

SPECIAL SESSION - SATURDAY, APRIL 7, 1990

CON'T

Notes*
(Policy
R-26)

"It shall be the intention of Town Council to encourage infilling within existing residential areas in order to enable efficient use of municipal infrastructure by permitting reduction of lot frontage requirements for the subdivision of lots which existed prior to the date this By-Law was adopted and which have between 100 and 120 feet of lot frontage."

Motion to amend **APPROVED** unanimously.

Following a request to Council it was agreed that Page 24, Paragraph 5 should be revised to read as follows:

(Page
18)

"While single-unit dwellings are the predominate housing form, Council must consider other housing types to ensure that, as present and future residents progress through the various stages of their lives, there will be housing which is appropriate to their changing needs."

Following a discussion relative to the statistics indicated on Page 27 relative to education services it was agreed that the School Board should be requested to clarify its justification for these statistics quoted.

(Page
20)

It was agreed that consideration should be given to including in the third paragraph of Page 25 relative to, "Location," the identification of the Waterfront Lands as an area where multi units will be encouraged.

Following a brief discussion it was agreed that the last sentence of the last paragraph on Page 25 relative to, "Compatibility with Adjacent Uses," should read as follows:

(Page
21)

"Therefore, provisions are made in the Land Use By-Law and consideration will be given in considering Development Agreements for including elements such as landscaping, buffer and setbacks, to improve the capability of multi unit development."

(Page
22)

It was agreed that the third paragraph on Page 28 relative to, "Senior Citizens," should be amended to substitute the word, "assisted," for, "subsidized."

Following a brief discussion it was agreed that the wording of the first paragraph under the title of, Residential Objective on Page 30 should be revised as follows:

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Notes* "It is the objective of Town Council to make
 (Residential provision for a choice of housing types; to provide
 Objective for preservation of the character of existing
 Page 25) neighbourhoodsenvironment."

TRANSPORTATION

(Policy T-1) **ON MOTION** of Councillor Walker and Deputy Mayor Huntington it was moved that the Motion be amended whereby Policy T-1 will be changed to eliminate the reference to the classes of roads/streets etc. that currently do not exist and will instead reflect Map #1 as it (Map #1) currently exists; further that Town Council shall undertake a study to review this classification system and the servicing standards on which it is based. Motion to amend **APPROVED** unanimously.

(Policy T-9) **ON MOTION** of Deputy Mayor Huntington and Councillor Walker it was moved that the Motion be amended by the elimination of the proposed Policy T-9.

(Policy deleted) During discussion of the Motion some concern was expressed relative to whether the Policy should be eliminated or reworded.

The amendment was put to the meeting and was **APPROVED**. Councillor Draper and Councillor Goucher voted against the amendment.

ON MOTION of Councillor Walker it was moved that the Motion be amended whereby the recommended Policy T-5 would be expanded to include the following concluding words, "in conjunction with the recommendations of the integrated servicing design study."

There being no seconder to this Motion in response to three calls by Mayor Christie, the amendment was declared **VOID**.

ON MOTION of Deputy Mayor Huntington and Councillor Walker it was moved that the Motion be amended whereby Policy T-10 would be reworded as follows:

(Policy T-9) "It shall be the intention of Town Council in conjunction with the Department of Transportation to redesign the Bedford Highway to three lanes...properties."

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Notes* Motion to amend **APPROVED** unanimously.

ON MOTION of Councillor Walker and Councillor Cosgrove it was moved that the Motion be amended whereby Policy T-15 would be revised to read as follows:

(Policy T-14) "It shall be the intention of Town Council to identify suitable alignments for future collector streets where these are to cross undeveloped lands and shall seek to implement the construction of these streets by means such as seeking the co-operation of subdividers, cost-sharing construction costs, and/or acquiring rights-of-way for construction of streets by the Town."

Motion to amend **APPROVED** unanimously.

(Policies T-15, T-16) Council agreed that the wording of Policies T-16 & T-17 should remain as written in the March 1 Draft.

(Policies T-18, T-19) Following a brief discussion it was agreed that two Policies i.e., Policy T-19 and Policy T-20 are required, one dealing with pedestrians and the physically disabled, the other was cyclists.

(Map 1) It was agreed that the proposed Jack Lake Interchange be shown on MAP 1.

COMMERCIAL

(Policy C-2) It was noted by Town Staff and agreed by Council that the Department of Municipal Affairs is suggesting that a Policy be written for each Commercial Zone explaining the permitted uses and how each zone differs from the others as well as indicating what lands will receive each zone.

(Policy C-31) It was agreed by Council that a Policy dealing with signage in Commerical Zones, as written by Planning Staff be approved.

(Policy C-17) **ON MOTION** of Deputy Mayor Huntington and Councillor Cosgrove it was moved that the Motion be amended whereby the natural boundary of the Sackville River will be used to determine the boundary of the Heritage Commercial Zone; further that properties known as Civic #4, 6, 8, 10, 12, 14 and 16 Locke Street will be excluded from the Heritage Commercial Designation. Motion to amend **APPROVED** unanimously.

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Notes*
(Policy
C-9)

It was unanimously agreed that Policy C-20 should be revised in a similar manner to the proposed change to the wording of Policy R-13.

During discussion of Paragraph C (Shopping Centres) - Page 50 some concern was expressed by Council relative to the desirability to include a Policy which would address large unlandscaped parking lots. During this discussion it was noted that the Land Use By-Law does contain some provisions for such landscaping.

(Page 45) It was agreed that the word, "former," should be deleted from the last line of the last paragraph on Page 52.

ON MOTION of Councillor Walker and Councillor Draper it was moved that the Motion be amended whereby the Generalized Future Land Use Designation on Map #2 be amended to reflect a Heritage Commercial Zone on the Bedford Highway from Locke Street to Crescent Park and Commercial from Crescent Park to the Hammonds Plains Road. Motion to amend **DEFEATED**. Councillor Draper, Councillor Goucher voted against the Motion.

ON MOTION of Councillor Cosgrove and Deputy Mayor Huntington it was moved that the Motion be amended whereby Map #2 would indicate the Generalized Future Land Designation for property along the Bedford Highway from Locke Street to Valley Road as Heritage Commercial and from Valley Road to the Hammonds Plains Road as Commercial.

Motion to amend **DEFEATED**. Councillor Walker, Councillor Draper and Councillor Goucher voted against the Motion.

(Map 2)

ON MOTION of Councillor Walker and Councillor Draper it was moved that the Motion be amended whereby Map #2 would indicate the Generalized Future Land Designation for property along the Bedford Highway from Locke Street to the Halifax end of Crescent Park as Heritage Commercial and from the Halifax end of Crescent Park to the centre of the Hammonds Plains Road as Commercial. Motion to amend **APPROVED** unanimously.

WATERFRONT

Following a brief discussion it was agreed that Map #4

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(Map 4) should be amended to show only the outside perimeter of the total land area to be contained within the Waterfront Development Project and not include any suggested location of specific development projects.

ON MOTION of Councillor Walker and Councillor Cosgrove it was moved that the Motion be amended whereby the properties behind the Travellers and Esquire Motels would continue to carry their current Future Land Use Designation and Zoning rather than the Waterfront Comprehensive Development District Designation and Zone as proposed. Motion to amend **APPROVED** unanimously.

A general discussion ensued with respect to suggestions from the Department of Municipal Affairs for possible rewording/additions/deletions to certain sections of Policy WF-23.

(Policy WF-23-1, 23-2, 23-12) It was unanimously agreed that the proposed revisions/suggestions for Policy WF-23-1, 23-2 and 23-12 be accepted and that Policy WF 23-14 be eliminated.

However, it was also agreed that further recommendations by the Department of Municipal Affairs in particular relative to Policy WF 23-15 be further discussed by Staff with the Department of Municipal Affairs. In particular, it was noted that if the recommendation of the Department of Municipal Affairs is accepted relative to this Clause, it would be softening the intended approach to future development on the Waterfront Lands.

(Page 60) Following a brief discussion it was agreed that the first paragraph of the, "Housing," section on Page 64 should be revised to reflect actuality

(Page 61) Following a brief discussion it was agreed that the words, "and screen future or existing utility uses," should be added at the end of the first paragraph in the, "Environment," section on Page 65.

(Page 105) It was suggested by some members of Council that Page 66 (also Policy E-34) should conclude with some reference to the matter of Infiltration and the fact that the internal infrastructure must be sized in such a manner to include adequate up stream sizing. It was agreed that Staff will attempt to include such an amendment when the MPS Draft is presented to Council on April 7, 1990.

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Notes* INDUSTRIAL

(Policy I-7) It was noted that currently there is difference of opinion between the Department of Municipal Affairs and a Solicitor retained by the Town with respect to whether or not the Town has authority to control pits and quarries. It was agreed that the relevant Policy should remain in the proposed MPS Draft for the time being.

(Policy I-4(g)) It was agreed that Policy I-7:g as proposed, should be replaced by, "the site being environmentally safe."

(Policy I-3) It was agreed that #2 in the third paragraph on Page 75 should be reworded as follows:

(Page 73) "Ensure that sufficient, suitable, service and zoned land is available for prospective clients wishing to locate industries in Bedford."

PARKS AND RECREATION

(Policy P-15) It was unanimously agreed that the wording of Policy P-15 should be amended in the third line to include the words, "but improved," between the words, "natural," and, "state;" further that an additional sentence as proposed by staff outlining the permitted uses within the POS Zone be included.

(Page 86) It was agreed that the second paragraph in the, "Town Parks/Town Facilities," section on Page 87 should be amended to include the Waterfront Development Area along with Admirals Cove and Sandy Lake.

(Policy P-2) It was agreed that Policy P-2 should be amended by the inclusion of the words, "when approved by Town Council," at the end of the paragraph.

(Policy P-18) Following a brief discussion with respect to whether Policy P-18 should remain in the Draft MPS, or be replaced by a separate Policy of Town Council, it was agreed that for the time being it will not be deleted from the MPS.

(Policy P-24) Following a brief discussion it was agreed that Policy P-24 should be reworded to eliminate any suggestion that residents/citizens are being encouraged to swim in the Sackville River.

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Notes*
(Policy P-28) Following a brief discussion it was agreed that the wording of Policy P-28 should be amended whereby the words, "to 10 percent," would be eliminated from the fourth line of this Policy currently shown on Page 97.

(Policy P-30) It was agreed that the Policy P-30 should be amended whereby the word, "Developers," should be changed to, "Proponents."

ENVIRONMENT

(Policy E-3) **ON MOTION** of Councillor Walker and Councillor Cosgrove it was moved that the Motion be amended whereby Policy E-3 would include wording as suggested by Town Planning Staff in its memorandum of March 30, 1990. Motion to amend **APPROVED** unanimously.

(Policy E-7, E-9) It was agreed by Council that Policy E-7 & E-9 should be amended as recommended by Planning Staff.

(Policy E-42) **ON MOTION** of Councillor Goucher and Councillor Draper it was moved that the Motion be amended whereby the wording of Policy E-39 would be expanded as recommended by Town Planning Staff in its memorandum dated March 30, 1990. Motion to amend **APPROVED** unanimously.

(Policy E-16 see also LUB) In response to a request from Councillor Cosgrove it was agreed the Motion should be amended whereby Policy E-16 should be revised to include sufficient direction that any new wharfs be constructed in such a fashion to allow pedestrian passage through these wharfs. It was noted that this matter is also addressed in the Land Use By-Law.

(Page 102) Following a brief discussion it was agreed that the paragraph concerning the, "Sackville River," on Page 103 should include something relevant to the discouraging of swimming in this River.

(Page 103) Following a brief discussion it was agreed that the Section, "Litter and Street Cleaning," on Page 104 should be amended by the replacement of the word, "residents," in place of, "citizens."

It was agreed that an additional Policy, No. E-35 will be included to read as follows:

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Notes*
(Policy
E-34)

"It shall be the intention of Town Council to enact a By-Law enabling the Town to enforce property owners to undertake corrective measures eliminate deficiencies which have been identified with their connection to the sanitary sewer system."

(Policy
E-42)

It was agreed that Policy E-40 should be amended by the addition of the word, "reclamation," after the word, "reduction."

IMPLEMENTATION

(deleted) It was unanimously agreed that the requirement for a, "written analysis," included in Policy Z-3:5 should be eliminated.

(Policy
2-3:5(vi))

ON MOTION of Councillor Goucher and Councillor Draper it was moved that the Motion should be amended by the rewording of Policy Z-3:5(VI) as follows:

"The adequacy of school facilities within the Town of Bedford including but not limited to classrooms, gymnasiums, libraries, music rooms, etc. Motion to amend **APPROVED** unanimously."

(Policy
2-4 to
2-12)

It was agreed that the recommendations of the Department of Municipal Affairs relative to, "implementation," and contained within the memorandum from Town Planning Staff dated April 2, 1990, should be approved.

(Policy
2-3:3)

It was agreed that Policy Z-3:3 should be amended to read as follows:

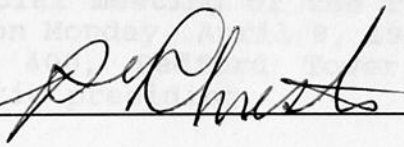
"That provisions are made for buffering, landscaped screening and or screening to reduce the impact of the proposed development where incompatibilities with adjacent uses are anticipated."

ADJOURNMENT

It was agreed that further discussion of the Motion would be deferred to a future meeting of Town Council at the call of Mayor.

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ON MOTION of Councillor Goucher and Councillor Draper it was moved that the meeting adjourn at approximately 4:45 p.m. Motion **APPROVED** unanimously.


MAYOR


ACTING CHIEF ADMINISTRATIVE OFFICER

2. ATTENDANCE

Deputy Mayor Don Huntington and Councillors Miss Cosgrove, Peggy Draper, Len Goucher, Peter Kelly, and Grant Walker were in attendance at the commencement of the Session.

* References in "NOTES" column refer to position of item in MPS/LUB following corrections/amendments/additions/deletions as per this meeting of Town Council.

DISCUSSION - TOWN FLAG

Joan Pryde, Deputy Clerk, advised Council of the results of balloting by the general public for a choice of flag designs. She noted that 20 designs were submitted and that 48 members of the general public voted.

Mrs. Pryde further advised that design 14 received the most first choice votes and also received highest preference from each of the three panels of three persons. Council was advised that four other designs namely #11, #13, #18, and #19, received significant votes during the balloting by the general public.

ON MOTION of Councillor Walker and Councillor Draper it was moved that design 14 be approved by Town Council as the design for the Town Flag. **MOTION APPROVED.** Deputy Mayor Huntington and Councillor Cosgrove, Councillor Kelly and Councillor Goucher voted against the Motion.

TOWN OF BEDFORD
SPECIAL SESSION
MONDAY, APRIL 9, 1990

A Special meeting of the Town Council of the Town of Bedford was held on Monday, April 9, 1990, 7:30 p.m., in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia, Mayor Peter Christie presiding.

1. LORD'S PRAYER

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

2. ATTENDANCE

Deputy Mayor Don Huntington and Councillors Anne Cosgrove, Peggy Draper, Len Goucher, Peter Kelly and Grant Walker 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; Barry Zwicker, Director of Planning and Development Control; and Rick Paynter, Director of Engineering and Works.

DISCUSSION - TOWN FLAG

Joan Pryde, Deputy Clerk, advised Council of the results of balloting by the general public for a choice of flag designs. She noted that 20 designs were submitted and that 48 members of the general public cast ballots.

Mrs. Pryde further advised that design #9 received the most first choice votes and also received highest preference from each of the judging panel of three persons. Council was advised that four other designs namely #11, #3, #18, and #17, received significant votes during the balloting by the general public.

ON MOTION of Councillor Walker and Councillor Draper it was moved that design #9 be approved by Town Council as the design for the Town Flag. **MOTION DEFEATED.** Deputy Mayor Huntington and Councillor Cosgrove, Councillor Kelly and Councillor Goucher voted against the Motion.

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CON'T

ON MOTION of Councillor Cosgrove and Councillor Kelly it was moved that design #18 be accepted as the design for the new Town Flag. **MOTION APPROVED.** Councillor Draper, Councillor Goucher and Councillor Walker voted against the Motion.

In response to an enquiry from Town Council, it was noted that the flag design chosen was submitted by Elizabeth Landry.

In response to a suggestion from Deputy Mayor Huntington it was agreed that Item 6 of the Agenda would be considered as the next item of business.

6. **CONSIDERATION OF RESOLUTION - PROPOSED QUARRY**

Copies of correspondence and information were circulated to members of Council relative to the Environmental Assessment process that is being applied to the Blue Mountain Resources Quarry proposal for the Kearney Lake area of Halifax County.

ON MOTION of Deputy Mayor Huntington and Councillor Draper it was moved that:

WHEREAS the Town of Bedford on behalf of it's citizens shares with its bordering municipalities and cities, and with other interested groups a concern for the protection of physical and economic environments collectively.

AND WHEREAS the production and processing or aggregates and aggregate by-products can and may have impacts on these environments.

AND WHEREAS the establishment of such aggregate facilities within the province will require public and proponent participation through the Nova Scotia Department of Environment and it's Environmental Control Council.

THEREFORE BE IT RESOLVED that the Town of Bedford undertake all appropriate initiatives with the City of Halifax and the Municipality of the County of Halifax to harmonize and rationalize necessary land use planning strategies and by-laws and report back to this Council on progress on a monthly basis.

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6. **CON'T**

And that the Town of Bedford make representation directly to the Environmental Control Council and to their public hearings and thereby identify and address the municipalities collective environmental concerns and perspectives as they relate to affected watersheds, water supply systems, transportation networks and structures, recreational assets, health and safety standards, residential, commercial and industrial property worth, physical affects on land, air, water, and humans and any consequential rehabilitation or compensation of same.

And that the issues raised on behalf of the Town of Bedford on April 2, 1990, in correspondence to the Administrator of Environmental Assessment of the Nova Scotia Department of Environment be hereby endorsed by the Council of the Town of Bedford.

Councillor Goucher excused himself from the meeting advising that he was of the opinion that a conflict of interest might exist.

Councillor Walker excused himself from the meeting having previously advised of a possible conflict of interest.

The Motion was put to the meeting and **APPROVED** unanimously.

Councillor Walker and Councillor Goucher reassumed their positions at the meeting.

4. **PRELIMINARY DESIGN PLANS - BEDFORD HIGHWAY IMPROVEMENTS**

By memorandum Rick Paynter, Director of Engineering and Works, reviewed the current status of Preliminary Design Plans for Bedford Highway Improvement Projects and Sidewalk Construction on Meadowbrook Drive.

Copies of a memorandum submitted by Helen Graham-Gromick, Co-Acting Executive Director, B.E.D.C. relative to the Mainstreet Committee recommendations for the 1990 Bedford Highway improvements, were also circulated.

Mr. Paynter supported his memorandum through a visual presentation to Town Council of the Preliminary Design Plans of three (3) of the proposed projects, namely:

- (a) Fourth Street to Lindsay Hill;

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4. **CON'T**

- (b) Lindsay Hill to Holland Avenue Intersection;
- (c) Bedford Highway Reconstruction Works - Hammonds Plains Road to Nelson's Landing Boulevard.

In response to enquiries from Council, Mr. Paynter noted the areas where it may be necessary to place existing sidewalks and also reviewed details of the proposed improvements to the United Church parking lot.

Some concern was expressed with respect to whether or not the Town of Bedford should become involved in funding of church property without cost-sharing by the owner.

ON MOTION of Councillor Walker and Councillor Draper it was moved that Mayor Christie be requested to discuss the proposed improvements to the United Church parking lot with the Executive of the United Church Council.

ON MOTION of Councillor Kelly and Deputy Mayor Huntington it was moved that this Motion be tabled to a future meeting of Town Council. Motion to table **DEFEATED**. Councillor Walker, Councillor Draper, Councillor Goucher and Mayor Christie voted against the Motion.

ON MOTION of Councillor Kelly and Councillor Cosgrove it was moved that the Motion be amended whereby the discussions between Mayor Christie and the Executive of the United Church Council would include a discussion of the possibility of a financial contribution for this project from the United Church. Motion to amend **DEFEATED**. Councillor Goucher, Councillor Walker, Councillor Draper, and Mayor Christie voted against the Motion.

The Motion was put to the meeting and was **APPROVED**. Deputy Mayor Huntington, Councillor Cosgrove and Councillor Kelly voted against the Motion.

Following a further review of details of the planned highway projects and a request from the Director of Engineering and Works as to which project should receive the highest priority in the immediate future, some discussion took place relative to whether or not the Holland Avenue/Bedford Highway Intersection would necessarily be required in the immediate future by the Waterfront Development Corporation or if that particular

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construction could be deferred to a future year.

Some discussion also took place with the regard to the proposed lane configuration of this Intersection - concern being expressed by some members of Council relative to the proposed four lanes rather than three lanes.

ON MOTION of Councillor Walker and Councillor Goucher it was moved that further consideration of this matter, including a decision relative to the prioritizing of the projects, be deferred pending an opportunity to meet with officials of the Waterfront Development Corporation in order to become better informed relative to the Corporation's future plans. **MOTION APPROVED** unanimously.

Council also requested that staff prepare information relative to the financial impact if it is determined that the Holland Avenue Intersection project should commence prior to the area between Lindsay Hill and Holland Avenue.

NOTICE OF RECONSIDERATION

Councillor Draper served Notice of Reconsideration relative to the Motion previously approved, regarding the adoption of a design for a Town Flag.

5. **PROVINCIAL 1990 CAPITAL GRANT - DISPOSITION**

By memorandum Ron Singer, Director of Finance, advised Council that the Town of Bedford will be receiving an unexpected Capital Grant from the Department of Municipal Affairs in an amount of \$43,596.

Mr. Singer requested guidance from Council regarding the use of this Capital Grant, recommending that it be transferred to the 1990 Operating Budget, whereby it would ultimately reduce the cost of Capital from Revenue projects.

ON MOTION of Councillor Kelly and Councillor Goucher it was moved that the 1990 Capital Grant from the Department of Municipal Affairs be included in the Operating Budget for 1990, to offset the cost of the Capital

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5. **CON'T**

from Revenue Projects. **MOTION APPROVED** unanimously.

7. **BPAC REQUEST RE PROPOSED DEVELOPMENT AGREEMENT APPLICATION - CLAIRMONT PROPERTY - 1394 BEDFORD HIGHWAY**

Copies of a staff report from Steve Moir, Senior Planner, and correspondence from Stephen Kent of Clairmont House Partnership, were circulated to members of Council, all relative to an application for a Plan Amendment and Rezoning/Development Agreement Application - 1394 Bedford Highway.

Councillor Walker addressed Council advising of a Motion approved by a recent meeting of the Bedford Planning Advisory Committee whereby Council is being asked to approve an expenditure up to \$1,000 to allow BPAC to engage architectural services for the purpose of making a recommendation to BPAC relative to an application for a Plan Amendment and Rezoning/Development Agreement for property known as 1394 Bedford Highway.

ON MOTION of Councillor Walker and Councillor Goucher it was moved that the request of BPAC for the approval of an expenditure, not to exceed \$1,000, for Architectural Consulting Services be approved.

In speaking to the Motion, Councillor Walker noted that members of the Bedford Planning Advisory Committee feel that they need the help of professional advice and assistance in this particular matter.

During the ensuing discussion and in response to an enquiry from Council as to whether this is an approach that Staff would support, Barry Zwicker, Director of Planning and Development Control, noted that approval of this Motion would be setting a precedent and he also noted that the Planning Advisory Committee has not yet developed Terms of Reference which would be used in the seeking of professional advice in this matter. He further cautioned that the opinion supplied might have to stand alone at a Municipal Board Hearing if such ensued.

Those defending the Motion noted the great variance of opinion between the proponents of the project and Town Staff relative to bulk and scale of the project and felt

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that professional advice was needed. Those against the proposal expressed the opinion that this would be setting a precedent.

The Motion was put to the meeting and was **DEFEATED**. Deputy Mayor Huntington, Councillor Kelly, Councillor Cosgrove and Councillor Walker voted against the Motion.

EXPRESSION OF APPRECIATION

Deputy Mayor Huntington advised that he has received a call from Mrs. St. Laurent of the Sackville-Bedford Early Intervention Program, wished to express her appreciation to the Town of Bedford for its recent contribution to this program.

PEERLESS SUBDIVISION ENTRANCE SIGN

On the request of Mayor Christie it was agreed that a matter relative to the Peerless Subdivision Entrance Sign would be considered at this time.

Barry Zwicker, Director of Planning and Development Control, requested consideration of Town Council to the agreement to waive the normal requirement of notice to properties owners within 500 feet of the proposed location of a Subdivision Entrance Sign for Peerless Subdivision. He noted that the sign is to be placed by the Residents' Association of the Subdivision and there is unanimous approval for it's placement.

ON MOTION of Councillor Walker and Councillor Draper it was moved that the Town Council of the Town of Bedford waive the normal requirement relative to the notification of property owners within 500 feet of the placement of a Subdivision Entrance Sign with respect to the sign being planned for the entrance-way to Peerless Subdivision. **MOTION APPROVED** unanimously.

4. **(CON'T) PRELIMINARY DESIGN PLANS - BEDFORD HIGHWAY IMPROVEMENTS**

ON MOTION of Deputy Mayor Huntington and Councillor Draper it was moved that the Director of Engineering and

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Works be authorized to proceed with the obtaining of the necessary appraisals of land between Pleasant Street and Sunrise Hill on the northside of Meadowbrook Drive which will be required for the installation of a sidewalk.

During discussion of the Motion some concern was expressed with respect to whether or not such an appraisal is required prior to discussions with the property owners involved.

The Motion was put to the meeting and was **APPROVED**. Councillor Walker voted against the Motion.

8. **STATUS - 1990 BUDGET**

Dan English, Chief Administrative Officer, reviewed for the benefit of Council the current status of the 1990 Operating Budget process. With the aid of overhead projections he noted the significant areas of increasing expenditures which are impacting on the proposed Budget and the ensuing Tax Rates and noted several additional areas of increase to Expenditures which have been determined in the last two to three weeks.

Mr. English further advised Council that if the Tax Rates are to remain at the previously requested \$1.28 Residential and \$2.53 Commercial, expenditure reductions in the amount of approximately \$220,000 will still be required.

ON MOTION of Councillor Walker and Councillor Kelly it was moved that the Chief Administrative Officer be directed to continue his efforts to table a 1990 Operating Budget which will result in Tax Rates of \$1.28 Residential and \$2.53 Commercial.

In speaking to the Motion some members of Council expressed the opinion that this direction of Town Council is achievable and that it is necessary that 1990 Expenditures be restrained. Other members of Council expressed the opinion that the various Departments have already reduced their projected Expenditures and this request of Council will be very difficult.

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The Motion was put to the meeting and was **DEFEATED**. Deputy Mayor Huntington, Councillor Cosgrove, Councillor Draper and Councillor Goucher voted against the Motion.

ON MOTION of Councillor Draper and Councillor Goucher it was moved that the Chief Administrative Officer be directed to make every effort to table a 1990 Operating Budget which will result in Tax Rates no higher than \$1.30 Residential and \$2.55 Commercial.

During discussion of the Motion concern was expressed by some members of Council relative to the impact of such an increase in the Commercial Tax Rate.

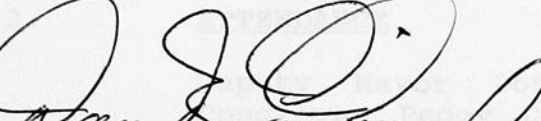
The Motion was put to the meeting and was **APPROVED**. Councillor Walker and Councillor Kelly voted against the Motion.

ON MOTION of Councillor Walker it was moved that the Chief Administrative Officer be asked to explore the possibility of the implementation of a Poll Tax. In response to three calls from Mayor Christie there was no seconder to the Motion and it was declared **INVALID**.

9. **ADJOURNMENT**

ON MOTION of Councillor Draper and Councillor Kelly it was moved that the meeting adjourn at approximately 10:45 p.m.


MAYOR


CHIEF ADMINISTRATIVE OFFICER

Staff members attending this session included Don P. English, Chief Administrative Officer; Rick Paynter, Director of Engineering and Works; Ron Singer, Director of Finance; Harry Swicker, Director of Planning and Development Control; and Joan Pryde, Deputy Clerk.

Meeting #54

TOWN OF BEDFORD
REGULAR SESSION
APRIL 17, 1990

A Regular Session of the Town Council of the Town of Bedford took place on Tuesday, April 17, 1990, 7:30 p.m., in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia, Mayor Peter Christie presiding.

1. LORD'S PRAYER

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

PRESENTATION

Mayor Christie welcomed Master Samuel Howse and his parents Mr. and Mrs. Bob Howse to the meeting.

Mayor Christie announced that Samuel was the recipient of a Nova Scotia Environmental Award - 1990 for the development of a board game based on an environmental theme. Following the extension of congratulations from the Mayor on behalf of the Town Council, Samuel Howse was presented with a certificate from Mayor Christie recognizing the occasion.

Mayor Christie further noted that Councillor Grant Walker was also recognized during the presentation of the Nova Scotia Environmental Awards for 1990.

At this point in the meeting Mayor Christie advised that the Town of Bedford had been presented with a plaque from the Province of Nova Scotia signifying the fact that the Town of Bedford was designated, "Model Volunteer Community of the Year," for 1990.

2. ATTENDANCE

Deputy Mayor Don Huntington and Councillors Anne Cosgrove, Peggy Draper, Len Goucher, Peter Kelly and Grant Walker were in attendance at the commencement of the Session.

Staff members attending this Session included Dan R. English, Chief Administrative Officer; Rick Paynter, Director of Engineering and Works; Ron Singer, Director of Finance; Barry Zwicker, Director of Planning and Development Control; and Joan Pryde, Deputy Clerk.

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3. APPROVAL OF MINUTES

- 3.1 MEETING #49 - PUBLIC HEARING - MARCH 19, 1990
- 3.2 MEETING #50 - REGULAR SESSION - MARCH 19, 1990
- 3.3 MEETING #51 - SPECIAL SESSION - MARCH 26, 1990
- 3.4 MEETING #52 - SPECIAL SESSION - APRIL 7, 1990
- 3.5 MEETING #53 - SPECIAL SESSION - APRIL 9, 1990

On the request of Councillor Walker it was agreed that the minutes of Meeting #53 be amended to indicate that Councillor Walker and Councillor Goucher excused themselves from the meeting prior to the placing of the Motion respecting Blue Mountain Resources, rather than following the placement of the Motion.

It was unanimously agreed that the minutes of Meeting #52 - April 7, 1990, should be considered at a later date.

ON MOTION of Deputy Mayor Huntington and Councillor Cosgrove, it was moved that the Minutes of Meeting #49 - March 19, 1990, Meeting #50 - March 19, 1990, Meeting #51 - March 26, 1990 and Meeting #53 - April 9, 1990, as amended, be approved. **MOTION APPROVED** unanimously.

4. ADDITIONS/DELETIONS TO ORDER OF BUSINESS

On the request of Councillor Walker it was agreed that a recommendation from the Bedford Planning Advisory Committee would be added to the Agenda as Item 7A.

On the request of the Chief Administrative Officer, it was agreed that a request from the Recreation Department respecting funding for the installation of a Skateboard Facility, as Item #13.1.3; a School Board report from Councillor Draper, Item 13.3; and a recommendation from the By-Law/Policy Advisory Committee, Item #7.5 would all be added to the Agenda.

On the request of Councillor Walker it was agreed that a development application from Bastion Properties Ltd. would be added to the Agenda as Item #12.5

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5. APPROVAL OF ORDER OF BUSINESS

ON MOTION of Councillor Walker and Deputy Mayor Huntington it was moved that the Order of Business, as amended, be approved. MOTION APPROVED unanimously.

6. NOTICE OF RECONSIDERATION

6.1 NOTICE SERVED BY COUNCILLOR DRAPER RESPECTING A MOTION APPROVED AT A SPECIAL SESSION HELD ON APRIL 9, 1990, ACCEPTING A DESIGN FOR A TOWN FLAG

ON MOTION of Councillor Draper and Councillor Goucher it was moved that a Motion approved at a Special Session of Town Council held on Monday, April 9, 1990, accepting the submission by Ms. Elizabeth Landry as the winning design for the Town Flag be reconsidered.

The Motion was put to the meeting and was **APPROVED**. Councillor Kelly and Councillor Cosgrove voted against the Motion.

In speaking to the original Motion, Councillor Draper expressed the opinion that, having invited the general public to participate in the voting for a flag design, Town Council should accept the majority decision of this vote.

Councillor Walker supported Councillor's Draper contention.

The original Motion of April 19, 1990, was put to the meeting and was **DEFEATED**. Councillor Walker, Councillor Draper, Councillor Goucher and Deputy Mayor Huntington voted against the Motion.

ON MOTION of Councillor Draper and Councillor Goucher it was moved that the Town Council of the Town of Bedford approve a design submitted by Mr. Jon O'Brien as the winning design in the Town Flag Contest.

ON MOTION of Deputy Mayor Huntington and Councillor Kelly it was moved that the Motion be amended whereby the background colour of this Flag Design would be a lighter shade of blue, and the Section of the Coat of Arms containing the words, "For the Common Good," would be lowered a bit in the design.

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6.1 CON'T

During discussion of the amendment some concern was expressed with respect to whether or not Town Council should try to change aspects of an original design submitted for consideration.

The amendment was put to the meeting and was **DEFEATED**. Councillor Walker, Councillor Draper, Councillor Goucher and Councillor Cosgrove voted against the Motion.

The Motion was put to the meeting and was **APPROVED**. Councillor Cosgrove and Councillor Kelly voted against the Motion.

7. DEFERRED BUSINESS/BUSINESS ARISING FROM THE MINUTES

7A APPLICATION - DEVELOPMENT AGREEMENT - CLAIRMONT HOUSE

Mr. Chris Nolan, Chairman, Bedford Planning Advisory Committee, advised Council that at a recent meeting of BPAC an application for a Development Agreement for the Clairmont House located on the Bedford Highway to create an addition to the building and to add parking etc., in order to convert its use from residential to commercial, was considered.

Mr. Nolan further advised that BPAC has voted to recommend against this proposal for the following reasons:

- (a) the issue of encroachment over the normal sideyard set-back requirements;
- (b) the number of parking spaces desired;
- (c) the bulk of the proposed addition in relation to the original building size.

The Director of Planning and Development Control, Mr. Zwicker, reviewed the process that would be involved for the consideration of this application and noted that the first step would be establishing under the Planning Act of a Public Participation Program through the Bedford Planning Advisory Committee.

ON MOTION of Councillor Walker and Councillor Cosgrove it was moved that Town Council request that the Bedford

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7A CON'T

Planning Advisory Committee initiate a Public Participation Program within a two week period to consider the application for a Development Agreement for property known as Clairmont House located on the Bedford Highway.

During the ensuing discussion of the Motion the problems that may ensue during consideration of this Development Agreement were outlined by the Director of Planning and Development Control due to the fact that Town Council is now involved in the final stages of the consideration of the new Municipal Planning Strategy which could present a conflict insofar as this particular property is concerned.

The Motion was put to the meeting and **APPROVED** unanimously.

7.1 POLICY RE SUBDIVISION ENTRANCE SIGNS - MAINTENANCE DEPOSIT REQUIREMENT

Copies of a memorandum from the By-Law/Policy Advisory Committee were circulated to members of Council whereby the Committee expressed the opinion that Residents'/Homeowners' Associations in appropriate circumstances might be exempt from the \$500 maintenance deposit stipulated in the Policy Respecting Subdivision Entrance Signs.

ON MOTION of Councillor Cosgrove and Councillor Goucher it was moved that the First Reading of an amendment to the Policy Respecting Subdivision Entrance Signs by the addition of the following paragraph:

"The Town may simply give permission by letter, in appropriate circumstances, for subdivision entrance signs to be erected with the proviso that the location, type of materials and quality of sign must be approved by the Town Engineer; further that any such letter of permission include a warning that, if a sign becomes unsightly or in any way dangerous, the Town may order it to be torn down within a certain number of days; further that in default, the Town would have the right to tear it down itself; further, the unsightliness or other problems would be, "in the opinion of the Town Engineer."

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7.1 CON'T

During discussion of the Motion it was agreed that during Second Reading the Policy might be further amended to specify the exact number of days following which a sign might be removed.

The Motion was put to the meeting and **APPROVED** unanimously.

Robert Nauss, Director of Recreation, took his place at the meeting at approximately 9:10 p.m.

7.2 PROPOSED PROJECT - INTERSECTION HOLLAND AVENUE/BEDFORD HIGHWAY - DISCUSSION WITH WATERFRONT DEVELOPMENT CORPORATION

The Director of Marketing for the Bedford Waterfront Development Corporation, Mr. Micheel Towner addressed Council with respect to the current status of the Waterfront Project plans and the Corporation's opinion with respect to the timing of the improvements for the Intersection of Holland Avenue and the Bedford Highway.

Mr. Towner advised Council that the Corporation would appreciate the Intersection Improvements being completed during 1990 but also noted that, if necessary, the Corporation could continue with it's own plans, and wait until 1991 for the completion of the intersection project.

Mr. Towner then reviewed, for the benefit of Council, the current plans for the development of the Waterfront Area noting changes which have been determined to be necessary. In particular, he advised that it is intended to complete the new bridge, park and recreational areas and roadway construction during 1990. It is also planned to complete the installation of sewer, water and underground utility lines and fully landscape the area, where there will be visible access to the Sewer Treatment Plant, and the walkway along a major portion of the length of the development. Street lights will also be installed.

Following his presentation, Mr. Towner responded to a variety of questions from Council relative to technical details and possible assistance in the initial financing of the intersection improvements.

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7.2 **CON'T**

12.1 Mayor Christie expressed the appreciation of Town Council for Mr. Towner's presentation.

On the suggestion of Mayor Christie it was agreed that Items 12.1 and 12.2 would be considered as the next Items of business.

12. **NEW BUSINESS**

12.1 **MINOR VARIANCE APPLICATION APPEAL - LOT 313 ANAHID COURT**

The Director of Planning and Development Control, Mr. Zwicker reviewed details with respect to an application for a Minor Variance relative to Lot 313 Anahid Court whereby permission was granted to construct a deck on the back of the two units which would encroach approximately 3.3' into the normal rear yard set-back of 20'.

Mr. Zwicker noted that correspondence has been received from several residents appealing the granting of this Minor Variance and that one item of correspondence has been received supporting the Minor Variance. Copies of this correspondence were circulated to all members of Council.

Mr. Zwicker then responded to questions from Council relative to the placement of adjacent houses in the area, the location of existing decks, etc. Mr. Zwicker also explained the extent of encroachment into the rear yard set-back which is possible by way of right, namely a landing 4' deep by 6' wide in order to accommodate a staircase.

ON MOTION of Councillor Goucher and Councillor Cosgrove it was moved that the Town Council of the Town of Bedford over-rule the Development Officer's granting of a Minor Variance as requested for Lot 313 Anahid Court, Bedford, Nova Scotia, to allow for a reduction in the rear yard set-back from 20 feet to 16.7 feet, in order to permit the construction of a patio deck at the rear of the semi-detached building.

Councillor Walker questioned whether a Motion would be in order at this time considering the fact that verbal submissions from the Public have not yet been heard. Mayor Christie responded that the Motion will not be considered until after Council hears the submissions.

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12.1 CON'T

Mayor Christie then called for submissions from those in attendance in favour of the granting of this Minor Variance.

SUNIL BHUCHAR, addressed Council advising that, in his opinion, he was given permission through his Building Permit to construct the requested deck and that he now is being told, after the fact, that he may have to change his plans and remove this deck. He expressed strong concern that he should have been informed of this fact at the time of the issuance of his Building Permit.

RON HILTZ, addressed Council advising that he was in agreement with the proponent and feels that the Minor Variance should not be a major problem. Mr. Hiltz supported his contention with a review of other similar situations which in his opinion are causing no problems.

In response to three calls from Mayor Christie there were no further submissions in favour of the granting of the Minor Variance.

Mayor Christie then called for submissions against the granting of the Minor Variance.

MR. GORDON HUTT, addressed Council advising that he was against the granting of the Minor Variance and suggesting that it was the elevation of the decks that are causing the privacy problem.

MR. STEPHEN CLEARER, addressed Council advising that he was against the granting of the Minor Variance and suggesting that a design should have been proposed which could have resulted in construction without the need for a Minor Variance.

MR. BILL DALTON, addressed Council advising that he has been informed that the original application was for a landing and stairs and not a deck. He expressed the opinion that the value of his own property will be depreciated if the Minor Variance is granted.

MS. KIM RICHARDS, addressed Council advising that the main problem will be the lack of privacy afforded to adjacent property owners and she expressed the opinion that the Minor Variance should not be granted.

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12.1 CON'T

In response to three calls from Mayor Christie there were no further submissions submitted against the granting of the Minor Variance.

During the ensuing discussion, Council requested and received information relative to the current stage of construction of the proposed deck and whether or not the Council could approve the variance with the proviso that a privacy wall is constructed. Mr. Zwicker advised that such a proposal was not possible under the provisions of the Planning Act.

Following the presentations and discussion, the Motion was put to the meeting and was **APPROVED**. Councillor Draper and Councillor Walker voted against the Motion.

12.2 LIBRARY LEASE AGREEMENT - RESPONSE TO PROPOSAL CALL

Details of the response to a Proposal Call for the future location of the Bedford Branch Library were circulated to members of Council. Data was also circulated, as prepared by the Regional Library Board relative to the advantages and disadvantages of the two locations under consideration, namely Sunnyside Mall and Wardour Centre.

Councillor Kelly enquired as to the legal status of any possible existing lease between Southwest Properties Limited and the Town of Bedford for the rental of space in the Sunnyside Mall. Mr. English advised that although Town Council had accepted, in principle, a proposal from Southwest in April of 1989, a formal Lease Agreement has not yet been executed as discussions between the proponents and Library Board Officials were never finalized relative to specific details respecting the new location within the Mall and the actual amount of space required. Mr. English further noted that a Solicitor on behalf of the Town has reviewed the situation and provided an opinion that the Town is not legally obligated due to the fact that certain details have not yet been determined.

The Chief Administrative Officer noted that only one response was actually received to the Proposal Call that being from A.J. Hustins Limited ie. Wardour Centre. For presentation purposes the original submission of April 1989 from Southwest was utilized for developing cost and

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12.2 CON'T

benefit scenarios for comparison. Based on the Hustins Proposal, and certain assumptions, the total cost for two years at Wardour Centre would be approximately \$173,000.

For comparison purposes utilizing the same assumptions, it is expected that the total cost at Sunnyside Mall would be in the vicinity of \$224,000.

EXTENSION OF TIME OF MEETING

ON MOTION of Deputy Mayor Huntington and Councillor Goucher it was moved that the time of the meeting be extended beyond 10:30 p.m. **MOTION APPROVED** unanimously.

ON MOTION of Councillor Walker and Councillor Draper it was moved that the Mayor and the Chief Administrative Officer be authorized to negotiate a Lease Agreement between Southwest Properties Limited and the Town of Bedford for the rental of space to accommodate the Bedford Branch Library with such Lease costs to reflect a reduction of approximately \$50,000 from the details of Southwest's costs outlined on the schedule of relocation proposals dated March 22, 1990 and that the formal Agreement be brought back to Council for ratification.

During the ensuing discussion, strong concerns were expressed by several members of Council respecting the merits of relocating the Library within the Sunnyside Mall vis a vis relocating to Wardour Centre. In particular, it was noted by some members of Council that the relocation of the Library to Wardour Centre was the recommendation of the Library Board. Those expressing concern with the possible relocation of the Library to Wardour Centre noted in particular, the difficulty in exiting onto the Dartmouth Highway.

Councillor Kelly expressed concern with respect to whether or not the financial data provided would be the definitive cost over two years. The Chief Administrative Officer noted that the costs are based on certain scenarios and assumptions and therefore depending on results of final negotiations, the formal Agreement which will subsequently be brought back to Council may reflect some variance in the ultimate costs under both proposals.

ON MOTION of Deputy Mayor Huntington and Councillor Kelly it was moved that the Council approve entering

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12.2 **CON'T**

The Motion was put to the meeting and was **DEFEATED**. Deputy Mayor Huntington, Councillor Goucher, Councillor Cosgrove and Councillor Kelly voted against the Motion.

ON MOTION of Councillor Goucher and Councillor Cosgrove it was moved that the Mayor and the Chief Administrative Officer be authorized to enter into a Lease Agreement with A. J. Hustins Enterprises Limited and the Town of Bedford for rental of space to accommodate the Bedford Branch Library based on cost details as noted in the schedule of relocation proposals dated March 22, 1990. **MOTION APPROVED**. Councillor Walker and Councillor Draper voted against the Motion.

NOTICES OF RECONSIDERATION

Councillor Kelly served Notice of Reconsideration respecting the Motion approved relative to the Library Lease Agreement pending an opportunity for further study and the provision of additional information.

Councillor Walker served Notice of Reconsideration relative to the Motion approved concerning the Minor Variance Application Appeal for Lot 313 Anahid Court.

It was agreed that Item 13.1.3 - Skate Board Facility - Capital Funding would be approved as the next Item of business.

13. **REPORTS: BOARDS/COMMITTEES/COMMISSIONS**

13.1.3 **SKATE BOARD FACILITY - CAPITAL FUNDING**

Robert Nauss, Director of Recreation, reviewed the financial details relative to the possible installation of a Skate Board Facility noting, in particular, that the expertise required for such an installation would be available during the month of May and that it has been determined that the facility could be installed at a cost not to exceed \$17,000. It was also noted that there may be additional cost-sharing available which would reduce the total cost.

ON MOTION of Deputy Mayor Huntington and Councillor Kelly it was moved that the Town Council approve entering

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into a Contract with Richmond Skate Ranch for the design, supply and installation of a Skate Board Facility at a cost not to exceed \$17,000. The Motion was put to the meeting and **APPROVED** unanimously.

NOTICE OF RESCISSION

Councillor Cosgrove served Notice of Rescission respecting the Motion previously approved relative to a Flag Design for the Town of Bedford.

Councillor Goucher, Councillor Kelly and the Chief Administrative Officer, excused themselves from the meeting at approximately 11:30 p.m.

Barry Zwicker assumed the role of acting Chief Administrative Officer.

7.3 **REVIEW AND DISCUSSION (CONTINUED) - DRAFT MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW AS RECEIVED FROM BPAC ON MARCH 19, 1990.**

Mayor Christie advised that discussion would now continue on the following Motion served at a Special Session of Town Council held on Saturday, April 7, 1990:

"**ON MOTION** of Councillor Goucher and Councillor Cosgrove it was moved that Town Council give notice of its intention to adopt the Municipal Planning Strategy and Land Use By-Law as received from BPAC on March 19, 1990 and further that the Chief Administrative Officer be authorized to prepare the advertising and give the appropriate notices under the Planning Act."

ON MOTION of Councillor Walker and Deputy Mayor Huntington it was moved that the Motion be amended whereby the Heritage Commercial Designation would be removed from the area along the Bedford Highway from the Sackville River Bridge to the southern boundary of property known as 1394 Bedford Highway.

Councillor Walker advised the purpose of this amendment would be to provide for the elimination of any conflict during future considerations of a proposed development agreement to permit the establishment of a Law Office at 1394 Bedford Highway.