 - ITEM 10.2)

By memorandum, Barry Zwicker, Director of Planning and Development Control advised Council that, further to meetings between his Department and the application for a minor variance respecting 1189 Bedford Highway, it has been determined that a suitable site for the free standing pilon sign would be immediately in front of the Heart's Content Operation. Such placement would require a setback from the street 10 feet versus the normal setback requirement for signage of 15 feet. The applicant originally requested a zero setback.

It was recommended to Town Council that serious consideration be given to the approval of this 10 foot setback as a minor variance.

**ON MOTION** of Councillor Nolan and Councillor Kelly, it was moved that Town Council approve as a minor variance the placement of a free standing pilon sign located immediately in front of the Heart's Content Operation, 1189 Bedford Highway in such a manner that no portion of the sign would be any closer than 10 feet from the Bedford Highway right of way line. Motion approved unanimously.

8. MOTIONS OF RESCISSION

NIL

9. PUBLIC HEARING AND MOTIONS ARISING THEREFROM

9.1 PUBLIC HEARING #87-12 - MAY 9, 1988 - AMENDMENTS TO CHANGE OF GENERALIZED FUTURE LAND USE - LANDS OF SEVENTH DAY ADVENTIST CHURCH - SANDY LAKE

**ON MOTION** of Councillor Nolan and Councillor Lugar, it was moved that the Town Council of the Town of Bedford approve the proposed amendment to change the Generalized Future Land Use Designation for the lands owned by the Seventh Day

## REGULAR SESSION - TOWN COUNCIL - MAY 16, 1988 CON'T

9.1 CON'T

Adventist Church located at Sandy Lake from Regional Park to Secondary Development area.

During the ensuing discussion, some concern was expressed with respect to details of the proposed development for the properties involved - in particular the placement of access roads both to the development and to the future Sandy Lake Parkland. During discussion it was noted by staff that these particular questions would be pertinent to a future Contract Development Agreement but were not really pertinent to the question of the Generalized Future Land Use.

Following a discussion as to a possible location of the roads in question, Council was advised that the Recreation Commission has also discussed this matter and has gone on record as favoring an upgrading of Smith's Road to accommodate traffic to the Parkland Area.

The Motion was put to the meeting and approved. Councillor Kelly voted against the Motion.

**ON MOTION** of Councillor Nolan and Councillor Roy, it was moved that the Town Council of the Town of Bedford approve an amendment to Table 3 of the Municipal Planning Strategy by including Special Care Facilities as a potentially permitted use under Secondary Development Area and to approve an amendment to the Land Use By-Law to include a definition of Special Care Facilities in Part 2 - Definitions. Motion approved unanimously.

9.2 PUBLIC HEARING #88-03 - MAY 9, 1988 CONTRACT DEVELOPMENT AGREEMENT - TEXACO CANADA LTD. - 1696 BEDFORD HIGHWAY

**ON MOTION** of Councillor Nolan and Councillor Kelly, it was moved that the Town Council of the Town of Bedford approve, in principle, the intent to enter into a Contract Development Agreement with Texaco Canada Limited for the Development of property commonly known as 1696 Bedford Highway with the proviso that the Waters Advisory Committee be given an opportunity to review the details of the Contract Development Agreement before it is signed. Motion approved. Councillor Short and Councillor Christie voted against the Motion.

10. PETITIONS AND DELEGATIONS

NIL

11. MOTIONS

11.1 BY-LAW RESPECTING THE MOVEMENT OF TOPSOIL, THE MOVEMENT OF EARTH AND THE ALTERATION OF THE GRADE OF LAND (SECOND READING)

Copies of a proposed By-Law under Special Legislation respecting the Movement of Topsoil, the Movement of Earth and the Alteration of the Grade of Land, were circulated to Members of Council for consideration of Second Reading.

During the ensuing discussion, Peter McInroy, Solicitor, reviewed for the benefit of Council, suggestions for amendments which have been received during the past weeks and which have been incorporated into the current draft of this By-Law. It was noted that the Ad Hoc By-Law Committee will be conducting a further review of this By-Law and several suggestions were offered by Members of Council for consideration.

Some discussion took place with respect to whether or not a permit under this By-Law will be required for the construction of individual residential dwellings and the opinion was expressed by some Members of Council that such a requirement was equally important as in the case of large scale development.

In response to an inquiry as to whether regulations under this By-Law could be enacted retroactively, Peter McInroy expressed the opinion that this was not possible.

**ON MOTION** of Councillor Nolan and Councillor Roy, it was moved that the By-Law Respecting the Movement of Topsoil, the Movement of Earth and the Alteration of the Grade of Land be received for Second Reading. Motion approved unanimously.

12. NEW BUSINESS

12.1 PROPOSED POLICY - PROCESSING OF INSURANCE CLAIMS

Copies of a proposed policy respecting the process of liability insurance claims were circulated to Members of Council.

In speaking to this matter Councillor Kelly expressed the opinion that members of the community at large are sometimes confused as to how liability claims to the Town should be processed. He suggested that this policy, if approved, would clearly out line the process which must be followed.

Following a brief review of the proposed policy, it was agreed that the words, "in consultation with the appropriate management staff," should be removed from the final paragraph.



## REGULAR SESSION - TOWN COUNCIL - MAY 16, 1988

12.1 CON'T

**ON MOTION** of Councillor Kelly and Councillor Roy, it was moved that the Policy Respecting Liability Insurance Claims, as circulated and amended, be approved. Motion approved unanimously.

12.2 APPROVAL OF TENDER - PARTIAL ROOF REPLACEMENT - BEDFORD FIRE HALL

By memorandum, Assistant Deputy Chief, Eric Sheppard of the Bedford Fire Department advised Council with respect to quotations received from four roofing companies for the replacement of the oldest section of the Bedford Fire Hall roof.

Council was advised that the four quotations ranged from \$10,500 to \$16,500.

Following the receipt of the quotations, a qualified roofer not involved with the bidding advised that the quotation received from Scotia Roofing in the amount of \$14,850 would be his choice of the four bidders.

In response to an inquiry of Town Council, the Fire Chief, David Selig reviewed details of the quotation and explained for the benefit of Council why the Department is recommending a tendered price which was not the lowest price received.

**ON MOTION** of Councillor Christie and Councillor Lugar, it was moved that the Town of Bedford award a Contract to Scotia Roofing Ltd. for the replacement of the roof of the old section of the Bedford Fire Hall in an amount not to exceed \$14,850. Motion approved unanimously.

12.3 PUBLIC INFORMATION SESSION - SPRING - SETTING OF DATE

Following a brief discussion it was agreed that the Semi-Annual Public Information Session should be scheduled for June 13, 1988 and held at either the Fire Hall or the Lions' Den. Some topics suggested for the agenda of this meeting included Recreational Planning, Municipal Planning Strategy Review and Education Funding. It was also suggested that there should be a period of information discussion between Members of Council and the general public.

12.4 LEGAL ACTION - 357 KEARNEY LAKE ROAD

**ON MOTION** of Councillor Kelly and Councillor Nolan, it was

## REGULAR SESSION - TOWN COUNCIL - MAY 16, 1988

13.1 GRANTS ADVISORY COMMITTEE - REPORT/RECOMMENDATIONS12.4 CON'T

moved that Council authorize the Town Clerk to instruct a Solicitor to initiate court action under the Town Zoning By-Law and Building By-Law for an order to end reported By-Law violations concerning the property located at 357 Kearney Lake Road. Motion approved unanimously.

12.5 U.N.S.M. REGIONAL MEETING - JUNE 23, 1988 - APPOINTMENT OF VOTING DELEGATES

It was agreed that Mayor Roberts, Deputy Mayor Christie, Councillor Nolan, Councillor Lugar and Councillor Short would act as the voting delegates to the U.N.S.M. Regional Meeting scheduled for June 23, 1988.

12.6 BEDFORD HIGHWAY UPGRADING - HAMMONDS PLAINS ROAD TO CITY OF HALIFAX LIMITS

**ON MOTION** of Councillor Christie and Councillor Kelly, it was moved that the Town of Bedford adopt a position that the Bedford Highway, from the City of Halifax boundary at the Rifle Range remain a two lane road, with any widening or upgrading only to accommodate turning lanes and intersections, and this position be communicated to other municipal and provincial government departments.

Speaking to this matter Councillor Christie expressed the opinion that the time has come for the Town to take a position, in particular with respect to the upgrading of the Bedford Highway from the Hammonds Plains Road to the City of Halifax boundary, in order that the Town Engineer and the Department of Transportation Engineer can properly plan for any bridges or future upgrading.

During the ensuing discussion, some concern was expressed that in the future, it may be necessary to widen the Bedford Highway beyond the proposed two lanes and turning lanes. However, in response to this inquiry, Mr. Paynter did advise that the width required for such widening could in the future be accommodated within the right of way owned by the Town. He also noted, when the bridge at Millview is replaced, it too, would be constructed in such a manner that, if necessary, additional traffic lanes could be incorporated.

The Motion was put to the meeting and approved. Councillor Nolan voted against the Motion.

13. REPORTS: BOARDS/COMMITTEES/COMMISSIONS

REGULAR SESSION - TOWN COUNCIL - MAY 16, 1988

13.1 GRANTS ADVISORY COMMITTEE - REPORT/RECOMMENDATIONS

By memorandum, Johnette Carli, Chairperson of the Grants Advisory Committee, recommended Council's consideration of grants to charitable organizations in a total amount of \$13,400 for the year 1988.

**ON MOTION** of Councillor Lugar and Councillor Roy, it was moved that the list of grants proposed for charitable organizations by the Grants Advisory Committee, in a total amount of \$13,400 be approved.

**ON MOTION** of Councillor Christie and Councillor Kelly, it was moved that the list of grants as recommended for 1988 be amended by the deletion of a grant to Henson College in the amount of \$500.00.

The amendment to the Motion was put to the meeting and approved unanimously.

The amended Motion was put to the meeting and approved unanimously.

13.2 ENGINEERING AND WORKS DEPARTMENT - AWARD OF TENDERS

By memorandum, Rick Paynter, Director of Engineering and Works advised Council respecting the results of Tender Call - 88-01 - Surface Treatment; Tender Call - 88-02 - Storm Drainage Improvements and Tender Call - 88-03 - New Sidewalk Construction.

13.2.1 TENDER 88-01 SURFACE TREATMENT

Mr. Paynter advised that two tenders were received for Tender Call 88-01 and recommended that this tender be awarded to Atlantic Colas Limited in a total amount of \$38,141.90 which would include surface treatment for 23 streets. He advised that additional funding of approximately \$10,000 should also be allocated for the preparatory asphalt work, final sweeping, advertising and testing of materials.

**ON MOTION** of Councillor Nolan and Councillor Kelly, it was moved that Tender 88-01 - Surface Treatment be awarded to Atlantic Colas Limited in an amount not to exceed \$38,141.90 and that \$10,000 be appropriated as a contingency allowance. Motion approved unanimously.

13.2.2 TENDER 88-02 - STORM DRAIN IMPROVEMENTS

Council was advised that seven Tenders were received with respect to Tender Call 88-02 Storm Drain Improvements with the lowest tender being received from Sun Construction Ltd



## REGULAR SESSION - TOWN COUNCIL - MAY 16, 1988

13.2 CON'T

in the total amount of \$40,220. It was recommended by Mr. Paynter that this tender be awarded to Sun Construction and that a contingency allowance of \$8,044 also be allocated to cover the cost of survey works, advertisement, testing of materials and additional related works.

**ON MOTION** of Councillor Lugar and Councillor Kelly, it was moved that Tender Call 88-02 - Storm Drainage Improvements be awarded to Sun Construction Ltd. in an amount not to exceed \$40,220 and that \$8,044 be appropriated as a contingency allowance. Motion approved unanimously.

13.2.3 TENDER 88-03 - NEW SIDEWALK CONSTRUCTION

Council was advised that three Tenders were received with respect to Tender Call 88-03 - New Sidewalk Construction with a low bid being submitted by Sun Construction Ltd. in a total amount of \$45,840. It was recommended by the Director of Engineering and Works that this Tender be awarded to Sun Construction Ltd. and that a 10 percent contingency allowance of \$4,584 be allotted to cover the cost of preliminary survey work, tender advertisement, testing of materials and additional work related to the contract.

**ON MOTION** of Councillor Lugar and Councillor Nolan, it was moved that Tender Call 88-03 - New Sidewalk construction be awarded to Sun Construction Ltd. in an amount not to exceed \$45,840 and that \$4,584 be appropriated as a contingency allowance. Motion approved unanimously.

14. STAFF REPORTS14.1 FIRE CHIEF'S MONTHLY REPORT - APRIL, 1988

**ON MOTION** of Councillor Christie and Councillor Lugar, it was moved that the Fire Chief's Monthly report for the month of April 1988 be received for information. Motion approved unanimously.

15. CORRESPONDENCE

NIL

16. NOTICES OF MOTION16.1 FORT SACKVILLE MANOR PROPERTY - REGISTRATION AS HERITAGE PROPERTY

Notice of Motion was served by Councillor Christie of the intent to pass at the next Regular Session of Council, the following Motion:

REGULAR SESSION - TOWN COUNCIL - MAY 16, 1988

16.1 CON'T

"WHEREAS the Province of Nova Scotia adopted a Heritage Property Act in 1980; and

WHEREAS the Town of Bedford adopted a Heritage Property By-Law, September 14, 1981; and

WHEREAS this By-Law requires the Town of Bedford to establish and maintain a Town Registry of Heritage property, and provides that Council may register a building, streetscape or area as a Town Heritage area; therefore

BE IT RESOLVED, that the Town of Bedford register the Fort Sackville Property and Manorhouse as a Heritage property and record this in the Town Registry as Heritage property and the notice of such registry be carried out in accordance with the By-Law."

17. QUESTIONS

17.1 ACTION SHEET

17.1.1 ISLEVIEW LAND - RAILWAY CROSSING

In response to an inquiry with respect to the current status of this item, Mayor Roberts advised that meetings have been held with CNR and a report will be forthcoming in the near future.

17.1.2 BY-LAW RESPECTING NOISE

In response to an inquiry as to why the By-Law respecting Noise has not yet received Ministerial approval, the Chief Administrative Officer advised that the Minister has been in contact with the Town requesting information with respect to whether or not the Town had willingly received representations from various interested companies and individuals during the process of developing this By-Law. Mr. English further advised that he expected the By-Law would be approved in the very near future.

18. ADDED ITEMS

NIL

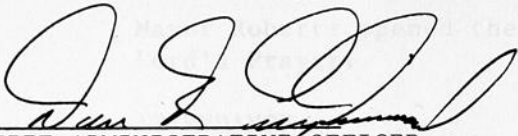
19. OTHER

NIL

REGULAR SESSION - TOWN COUNCIL - MAY 16, 1988

20. ADJOURNMENT

**ON MOTION** of Councillor Short and Councillor Roy, it was moved that the meeting adjourn at approximately 9:30 p.m. Motion approved unanimously.

  
CHIEF ADMINISTRATIVE OFFICER

MAYOR

PROPOSED AGREEMENTS - TOWN OF BEDFORD/BEDFORD WATERFRONT DEVELOPMENT CORPORATION RE SEWAGE TREATMENT PLANT LANDS

Councillor Robert Short declared a Conflict of Interest with respect to the subject to be discussed and excused himself from the meeting.

Copies of a proposed Agreement and Lease between the Town of Bedford and the Bedford Waterfront Development Corporation were circulated to Members of Council.

During the ensuing review of these documents, Mr. Byrne answered questions and received instructions respecting several amendments which are to be incorporated into the final Agreement and Lease.

**ON MOTION** of Councillor Roy and Councillor Kelly, it was voted that the Mayor and Chief Administrative Officer of the Town of Bedford be authorized and empowered to execute the Agreement and Lease, as circulated and amended, between the Town of Bedford and the Bedford Waterfront Development Corporation respecting lands of the Sewage Treatment Plant located off the Bedford Highway. Motion approved unanimously.

OTHER

NIL



TOWN OF BEDFORD  
SPECIAL SESSION  
MAY 20, 1988

A Special Session of the Town Council of the Town of Bedford took place on Friday, May 20, 1988, 8:00 a.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia; 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; John Robertson, Chief Building Inspector; Rick Paynter, Director of Engineering and Works and John Malcolm Acting Director of Planning and Development Control. Mr. Tom Boyne, Solicitor, was also in attendance at this Session.

3. PROPOSED AGREEMENTS - TOWN OF BEDFORD/BEDFORD WATERFRONT DEVELOPMENT CORPORATION RE SEWAGE TREATMENT PLANT LANDS

Councillor Robert Short declared a Conflict of Interest with respect to the subject to be discussed and excused himself from the meeting.

Copies of a proposed Agreement and Lease between the Town of Bedford and the Bedford Waterfront Development Corporation were circulated to Members of Council.

During the ensuing review of these documents, Mr. Boyne answered questions and received instructions respecting several amendments which are to be incorporated into the final Agreement and Lease.

**ON MOTION** of Councillor Roy and Councillor Kelly, it was moved that the Mayor and Chief Administrative Officer of the Town of Bedford be authorized and empowered to execute the Agreement and Lease, as circulated and amended, between the Town of Bedford and the Bedford Waterfront Development Corporation respecting lands of the Sewage Treatment Plant located off the Bedford Highway. Motion approved unanimously.

4. OTHER

NIL

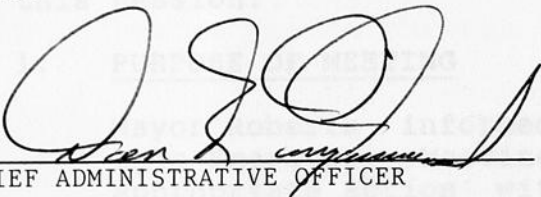
SPECIAL SESSION - TOWN COUNCIL - MAY 20, 1988 CON'T

5. ADJOURNMENT

**ON MOTION** of Councillor Nolan and Councillor Lugar, it was moved that the meeting adjourn at approximately 8:30 a.m.

4. ADJOURNMENT

MAYOR



CHIEF ADMINISTRATIVE OFFICER

2. PLANNING CONTROLS - POTENTIAL LARGE SCALE COMMERCIAL ROCK EXTRACTION OPERATIONS

Mr. Peter McInroy, a Solicitor for the Town, and Mr. Paul's Development Officer (Acting), reviewed with Council a proposed two step process for implementing measures on any potential large scale commercial rock extraction operation within the Town.

The first step would be to take the view that a large rock extraction operation is, in fact, an industrial use. With this view, Town Council could require an applicant to enter into a Development Agreement prior to any such activity being undertaken.

MEETING # 103

TOWN OF BEDFORD  
SPECIAL EMERGENCY SESSION  
JUNE 14, 1988

An Emergency Session of the Town Council of the Town of Bedford was held on Tuesday, June 14, 1988 at 8:30 a.m., in the Town Council Chambers, Suite 400, 1496 Bedford Highway, Bedford, Nova Scotia with Mayor Keith Roberts presiding. Other Councillors in attendance included Deputy Mayor Peter Christie and Councillors Peter Kelly, David Lugar and Chris Nolan.

Staff members attending this Session included Dan R. English, Chief Administrative Officer; Rick Paynter, Director of Engineering & Works; John Malcolm, Acting Development Officer. Mr. Peter McInroy, a Solicitor, was also in attendance during this Session.

1. PURPOSE OF MEETING

Mayor Roberts informed the Council that the purpose of this Emergency Meeting was to receive and take any appropriate action with respect to a report from Mr. Peter McInroy relative to his legal research into what planning controls Town Council may be able to implement with respect to any possible proposals for a quarrying or rock extraction operation in the Town. In addition, Mayor Roberts noted that a brief discussion should be held relative to the matter of controlling truck traffic which will be generated as a result of the B.W.D.C. awarding their project relative to land reclamation.

2. PLANNING CONTROLS - POTENTIAL LARGE SCALE COMMERCIAL ROCK EXTRACTION OPERATIONS

Mr. Peter McInroy, a Solicitor for the Town, and Mr. Malcolm Development Officer (Acting), reviewed with Council a proposed two step process for implementing controls on any potential large scale commercial rock extraction operation within the Town.

The first step would be to take the view that a large rock extraction operation is, in fact, an industrial use. With this view, Town Council could require an applicant to enter into a Development Agreement process prior to any such activity being undertaken.