

a budget increase of \$25,000 plus an additional \$5,000 now required for engineering design services.

It was noted that Mr. Allan Hayman, Q.C., had made an earlier request to address Council.

ON MOTION of Councillor Kelly and Councillor Goucher, it was moved that Town Council approve the necessary expenditures for a pedestrian activated signalization system at Ridgevale Drive/Dartmouth Road.

In speaking to the MOTION, several councillors felt that they would be unable to vote in favour of the motion for various reasons including the lack of provincial cost sharing, and general opposition to any signalization at this intersection. A suggestion was made to make the middle lane a 'left turn only' as far as Ridgevale; R. Paynter felt that this would be acceptable.

Mr. Hayman was invited to make his presentation and he addressed Town Council on behalf of a truckers association representing 80-100 truck drivers who feel that there should be no change from the present situation on Dartmouth Road. After citing provincial traffic authority's analysis and his own traffic analysis, Mr. Hayman could find no reason to install either pedestrian activated or a fully activated system at this intersection. Mr. Hayman also pointed out the possibility that having the intersection signalized could increase the number of accidents -- trucks may find it difficult to stop and start up; and signalization may give pedestrians a false sense of security in crossing.

Mr. Hayman read a sample of the approximately 40 letters which he tabled. These letters opposed the installation of lights at the Ridgevale/Dartmouth Road intersection. He also noted that the operations managers of both Bedford Redimix and Mobile Concrete were in opposition.

Councillor Draper reported on the current use of a crossing guard at this intersection and that there were no complaints on record. She also noted that the School Board feels that the crossing guard method is effective.

ON MOTION of Councillor Kelly and Councillor Goucher, it was moved to amend the MAIN MOTION with regards to Ridgevale Drive/Dartmouth Road intersection such that a left turning only lane up to Ridgevale Drive shall be investigated with the Department of Transportation and Communications. The amendment was approved unanimously.

ON MOTION of Councillor Draper and Councillor Walker, it was moved to DEFER the AMENDED MOTION to the next Regular Session of Town Council in order that the Director of Engineering and Works seek input from

the provincial Department of Transportation and Communications with regards to the cost sharing of a pedestrian activated system and creating a left turning only lane up to Ridgevale Drive. The motion to defer was approved

(Councillor Goucher, Kelly and Cosgrove voting in the negative).

6.3 Change in Street Name - Stone Court

By memorandum of September 6, 1990 S. Moir, Senior Planner, asked for Town Council's direction with respect to a proposed name change for the upper portion of Fort Sackville Road. Residents had requested Stone Court; however the Chief of the Fire Department recommended Stone Terrace or John Stone Court.

Deputy Mayor Huntington confirmed that the residents' second choice for a name was Stone Terrace.

ON MOTION of Deputy Mayor Huntington and Councillor Cosgrove, it was moved to change the name for the upper or northern portion of Fort Sackville Road to Stone Terrace. The motion was unanimously approved.

7. PUBLIC HEARINGS AND MOTIONS ARISING THEREFROM - N/A

8. PETITIONS AND DELEGATIONS

8.1 Presentation - Solid Waste Management Master Plan Report (verbal)

Mr. O'Brien, Chairman of Solid Waste Management Advisory Committee of Metropolitan Authority, addressed the Council. It was noted that Mr. M. Jackson, Mrs. A. Muecke, Mr. C. Nolan and Mr. D. Lugar (members of the committee) were also in attendance.

Mr. O'Brien began his presentation by noting that the solution to the current solid waste management problem would not be simple and must consider elements of quantity, content and cost. He highlighted the necessary efforts to reduce, reuse and recycle. With the aid of overheads, brief outlines of a base case and five strategies were presented. These strategies included combinations of pulverizing, mixed waste composting, central composting of organic matter, refuse derived fuel and incineration.

It was suggested and subsequently agreed that Mrs. Muecke be invited to give another presentation to Town Council showing the slides which she gathered while

researching this topic. Town Council agreed to set aside time for further discussions on this topic.

9. **MOTIONS**

9.1 **Proposed Blasting By-Law (Third and Final Reading)**

Mr. Zwicker's memorandum of September 6, 1990 was reviewed and it was suggested that the third reading of this by-law be deferred until such time as some additional clarification is received by the Senior Administration Committee. It was noted that the by-law should be ready for the October Council Session.

ON MOTION of Councillor Walker and Councillor Cosgrove, it was moved that the third and final reading of the Blasting By-law be deferred until the Senior Administration Committee receives the requested clarification concerning insurance coverage, intent of Clause 9.3, and stipulations under 6(b) & (c) General Conditions. The motion was approved unanimously.

9.2 **Proposed Policy Respecting Streets (Third and Final Reading)**

By memorandum of September 5, 1990, R. Paynter addressed those questions raised by Council at the last Council Session when the policy was tabled for second reading including the matter of security deposits; wording changes to Clauses 4.05, 6.01, 6.02; drawing for roll-back curb; and revised paragraph 6, Schedule E. The changes noted in the memorandum were included in the circulated policy.

ON MOTION of Councillor Kelly and Councillor Goucher, it was moved that the circulated revised policy respecting streets be accepted and approved as the third and final reading. The motion was approved unanimously.

9.3 **Proposed Policy Respecting Court Prosecution and Actions (Third and Final Reading)**

By memorandum of September 6, 1990, B. Zwicker presented a draft of the combined policies respecting Prosecution and Action.

ON MOTION of Councillor Kelly and Deputy Mayor Huntington, it was moved to accept the revised draft of the combined policies respecting Prosecution and Action for the third and final reading.

In discussion of the MOTION, Councillor Kelly asked for clarification of paragraphs 4 & 5 which seemingly gives authority to staff, rather than to Town

Council. Chief Administrative Officer, Dan English noted that it is staff's responsibility to attempt to negotiate a settlement of the violation prior to recommending to Town Council that legal action should be initiated. Councillor Kelly also had concerns that definitive time stipulations were not included in the draft; however, it was noted that this is a broad policy and that time stipulations for prosecution of violations are outlined in the specific policies or by-laws.

ON MOTION of Councillor Draper and Councillor Goucher, it was moved to amend paragraph #9 to read "...will report to Town Council on the final outcome to the next Regular Council Session. The amendment was approved unanimously.

In speaking to the MAIN MOTION, Councillor Draper raised concern that the final outcome of the legal action should be public; it was agreed that while legal action was ongoing, it would be discussed at Committee of the Whole.

ON MOTION of Councillor Kelly and Councillor Goucher, it was moved that paragraph 2 (c) include a "maximum 15 day" timeframe.

ON MOTION of Councillor Kelly and Councillor Goucher, it was moved to amend the MAIN MOTION to add the phrase, "if not otherwise stipulated in the by-law" to paragraph 2 (c).

In speaking to the MOTION, B. Zwicker commented that placing a specified timeframe may not be practical. He noted that in most cases it is the magnitude of the problem which often dictates a practical timeframe.

The AMENDMENTS TO THE MOTION were withdrawn.

The Main Motion as amended was approved unanimously.

10. NEW BUSINESS

10.1 **Parkland Tenders - Eaglewood**

By memorandum of September 11, 1990, Mr. Nauss recommended that Golf Links Hill Project (toboggan hill and pathway system for children using Bedford Senior Elementary) be awarded to Terra Nova Landscaping Ltd. at a cost not to exceed \$10,445.00. Mr. Nauss, Director of Recreation, was present for this discussion.

ON MOTION of Deputy Mayor Huntington and Councillor Goucher, it was moved to award a tender contract to Terra Nova Landscaping at a cost not to exceed \$10,445.00 for the purposes of creating a winter toboggan hill and a three-foot walkway for area children.

In discussion of the MOTION, Councillor Walker suggested that instead of burning debris when the hill is cleared that the contractor use a brush chipper. Mr. Nauss will follow up on this request.

The Motion was approved unanimously.

10.2 Town Entrance Signage

By memorandum of September 6, 1990, Helen Graham Gromick (BEDC) asked Town Council to review the proposals for new Town entrance signs and to choose a company. Two companies presented proposals along with design concepts which include the basic elements of the Mainstreet signage.

ON MOTION of Deputy Mayor Huntington and Councillor Cosgrove, it was moved to award the contract for a total of five signs, two of which would be funded within the \$15,000 budget allocation, to Rainbow Designs.

Deputy Mayor Huntington and Councillor Cosgrove withdrew their motion.

ON MOTION of Councillor Kelly and Councillor Goucher, it was moved to engage Signs of the Times to prepare further schematics and to present to Town Council for their final approval; and that Signs of the Times would be contracted to prepare two main entrance signs within the budget allocation of \$15,000 as per their quotation.

During discussion of the MOTION, Deputy Mayor Huntington requested that Signs of the Times also submit more comprehensive details, especially with respect to guarantee.

At the request of Council, Ms. Gromick clarified that the contract for two signs would be awarded this year and that provision will be made in next year's budget for the additional three signs.

The motion was approved unanimously.

10.3 C.N. Lease - Works Compound Land

Verbally and with the aid of correspondence from C.N. dated 14 August 1990 and 5 September 1990, Mr. Paynter outlined the background regarding the Town's lease of CN lands in Bedford Industrial Park, parcel T-6, which expired in June 1990. CN is still not in a position to offer this land for sale, but would agree to extend the lease under the terms and conditions outlined in correspondence dated

15 March 1990. A new five-year lease was presented for Council's consideration.

Mr. English noted that the lease fee has increased substantially and that CN is amenable to a land swap with the Town. Mr. Paynter clarified, with the aid of a map, the necessity of having this land for Town use.

It was suggested that the Town might consider purchasing land elsewhere instead of paying rent; however Mr. Paynter suggested that a land swap would be the most appropriate solution. He noted that approximately \$85,000 has been budgeted for land acquisition.

ON MOTION of Councillor Walker and Councillor Cosgrove, it was moved that the Chief Administrative Officer enter into a five-year lease with CN for parcel T-6 subject to arranging a formal agreement for a land swap and the establishment of an appraisal figure for parcel T-6.

ON MOTION of Councillor Goucher and Councillor Kelly, it was moved to defer the MOTION with respect to the five-year lease until more information is received with respect to a formal agreement for a land swap. The motion to defer was approved unanimously.

10.4 Tender 90-16 - Bedford Hwy. Reconstruction (Shore Ave. to Landsburg)

By memorandum of September 5, 1990, Mr. Paynter outlined the tender bids received for the Bedford Highway reconstruction (Holland Avenue). He recommended awarding the contract to Dexter Construction for \$484,600 plus engineering and design costs \$31,000, contract administration cost \$4,000 and contingency allowance of \$25,000 for a total expenditure of \$544,600.

Mr. Paynter's memorandum also noted for information that Town Council could consider extending the sidewalk from Landsburg Road to the Sobey's property (\$95,000) and widening of road between Landsburg and Hammonds Plains to allow for the three-lane concept (\$58,000).

ON MOTION of Councillor Goucher and Councillor Draper, it was moved to award the tender contract to Dexter Construction for \$484,600 plus engineering and design costs \$31,000, contract administration cost \$4,000 and contingency allowance of \$25,000 for a total expenditure of \$544,600 for the Bedford Highway reconstruction (Shore Ave. to Landsburg).

In discussion of the MOTION, there was considerable concern with respect to the location of the bus stop. Mr. Paynter reported that he met with Mr. Prentice of Metro Transit and Mainstreet representatives on this topic. Metro Transit has indicated that they do not require an indented bus bay but request the bus stop

to be placed at the intersection. There was some disappointment expressed by Councillor Walker that the Bedford Transit Advisory Committee had not been asked for their comments on this issue.

With respect to the issue of additional sidewalks and road widening, it was agreed by consensus that this would be deferred.

ON MOTION of Deputy Mayor Huntington and Councillor Walker, it was moved to extend the meeting past the regular 10:30 p.m. adjournment period. The motion was approved unanimously.

ON MOTION of Councillor Kelly and Councillor Goucher, it was moved to AMEND the original MOTION to include a notation that it is Council's decision that the bus stop should remain in front of the building known as the Maritime Tel & Tel building. The motion to amend was approved (Councillor Walker voting against).

The MAIN MOTION was put to the meeting and approved unanimously.

10.5 Tender 90-18 -- T.V. Inspection and Cleaning (Storm and Sanitary Sewer System)

By memorandum of September 6, 1990, Mr. Paynter outlined the bid from Floyd Nicholson Services and recommended that only a portion of the work be completed at this time.

ON MOTION of Councillor Kelly and Councillor Goucher, it was moved to award the contract for T.V. Inspection and Cleaning of the storm and sanitary sewers to Floyd Nicholson Services for Sections I (Bedford Village area), II (Meadowbrook Drive area), III (Shore Drive Yacht Club area) and IV (Bedford Highway area) for a total of \$24,450. The motion was approved unanimously.

In discussion of the MOTION, and in response to questions, Mr. Paynter noted that no one particular area required the work greater than an other; all were priority items and the ones not completed this year would be budgeted for next year.

10.6 Tender 90-19 -- Mann St. Pumping Station Improvements

By memorandum of September 6, 1990, Mr. Paynter outlined a bid received from J.R. Eisener Contracting which exceeds budget allocation by 107% and an incomplete bid from C.R. Falkenham Backhoe Services.

In discussion of the bids, it was noted that Engineering and Works had re-estimated that work involved and re-visited their cost estimates. Staff re-confirmed their original estimates.

ON MOTION of Councillor Walker and Councillor Kelly, it was moved that the Engineering and Works Department re-tender the contract for Mann Street Pumping Station Improvements. **The motion was approved unanimously.**

10.7 Proposed Resolution - Alleged Zoning Violation, Recycling Depot (Councillor Kelly)

Councillor Kelly asked that Town Council consider acting immediately to close the current recycling depot which exists adjacent to Bedford Place Mall for reasons that it is in violation of its permit by processing recycled material and by creating a nuisance.

ON MOTION of Councillor Kelly and Councillor Goucher, it was moved to immediately close the recycling depot adjacent to Bedford Place Mall.

In discussion of the MOTION, there was considerable concern by several Councillors that the immediate closing of the recycling depot may give the impression that the Town does not support recycling. There was also a suggestion that the depot be relocated to the industrial park.

In response to questions from Councillors, Barry Zwicker noted that the Town may not be authorized to immediately close the recycling depot as the alleged violation must be prosecuted as a zoning violation under the provincial planning act.

The MOTION of Councillor Kelly and Councillor Goucher was withdrawn.

ON MOTION of Councillor Kelly and Councillor Goucher, it was moved to proceed to prosecute the operators of the recycling depot adjacent to Bedford Place Mall under the Planning Act as a zoning violation. **The motion was DEFEATED** (Deputy Mayor Huntington, Councillors Walker, Cosgrove and Draper voting against the motion).

There was some discussion that the Town simply remove its support for the current depot due to the complaints by residents.

ON MOTION of Councillor Kelly, it was moved that Town Council approach the operators of Bedford Place Mall to solicit their assistance in withdrawing support for the adjacent recycling depot.

There being no response to three calls for a seconder from the Mayor, the MOTION was lost.

ON MOTION of Councillor Kelly, it was moved that Town Council remove its support for the recycling depot and as evidence of this, it shall remove its sign.

There being no response to three calls for a seconder from the Mayor, the MOTION was lost.

10.8 Consideration of Approval -- Cleaning Maintenance Contract

By memorandum of September 6, 1990, Mr. Singer presented his recommendation that cleaning maintenance for both the library and Bedford Tower offices be awarded to High Glass Maintenance commencing October 1, 1990 for an annual cost of \$11,580.00.

In response to Councillor Kelly, Mr. Singer noted that the only other areas which might be considered under this tender would be the Police Station. Deputy Mayor Huntington requested detailed information on each tender with respect to specifications, frequency of cleaning, supply of materials, insurance policies, letters of recommendation, etc. Mr. Singer noted that he has this information and it shall be forwarded for Council's consideration.

ON MOTION of Deputy Mayor Huntington and Councillor Kelly, it was moved to request staff to re-tender the Cleaning Maintenance Contract with formal specifications and to include the Police Station. The motion was approved unanimously.

11. REPORTS: BOARDS/COMMITTEES/COMMISSIONS/DEPARTMENTS

11.1 Boards/Committee/Commissions - There were no reports circulated.

11.2.1 Building Inspector's Report (August 1990)

This report was circulated with the agenda and it was noted that it is reflective of the current economy.

ON MOTION of Deputy Mayor Huntington and Councillor Kelly, it was moved to accept the August 1990 Building Inspector's Report. The motion was approved unanimously.

11.2.2 Fire Chief's Report (July 1990)

ON MOTION of Councillor Kelly and Councillor Goucher, it was moved to accept the Fire Chief's Monthly Report for July 1990. The motion was approved unanimously.

11.2.3 Finance Department (Tax Collection and Assessment Appeal Status)

By memorandum of September 6, 1990, Mr. Singer outlined the current status of the 1990 operating budget noting salient budgetary accounts (tax levy revenue, deed transfer tax, social assistance and road and sidewalk maintenance). Tax collection to August 31, 1990 shows evidence of being above schedule and the Assessment Appeals reports reveals approximately 75 outstanding appeals which will likely have an adverse effect on the tax levy depending on the success of the appeals. Mr. Singer also noted the 1990 capital budget status as of August 31, 1990.

Mr. Singer concluded his report by noting that the Town's finances will be under close scrutiny for the balance of fiscal 1990 to hopefully reduce the current deficit position of approximately \$112,000.

ON MOTION of Councillor Kelly and Councillor Goucher, it was moved to receive the Finance Department Report outlining the Town's finances to August 31, 1990. The motion was approved unanimously.

11.2.4 Engineering and Works Department

11.2.4.1 Status on Proposed Relocation of Recycling Depot

By memorandum of September 10, 1990 (circulated at the meeting), Mr. Paynter outlined a proposal for the construction, operation and management of a Town-owned recycling facility.

ON MOTION of Deputy Mayor Huntington and Councillor Draper, it was moved that Town Council authorize staff to proceed with the proposal for a recycling depot facility as outlined in Mr. Paynter's memorandum of September 10, 1990.

In discussion of the MOTION, there was considerable concern that the facility not be located in an industrial park area as it was felt that this would be an inhibiting factor to participation by citizens.

ON MOTION of Councillor Kelly and Councillor Goucher, it was moved to **AMEND** the motion such that the proposed recycling facility be located in an area zoned for processing and recycling. **The motion to amend was approved** (Councillors Walker, Cosgrove and Draper voted against the amendment).

There was some discussion of the permitted locations of recycling depots and recycling processing facilities in the current Municipal Plan and in the proposed Municipal Planning Strategy.

ON MOTION of Councillor Walker and Councillor Cosgrove, it was moved to **AMEND** the motion such that the proposed recycling facility proposal include a criteria that the participation of volunteer groups for staffing is encouraged and preference could be given to proposals including volunteer labour. **The motion to amend was approved unanimously.**

The Main Motion as amended was approved unanimously.

11.2.4.2 Clarification 1990 Walkway Construction Program

By memorandum of September 5, 1990, Mr. Paynter requested clarification with respect to whether walkway construction (Douglas Drive to Atwood Terrace) should be completed as suggested in the June 15, 1990 report.

ON MOTION of Councillor Draper and Councillor Walker, it was moved to approve the expenditure of \$3,670 for preparatory asphalt and \$5,300 for asphalt and fencing of the walkway between Douglas Drive and Atwood Terrace as suggested in Mr. Paynter's correspondence of June 15, 1990. **The motion was approved** (Councillor Walker voted against the motion).

12. CORRESPONDENCE

12.1 Request for Town Endorsement of MAPC Goals

With respect to correspondence of July 19, 1990 from Mayor John Savage, the Chief Administrative Officer asked Town Council to defer consideration of this item pending a report. This was agreed by consensus.

12.2 Joint Expenditure Unit Committee - Appointment of Town Representatives (2)

Correspondence from K. W. Wilson, Director of Finance, County of Halifax, asked Town Council to appoint two representatives to the Joint Expenditure Unit.

ON MOTION of Councillor Kelly and Councillor Goucher, it was moved to appoint the Mayor and Deputy Mayor as representatives on the Joint Expenditure Unit Arbitration Committee. The motion was approved unanimously with consent from the nominees.

12.3 Spiritual Assembly of Baha'is of Bedford - Planting of Peace Tree - Fish Hatchery Park

Correspondence dated March 12, 1990 from Mr. Bruce Moore of the Spiritual Assembly of the Baha'is of Bedford was reviewed.

ON MOTION of Deputy Mayor Huntington and Councillor Draper, it was moved to accept a PEACE TREE from Bedford Baha'i Community to be planted in Fish Hatchery Park as indicated in their request. The motion was approved unanimously.

12.4 Town Sponsorship - Annual Tree Planting Ceremony Aids Awareness Week

Correspondence from Karen Pyra, Program Coordinator for AIDS Awareness Week Planning Committee dated August 13, 1990 requesting the Town's sponsorship in a tree planting ceremony October 16, 1990.

ON MOTION of Deputy Mayor Huntington and Councillor Draper, it was moved to participate in the Aids Awareness Week Annual Tree Planting Ceremony on October 16, 1990. The motion was approved unanimously.

13. MOTIONS OF RECONSIDERATION - N/A

14. MOTIONS OF RESCISSION - N/A

15. NOTICES OF MOTION - N/A

16. QUESTIONS

16.1 Status Sheet - There was no discussion of the Status Sheet.

17. ADDED ITEMS

17.1 M.P.S. Information Sessions

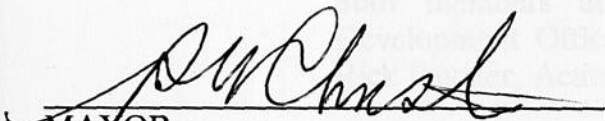
Mayor Christie announced that reports from the Planning Department with respect to the proposed M.P.S. are currently available and that the public meetings will begin on September 24 to the 27th.


17.2 Good Wishes

Deputy Mayor Huntington and Town Council wished Cathy Krawchuk well in her new position as reporter at Halifax City Hall and on her birthday.

18. ADJOURNMENT

ON MOTION of Councillor Draper, it was moved to adjourn Meeting #69, Regular Session of Bedford Town Council, at approximately 11:50 p.m.


MAYOR


CHIEF ADMINISTRATIVE OFFICER

/dl

TOWN OF BEDFORD

Public Hearing #90-08

September 18, 1990

A Public Hearing called by the Town Council of the Town of Bedford to receive and consider presentations in support of, or in opposition to, the application by Network Properties to amend the Nelson's Landing development agreement was held on September 18, 1990 at 7:30 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia; Mayor Peter Christie presiding.

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 meeting.

Staff members attending this Session included Steve Moir, Development Officer; Donna Davis-Lohnes, Junior Planner; and Rick Paynter, Acting-Chief Administrative Officer.

Approximately 50 residents of the community were also in attendance at this Session.

INTRODUCTION

Mayor Christie introduced Mr. S. Moir, who outlined the proposed application to:

- alter phasing of the original agreement in order that Phase 3 (residential and commercial) proceed prior to Phase 2 (hotel);
- expand the list of permitted residential units to include narrow-lot single family homes and link houses as well as the originally approved townhouses (137 residential units);
- provide a tennis court on public parkland instead of providing the private recreation centre as called for in the current agreement;
- alter the street pattern from a grid arrangement to include two cul de sac streets;
- eliminate the provision of a linear park system and walkways internal to the townhouse site; and
- waive the requirements of Par 5, Section 23 n) and 23 A of the Land Use By-law

(by-law requires developer to landscape an area 15 ft. deep along the boundaries).

With the aid of Generalized Future Land Use Map and Zoning Map, Mr. Moir also outlined the current designations and zoning. It was noted that there is current a development agreement in place of which Phase I is near completion (outstanding items include some landscaping and a boosting station).

By memorandum of August 1, 1990 and September 12, 1990, staff noted their concerns with respect to the impact of the amendments upon the current crowding situations in the schools and the fact that the sewage treatment plant is currently operating at capacity. For these reasons, staff recommended phasing of the 137 residential units (townhouses, link homes or narrow lot single family) with an average of 20 units per year until such time as the problems with the capacity of the school system and the sewage treatment system are resolved.

Other staff recommendations included were:

- that security be provided to ensure that the tennis court will be provided when 60 of the housing units have been started;
- that security be provided to ensure that the commercial project will be landscaped as proposed;
- that if the design of the residential units is to conform generally to the design concepts submitted; and
- that the water booster station is made operational prior to entering into the agreement.

It was noted that Bedford Planning Advisory Committee (BPAC) approved these recommendations at their August 9, 1990 meeting.

Mayor Christie opened the floor and invited speakers to come to the microphone and identify themselves for the record (and tape recorder).

PRESENTATIONS IN SUPPORT

1. **MR JIM MCCULLOCH (NETWORK PROPERTIES)**, addressed Council on behalf of the investors group known as Network Properties. He outlined the reasons for the proposed amendment to the development agreement noting that the project had 'stalled' in its development at the completion of Phase I and according to the development agreement there were four years remaining in which to complete Phase II and III. It was also noted that the proposed amendment does not change the intent of the original development agreement.

Mr. McCulloch recognized the concerns raised by staff with respect to school

crowding and sewage treatment plant capacity and expressed the wishes of the developer to cooperate in these areas.

An architectural sketch of the commercial building, and associated parking and landscaping were presented and reviewed by an associate, Mr. Fabian Sutherland.

The residential component was reviewed by Mr. G. Higgs. A statistical analysis of the annual water consumption of the proposed residential units versus the originally proposed hotel were circulated. Network Properties asked Town Council to increase the number of residential units permitted per year from the recommended 20 to 30 units per year. Mr. McCulloch reported that link homes and townhouses would have less impact on the school system than large single family homes.

PRESENTATIONS IN OPPOSITION TO

2. MR. KEN MCINNIS, through the Mayor, addressed a number of questions to staff on matters related to traffic impact and landscaping provisions.

In response, Mr. Paynter clarified that the Town was in the process of improving the Bedford Highway in the area of the proposed commercial building, and that the present and proposed street network would allow for adequate traffic dispersement.

In response, Mr. Moir clarified that when the original development agreement was negotiated there was no landscaping requirement. He noted that in order to permit additional parking spaces the developer was willing to place dense vegetation on town property as opposed to the required 15 foot landscaped buffer on their property.

3. MR. MANGDALAM (Bedford Highway), spoke neither for or against the proposed change to the development agreement however he asked Town Council whether the development had its own sewage treatment plant. He suggested that Town Council must deal with the issue of the sewage treatment plant overcapacity.
4. MR. HALL (Union Street) expressed his concern to Town Council that he does not feel that the issues of over crowding in the school system or the capacity of the sewage treatment plant have been adequately addressed in this proposed change.

PUBLIC HEARING (90-08) - September 18, 1990

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There being no response to three calls for further speakers, the Public Hearing #90-08 was adjourned at approximately 8:25 p.m.


MAYOR


ACTING CHIEF ADMINISTRATIVE OFFICER

/dl

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 meeting.

Staff members attending this Session included Steve Moir, Development Officer, Dawn Davis-Lohmes, Junior Farmer, and Rick Faymer, Acting Chief Administrative Officer.

Approximately 50 residents of the community were also in attendance at this Session.

INTRODUCTION

Mayor Christie introduced the public hearing noting that this hearing, #90-09, was for the purpose of receiving comments in support of, or in opposition to the proposal to change the land use designation on the Generalized Future Land Use Map (GFLUM) from 'residential' to 'commercial' to permit consideration of a development agreement application for the use of 1394 Bedford Highway for professional office use. Mayor Christie stressed that it was not the application for development agreement that should be discussed at this time -- that would be discussed during the subsequent public hearing #90-10. He asked everyone to limit their comments to the proposed change to the Generalized Future Land Use designation.

With the aid of maps, Mr. Moir reviewed the current land use designations and current

TOWN OF BEDFORD

Public Hearing #90-09

September 18, 1990

A Public Hearing called by the Town Council of the Town of Bedford to receive and consider presentations in support of, or in opposition to, the application for a plan amendment to change the land use designation from residential to commercial to permit consideration of a development agreement application for 1394 Bedford Highway was held on September 18, 1990 at 8:35 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia; Mayor Peter Christie presiding.

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 meeting.

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With the aid of maps, Mr. Moir reviewed the current land use designations and current

zonings in the neighborhood of 1394 Bedford Highway.

Mr. McInnis spoke for the record indicating that there should be no reference to the proposed contract development agreement.

Mr. Moir continued his introduction of the subject noting that the Bedford Planning Advisory Committee had reviewed the subject and held a public participation meeting in this regard.

By memorandum of August 1, 1990, staff recommended in favor of the change of land use designation from residential to commercial as they felt it would be consistent with both the 1982 and the proposed 1990 Municipal Planning Strategies. Mr. Moir based the recommendation on several issues including the commercial objective of the 1982 MPS, proposed policies of Heritage Commercial, and the 1982 policies concerning Mainstreet development.

There were no direct questions from Council to staff at this time and Mayor Christie invited input from those resident's in favour of the proposed change to the land use designation.

IN SUPPORT

1. MR. STEPHEN KENT (Proponent), addressed Council and asked them to review the correspondence package dated 18 September 1990 which he circulated. Mr. Kent reviewed the commercial/residential mix of the neighborhood, the daily traffic volume along the Bedford Highway, the buffer between residential units along First Avenue and his agreement with the staff report as reasons for Town Council to support this application.
2. MR. L. DAUPHINEE (Chairman, Property Committee, All Saints Anglican Church - adjacent to 1394 Bedford Highway) spoke to Council indicating his support to the change in the land use designation.
3. DR. MANGDALAM (adjacent property owner) expressed his feelings that he was neither in support of or against the proposed change to the land use designation but he questioned why the 'Plan' should be changed. Mayor Christie clarified that Town Council would be considering a change to the existing Municipal Planning Strategy for those reasons explained by Mr. Kent and Mr. Moir.

IN OPPOSITION

4. **MR. MICHAEL ROUGHNEEN** (Director, Old Central Bedford Residents Association (OCBRA)) presented the outline on behalf of the O.C.B.R.A. noting their 'exasperation' with respect to this 'controversial planning issue'.

Mr. Roughneen stated six reasons why the association was in opposition to the proposed change to the land use designation including:

- are we providing for the kind of community that the public wants;
- do these changes reflect public values;
- are the public representatives (Councillors) representing the people that elected them;
- how much say do citizens have in planning issues;
- do the reasons for the proposed change have substance;
- are the decisions prudent; are there irregularities in the decision making process.

Mr. Roughneen entered the following documents into the record:

- fourteen page document authored by J. Foy dated 90-9-18 (pink document);
- annual traffic report, City of Halifax;
- MOTION by Old Central Bedford Residents Association in opposition of the proposed change to the land use designation.

In response to questions from Mayor Christie, it was agreed that a copy of the approved minutes of the Old Central Bedford Residents Association meeting containing the above noted MOTION would be provided to Town Council.

Mr. Roughneen introduced Mr. James Tremill, Vice-Chairman of OCBRA. Mr. Tremill read the exact MOTION from the September 13th OCBRA meeting "it was moved that the Old Central Bedford Residents Association opposes the change of the existing Municipal Planning Document and Generalized Future Land Use Map to commercial for the property at 1394 Bedford Highway".

Mr. Tremill expressed his concern that the residents feel that they are being 'pushed to have the whole area commercial'.

Mr. Roughneen resumed the floor and read from the 90-9-18 document (pink cover) outlining the 'summary of issues' (pages 3 to middle of page 5) including items as interpretations of the terms plans, zones and development agreements; the perceived difference between rezonings and development agreements; the existing 1982 Municipal Planning Strategy and 'area R'; and six reasons why #1394 should not be designated commercial.

Mr. Roughneen introduced Mr. Ken McInnis, lawyer with background in urban law, who referenced the 'pink document' pages 5 through to page 8 on issues of spot rezoning in a residential neighborhood; immense changes in the draft new plan; which plan are we using to evaluate this proposal; the fact that BPAC dealt with both issues (re-designation and development agreement) simultaneously; and, opposition to the proposed Heritage Commercial zone in the proposed Municipal Planning Strategy.

Mr. Roughneen resumed the floor once again and deal with 'BPAC's handling of this proposal' (pages 8,9, 10 of 'pink document'). Some clarification was provided by Councillor Walker with respect to the original procedure at the BPAC preliminary presentation.

After some confusion, Mayor Christie once again asked Mr. Roughneen and Mr. McInnis to address only those issues relating to the request for a plan amendment. There was strong objection from Mr. Roughneen and Mr. McInnis that a legal opinion was necessary to clarify the way in which BPAC dealt with the subject. Mayor Christie concluded that Town Council would examine the situation and if require, legal counsel would be sought.

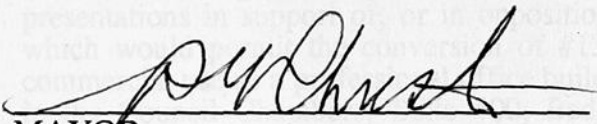
5. MRS. MANGADALAM addressed Town Council noting that as a member of Old Central Bedford Residents Association she had voted in support of their motion to oppose this application. As a neighborhood, however, she does wish to be 'accommodating'. She expressed concern about issues of democracy and responsibility. She noted difficulties in obtaining public information.
6. MR. ANTHONY EDWARDS, a citizen interested and involved in Bedford's history, expressed his concern that this proposed change in land use designation was not good for Bedford.
7. DR. MANGADALAM addressed Town Council stating that he was speaking 'not as a neighbor' of the applicant. He suggested that Bedford is basically a residential community concerned with a good quality of life; more commercial development does not improve the quality of life in Bedford.
8. MR. ROY expressed his concerns to protect the existing residential neighborhood in his presentation to Town Council. He felt that once a property is designated commercial so as a development agreement might proceed, then the next step would be for the proponent to apply for a commercial rezoning. He felt that the application was inappropriate because under the 1982 Municipal Planning Strategy

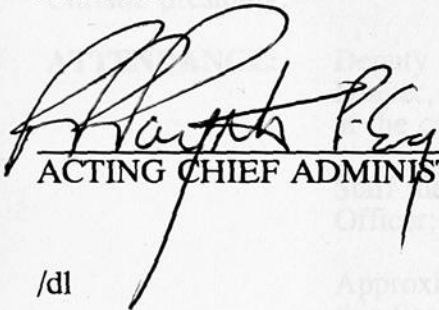
TOWN OF BEDFORD

a change to commercial designation would change the character of the neighborhood and mainstreet.

September 18, 1990

After receiving no response to three calls for further speakers, Public Hearing #90-09 was adjourned at approximately 10:20 p.m.


MAYOR


ACTING CHIEF ADMINISTRATIVE OFFICER

/dl

Mayor Christie's introduction of the topic was interrupted by Mr. Ken McInnis, who on a point of order objected to Town Council proceeding to hold this public hearing as it was a "mistake" as Council had not had enough time to reflect on the first hearing and had made no decision with respect to the first hearing.

Mr. McInnis continued to express his concern that the two items (application for a plan amendment and application for development agreement) must remain separate. He asked that Council's decision with respect to Public Hearing #90-09 would impact on the holding of a subsequent public hearing for the development agreement. He asked Council to adjourn and make a decision on the application for a change in land use designation.

Mr. S. Kern, applicant, addressed Council on a point of order noting that the Planning Act does permit the procedure which Bedford Council has followed in practice in the past and that one application cannot be considered without the other.

Mayor Christie noted that Council had proceeded in the past similarly with similar applications.

ON MOTION of Councillor Kelly and Councillor Goucher, it was moved to adjourn Public Hearing #90-09 at 11:44 pm. The motion was approved.

/dl

TOWN OF BEDFORD

Public Hearing #90-10

September 18, 1990

A Public Hearing called by the Town Council of the Town of Bedford to receive and consider presentations in support of, or in opposition to, the application for a development agreement which would permit the conversion of #1394 Bedford Highway from a residential use to a commercial use as a professional office building was held on September 18, 1990 at 10:35 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia; Mayor Peter Christie presiding.

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 meeting.

Staff members attending this Session included Steve Moir, Development Officer; and Donna Davis-Lohnes, Junior Planner.

Approximately 50 residents of the community were also in attendance at this Session.

Mayor Christie's introduction of the topic was interrupted by Mr. Ken McInnis who on a point of order objected to Town Council proceeding to hold this public hearing as it was a 'mistake' as Council had not had enough time to reflect on the first hearing and had made no decision with respect to the first hearing.

Mr. McInnis continued to express his concern that the two items (application for plan amendment and application for development agreement) must remain separate. He noted that Council's decision with respect to Public Hearing #90-09 would impact on the holding of a subsequent public hearing for the development agreement. He asked Council to adjourn and make a decision on the application for a change in land use designation.

Mr. S. Kent, applicant, addressed Council on a point of order noting that the Planning Act does permit the procedure which Bedford Council has followed in practice in the past and that one application cannot be considered without the other.

Mayor Christie noted that Council had proceeded in the past similarly with similar applications.

ON MOTION of Councillor Kelly and Councillor Goucher, it was moved to adjourn Public Hearing #90-10 at 11:44 pm. The motion was approved.

TOWN OF BEDFORD

Special Session

Tuesday, October 2, 1990

A Special Session of the Town Council of the Town of Bedford took place on Tuesday, October 2, 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, Len Goucher, Peggy Draper, Peter Kelly and Grant Walker were in attendance at the commencement of the meeting.

Staff members attending this meeting included Dan English, Chief Administrative Officer; Wayne Legere, Engineering and Works; Barry Zwicker, Director of Planning and Development Control; and Steve Moir, Senior Planner.

3. **ADDITIONS/DELETIONS TO ORDER OF BUSINESS**

ON MOTION of Councillor Walker and Councillor Goucher, it was moved to add a new item, entitled Toboggan Run, to the agenda.

In discussion of the MOTION, Councillor Walker asked for further clarification on the Recreation Departments plans for this project. It was noted that area residents have voiced a complaint about the amount of vegetation which has been removed and possible drainage problems.

It was agreed by consensus that no further brush cutting would occur until the Recreation Director provided further information to Council, including a detailed

plot plan, at the next Council session.

Councillor Walker and Councillor Goucher agreed to WITHDRAW the motion.

4. **APPROVAL OF THE ORDER OF BUSINESS**

ON MOTION of Deputy Mayor Huntington and Councillor Goucher, it was moved to approve the Order of Business as presented. The motion was approved unanimously.

5. **PROPOSED AMENDMENT - NELSONS LANDING DEVELOPMENT AGREEMENT (PUBLIC HEARING #90-08)**

An application by Network Properties to amend the Nelson's Landing development agreement was reviewed. The proposed application is to:

- alter phasing of the original agreement in order that Phase 3 (residential and commercial) proceed prior to Phase 2 (hotel);
- expand the list of permitted residential units to include narrow-lot single family homes and link houses as well as the originally approved townhouses (137 residential units);
- provide a tennis court on public parkland instead of providing the private recreation centre as called for in the current agreement;
- alter the street pattern from a grid arrangement to include two cul de sac streets;
- eliminate the provision of a linear park system and walkways internal to the townhouse site; and
- waive the requirements of Part 5, (Section 23 n and 23 A) of the Land Use By-law (by-law requires developer to landscape an area 15 ft. deep along the boundaries).

The proposed development agreement was circulated with the agenda.

ON MOTION of Councillor Goucher and Councillor Kelly, it was moved that Town Council authorizes the Chief Administrative Officer to enter into the agreement, as circulated, which would amend the original development agreement for Nelsons Landing.

In discussion of the MOTION, Councillor Kelly asked for clarification with respect to having only rear yard parking and Councillor Draper pursued the waiving of the landscaping requirement.

ON MOTION of Councillor Draper and Councillor Cosgrove, it was moved to amend the original MOTION with respect to the Nelson's Landing development agreement such that the landscaping plan (Schedule C, Section C) would be further intensified.

In discussion of the amendment, clarification with respect to the term 'intensified' was given and it was noted that Town Council would have an opportunity to review the revised landscaping plan when the Development Agreement comes before Town Council for ratification.

The MOTION to amend was approved unanimously.

The AMENDED MOTION was put to the meeting and approved unanimously.

6. **PROPOSED PLAN AMENDMENT - 1394 BEDFORD HIGHWAY (PUBLIC HEARING #90-09)**

An application for a plan amendment to change the land use designation from residential to commercial to permit consideration of a development agreement application for 1394 Bedford Highway was reviewed. At the request of Councillor Kelly, it was clarified that it was the 1982 Municipal Development Plan which would be the basis of analysis.

ON MOTION of Deputy Mayor Huntington and Councillor Cosgrove, it was moved to approve the plan amendment for 1394 Bedford Highway thus changing its land use designation from residential to commercial.

In discussion of the MOTION, Councillor Walker noted that Bedford Planning Advisory Committee had supported the request for a plan amendment. Councillor Draper informed Council that she could not support the request for a commercial designation for the whole property. Councillor Goucher expressed his concern that he could not support the motion as the public had stated their opposition to the change in land use designation at the public hearing.

It was also noted that a vote on a plan amendment issue required four (4) positive votes to carry and that an applicant does not have the right under the Planning Act to appeal a decision with respect to a plan amendment.

The MOTION was put to the meeting and DEFEATED (Deputy Mayor Huntington, Councillors Cosgrove and Walker voting in favor of the motion; and Mayor Christie, and Councillors Draper, Goucher and Kelly voting against the motion).

7. **CONSIDERATION - AWARD OF TENDER 90-06 (MILL COVE)**

By memorandum of September 21, 1990, the Director of Engineering and Works reviewed the tender prices received for Bedford Highway Reconstruction from Nelson's Landing Blvd. to Hammonds Plains Road. It was noted that the prices include full cost of signalization. Wayne Legere was present to answer questions.

At the request of Councillor Goucher, Dan English reviewed the issue of infilling of a portion of Moirs Pond and that the Town will be purchasing this from Sobey's. It was also clarified that environmental precautions with respect to the infilling will be taken, i.e. filter fabric will be used.

ON MOTION of Deputy Mayor Huntington and Councillor Goucher, it was moved to award the tender for Bedford Highway reconstruction from Nelsons Landing to Hammonds Plains Rd. to Dexter Construction for \$735,827, and approve engineering costs of \$42,000 and contingency of \$90,000 for a total project package of \$867,827; and the Town's share of this project shall be \$336,576. The motion was approved unanimously.

By memorandum to D. English on 26 September 1990, Ron Singer outlined the status of the 1990 Capital Budget as a result of the above tender. There were no questions from Council on this item.

8. **CONSIDERATION - AWARD OF TENDER 90-21 (EQUIPMENT RENTAL - SNOW REMOVAL)**

By memorandum of September 27, 1990, Rick Paynter outlined the results of tender calls for supply of an operator equipped front-end loader with plow and wing which would be paid a monthly retainer of \$900 and an hourly rate while engaged in snow plowing during winter operations. There was only one bid received, G.M. Kelly.

ON MOTION of Councillor Goucher and Deputy Mayor Huntington, it was moved to award tender for an operator equipped front-end loader with plow and wing to be paid a monthly retainer of \$900 and an hourly rate of \$98.00 to G.M. Kelly Contracting Ltd. while engaged in snow plowing during winter operations. The motion was approved (Councillor Kelly abstained).

9. **CONSIDERATION - AWARD OF TENDER 90-19 (MANN STREET PUMPING STATION)**

By memorandum of September 27, 1990 Rick Paynter outlined tender call results

for the Mann Street Pumping Station Upgrading and recommended the tender be awarded to D.A. Lanthier Construction.

In discussion, it was noted that this item had come before Council previously but due to insufficient response from the tender call, Council had asked staff to re-tender the project.

ON MOTION of Councillor Walker and Deputy Mayor Huntington, it was moved to award tender for the Mann Street Pumping Station Upgrading to D.A. Lanthier Construction for an amount of \$49,047 plus engineering allowance of \$2,500 and contingency allowance of \$5,000 for a total project package of \$56,547. The motion was approved unanimously.

10. REVITALIZED MAPC PROPOSAL

Correspondence from R. Jackson to Metropolitan Area Planning Commission dated September 7, 1990 on Revitalized MAPC Proposal was circulated along with correspondence from the City of Halifax in which Halifax did not endorse the propose to revitalize the Metropolitan Area Planning Commission.

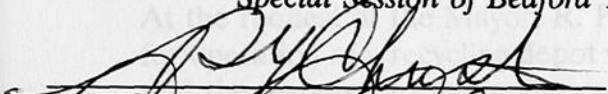
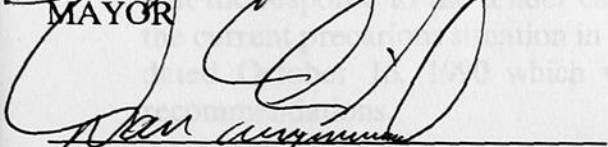
ON MOTION of Deputy Mayor Huntington and Councillor Kelly, it was moved that the Bedford Town Council defer consideration of this item pending additional financial information. The motion was approved unanimously.

11. ESTABLISHMENT OF DATE - FURTHER PRESENTATION -- SOLID WASTE MANAGEMENT MASTER PLAN REPORT

It was agreed by consensus that this presentation could be made on October 16, 1990 at the regular session of Council, time permitting.

12. ADJOURNMENT

ON MOTION of Councillor Goucher, it was moved to adjourn Meeting #73, Special Session of Bedford Town Council, at approximately 8:15 p.m.


MAYOR

CHIEF ADMINISTRATIVE OFFICER

TOWN OF BEDFORD

Regular Session (Reconvened from October 16/90)

Monday, October 22, 1990

A Reconvened Session of the Town Council of the Town of Bedford took place on Monday, October 22, 1990, 8:30 a.m., in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia; Mayor Peter Christie presiding.

LORD'S PRAYER

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

ATTENDANCE

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

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

6. **DEFERRED BUSINESS/BUSINESS ARISING FROM THE MINUTES**

6.5 **Proposal Call Results - Operation of Recycling Depot**

At the request of the Mayor, R. Paynter outlined the results of the proposal call for operation of a recycling depot within the Town of Bedford. Mr. Paynter noted that the response to the tender call had been poor probably as a consequence of the current precarious situation in the recycling industry. He referred to his report dated October 16, 1990 which was circulated to Council and the contained recommendations.

Mr. Paynter asked Council to consider improving and expanding the current concept of a Town controlled recycling depot. With the aid of a map of the Town which outlined the most densely populated areas, two industrial parks, and two focal points of socialization and shopping, Mr. Paynter suggested that Council address the issue of location of a recycling depot; primarily whether it would be located conveniently within the populated areas or at some distance in the industrial parks.

ON MOTION of Councillor Walker and Councillor Cosgrove, it was moved that the Town of Bedford support recycling and encourage public participation in a recycling depot as recommended by the Director of Engineering at a location within the area as suggested.

In speaking to the MOTION, Councillor Cosgrove commented on successful recycling depots located in the metropolitan area and the discussions recently held at Clean Nova Scotia which recognized that recycling depots must be located conveniently in order to be successful. Consequently, Councillor Cosgrove expressed her strong support of the above motion and also suggested that other alternate locations for recycling depots be investigated, i.e. school yards.

Councillor Draper raised the issue that she could support the motion only if no processing was permitted at a recycling depot to be located within the area suggested.

ON MOTION of Councillor Draper and Councillor Kelly, it was moved to **AMEND** the main MOTION such that any recycling depot to be located within the suggested area would exclude processing and would be a drop off facility only.

In discussion of the amendment, Council had difficulty agreeing on a definition of the term 'processing'. At the request of Councillor Walker, B. Zwicker noted that within the suggested area the Trade Mart area would be suitably zoned (C6) for a depot with processing, i.e. crushing glass). A discussion also ensued with respect to the 'long range vision' of the Metropolitan Authority with respect to recycling. It was noted that the Metropolitan Authority will encourage curb side recycling; however depots will be required in association with curb side recycling to meet the needs of apartment/condominium dwellers, etc. Several Council members also recognized that as the Town grows over the next five to ten years, the Industrial Parks will become more central as development grows around them.

The MOTION to AMEND was put to the meeting and was CARRIED (Councillor Walker, Councillor Cosgrove and Deputy Mayor Huntington voted against; Councillors Kelly, Goucher and Draper voted for; Mayor Christie voted with the amendment).

In discussion of the AMENDED MOTION, it was clarified that a contract entered into by the Town would be administered by the Department of Engineering. In discussions with the Director of Planning philosophy differences surfaced again with respect to the interpretation of 'processing'; however it was noted that any interpretation of the term could be clarified within a contract.

The AMENDED MOTION was put to the meeting and was CARRIED (Mayor Christie, Deputy Mayor Huntington, Councillors Draper and Walker voted for the amended motion; Councillors Goucher, Kelly and Cosgrove voted against the amended motion).

ON MOTION of Councillor Walker, it was moved to accept the recommendations of the Director of Engineering to build a two-bay, insulated, segregated bin recycling facility on the lands of Martin Eisenhower. **The MOTION was LOST**; after three calls from the Mayor, there was no seconder for the MOTION.

ON MOTION of Councillor Kelly and Councillor Goucher, it was moved to request staff (Engineering and Planning) to draft a terms of reference and a proposed contract for presentation at the October 30, 1990 Council Meeting so that Council may consider an exact location of the recycling facility. **The motion was put to the meeting and was approved unanimously.**

There was a review of the status of the current recycling operation located at Bedford Place Mall. Planning staff indicated that negotiations with the operator have begun and the alleged zoning violations are being identified. If negotiations are unsuccessful, then staff will present a report to Council with a recommendation for initiation of legal action.

10. NEW BUSINESS

10.1 **Consideration of Approval - Capital Borrowing (\$1,500,000)**

In his memorandum of October 11, 1990, Mr. Singer reviewed the steps necessary to facilitate financing required for the balance of the 1990 Capital Program and recommended that Council approve six (6) temporary borrowing resolutions and further approve the actual debenture issuing resolution. The debenture proceeds will be available on November 15, 1990. Mr. Singer did point out that this debenture issue is not sufficient to fund all of the 1990 Capital Program, and therefore, a third debenture issue will be required in spring 1991.

ON MOTION of Councillor Draper and Deputy Mayor Huntington, it was moved that Council approve the six temporary borrowing resolutions totalling \$1,500,000 for Rapid Computer System (Phase IV), Streets/sidewalks, industrial park signage, operations centre, range park (phase v) and LeBrun Centre (phase II). **The motion was approved unanimously.**

ON MOTION of Councillor Draper and Deputy Mayor Huntington, it was moved that Town Council approve the debenture issuing resolution in the amount of \$1,500,000 and that all appropriate documentation be forwarded to the Minister of Municipal Affairs for his approval. **The motion was approved unanimously.**

10.2 Consideration - Request for Exemption, Business Occupancy Tax

By memorandum of October 10, 1990, Mr. Singer outlined a request by the Canadian Airlines Pilots Association (CALPA) for an exemption to the Bedford Business Occupancy Tax. Mr. Singer recommended that the request be denied.

ON MOTION of Councillor Walker and Deputy Mayor Huntington, it was moved that Town Council deny the request by CALPA to adopt a by-law exempting them from the Business Occupancy Taxes pursuant to the Nova Scotia assessment Act Section 5(1) (r). **The motion was approved** (Councillor Goucher abstained).

10.3 Consideration - Award of Tender - Engineering Department, Fueling Facility

By memorandum of October 1990, Mr. Paynter outlined the results of tender calls for a Fuel Depot Facility to be located at the Operations Centre. The original estimate for the project was \$50,000 and the low bid was approximately \$100,000. In light of the results of the tender call, Mr. Paynter asked the Director of Finance to reassess the cost-effectiveness of proceeding with this proposal and whether sufficient funding could be made available out of the 1990 Operating Reserve Fund.

Mr. Singer advised Engineering that the payback period for the facility would be increased to 3.5 to 4 years and that the concept and the proposal are still cost-effective.

In his memorandum, Mr. Paynter presented three possible courses of action for consideration by Town Council and option two was recommended by the Chief Administrative Officer, that being: