

At the request of Councillor Goucher, it was agreed by consensus to add item 6.a, Request for Use of Coat of Arms.

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

ON MOTION of Councillor Walker and Councillor Goucher, it was moved to approve the Order of Business as amended. **The motion was unanimously approved.**

5. **MOTION OF RESCISSION - RECYCLING DEPOT (COUNCILLOR GOUCHER)**

At the November 26, 1990 Special Session of Council, Councillor Goucher served Notice of a Motion of Rescission with respect to the Carried MOTION on the location of the recycling depot.

"ON MOTION of Councillor Goucher, **NOTICE OF MOTION OF RESCISSION** with respect to the location of the recycling depot at Bedford Place Mall was given." (November 26, 1990)

The MOTION with respect to the location of the recycling depot was carried on November 20, 1990.

"ON MOTION of Deputy Mayor Huntington and Councillor Walker, it was moved to locate a residential recycling depot on the lands of Martin Eisenhower, next to Bedford Place Mall, as depicted on the site plan accompanying the proposed contract; and to authorize the Department of Engineering to construct a 15 x 25 foot building on that land to house the residential recycling depot.

ON MOTION of Councillor Draper and Deputy Mayor Huntington, it was moved to **AMEND** the motion with regards to location of the recycling depot such that the Town shall attempt to reduce any inconvenience to neighbouring residential units by having:

1. staff negotiate with Mr. Eisenhower to move the building as close to the Sackville River as possible
2. the building situated such that the loading doors face the river side; and
3. a screen/buffer of trees provided along Union Street.

The MOTION to **AMEND** was put to the meeting and **CARRIED** (Councillor Cosgrove opposed).

The **AMENDED MOTION** was put to the meeting and **CARRIED** (Councillor Cosgrove and Goucher opposed)." (November 20, 1990)

Mayor Christie reminded Council of the Rules of Order with respect to motions of rescission.

Councillor Goucher addressed Council emphasizing that if the Council's decision with respect to the location of the recycling depot is not changed, then he feels that it could be detrimental to the Town should the decision be challenged.

ON MOTION of Councillor Goucher and Councillor Cosgrove, it was moved to RESCIND the motion made on November 20, 1990 with respect to the location of the recycling depot.

In discussion of the **MOTION**, Councillor Goucher noted that the Town would be in violation of its own bylaws by placing a recycling depot in a C-3 zone (C-3 does not permit bottle exchanges or processing). Councillor Goucher also made reference to information he obtained at a recent municipal law conference whereby Council must "anticipate all possible uses within the Town". He also noted that the Town could be prosecuted not only at the Municipal Board level but in criminal court.

Councillor Kelly noted that the bylaws of the Town leave too much room for interpretation and that the Town would be in breach of its own bylaws should the recycling depot be located in a C-3 zone.

Councillor Cosgrove stated that the recycling depot should not be located near Bedford Place Mall or any mall; she expressed her concerns about the permitted uses for these locations.

At the request of the Deputy Mayor, Mr. Zwicker clarified that a bottle exchange such as those permitted at IGA or Liquor Store are accessory uses to a primary function. Mr. Zwicker also noted that in efforts to ensure compliance to the C-3 zone requirements, the accessory use (bottle exchange) may be considered for the recycling depot at a later date. Deputy Mayor Huntington also noted that Council has done a poor job of marketing the concept of the permanent structure.

Councillor Draper expressed her concern the Council must demonstrate to the citizens that the Town is committed to recycling and she outlined the steps which Council has taken in attempting address all concerns raised by the public with respect to this issue (i.e. aesthetically pleasing, buffer, close to Sackville River, no crushing of glass, etc.).

In speaking to the **MOTION**, Councillor Walker quoted from a newspaper article in which the results of a survey were published. The comments from the survey

outlined issues such as permanent building, convenience, and accessibility. He noted that he feels that the MOTION with respect to the location of the recycling depot addresses these concerns.

The MOTION TO RESCIND was put to the meeting and LOST (Councillor Draper, Councillor Walker, Deputy Mayor Huntington, Mayor Christie voted against the motion).

5.b POINT OF PRIVILEGE (COUNCILLOR KELLY)

Councillor Kelly asked to speak on a Point of Privilege with respect to fiduciary duties and asked for clarification from the Mayor on comments in a Mail Star newspaper article. Mayor Christie would not comment on the article, although he outlined the process which has transpired with respect to the Department of Municipal Affairs on this subject.

Councillor Kelly asked for clarification on a November 28, 1990 Daily News article in which it was reported that the Minister does not deal with matters such as this. Mayor Christie suggested that Councillor Kelly ask Mr. Gordon Gillis, Deputy Minister, Department of Municipal Affairs, for clarification.

Councillor Kelly suggested that the information obtained by the Town from the Department of Municipal Affairs was different than that received by himself.

Councillor Goucher spoke on a Point of Order. He reminded Council of a similar circumstance whereby, in the presence of the proponent, it was suggested by a Councillor that the Town could be sued (specifically, he was referring to the issue of rental space for the library). Councillor Goucher suggested that the matter of fiduciary responsibilities be dropped.

Councillor Kelly expressed his concern that the matter has raised the issue of his credibility. He noted his belief that he acted within the code of ethics as outlined in the memorandum (November 14, 1988) on fiduciary duties. Mayor Christie clarified that fiduciary responsibilities do not preclude a Councillor from disagreeing or expressing points of view; however, that is very different from indicating possible support for a lawsuit against the Town.

Councillor Cosgrove asked to speak on a Point of Order for clarification. She read from the November 14, 1988 memorandum on fiduciary duties and it was her interpretation that Councillor Kelly has acted within these duties and that he represented the views of citizens.

6. **MOTION OF RECONSIDERATION - FUEL DEPOT (COUNCILLOR WALKER)**

A **MOTION** was **CARRIED** at the November 20, 1990 meeting of Council to not consider the proposed bulk fuel depot within the 1990 or 1991 capital budget.

ON MOTION of Councillor Walker and Deputy Mayor Huntington, it was moved that Town Council not proceed with the Fuel Depot Facility for the budget years 1990 and 1991. The motion was unanimously approved.

At the November 26, 1990 Regular Session of Council, Councillor Walker gave a NOTICE OF MOTION TO RECONSIDER.

"ON MOTION of Councillor Walker, it was moved to file a NOTICE OF MOTION TO RECONSIDER the Council decision with respect to the bulk fuelling depot." (November 26, 1990)

Councillor Walker outlined that he felt it was important for Council to consider the option of negotiating with the Department of Transportation and Communication a sharing of their facility which is located within the Town. This would eliminate duplication and save capital dollars.

ON MOTION of Councillor Walker and Councillor Draper, it was moved that Town Council RECONSIDER their former decision with respect to the bulk fuelling depot and further that the Mayor begin discussions with the Minister of Transportation and Communication with respect to this issue. The motion was unanimously approved.

In discussion of the MOTION, it was reported that Mayor Christie has written to the Minister of Transportation and Communication on this topic.

ON MOTION of Councillor Walker and Councillor Goucher, it was moved to DEFER the Motion pending a written response from the Minister of Transportation and Communication on the subject of the bulk fuel depot. The motion was unanimously approved.

6.a **USE OF COAT OF ARMS (COUNCILLOR GOUCHER)**

Councillor Goucher brought forward a request from Cub Leader Jim Lord, Bedford United Church Cub Pack for permission to use the Town of Bedford Coat of Arms on the cub scarves.

ON MOTION of Councillor Goucher and Councillor Cosgrove, it was moved to permit Bedford groups of Scouts Canada and Girl Guides of Canada to use

the Town of Bedford Coat of Arms on their uniform scarves.

In discussion of the MOTION, Councillor Walker suggested that a slight modification, removal of wording on scroll, would permit the Town to retain the sole use of the original Coat of Arms.

ON MOTION of Councillor Walker, it was moved to **AMEND** the **MOTION** such that permission would be granted to use a modified Town of Bedford Coat of Arms. **The motion was LOST** as there was no seconder after three calls from the Mayor.

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

7. CONTINUATION OF REVIEW OF DRAFT M. P. S.

During previous Council Session, Town Council reviewed and amended several sections of the April 17, 1990 draft of the Municipal Planning Strategy. Following Mr. Zwicker's memorandum of October 18, 1990, Council continued its review of issues starting with the Industrial Section.

INDUSTRIAL

Pg 72

ON MOTION of Councillor Walker and Deputy Mayor Huntington, it was moved to **AMEND** the April 17, 1990 draft of the Municipal Planning Strategy such that in the Industrial Section, page 72, the comparison to residential assessments shall be removed from the fourth paragraph. **The motion was unanimously approved.**

Also, on page 72, last paragraph, it was agreed by consensus to clarify that CN is a major land owner in Bedford Industrial Park, rather than being the sole land owner.

I-1

ON MOTION of Councillor Walker, it was moved to **AMEND** the April 17, 1990 draft of the Municipal Planning Strategy such that included in Policy I-1 shall be a reference to encouraging commercial development. **The motion was LOST** there being no seconder after three calls from the Mayor.

In speaking to the MOTION, Councillor Walker noted that Burnside Industrial Park has a developed commercial aspect within it and perhaps this should be encouraged within Bedford's Industrial Parks.

I-2

ON MOTION of Councillor Walker, it was moved to **AMEND** the April 17, 1990 draft of the Municipal Planning Strategy such that Policy I-2 reflect a change in name/philosophy from Atlantic Acres Industrial Park to Atlantic Acres Business Park. **The motion was LOST** there being no seconder after three calls from the Mayor.

I-3

For clarification and discussion, Councillor Goucher raised the issue of buffers between industrial zoned land and residential land. He suggested the requirement for depth of the buffer be determined by a sliding scale dependent upon the industrial use. There was concern with respect to chemical storage and providing an adequate buffer for safety reasons.

Mr. Zwicker noted that the majority of the industrial zoned land which abuts residential zoned lands is zoned light industrial; there is presently a heavily treed area between the uses; and that buffers are not intended to mitigate accidental problems which might occur.

INSTITUTIONAL

There were no amendments to this section.

PARKS & RECREATION

Pg 87 Some clarification was provided with respect to the Recreation Advisory Committee's subcommittee, Parks Planning. It was agreed by consensus that this subcommittee shall be referred to as a **subcommittee** for clarification, i.e. Parks Planning Subcommittee.

There was some confusion with respect to the membership of this committee and D. Davis-Lohnes will investigate whether the Recreation Advisory has specified how membership on the subcommittee is determined.

Pg 89

ON MOTION of Councillor Walker, it was moved to **AMEND** the April 17, 1990 draft of the Municipal Planning Strategy such that the first paragraph, page 89 (seventh sentence from the top) be amended to read, "Up to one quarter of deed transfer tax payments...".

The motion was LOST there being no seconder after three calls from the Mayor.

P-5

ON MOTION of Councillor Kelly and Councillor Goucher, it was moved to **AMEND** the April 17, 1990 draft of the Municipal Planning Strategy such that Policy P-5 shall reflect clearly the intent that the Town shall be acquiring and developing useable parkland for each established neighbourhood. **The motion was unanimously approved.**

P-18

ON MOTION of Councillor Walker and Councillor Goucher, it was moved to **AMEND** the April 17, 1990 draft of the Municipal Planning Strategy such that Policy P-18 shall be amended to read that, "Town Council shall deposit annually into the special reserve fund..." **The motion was unanimously approved.**

In speaking to the MOTION, it was noted that this amendment outlines the current practice.

ON MOTION of Councillor Walker and Deputy Mayor Huntington, it was moved to **AMEND** the April 17, 1990 draft of the Municipal Planning Strategy such that Policy P-18 shall be amended to reflect that "Town Council shall depositinto the special reserve fund capital section up to one quarter of the tax...".

In speaking to the MOTION, Councillor Walker suggested that in light of current and forecasted periods of financial restraint the Town may require additional funds in other budget categories.

The MOTION was put to the meeting and CARRIED (Councillor Draper and Councillor Goucher opposed).

P-24

ON MOTION of Councillor Cosgrove and Councillor Walker, it was moved to **AMEND** the April 17, 1990 draft of the Municipal Planning Strategy such that Policy P-24 shall be amended to include that the Town provide sanitary facilities at areas where the Town supported swimming, in an effort to maintain the stability of the watercourses.

In discussion of the MOTION, Deputy Mayor Huntington noted that this could be a costly undertaking to maintain the Department of Health requirements for such facilities. He also noted that such facilities are often difficult to maintain due to destruction.

Councillor Goucher also noted that sanitary facilities could cause problems with abutting residential neighbours and may encourage a larger number of non-Bedford residents to use the limited facilities.

ON MOTION of Councillor Walker and Councillor Cosgrove, it was moved to **AMEND** the **AMENDMENT** of the April 17, 1990 draft of the Municipal Planning Strategy such that Policy P-24 reflect the intent that the Town will provide sanitary facilities at locations where the Town encourages supervised/organized swimming activities. **The MOTION TO AMEND the AMENDMENT was CARRIED** (Deputy Mayor Huntington and Councillor Goucher opposed).

The AMENDED MOTION was put to the meeting and CARRIED (Deputy Mayor Huntington and Councillor Goucher opposed).

P-26 **ON MOTION** of Councillor Walker and Councillor Goucher, it was moved to **AMEND** the April 17, 1990 draft of the Municipal Planning Strategy such that Policy P-26 shall be amended by adding the word *permanent* screens and *permanent* buffers. **The motion was unanimously approved.**

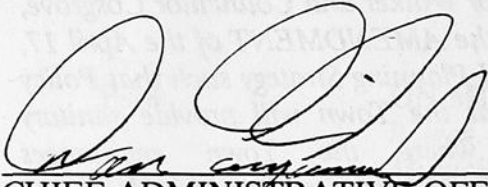
P-28 **ON MOTION** of Councillor Walker and Deputy Mayor Huntington, it was moved to **AMEND** the April 17, 1990 draft of the Municipal Planning Strategy such that Policy P-28 be deleted. **The motion was unanimously approved.**

In speaking to the MOTION, Councillor Walker noted that this philosophy had been presented to the Union of Nova Scotia Municipalities and there was no support to change the existing bylaw.

P-29 Staff noted that resulting from the deletion of P-28, Policy P-29 should also be deleted. It was agreed by consensus that Policy P-29 be deleted.

ON MOTION of Councillor Kelly and Councillor Goucher, it was moved to **adjourn** the December 4, 1990 Special Session of Bedford Town Council at approximately 9:30 p.m.

MAYOR



CHIEF ADMINISTRATIVE OFFICER

/dl

TOWN OF BEDFORD

Special Session

Tuesday, December 11, 1990

A Special Session of the Town Council of the Town of Bedford took place on Tuesday, December 11, 1990, 4:30 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 Huntington, Councillors Len Goucher, Peggy Draper, and Grant Walker were in attendance at the commencement of the meeting. Councillor Anne Cosgrove arrived at 4:40 p.m. and Councillor Peter Kelly at 6:25 p.m.

Councillor Draper left the meeting at approximately 6:00 p.m.

Staff members attending this meeting included Barry Zwicker, Director of Planning and Development Control; Donna Davis-Lohnes, Planner; and Steve Moir, Senior Planner.

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

There were no additions or deletions to the Order of Business.

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

ON MOTION of Councillor Goucher and Councillor Draper, it was moved to approve the Order of Business as circulated. **The motion was unanimously approved.**

5. CONTINUATION OF REVIEW OF MUNICIPAL PLANNING STRATEGY

Town Council had previously reviewed several sections of the April 17, 1990 draft of the Municipal Planning Strategy (MPS) with the guidance of Mr. Zwicker's memorandum dated October 18, 1990 (Checklist for MPS Review Meeting).

ENVIRONMENT

Preamble

ON MOTION of Councillor Walker and Councillor Goucher, it was moved to AMEND the April 17, 1990 draft of the Municipal Planning Strategy such that the pre-amble for the Environment Section would contain an additional paragraph suggesting that it would be Town Council's intent to develop a municipal round table on the environment and the economy and that the format of the round table would be similar to provincial and federal round tables. The motion was unanimously approved.

E-4 Councillor Draper inquired of the Planning Department whether E-4 and the amended E-15 were in conflict. Mr. Zwicker suggested a modification of E-4 to allow for the exception of salt water or to change E-15 to disallow saltwater infilling.

ON MOTION of Councillor Draper and Councillor Goucher, it was moved to AMEND the April 17, 1990 draft of the Municipal Planning Strategy such that Policy E-4 would be amended with the intent to exempt the shoreline of Bedford Basin as infilling of Bedford Basin is addressed in E-15. The motion was unanimously approved.

With respect to E-4, Councillor Walker suggested clarifying that the development agreement process for this issue must specifically include physical and scientific analysis. Mr. Zwicker pointed out that Policies E-4 and E-7 emphasize including environmental impact and mitigation measures in this type of development agreement.

It was agreed by consensus that staff would re-work policy E-4 to clearly reflect the intent that this type of development agreement will emphasize environmental impact and mitigation measures.

E-12

ON MOTION of Councillor Goucher and Councillor Draper, it was moved to AMEND the April 17, 1990 draft of the Municipal Planning Strategy such that Policy E-12 will have the

last phrase deleted (i.e., "if and when a boundary expansion is considered.). The motion was unanimously approved.

There was some discussion with respect to defining slopes which are "environmentally sensitive" (i.e., was 20% the correct figure). Staff clarified that generally the ceiling for defining "steep slopes" is 16%. It was indicated that detailed topographic surveys usually are performed for development agreements. At that time, both the developer and the Town will have an opportunity to review actual slope conditions.

E-15 It was noted that E-15 was previously amended and that staff will be making recommendations with regards to the type of materials to be considered acceptable for infilling.

E-17 **ON MOTION of Councillor Goucher and Councillor Cosgrove, it was moved to AMEND the April 17, 1990 draft of the Municipal Planning Strategy such that Policy E-17 shall be amended to include the concept that the Sackville River be identified as a conservation corridor and should be developed for compatible use as a linear park. The motion was unanimously approved.**

In discussion of the MOTION, it was noted by Planning Staff that development as a "linear park" may not be the appropriate terminology. It was noted that pedestrian linkages are being developed along the banks of the Sackville River through the Recreation policies and cooperation of abutting property owners.

It was agreed by the mover of the motion and the seconder that the reference to "... compatible use as a linear park" be removed from the motion.

E-26 **ON MOTION of Councillor Walker and Deputy Mayor Huntington, it was moved to AMEND the April 17, 1990 draft of the Municipal Planning Strategy such that Policy E-26 include the intent that the Tree Committee will also work with developers and owners of commercial and industrial properties. The motion was unanimously approved.**

E-35 It was noted that in the near future, staff may be able to provide additional information from this study which is near completion. It was noted that

this policy should be reviewed again before approving this draft of the MPS.

- E-44 **ON MOTION** of Councillor Walker and Councillor Draper, it was moved to **AMEND** the April 17, 1990 draft of the Municipal Planning Strategy such that Policy E-44 reflect the addition of the words "and zoned "Heavy" Industrial on the Zoning Map..." **The motion was unanimously approved.**

IMPLEMENTATION

- Z-3 (5ii) **ON MOTION** of Councillor Walker and Councillor Cosgrove, it was moved to **AMEND** the April 17, 1990 draft of the Municipal Planning Strategy such that Policy Z-3 (5ii) reflect the intent of the staff recommendation in "Checklist for MPS Review Meeting" memorandum in order to attempt to clarify upstream versus downstream; i.e. the adequacy of sewer services within the proposed development and the surrounding area, or if..."and also eliminating the last sentence - "the impact of development on adjacent or upstream lands is to be considered". **The motion was unanimously approved.**

- Z-3 (1) It was noted that the Policy R-5 reference will have to be verified for accuracy.

- Z-4 **ON MOTION** of Deputy Mayor Huntington and Councillor Draper, it was moved to **AMEND** the April 17, 1990 draft of the Municipal Planning Strategy such that Policy Z-4 be rewritten to include the staff recommendation in "Checklist for MPS Review Meeting", i.e."It shall be the intention of Town Council to include a provision in the Land Use By-law to prohibit the issuance of development permits on lots which do not have frontage on a public street, except for alterations, additions, or renovations of existing structures of private streets". **The motion was unanimously approved.**

- Z-16 **ON MOTION** of Councillor Walker and Councillor Goucher, it was moved to **AMEND** the April 17, 1990 draft of the Municipal Planning Strategy such that Policy E-16 shall now read "support capital budget items which exceed \$25,000". **The motion was unanimously approved.**

In discussion of the MOTION, it was noted that a \$25,000 ceiling can be related to the level at which formal tendering is required by the Town which will encourage more internal consistency.

GLUM

The following comments were noted:

- by consensus, it was agreed that the Development Boundary should be shown on the GFLUM
- Peerless Subdivision residential designation has been previously addressed
- it was noted that Mr. M. Kelly's property was not included in Council's recent amendment to designate the 'Barrens' as Parkland Open Space (POS) and that his land is still within the RCDD designation.
- the request for development agreement (catering) for the Jehovah's Witness property is now before BPAC; as is the request for commercial use of 16 Oakmount Drive
- With respect to the land under water at Papermill Lake, it was noted that the Town's solicitor and the Department of Environment have two different opinions as to the ownership of this land; it was agreed by consensus that this item requires follow up and negotiations
- replacement designation for Secondary Development Area previously addressed
- request for residential designation of remainder of Peerless lands denied as it is currently in Residential Reserve
- request for RCDD designation for portion of Piercy lands denied

ON MOTION of Councillor Walker and Councillor Goucher, it was moved to AMEND the April 17, 1990 draft of the Municipal Planning Strategy such that the GLUM shall reflect that the industrial designation be removed from the property on the east side of Highway #7 & 107. The motion was unanimously approved.

- in discussion of the above motion, it was noted that the Town currently has sufficient industrial lands for development

LAND USE BY-LAW

- It was agreed by consensus that buffers and screens be referred to as **permanent** through the document.

FLAG LOTS

ON MOTION of Deputy Mayor Huntington and Councillor Goucher, it was moved to **AMEND** the April 17, 1990 draft of the Land Use By-law such that the concept of flag lots be deleted from the LUB.

In discussion of the MOTION, staff noted that the purpose of the flag lot definition was to permit a more defined method of infilling and that the current Zoning By-law permits the division of larger lots which meet the minimum requirements. Staff also noted that infilling provides a more efficient use of existing services and an opportunity for more affordable housing.

Deputy Mayor Huntington noted that flag lots have created problems with abutters in the past. Councillor Walker suggested however that flag lots may permit a senior citizen to subdivide a larger lot and therefore afford to stay in their homes; he also noted additional assessment without additional servicing costs.

ON MOTION of Councillor Walker and Deputy Mayor Huntington, it was moved to **DEFER** consideration of the motion on the Flag Lot concept until Council had reviewed the provisions regarding Subdivision of Existing Lots (page 29, item 17, LUB).

Council continued discussion of flag lots through examination of the provision enabling the subdivision of existing lots.

ON MOTION of Councillor Walker and Councillor Kelly, it was moved to **AMEND** the April 17, 1990 draft of the Land Use By-law such that page 29, item 17b shall permit the subdivision of existing lots by development agreement. **The motion was TIED therefore LOST** (Deputy Mayor Huntington, Councillor Cosgrove and Councillor Goucher voted against the motion; Councillor Walker, Councillor Kelly and Mayor Christie voted for the motion).

In discussion of the MOTION, staff asked Council for some guidance with respect to evaluation criteria, i.e. drainage problems, impact upon abutter, etc.

ON MOTION of Councillor Goucher and Councillor Cosgrove, it was moved to **AMEND** the April 17, 1990 draft of the Land Use By-law such that page 29, item 17 b shall be deleted; i.e. the concept of permitting subdivision of existing large lots containing a dwelling unit shall be removed the Land Use By

-law. The motion was **CARRIED** (Councillors Kelly and Walker voted against the motion).

ON MOTION of Councillor Kelly and Councillor Goucher, it was moved to **AMEND** the April 17, 1990 draft of the Land Use By-law such that the definition of flag lot is removed. The motion was **unanimously approved**.

The deferred **MOTION** to totally withdraw the concept of flag lots was put to the meeting and **unanimously approved**.

- **LANDSCAPE SCREEN**

ON MOTION of Councillor Kelly and Councillor Goucher, it was moved to **AMEND** the April 17, 1990 draft of the Land Use By-law such that the definition of landscape screen include the increased height of trees such that "trees which are a minimum of 6 feet high...". The motion was **TIED** therefore **LOST** (Mayor Christie, Deputy Mayor Huntington and Councillor Walker voted against; Councillors Cosgrove, Goucher and Kelly voted for the motion).

In discussion of the **MOTION**, it was noted that coniferous trees provide a good barrier. It was also noted that when the height of trees is increased, so is the distance between them. There was some comment with respect to the increased costs associated with higher trees.

- **BUFFER/LANDSCAPE SCREEN DEFINITIONS**

ON MOTION of Councillor Walker and Deputy Mayor Huntington, it was moved to **AMEND** the April 17, 1990 draft of the Land Use By-law such that the staff recommendations with regards to the definitions of landscape screens and buffers be accepted, i.e. replace the term "landscape screen" with **buffer** and replace "buffer" with **separation distance**. The motion was **CARRIED** (Councillor Kelly voted against the motion).

- **NEIGHBOURHOOD CONVENIENCE STORE DEFINITION**

ON MOTION of Deputy Mayor Huntington, it was moved to **AMEND** the April 17, 1990 draft of the Land Use By-law such that the Definition of Neighbourhood Convenience Store be amended such that "such stores shall not exceed 1,500 sq. ft.

The motion was LOST as there was no seconder after three calls from the Mayor.

ON MOTION of Councillor Goucher and Councillor Kelly, it was moved to **AMEND** the April 17, 1990 draft of the Land Use By-law such that the concept and definition of Neighbourhood Convenience Stores be removed from the document.

In discussion of the MOTION, staff noted that there were policy implications of removing this definition and concept. Policy C-3 (MPS) permits such stores by development agreement in all neighbourhoods.

Councillor Goucher gave NOTICE OF RECONSIDERATION with respect to Policy C-3 (MPS). There was agreement that the policy would be re-examined.

- OFFICE TOWER DEFINITION

ON MOTION of Councillor Walker and Deputy Mayor Huntington, it was moved to **AMEND** the April 17, 1990 draft of the Land Use By-law such that the definition of OFFICE TOWERS be removed as suggested by staff. **The motion was CARRIED** (Councillor Kelly opposed the motion).

- PERSONS PER UNIT

ON MOTION of Councillor Kelly and Councillor Goucher, it was moved to **AMEND** the April 17, 1990 draft of the Land Use By-law such that definition of PERSONS PER UNIT be deleted from the document. **The motion was unanimously approved.**

- RECYCLING DEPOT DEFINITION

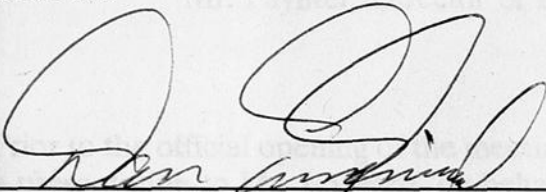
ON MOTION of Councillor Walker and Deputy Mayor Huntington, it was moved to **AMEND** the April 17, 1990 draft of the Land Use By-law such that the definition of RECYCLING DEPOT be changed to reflect the intent that a recycling depot shall be a place of deposition, separation and compaction of residential non-toxic solid waste.

In discussion of the MOTION, staff was asked to provide definitions for deposition, compaction, and separation.

The MOTION was put to the meeting and CARRIED (Councillor Kelly and Goucher voted against the motion).

ON MOTION of Councillor Walker, it was moved to adjourn the December 11, 1990 Special Session of Town Council of the Town of Bedford at approximately 7:00 p.m.

MAYOR



CHIEF ADMINISTRATIVE OFFICER

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SOLID WASTE MANAGEMENT MASTER PLAN

The purpose of the meeting was to receive a presentation by the technical consultants to the Metropolitan Authority during Phase 2 of the Solid Waste Management Master Plan relative to siting criteria for the new and old landfills. Consultants present were Anne Muecke, Gerry Isenor and Stewart Hattie.

Prior to the meeting an information package was circulated which contained the basis for this presentation.

Mrs. Muecke provided an introduction to the project and a brief outline of the project status. She noted that a systematic process is being used whereby once public input has been received and criteria have been adopted, same becomes fixed and not subject to later revision. She noted that this was necessary if the projected time table is to be adhered to and the new landfill site to be opened as the old one closes.

Mr. Isenor highlighted siting specifics, i.e. requirements, principles and process. He emphasized that there were four essential elements to any solid waste management plan that the Metropolitan Authority was considering: recycle (15%), household hazardous waste diverted (1%), composting (5%), diversion (10%). The residual amount (70%) must be sent to landfill in some form, i.e. baled, pulverized, ash residue, etc. Nine basic

TOWN OF BEDFORD

Information Meeting

Monday, December 17, 1990

An Information Meeting called by the Town Council of the Town of Bedford took place on Monday, December 17, 1990, 7:00 p.m., in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia; Mayor Peter Christie presiding.

Attendance: Councillor Cosgrove, Councillor Draper, Councillor Goucher, Councillor Kelly, Deputy Mayor Huntington, and Councillor Walker. Also present was Mr. Paynter, Director of Engineering and Works.

Prior to the official opening of the meeting, Mayor Christie took this opportunity to make a presentation to Mr. Longard, on behalf of Town Council, thanking him for his efforts with regard to the design and construction of the Town of Bedford Tenth Anniversary Float. Mr. Longard was given a framed picture of the float.

SOLID WASTE MANAGEMENT MASTER PLAN

The purpose of the meeting was to receive a presentation by the technical consultants to the Metropolitan Authority during Phase 2 of the Solid Waste Management Master Plan relative to siting criteria for the new landfill. Consultants present were Anne Muecke, Gerry Isenor and Stewart Hattie.

Prior to the meeting an information package was circulated which contained the basis for this presentation.

Mrs. Muecke provided an introduction to the project and a brief outline of the project status. She noted that a systematic process is being used whereby once public input has been received and criteria have been adopted, same becomes fixed are not subject to later revision. She noted that this was necessary if the projected time table is to be adhered to and the new landfill site to be opened as the old one closes.

Mr. Isenor highlighted siting specifics, i.e. requirements, principles and process. He emphasized that there were four common elements to any solid waste management plan that the Metropolitan Authority was considering: recycle (15%), household hazardous waste diverted (1%); composting (5%), diversion (10%). The residual amount (70%) must be sent to landfill in some form, i.e. baled, pulverized, ash residue, etc. Nine basic

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siting principles were also reviewed and explained.

The landfill siting process and criteria were reviewed by Mr. Hattie. Mr. Hattie presented a series of tables depicting criteria groups and factor groups. Each criteria grouping (i.e. social, natural environment, etc.) was rated by a factor grouping (avoidance, minimization and desirable). It soon became evident from these tables that the application of criteria would soon reduce the number of possible sites. The consultants are to present three possible sites for consideration by the Metropolitan Authority.

In review of the siting criteria, Mr. Hattie invited Councillors to provide feedback (up to January 15, 1991). The social criteria was noted to be perhaps the most controversial and the most easily mapped. Many of the minimum distances were noted to be what the consultants felt were minimum goals and would be practical.

In conclusion, it was reported that a site between 400 to 1,000 acres is being sought. The final siting criteria is to be presented to Metropolitan Authority by the consultants on January 22, 1991. It is expected that by late December 1991, Metropolitan Authority will have selected a site for the landfill using these criteria.

Questions from Council raised the following issues:

- base line data was obtained for the existing landfill site prior to opening; monitoring has been ongoing; the performance of the site is to considered very good.
- by-law enforced curbside recycling has not been common practise; however many municipalities have forced the issue through economics
- the selected site will be within the Metropolitan Area (Halifax, Dartmouth, Halifax County and Bedford).

Mayor Christie thanked the consultants for their presentation and suggested that Town Council would forward written comments.

The meeting adjourned at 8:15 p.m.

/dl

TOWN OF BEDFORD

Regular Session

Monday, December 17, 1990

A Regular Session of the Town Council of the Town of Bedford took place on Monday, December 17, 1990, 8:00 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 Huntington, Councillors Len Goucher, Anne Cosgrove, 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; Barry Zwicker, Director of Planning and Development Control; Rick Paynter, Director of Engineer and Works; and Bob Nauss, Director of Recreation.

3. **APPROVAL OF THE MINUTES**

ON MOTION of Councillor Cosgrove and Councillor Goucher, it was moved to accept, as circulated, the minutes of Special Session (November 19, 1990 #79), Public Hearing (November 20, 1990 #80), Regular Session (November 20 and 26, 1990 #81), Special Session (November 26, 1990 #82), Special Session (December 4, 1990 #83). The motion was unanimously approved.

At the request of Councillor Kelly, written copies of the minutes also are to be circulated to those who request them. Councillor Goucher asked if, in the future, a copy of the minutes on diskette could also be forwarded to his attention.

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

Councillor Walker requested that item 10.5, Proposal - Price Adjustment, Garbage Collection Contract, be deleted.

Following discussion, and by consensus, the request to delete was rejected by Council.

At the request of the Chief Administrative Officer, Council agreed by consensus to add item 10.6, Appointment of New Executive Director, Economic Development Commission.

5. **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 amended. The motion was CARRIED (Councillor Walker opposed).

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

6.1 **Proposed Drainage System Falcon Run**

During the November 20, 1990 Council Session area residents had raised the issue of increased problems associated with storm drainage due to the alteration of the vegetation on the hill in preparation for the toboggan hill project. In response to these concerns, the following MOTIONS were made.

"ON MOTION of Councillor Goucher and Councillor Cosgrove, it was moved that Town Council authorize the construction of a berm at the bottom of the run and the placement of a storm water drain on the upside of the berm to facilitate drainage.

ON MOTION of Councillor Cosgrove and Councillor Kelly, it was moved to AMEND the MOTION to extend the berm fifty feet to include Lot 13; and to request the Engineering and Works Department to prepare a detailed cost schedule of this construction.

ON MOTION of Councillor Walker and Councillor Draper, it was moved to defer consideration of the AMENDMENT and the MAIN MOTION pending further investigation and research by the Engineering and Works Department. The motion to defer was CARRIED (Councillor Goucher voted against the motion to defer)." (November 20, 1990, page 6)

As follow up to Town Council MOTION to DEFER made on November 20, 1990 (Meeting #81, page 6), Mr. Paynter provided a cost estimate of a proposed drainage system for Civic #22, Falcon Run in his memorandum dated November 28, 1990.

Mr. Paynter's memorandum in response to the MOTION to DEFER detailed a cost of \$12,950.00 for storm drainage install and an additional \$5,000 for legal and survey works for the required easement.

In discussion of the proposed storm drainage project, it was noted that storm water problems had occurred in this area prior to work for the toboggan hill and some members of Council questioned whether the project should proceed. Deputy Mayor Huntington reminded Council that the project was not budgeted and questioned where the funds would come from.

Councillor Walker suggested that there may be less expensive methods of solving the problem and the possibility of placing straw bales to decrease the velocity of the runoff was proposed.

After a site inspection during heavy rains, Councillor Cosgrove noted that the storm runoff was drained into the catchbasin at lot 22. She suggested that construction of the berm only would be sufficient. In discussion of the effectiveness of the berm, Mr. Paynter noted that the berm would act as a dam and therefore must be drained.

Council also discussed the implications of accepting responsibility for runoff from Town-owned property onto private property.

Mayor Christie read the **DEFERRED MOTION and it was put to the meeting. The motion was DEFEATED** (Councillors Walker, Cosgrove, Deputy Mayor Huntington and Mayor Christie voted against the MOTION).

ON MOTION of Councillor Walker and Councillor Cosgrove, it was moved that Town Council authorize staff to place snow fence perpendicular to the hill on Golf Links Park and behind the snow fence, place straw bales; and further that the berm be constructed behind Mr. Lord's property with the required 4" diameter perforated drain piping connected into an on-site dry-well to prevent the accumulation of surface water run-off behind the berm.

In discussion of the MOTION, site maps and drawings by Councillors and staff were used in an attempt to clarify that a berm would be constructed along the back of Mr. Lord's property and would be drained with pipe leading into an existing dry well; there was no suggestion to divert the runoff but to decrease the velocity. Mr. Paynter also commented that extension of the berm would not impact significantly on its function.

ON MOTION of Councillor Goucher and Councillor Kelly, it was moved to DEFER consideration of the MOTION with regards to the berm and drainage pipe until further clarification can be provided. MOTION DEFEATED (Councillors Walker, Cosgrove, Deputy Mayor Huntington and Mayor Christie voted against the Motion).

The main motion was put to the meeting and was approved. (Councillors Draper, Goucher and Kelly voted against the Motion.)

Councillor Goucher served NOTICE of RECONSIDERATION with respect to the storm drainage solution for Falcon Run.

ON MOTION of Deputy Mayor Huntington and Councillor Cosgrove, it was moved to suspend the Rules of Order such that the NOTICE OF RECONSIDERATION would be brought before Council after the stipulated seven day period of notice and would be discussed at the first Town Council meeting in January. The motion was approved unanimously.

6.2 Smiths Road Parking Lot

At the November 26, 1990 Town Council Session, Mr. Nauss presented a proposal and request for award of tender for the creation of a 50 x 150 gravel based parking lot off Smiths Road on CMHC lands. Although Council approved the project in principle and awarded the tender to Bedford Excavating in the amount of \$7,500; they requested that the Director of Recreation was requested to report back with the results of public input prior to proceeding.

"ON MOTION of Councillor Kelly and Councillor Walker, it was moved to DEFER the MAIN MOTION on the parking lot until the Director of Recreation reports back to Town Council with the results of public input on the proposed parking lot. The motion was unanimously approved." (November 26, 1990, page 5)

As a result, Mr. Nauss reported in his memorandum of December 13, 1990 that public input had been sought by way of letter to the residents of Smiths Road. Those responses received were in favor of the parking lot.

Councillor Kelly noted several concerns including the following:

- Smiths Road remains a private road and it was clarified that there may be legal ramifications and/or complications associated with this (violations of the Motor Vehicle Act cannot be prosecuted when they have occurred on private property)

- Law enforcement is difficult and it was noted that as a new 'recreational' facility, the parking lot would be patrolled once per night as is the case with other recreational facilities.
- Adequate litter receptacles are necessary.
- Suggested that Town Council had a responsibility to bring Smith's Road up to Town minimum standards for Town-owned roads as the Town was encouraging public use of the private street; Mayor Christie suggested that this would be debated at a later date.
- Safety for children playing on the street was discussed; Mr. Paynter noted that 'Children Playing' signage could be installed.
- Rest room facilities were suggested along the trails or in the parking lot area.

Councillor Cosgrove supported the concerns raised by Councillor Kelly.

Also discussed was the issue of level of service for snow clearing. Mr. Paynter noted that the street receives the Town's standard level of service (the travelled path is cleared); however, due to the close proximity of vegetation at the roadside, it is difficult to increase the level of service.

Mayor Christie read the DEFERRED MOTION and the MOTION was put to the meeting. The motion was unanimously approved.

6.3 Proposed Sidewalk Clearing - Winter Operations

In discussion of Mr. Paynter's November 15, 1990 report on winter snow and ice control procedures and operations (including level of service, manpower, equipment, sidewalk and walkway level of service, and salt usage), the following MOTION was approved on November 26, 1990.

"ON MOTION of Councillor Walker and Councillor Cosgrove, it was moved to request Engineering staff to report to Town Council outlining those sidewalks, excluding arterials, which could be recommended for clearing by abutting property owners. The motion was unanimously approved."
(November 26, 1990, page 9).

By memorandum of December 12, 1990, Mr. Paynter provided a list of streets, exclusive of arterials, which contain sidewalks, the total lineal footage of these sidewalks, the number of lots that abut the sidewalk and the number of absentee owners as per the Town's lot information process. It was concluded that 50% of

all properties abutting sidewalks in these areas did not live in the Town or did not live at this address. The memorandum also noted problems which have occurred in the City of Halifax who have a similar by-law.

ON MOTION of Deputy Mayor Huntington and Councillor Goucher, it was moved that Town Council reject any concept regarding the clearing of sidewalks by abutting property owners and that Town Council re-affirm its 1982 level of service with respect to sidewalks. **The motion was unanimously approved.**

In discussion of the MOTION, Council noted that safety of pedestrians could be jeopardized if the clearing of sidewalks was the responsibility of abutting property owners in light of the fact that 50% were absentee owners.

6.4 Membership - Waters Advisory Committee

In consideration of Citizen Appointments to Various Committees, there was some difficulty in establishing new membership for Bedford Waters Advisory Committee (BWAC) and at the November 20, 1990 Council Meeting (page 12), it was agreed that all applications for membership would be reviewed by the Committee and recommendations be presented to Town Council for ratification.

By memorandum of December 12, 1990, Mr. Paynter reported on the committee recommendations.

ON MOTION of Councillor Walker and Councillor Goucher, it was moved to accept the recommendations from Bedford Waters Advisory Committee with respect to new membership for 1991 as follows:

<i>Mr. Sean Christie</i>	<i>Citizen at large</i>
<i>Ms. Ruth Fader</i>	<i>Citizen at large</i>
<i>Mr. Gerald Ewing</i>	<i>Practising Professional</i>
<i>Mr. Paul Galbraith</i>	<i>Practising Professional.</i>

The motion was unanimously approved.

6.5 Membership - Heritage Advisory Committee

At the November 26, 1990 Town Council Meeting, Mr. English sought Council direction with respect to membership on the Heritage Advisory Committee. A motion was approved to seek interested citizens to sit on this committee and that an invitation be extended to those citizens who currently serve on B.H.A.C.

Mr. English reported that he corresponded with the current members and explained the Terms of Reference relative to Term of Office; there was one application, Mr. T. Edwards.

ON MOTION of Councillor Goucher and Councillor Kelly, it was moved to appoint Mr. T. Edwards to the Bedford Heritage Advisory Committee. The motion was unanimously approved.

Deputy Mayor Huntington suggested that a one-year term of appointment was insufficient for this committee and he recommended that this be changed. It was also noted from previously circulated correspondence that Heritage '80 had agreed to act as members on the committee when there had been a lack of citizens applying for membership.

ON MOTION of Councillor Goucher and Deputy Mayor Huntington, it was moved that Town Council authorize the three existing members to solicit additional individuals to serve on the Bedford Heritage Advisory Committee. The motion was unanimously approved.

7. **PUBLIC HEARINGS AND MOTIONS ARISING THEREFROM** - Nil.

8. **PETITIONS AND DELEGATIONS** - Nil.

9. **MOTIONS** - Nil.

10. **NEW BUSINESS**

10.1 **Award of Tender - 1991 Insurance Requirements**

By memorandum of December 13, 1990, Mr. English recommended that Ray Fredericks Insurance be named as the Town's Insurance carrier for the year 1991 based on the coverage and premiums as submitted. A summary of the various quotations was attached.

ON MOTION of Councillor Kelly and Councillor Cosgrove, it was moved to award the tender for 1991 insurance to Ray Fredericks Insurance. The motion was CARRIED (Councillor Walker opposed; Councillor Draper abstained).

10.2 Memorandum of Understanding - Waverley Ground Search & Rescue Team

By memorandum of December 13, 1990, Mr. English presented a memorandum of understanding prepared in conjunction with preparation of the Town's revised E.M.O. Plan. In connection with Mutual Aid agreements, a request was made to the Waverley Ground Search and Rescue Team to enter into a memorandum of understanding for the use of their mobile command centre when required by the Town. This 'memorandum' formalizes the agreement between the two parties.

ON MOTION of Deputy Mayor Huntington and Councillor Cosgrove, it was moved that Town Council approves, as circulated, the Memorandum of Understanding between the Waverley Ground Search and Rescue Team and the Town of Bedford for the use of the Mobile Command Centre when required by the Town. The motion was unanimously approved.

10.3 Request from B.W.A.C. re Terms of Reference - Blue Mountain Resources Quarry

A copy of the portion of Bedford Waters Advisory Committee's November 29, 1990 minutes was attached for discussion. The minutes included discussion by the committee of the Terms of Reference for the Blue Mountain Resources quarry and the exclusion of the western portion of Kearney Lake, Kearney Run and Papermill Lake as it pertains to possible surface water-borne contamination and groundwater contamination as well as the exclusion of fish habitats in the Kearney Run/Papermill Lake area. A BWAC motion recommended that Town Council have staff contact the Department of Environment and recommend the inclusion of Kearney Run and Papermill Lake as part of the surface and groundwater component of the Terms of Reference of the Environmental Assessment.

In discussion of the BWAC motion, Mr. Zwicker and Mr. Paynter attempted to clarify the intent of the motion and of the level of monitoring suggested by the Terms of Reference. It was noted that monitoring will be specifically carried out in Kearney Lake which is upstream of Kearney Run and Papermill Lake and therefore it was thought that any contaminants would be identified in Kearney Lake prior to affecting Kearney Run and Papermill Lake. However, Town Council expressed concern that it was important to consider and to monitor if there was a slightest chance that the watercourses within the Town would be affected.

ON MOTION of Councillor Kelly and Deputy Mayor Huntington, it was moved that Town Council supports the BWAC motion; and that Town Council requests staff to contact the Department of Environment to recommend inclusion of Kearney Run and Papermill Lake as part of the surface and groundwater components of the Terms of Reference of Blue Mountain Resources quarry environmental assessment.

In discussion of the MOTION, Mr. Zwicker reported that he felt that the actual document may not be amended but the request may ensure that some level of monitoring is undertaken with respect to these two bodies of water.

ON MOTION of Councillor Walker and Councillor Kelly, it was moved to **AMEND** the MOTION with respect to the BWAC request such that the Mayor contact the Department of Environment and make a strong assertion for inclusion of these two watercourses within the Terms of Reference. The motion was unanimously approved.

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

10.4 After Hours Contact - Snow Operations

By memorandum of December 10, 1990, Mr. Paynter provided a follow up report with respect to discussion at the Regular Session of Town Council on November 20, 1990 relative to after-hours contact. Specifically, Mr. Paynter was asked to investigate the possibility of installing a mobile cellular telephone in the supervisor's vehicle so that Councillors could communicate directly with the snow plowing/salting operation.

Mr. Paynter's memorandum noted the concerns raised by field staff. The Director proposed an alternative that, in his opinion would be as equally effective in terms of providing Council members with the opportunity of being briefed on the status of a snow plow/salting operation; i.e. Council directly contact Mr. Paynter or Mr. Legere for information.

ON MOTION of Councillor Draper and Deputy Mayor Huntington, it was moved to accept the staff recommendation that Council directly contact Mr. Paynter or Mr. Legere, as required, for information with respect to snow plow/salting operations.

In discussion of the MOTION, Councillor Cosgrove noted her objection to this procedure as she felt that it would indicate Council's lack of support of the capabilities of the Director and Operations Manager to adequately supervise their field staff.

Councillor Kelly inquired as to an alternative when neither the Director nor the Operations Manager are at home and he is unable to make contact. Mr. Paynter suggested that the police dispatch be used in these few instances, if required.

The MOTION was put to the meeting and **CARRIED** (Councillor Cosgrove opposed).