

ON MOTION of Councillor Walker, it was moved to **AMEND** Policy C-3 of the April 17, 1990 draft of the Municipal Planning Strategy such that the maximum square footage be changed to 2000 square feet of which a maximum of 50% is permitted as active retail space. **The MOTION TO AMEND was LOST** there being no seconder after three calls from the Mayor.

THE MAIN MOTION AS AMENDED WAS PUT TO THE MEETING AND CARRIED (Councillor Goucher and Councillor Kelly opposed the motion).

POLICY R-15

Prior to discussion of this Policy, both Mayor Christie and Councillor Kelly excused themselves from the Council Chambers. Deputy Mayor Huntington assumed the Chair.

On January 14, 1991, Councillor Walker gave **NOTICE OF MOTION TO RESCIND** the Town Council decision made on November 6, 1990 designating the Barrens Parkland Open Space (POS).

ON MOTION of Councillor Walker and Councillor Draper, it was moved to **RESCIND** the November 6, 1990 motion designating the parcel of land known as the Barrens as Parkland Open Space.

The November 6, 1990 MOTION was --

"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 R-15 will reflect the intent that the Union Street/Barrens RCDD shall be redesignated on the GFLUM map to Parkland Open Space (POS); and that this redesignation does not include a parcel of land behind Nottingham Street which is currently surrounded by residential developments." (page 9)

At the time of the **NOTICE of MOTION TO RESCIND**, Councillor Walker noted Bedford Recreation Committee's motion asking Town Council to reconsider the designation as the financial implications could seriously compromise future parkland development within the Town.

In speaking to the **MOTION OF RESCISSION**, Councillor Draper noted that she supported the Town Council motion to designate the Barrens POS; however, subsequently several concerns have been raised which she would like to see addressed.

ON MOTION of Councillor Draper and Councillor Walker, it was moved to **DEFER** the **MOTION OF RESCISSION** on the Barrens POS designation until after the Town Council/Petroglyph Advisory Joint public information meeting and prior to the advertising of the Municipal Planning Strategy public hearings.

In speaking to the **MOTION TO DEFER**, Councillor Draper noted her reasons for deferment including the following:

1. Bedford Recreation Advisory Committee's concern over the annual pre-purchase fee which must be paid to property owners under the POS designation and the impact of this financial commitment on future parkland development within the Town
2. The need to gather further information on the petroglyphs and the amount of land needed to protect their integrity.
3. The need to establish precise information on methods and funding sources for the eventual acquisition of this property (i.e. funding partners and impact on financial status of the Town).
4. With the RCDD designation option, it implies that some development may occur on the Barrens.

On a **POINT OF CLARIFICATION**, Councillor Goucher inquired whether Councillor Draper understood that the motion to defer would delay the MPS process. This was acknowledged.

Deputy Mayor Huntington reminded Councillors that a motion to defer was not debatable.

THE MOTION TO DEFER was put to the meeting and **CARRIED** (Deputy Mayor Huntington, Councillor Walker and Councillor Draper voted in favour of the motion; Councillors Goucher and Cosgrove voted against the motion).

Mayor Christie and Councillor Kelly returned to the Chambers and Mayor Christie resumed the Chair.

FLAG LOTS

On December 11, 1990, by motion of Councillor Walker and Deputy Mayor Huntington, it was moved to defer consideration that the concept of flag lots be deleted from the Land Use By-law.

The deferred motion was --

"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" (page 6).

Deputy Mayor Huntington withdrew his **MOTION TO DEFER** and suggested that the issue of Flag Lots would be dealt with in the staff memorandum dated January 30, 1991, page 12, LUB Provisions.

7.3 Review of MPS Report dated January 30, 1991

By memorandum of January 30, 1991, Barry Zwicker asked Town Council to review several MPS items which had been previously referred back to staff for comment/ change and additional items for consideration.

CP-9 Staff recommended that this policy be modified to reflect informal information meetings between staff, the proponent and the public rather than public participation meetings held by Bedford Planning Advisory Committee. Staff noted that this format had been recently tried; notices were delivered to property owners/occupants within 200 ft of a subject property; and an informal meeting with residents, staff and the proponent was held and considered very successful and useful to all who attended.

***ON MOTION** of Councillor Cosgrove and Councillor Kelly, it was moved to **AMEND** Policy CP-9 of the April 17, 1990 draft Municipal Planning Strategy to read:*

"It shall be the intention of Town Council to hold a public information meeting on all rezoning and development applications, in which the proponent shall participate, prior to BPAC forwarding a recommendation to Town Council."

In speaking to the **MOTION**, Councillor Walker expressed concern that a Notice should also appear in the newspaper, on the day designated for the Town of Bedford notices. It was also recommended that residents from further afield than 200 ft should be invited to the meeting.

***ON MOTION** of Councillor Kelly and Councillor Goucher, it was moved to **AMEND THE AMENDMENT** such that Policy CP-9 shall be amended to specify that property owners/occupants within 500 ft of the proponents shall be given direct notice of the public information meeting. **The MOTION TO AMEND THE AMENDMENT** was carried unanimously.*

ON MOTION of Councillor Walker and Deputy Mayor Huntington, it was moved to **AMEND THE AMENDMENT** such that Policy CP-9 be amended to specify that notice of the public information meeting shall also appear in the newspaper at least seven days in advance of the meeting. **The MOTION TO AMEND THE AMENDMENT was CARRIED** (Councillors Cosgrove and Goucher opposed the AMENDMENT).

The MAIN MOTION AS AMENDED was put to the meeting and carried unanimously.

CP-10 At the request of Councillor Goucher, this policy was discussed.

ON MOTION of Councillor Goucher and Councillor Kelly, it was moved to **AMEND Policy CP-10** of the April 17, 1990 draft of the Municipal Planning Strategy such that the following sentence is added to the Policy - Membership on advisory committees shall be open to any resident regardless of occupation.

In speaking to the MOTION TO AMEND, Councillor Goucher explained that he felt that several of the committees were becoming too specific in their membership and that some people had been excluded from these committees due to their occupation.

At the request of Town Council, B. Zwicker noted that Bedford Waters Advisory Committee's Terms of Reference dictate the composition of the membership due to the specific technical nature of the committee and noted there may be similar criteria in other Committees' Terms of Reference.

ON MOTION of Councillor Goucher and Councillor Kelly, it was moved to **AMEND THE AMENDMENT** such that Policy CP-10 of the April 17, 1990 draft of the Municipal Planning Strategy such that the following sentence is added to the Policy - Membership on advisory committees shall be open to any resident regardless of occupation, **except Bedford Waters Advisory Committee where specified by its Terms of Reference.**

In discussion of the MOTION and the AMENDMENT, several members of Council noted that related professional experience is often extremely valuable to the committee.

The MOTION TO AMEND THE AMENDMENT was put to the meeting and carried unanimously.

The AMENDED MOTION was put to the meeting and LOST (Councillors Cosgrove, Walker, Draper and Deputy Mayor Huntington opposed the amended motion).

- R-2 Review of Policy R-2 was deferred in light of the decision to DEFER the consideration of POS designation of the Barrens.
- R-11 The note within the Staff Report was acknowledged by Council.
- R-22 There were no further criteria added and Council agreed to leave the General Provision dealing with Day Care Facilities within the LUB. Town Council was informed that additional criteria could be added after the public hearings should further requirements be needed.
- C-2A Town staff suggested that an additional policy was required to support the location of the Commercial Designation along Dartmouth Road.

ON MOTION of Deputy Mayor Huntington and Councillor Goucher, it was moved to AMEND the April 17, 1990 draft of the Municipal Planning Strategy such that the following new policy be added --

It shall be the intention of Town Council to limit the commercial designation on the Dartmouth Road to extend no further than North Street on the north side and no further than Parker's Brook on the south side.

ON MOTION of Councillor Walker and Deputy Mayor Huntington, it was moved to AMEND THE AMENDMENT such that the commercial designation would extend no further than one or two properties past Parker's Brook on the south side to allow for possible realignment of Golf Links Road.

In speaking to the MOTION TO AMEND THE AMENDMENT, Councillor Walker reported that in light of Department of Engineering's plans to realign Golf Links Road that the boundary for commercial designation might more appropriately be the road rather than Parker's Brook.

At the request of Town Council, B. Zwicker noted that engineering plans to realign Golf Links Road had not been discussed at a joint staff level. He suggested that it might be premature to change the policy based upon a possible future realignment project.

The MOTION TO AMEND THE AMENDMENT was put to the meeting and DEFEATED (Councillors Draper, Goucher, Kelly and Cosgrove and Deputy Mayor Huntington voted against the motion to amend.)

The MAIN MOTION TO AMEND the April 17, 1990 draft was put to the meeting and approved unanimously.

- C-4 Staff suggested a rewording of this policy to eliminate possible ambiguity with respect to the location of office towers.

ON MOTION of Councillor Goucher and Councillor Cosgrove, it was moved to **AMEND** the April 17, 1990 draft of the Municipal Planning Strategy to reword policy C-4 as follows --

With respect to the development of office towers, it shall be the intention of Town Council, within areas designated Commercial, to permit by development agreement office buildings in excess of the as-of-right height specified by the zone in which they are located in the Sunnyside area, defined as the land between Civic #1475 and #1600 Bedford Highway and in areas zoned SCS, Shopping Centre Zone.

The MOTION TO AMEND was put to the meeting and **CARRIED unanimously.**

ON MOTION of Councillor Draper and Deputy Mayor Huntington, it was moved to **Suspend the Rules of Order** to permit a Change in the Order of Business such that Town Council could defer the remainder of the MPS discussions and deal with the **NOTICE of MOTION, Item 8.1. The MOTION to suspend the rules of order was LOST** (Councillor Kelly opposed noting that he had insufficient time to review the new agenda item).

ON MOTION of Deputy Mayor Huntington and Councillor Walker, at 10:20 p.m., it was moved to **extend the meeting an additional half-hour past the usual adjournment time. The MOTION was CARRIED** (Councillors Goucher and Kelly opposed).

REVIEW OF COMMERCIAL DESIGNATION

At the request of Town Council, Mr. Zwicker reviewed staff's recommendation that Town Council review their decisions with respect to commercial designations. In view of the substantial increase in commercial designation proposed in this Draft, staff recommended Town Council have a study undertaken to examine anticipated demand and supply for commercial space and specifically the cumulative effect of providing more commercial development along the Bedford Highway. Further staff recommended the removal of the commercial designation and zone from the land between Nelson's Landing and Millview Avenue; remove the CCDD designation from the 25 acre parcel new the BiHi and Hammonds Plains and to review the Cushing Hill designation. In summary, staff recommended holding to the 1982 level of commercial designation and undertake a study.

In discussion of the staff recommendation, Councillor Walker noted his objection to Town Council attempting to regulate the amount of commercial land for development, especially in light of Council's attempts to increase the commercial tax base of the Town.

ON MOTION of Councillor Goucher and Councillor Draper, it was moved to **AMEND** the April 17, 1990 draft Municipal Planning Strategy such that a new policy, C-34, be added:

It shall be the intention of TOWN Council to examine the demand for and supply of commercial land within the Town and specifically, the cumulative effect of permitting further commercial development along the Bedford Highway.

The MOTION TO AMEND was put to the meeting and **CARRIED** (Councillors Walker and Deputy Mayor Huntington opposed).

8. **OTHER**

8.1 **NOTICE OF MOTION**

9. **ADJOURNMENT**

ON MOTION of Councillor Goucher, it was moved to adjourn the February 5, 1991 Special Session of Bedford Town Council at approximately 11:00 p.m.



MAYOR



ACTING CHIEF ADMINISTRATIVE OFFICER

/dl

TOWN OF BEDFORD

Regular Session

Tuesday, February 19, 1991

A Regular Session of the Town Council of the Town of Bedford took place on Tuesday, February 19, 1991, at 7:30 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia; Mayor Peter Christie presiding.

1. **LORDS PRAYER**

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

2. **ATTENDANCE**

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

Staff members in attendance included Barry Zwicker, Acting-Chief Administrative Officer; and Rick Paynter, Director of Engineering and Works.

Prior to the commencement of the main portion of the agenda, Mayor Peter Christie, on behalf of Town Council, accepted a gift of a drawing of the Moirs Mill power station from Mr. Marc Gottreau. The Mayor thanked Mr. Gottreau for his gift and encouraged his interest in Bedford's historical architecture.

3. **APPROVAL OF MINUTES**

ON MOTION of Councillor Kelly and Councillor Walker, it was moved to approve the Minutes of Special Session #87 (January 14, 1991), Special Session #89 (January 29, 1991) and Special Session #91 (January 29, 1991) as circulated; and to approve the minutes of Regular Session #88 (January 22, 1991) and Special Session #90 (January 29, 1991) as amended. The motion was unanimously approved.

The amendment was to the minutes of Regular Session #88 (January 22, 1991) agenda item #13.1 (page 5) a MOTION made by Councillor Draper and Councillor Walker which shall now read:

"ON MOTION of Councillor Draper and Councillor Walker, it was moved to DEFER the MOTION with respect to a solution for the storm water drainage on Falcon Run pending further investigation and six months assessment by Engineering staff as indicated during the discussions."

The minutes of Special Session #90 (January 29, 1991), agenda item #4 (page 2), shall be amended to reflect the change in the MOTION wording and shall now read:

"A January 22, 1991 MOTION TO DEFER (by Councillor Draper and Walker) was Carried pending further investigation and six months assessment by Engineering staff as indicated during the discussions."

4. ADDITIONS/DELETIONS TO THE ORDER OF BUSINESS

At the request of Councillor Walker, a new item, Policy Regarding Town Owned Housing, was added as agenda item 10.7

At the request of Councillor Goucher, a new item, Flooding Union Street, was added as agenda item 10.8. Although information had not been previously circulated on this item, it was agreed to add it to the agenda for information.

5. APPROVAL OF THE ORDER OF BUSINESS

At the request of Councillor Walker, it was agreed to move item 11.2.3 (Engineering Department Update, Recycling Depot) to the end of Deferred Business.

It was agreed that Delegation, P. Dwyer (agenda item 8.1) would be moved forward to be discussed prior to agenda item 6.6, Reopening Isleview Lane.

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

6. DEFERRED BUSINESS/BUSINESS ARISING FROM THE MINUTES

6.1 Proposed By-Law Respecting Blasting - Third and Final Reading

Received with the agenda package was January 16, 1991 correspondence from Peter McInroy, Minutes of February 4, 1991 Joint Meeting Town Council/By-Law Policy Advisory Committee, and a copy of the revised draft of the blasting by-law.

ON MOTION of Councillor Walker and Councillor Cosgrove, it was moved to accept the By-Law Respecting Blasting for third and final reading. The motion was unanimously approved.

6.2 Proposed By-Law Respecting Solid Waste - Third and Final Reading

Correspondence dated January 16, 1991 from Peter McInroy, and a revised by-law respecting the collection and disposal of solid waste was circulated with the agenda package.

ON MOTION of Councillor Cosgrove and Councillor Goucher, it was moved to accept the By-law Respecting Collection and Disposal of Solid Waste for its third and final reading. The motion was unanimously approved.

6.3 Proposed Bedford Tennis and Swim Facility

At a January 22, 1991 Town Council Meeting, the proposed tennis/swim facility was discussed and the following motions were made:

"ON MOTION of Councillor Walker and Councillor Draper, it was moved to accept the recommendations made by BRAC with regards to the proposed pool/tennis facility such that: Town Council authorize the expenditure for a siting analysis and a study of site alternatives; BRAC seek financial advice to ascertain the impact on the Town of a \$1.3 - \$1.5 million capital expenditure; and that BRAC examine and resolve its concern with respect to the combination of public/private mixture in this proposal; and that BRAC obtain more information from the proponent with respect to demand for memberships and that financial information be provided re: the proposed income for concessions."

"ON MOTION of Councillor Kelly and Councillor Goucher, it was moved to DEFER consideration of the above motion on the proposed pool/tennis facility for two weeks pending a joint meeting with Town Council, BRAC and the proponent. The motion was CARRIED (Councillor Draper opposed the motion)."

Subsequently a joint meeting was held between Town Council, BRAC and the proponents of the facility. The outcome was discussed at the February 13, 1991 regular meeting of BRAC. In his memorandum dated February 14, 1991, Mr. Nauss outlined BRAC's proposals and recommendations.

ON MOTION of Councillor Draper and Councillor Cosgrove, it was moved to accept the recommendations of Bedford Recreation Advisory Committee as

outlined in the Director's memorandum of February 14, 1991 such that:

- *BRAC act as coordinating body in ascertaining the additional data needed;*
- *BRAC appoint an Ad Hoc Committee to develop a Terms of Reference that would include a detailed marketing analysis, site (s) selection and site(s) analysis, financial feasibility of project and facility operational format; and*
- *membership in this Ad Hoc Committee include Geoff Regan (BRAC), Councillor Walker (BRAC), Jim Trites (proponent) and staff members Barry Zwicker and Bob Nauss.*

The motion was unanimously approved.

It was clarified that within thirty days a work plan and budget for the study would be presented to Town Council.

6.4 Petroglyphs Advisory Committee (PAC) - Status BRAC Appointment

Circulated with the agenda package was correspondence from L. Goucher (Chairman, PAC) dated 12 February, 1991, Director of Recreation's January 14, 1991 report to Town Council and a copy of PAC's terms of reference.

At its January 22, 1991 meeting, Town Council deferred discussion on the status of the BRAC appointment to PAC.

ON MOTION of Deputy Mayor Huntington and Councillor Walker, it was moved that Section 3 (Committee Composition and Organization) of the July 17, 1990 Terms of Reference of Petroglyphs Advisory Committee be changed to provide for a representative from Bedford Recreation Advisory Committee with full voting status.

In discussion of the MOTION, and in response to a question from Councillor Kelly, it was clarified by Mayor Christie, that the provincial government is not concerned with changes in the committee's membership.

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

6.5 Heritage Advisory Committee - Membership

At its January 29, 1991 Reconvened Session, Town Council agreed to defer

consideration of the appointments to Heritage Advisory pending receipt of applications/resumes of the individuals suggested for membership.

Circulated with the agenda package were applications/resumes for Mr. G. Long, Ms. H. Grant, Mr. J. Phillips, and Mr. N. Stuart.

ON MOTION of Councillor Goucher and Deputy Mayor Huntington, it was moved to accept the names of Mr. Long, Ms. Grant, Mr. Phillips and Mr. Stuart for appointment to the Heritage Advisory Committee. The motion was unanimously approved.

11.2.3 Engineering Department - Update - Recycling Depot

Mr. Paynter with the aid of a handout reported on the first month's operation of the expanded recycling program which commenced on January 7, 1991 and operated from the newly constructed depot building located adjacent to the Bedford Place Mall. Although public response has been phenomenal, this itself has created numerous concerns including problems with the twenty-four hour drop-off bin service.

Mr. Paynter also reported that the monthly volume was originally estimated to be 15 tons; yet the actual total tonnage was 52 tons. Connected with this increase in tonnage is associated increases in freight, labour and trucking. Mr. Paynter presented four recommendations put forth on behalf of, "Bedford Bottle & Metal Recycling:"

- (1) consideration by Town Council to increase public education on recycling;
- (2) reconsideration be given to permitting the bottle exchange component;
- (3) reconsideration of Town Council position re crushing of cans and breaking of glass;
- (5) temporary discontinuation of 24-hour drop-off bin service.

ON MOTION of Councillor Walker and Councillor Cosgrove, it was moved to temporarily Suspend the Rules of Order to permit Mr. Wyatt Redmond, operator Bedford Bottle & Metal Recycling to address Town Council. The motion was CARRIED (Councillors Goucher and Kelly voted against the motion).

During a brief question and answer period with Town Council, Mr. Redmond outlined specific examples of how the recycled goods were being contaminated with garbage (food and unrecyclable products). Mr. Redmond indicated that due to the contamination, his labour costs have increased dramatically. As all the material must be sorted by his staff. Increased education and awareness were

recommended as a partial solution to this problem.

There was some discussion of changing the hours of operation of the depot. Mr. Redmond noted that he or his staff is present most evenings until 9 or 10 p.m. and usually accepts recyclables until they leave. He did not feel that hours were a big issue but was willing to look into it further.

In response to Councillor Walker, it was clarified by Mr. Redmond and Mr. Paynter that Metropolitan Authority has funds available to assist private sector recycle depots; however, conversations with Metropolitan Authority did not give Mr. Paynter much hope for additional funding.

Mayor Christie noted that the Rules of Order were re-instated.

Councillor Kelly noted that section 5 of the contract with Bedford Bottle & Metal Exchange specified that no trucks were to be parked at the depot; however, there have been reports that a truck is at the facility 24-hours a day. Mr. Paynter reported that he was aware of this but due to the increase volume he had permitted some leniency during the first month of operation. Councillor Kelly suggested that the current contract be enforced or that it be changed.

Deputy Mayor Huntington supported the recycling operation and suggested that the Town must find a way to continue its operation.

ON MOTION of Councillor Walker and Deputy Mayor Huntington, it was moved to REFER the recommendations made by Bedford Metal & Bottle Exchange through Mr. Paynter to staff for review and recommendations back to Council.

In discussion of the MOTION, Councillor Cosgrove reminded Town Council of the constraints imposed on the operation due to the present zoning at the subject site.

ON MOTION of Councillor Kelly and Councillor Goucher, it was moved to AMEND the MAIN MOTION such that staff should examine and recommend alternative sites if the recycling depot is to expand. The motion to AMEND was CARRIED (Councillors Walker, Draper and Deputy Mayor Huntington voting against the motion to amend).

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

8.1 Peter Dwyer - Reopening - Isleview Lane

Mr. Dwyer addressed Town Council as a representative of the citizens of Shore

Drive. He thanked Council for the decision to restrict access of Isleview Lane and encouraged Town Council to continue the present situation.

6.6 Reopening Isleview Lane

A January 4, 1991 letter was received from Mr. Hugh MacKinlay reminding Town Council that their decision more than one year ago to close Isleview Lane had a one-year time limit which had expired. He assumed that the road was now open to the travelling public and as such requested that the signage be altered.

Decision on this agenda item was deferred at the Reconvened Town Council Session on January 29, 1991 pending receipt of additional correspondence and permitting Town Council the opportunity to review that correspondence which was most recently received.

Several letters in support of continuing the closure of Isleview Lane were received including those from Bedford Bay Residents Association (January 21, 1991), Mr. & Mrs. Gale (January 22, 1991), Mr. & Mrs. MacLellan (January 21, 1991), Mr. Chris Roper (January 22, 1991), Mr. James O'Hagan and others.

ON MOTION of Councillor Kelly and Councillor Goucher, it was moved to indefinitely continue the current closure of Isleview Lane. The motion was unanimously approved.

At the request of Town Council, Mr. Paynter outlined the estimated capital costs for a sidewalk installation (\$15-\$20,000). Mr. Paynter also replied to Councillor Draper's concern for the increased traffic volume in the summer along Shore Drive in the area of the Lions Park. Councillor Draper indicated that a possible opening of Isleview to one-way traffic might affect pedestrian safety. Mr. Paynter indicated that new traffic counts would be taken this summer and this will be monitored.

6.7 Consideration - Appointment - Additional Member to Planning Advisory Committee

At the Reconvened Town Council Session of January 29, 1991, Council deferred consideration of an appointment to BPAC pending solicitation from the business community for a nominee. A position became vacant when Mrs. Godfrey submitted her resignation.

By letter of February 15, 1991, Ms. Jane Machek (Secretary/Manager) of the Bedford Board of Trade submitted the name of Mr. Earl Forgeron for membership on BPAC.

ON MOTION of Deputy Mayor Huntington and Councillor Walker, it was moved to accept the nomination of the Board of Trade and appoint Mr. Earl Forgeron to Bedford Planning Advisory Committee.

In discussion of the MOTION, Councillor Goucher commented that membership on the committee should not be limited by an individual's background and indicated that in filling the current BPAC vacancy, all previous applicants to BPAC should be considered for the position. Councillor Walker noted that at the last meeting Council requested nominees from the B.O.T. in order to maintain a balance in the membership as required in the Terms of Reference.

Councillor Draper suggested that the vacancy be opened to any individual wishing to serve on the community, not necessarily someone from the business community.

Both Councillors Draper and Goucher pointed out that they did not want to discourage Mr. Forgeron and that their comments were not directed at him as an individual.

The MOTION was put to the meeting and DEFEATED (Councillors Draper, Goucher, Kelly and Cosgrove voted in opposition).

ON MOTION of Councillor Goucher and Councillor Kelly, it was moved to refer the matter of the Bedford Planning Advisory Committee vacancy back to staff and requested that staff offer the vacancy to all the original applicants for membership on BPAC; and further that staff submit at the next Session of Town Council all names of those wishing to serve on BPAC, including nominations from the Bedford Board of Trade, for consideration by Council.

In discussion of the MOTION, Councillor Walker proposed an amendment that the vacancy be advertised; however, Mayor Christie did not accept the amendment as he felt it was contrary to the intent of Councillor Goucher's motion.

The MOTION was put to the meeting and CARRIED (Councillor Draper and Deputy Mayor Huntington voted in opposition).

9. **MOTIONS** - Nil

10. **NEW BUSINESS**

10.1 **Proposed Street Closure - Portion of Bedford Highway**

By memorandum of February 5, 1991, Mr. English outlined a request from the Planning Department regarding possible sale of Town owned right of way lands

in the area of the Ultramar Station, civic #873, Bedford Highway. The memorandum further outlined the necessary procedures that must be followed for Town Council to consider such a sale.

At the request of Town Council, Barry Zwicker outlined the steps and emphasized that the first step would be for Town Council to declare its intent to close this portion of the street and to authorize the C.A.O. to set a date for a public hearing.

Mr. Paynter, at the request of Council, noted that he has examined the proposal and is confident that the future upgrading to be done to the street could be accomplished in the remaining right of way.

In response to questions from Councillor Kelly, Mr. Zwicker indicated that an analysis and inventory of all surplus land owned by the Town is possible; however, he recommended that this case not be delayed pending such an analysis.

ON MOTION of Deputy Mayor Huntington and Councillor Cosgrove, it was moved that NOTICE OF MOTION to close public use of the public street or portion thereof hereafter described, and known as a portion of the Bedford Highway.

RESOLVED by the Town Council of the Town of Bedford that a portion of the street known as a portion of the Bedford Highway as described hereafter be closed and all rights of public user in the lands theretofore used as a street for the purpose of a public street are forever extinguished and the Town may sell and convey the said portion.

THE PORTION of the said street to be closed to public use is bounded and described as follows:

(Survey Description to be included).

THAT the Council shall hold a public hearing and shall give notice of its intent to close a portion of the said street and the Clerk is hereby directed to cause such notice to be advertised indicating the portion of the street to be closed and time and place of the public hearing to be held to consider the matter by inserting the same at least once a week for two successive weeks in a newspaper published or circulated in the Town, the first of such notices to be published at least three clear weeks before the public hearing.

THAT the public hearing date shall be set by the Chief Administrative Officer.

THAT at the hearing the Council shall hear all those in favor and all those who are opposed who wish to be heard.

The motion was unanimously approved.

10.2 Proposed Amendment to BPAC Terms of Reference

By memorandum of February 4, 1991, Chairman Nolan suggested that Town Council consider amending the terms of reference for Bedford Planning Advisory Committee (BPAC) by expanding Article 3.4.2.

ON MOTION of Councillor Cosgrove and Deputy Mayor Huntington, it was moved to accept the recommendation from the Chairman of BPAC, and expand the March 19, 1990 Terms of Reference of Bedford Planning Advisory Committee such that Article 3.4.2 be amended to read:

"Non-Council members may be re-appointed for a maximum of two consecutive terms and shall not be eligible for re-appointment until at least the length of one term has passed (2 years)."

The motion was unanimously approved.

10.3 Renaming of Bedford Highway

By memorandum of January 28, 1991, Helen Graham Gromick, Executive Assistant, Bedford Economic Development Commission, outlined a motion of the Bedford Mainstreet Committee indicating their wish to change the name of the Bedford Highway to "Bedford Mainstreet" and to solicit public input into this matter.

ON MOTION of Councillor Walker and Councillor Draper, it was moved to refer the matter of renaming the Bedford Highway to "Bedford Mainstreet" to staff for clarification and analysis of several issues including:

1. the number of signs to be changed and the associated costs;
2. as the Bedford Highway serves two purposes (one a local mainstreet; and secondly a regional highway) what impact would this have;
3. the possibility of cooperation with the City of Halifax to rename the entire stretch of road;
4. seek Department of Transport and Communications input into the appropriateness of this renaming.

The motion was put to the meeting and **CARRIED** (Councillors Cosgrove, Goucher and Kelly voted in opposition).

In discussion of the MOTION, there was also some suggestion that staff seek the input of the Heritage Advisory Committee.

10.4 Proposed Initiatives re Protection and Control - Sackville River Ducks

By memorandum of February 15, 1991, Mr. English suggested that Town Council consider the four proposed initiatives as outlined in the staff report prepared by D. Davis-Lohnes and provide any necessary direction to staff relative to what, if any, action should be taken to address the issue of the "welfare" of the duck population along the Sackville River. Mrs. Lohnes's report, dated January 17, 1991, a copy of Dartmouth's by-law W-200 on the feeding of ducks, and a report from Lands & Forest Wildlife Technician, Jenny Costelo on Urban Ducks was circulated for consideration.

The staff report recommended four steps including:

1. separate and remove domestic ducks
2. prohibit feeding of ducks, particularly in the winter
3. shelters are not necessary
4. as per recommendation of Lands and Forests, deal with the duck issue immediately.

ON MOTION of Councillor Cosgrove and Deputy Mayor Huntington, it was moved to refer to the By-law Review Committee the possibility of developing a by-law prohibiting the feeding of ducks for the Town of Bedford. **The motion was unanimously approved.**

ON MOTION of Councillor Goucher and Councillor Kelly, it was moved to accept the four recommendations of the Planning Department as indicated in their report of January 17, 1991 concerning urban ducks along the Sackville River.

In discussion of the MOTION, Councillor Kelly inquired as to the cost of these recommendations. B. Zwicker indicated that there will be some support and cooperation from the Department of Lands and Forests with regard to the removal of the domestic ducks.

Councillor Goucher suggested that the Town, through the Planning Department, should make available to all interested persons, reprints of the Lands and Forests Technician's Report. He also asked for the support of the media in outlining the reasons for the actions taken by the Town on this issue.

10.5 Town of Bedford EMO - JEPP Funding - Communications Equipment & Generator

By memorandum of February 15, 1991, Mr. English recommended that Town

Council authorize staff to prepare necessary specifications and tenders for the acquisition of communications equipment and generator as identified so that the Town may operate the Emergency Operations Centre effectively under a power failure situation. Approval was received from the Emergency Preparedness Canada to support Bedford's JEPP application to a maximum of 50% of the actual cost associated with the acquisition of necessary communications equipment and generator. It was also recommended that an accounts payable in the amount of \$25,000 be set up in the 1990 financial records for this purpose.

ON MOTION of Deputy Mayor Huntington and Councillor Cosgrove, it was moved to authorize staff to prepare necessary specifications and tenders for the acquisition of EMO equipment as identified and generator; and further that a \$25,000 accounts payable be established for this purpose.

In discussion of the MOTION, Councillor Kelly noted that he supported the purchase of this equipment but indicated he did not support the concept of an accounts payable for these items.

The motion was unanimously approved.

10.6 Proposed UNSM Resolution - Policing & Community Services Costs

By memorandum of February 15, 1991 Mayor Christie brought forward a resolution re policing and community services for Town Council's consideration. As background to the resolution, the Mayor's memorandum reviewed the provincial Fact Funding Committee's results with regard to policing in the province and the possible removal of the cap on provincial funding of general assistance and administration of social services. The resolution suggested phasing the changes over a period of three years.

ON MOTION of Councillor Goucher and Councillor Cosgrove, it was moved to support the January 25, 1991 resolution of UNSM Meeting of Mayors and Wardens such that the Bedford Town Council approve in principle the balanced transfer of police costs and the removal of capping of general assistance and administrative costs, and the plan to ease the impact on certain municipalities as set forth in Appendix A (i.e. three-year phasing).

In discussion of the MOTION, there was considerable debate on the financial impacts to the Town of Bedford although it was realized that the ultimate decision for this issue rests with the provincial government.

The motion was put to the meeting and DEFEATED (Councillors Kelly, Walker, Draper and Deputy Mayor Huntington voted in opposition; Councillors Cosgrove, Goucher and Mayor Christie voted in support of the motion).

10.7 PROPOSED POLICY ON TOWN-OWNED HOUSING

Councillor Walker requested that the By-law Review Committee examine the possibility of creating a policy with respect to Town-owned housing.

ON MOTION of Councillor Walker and Councillor Kelly, it was moved to refer the matter of Town-Owned Housing to the By-Law Review Committee for their consideration and review. The motion was unanimously approved.

10.8 Flooding - Union Street Area

Councillor Goucher asked the Director of Engineering to provide a written report on the storm water situation in the area of Union and Bridge Streets. Councillor Goucher reported that he was made aware of the flooding problem during the recent February thaw and it was pointed out that past efforts to correct the problem have not been effective.

11. REPORTS

11.1 BOARDS/COMMITTEES/COMMISSIONS

11.1.1 Waters Advisory Committee

By memorandum of February 14, 1991, Mr. Paynter outlined Bedford Waters Advisory Committee (BWAC) suggestion to formalize their recommendations to Town Council by having the minutes of BWAC placed on the regular agenda of Town Council. It was the hopes of the committee that by placing the item on the agenda, that committee recommendations to Town Council could be addressed at this time.

ON MOTION of Councillor Cosgrove and Councillor Goucher, it was moved to table the February 6, 1991 minutes of the Bedford Waters Advisory Committee. The motion was unanimously approved.

11.2 DEPARTMENTAL

11.2.1 Building Inspector's Report (Month of January 1991)

ON MOTION of Councillor Kelly and Deputy Mayor Huntington, it was moved to accept the Building Inspector's Report for the month of January 1991. The motion was unanimously approved.

At the request of Councillor Walker, Mr. Zwicker provided some verbal analysis of the implications of the decrease in building permits and residential construction. Mr. Zwicker further indicated that staff is undertaking an in depth analysis of this decrease in an attempt to provide some predictions for 1992 and 1993 as this decrease will impact significantly on budget projections. The report will be forwarded to Town Council at a later date.

11.2.2 Fire Department's Monthly Report for January 1991

ON MOTION of Councillor Walker and Councillor Draper, it was moved to accept the Fire Department's monthly report for January 1991 as circulated. The motion was unanimously approved.

12. CORRESPONDENCE

12.1 Department of Transportation and Communication re Town Utilization of DOT Depot Facility

A December 4, 1990 MOTION by Councillor Walker and Councillor Goucher, deferred a MOTION OF RECONSIDERATION pending a written response from the Minister on the subject of bulk fuel depot. A letter of February 6, 1991 from Mr. D.P. McInnes, Office of the Minister, DOT, was circulated for information. The correspondence indicated that the department could not comply with the Town's request to use the DOT fuel depot facility to service Town equipment and vehicle fleet.

12.2 Glen Moir Parent-Teacher Association

A February 7, 1991 letter from the Glen Moir Parent-Teacher Association was circulated for information. Councillor Draper noted that she had visited the area of Basinview Drive and Glen Moir Terrace and she concurred with the correspondence.

ON MOTION of Councillor Draper and Deputy Mayor Huntington, it was moved to refer the Glen Moir Parent-Teacher Association correspondence of February 7, 1991 to staff for analysis of the financial implications of the Association's recommendations; and further that Town Council asks staff to provide recommendations for action; and that this analysis and recommendations should be forthcoming to the next Town Council session. The motion was unanimously approved.

13. **MOTIONS OF RECONSIDERATION - Nil**

14. **MOTIONS OF RESCISSION - Nil**

15. **NOTICES OF MOTIONS - Nil**

16. **QUESTIONS**

16.1 **STATUS SHEET**

17. **ADDED ITEMS**

18. **ADJOURNMENT**

ON MOTION of Deputy Mayor Huntington, it was moved to adjourn the February 19, 1991 Regular Session of Bedford Town Council at approximately 9:50 p.m.



MAYOR

ACTING CHIEF ADMINISTRATIVE OFFICER

/dl

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

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

TOWN OF BEDFORD

Special Session

Tuesday, March 5, 1991

A Special Session of the Town Council of the Town of Bedford took place on Tuesday, March 5, 1991, at 7:30 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia; Mayor Peter Christie presiding.

1. **LORDS PRAYER**

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

2. **ATTENDANCE**

Deputy Mayor Don Huntington, and Councillors Anne Cosgrove, Peggy Draper, Peter Kelly, and Grant Walker were present at the commencement of the meeting. Councillor Goucher arrived at approximately 7:45 p.m.

Staff members in attendance included Dan English, Chief Administrative Officer; Barry Zwicker, Director of Planning; Ron Singer, Director of Finance; Rick Paynter, Director of Engineering and Works; Bob Nauss, Director of Recreation; Angus MacKenzie, Chief of Police; Peter Dickinson, Fire Chief; Francis MacKenzie, Director of Economic Development commission; Eric Sheppard, Assistant Deputy Fire Chief and Greg Murray, Police Sgt.

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

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

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

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

5. **PRESENTATION AND PRELIMINARY REVIEW - PROPOSED 1991 OPERATING BUDGET (DRAFT #1)**

By memorandum of February 26, 1991, Mr. English introduced the proposed 1991/1992 Operating Budget. The Budget previously circulated reflected estimates for the period commencing April 1, 1991 and ending March 31, 1992; this being in accordance with provincial legislation changing the municipal fiscal year to coincide with that of the provincial and federal governments.

Mr. English further noted that as 1991 is the transitional year, a separate budget reflecting a three month period (January 1, 1991 to March 31, 1991) will be tabled at a later date. It was staff's opinion that proceeding with the budget review in this manner would allow for more meaningful comparisons to take place.

Also included with the budget documents were the Budget Guidelines (Appendix #1) approved by Council on December 4, 1990 and February 12, 1991 for adherence by staff in developing the first draft of this operating budget. These fourteen guidelines were reviewed and Mr. English elaborated on same.

Mr. English pointed out that the 12-month budget and the 3-month budget would be merged into a 15-month budget resulting in proposed annualized tax rate increases of 6.4%. It was noted that this was in line with other local municipalities. Notwithstanding, Mr. English suggested that decisions in the past have left little ability to reduce Tax Rate increases through Transfers from Reserves etc. Further, Mr. English suggested that although the Town is presently faced with a short term problem, a long range strategy is required.

Mr. Ron Singer presented several overheads which reviewed historical trends of capital debt servicing, capital borrowing, school board funding, metro transit cost, community services costs, and capital from revenue expenditures. Mr. Singer's presentation also focused on the fact that the gap was widening between non-tax revenue and tax revenue.

Mr. English noted the nine Staff Recommendations (Appendix #5). The following is a summary of Town Council comments on these recommendations:

1. **TAX RATE INCREASES**

It was noted that the 15-month budget reflects an annualized tax rate increase of 6.4%.

2. **EDUCATION APPROPRIATION**

Councillor Draper asked Town Council to defer discussion on this recommendation and invite Mr. L. Gillis to make a presentation to Town Council once the School Board budget is finalized. Mandatory funding only however, will be included in draft #2.

3. **LIBRARY FUNDING**

Councillor Goucher noted that like the School Board, the Library has also not finalized its budget. Mandatory library funding only will be included in draft #2.

4. **METRO TRANSIT**

Councillor Walker suggested that Council invite Mr. Chris Prentice, Manager of Metro Transit and Mr. English to the next Transit Advisory Committee meeting to provide the members with an update. After a detailed review, the advisory committee would then provide Town Council with its recommendations. Mayor Christie noted that it would be important to come to a decision regarding recommendations to the Metro Authority for possible transit reductions in time to affect the Metro Transit 'pick' schedule.

5. **TAX ARREARS INTEREST**

Deputy Mayor Huntington expressed some concern regarding this recommendation and inquired whether generally speaking outstanding accounts were due to inability to pay or a reluctance to pay. Mr. Singer replied that in the past it has been more favorable not to pay taxes than to borrow from a financial institution in order to settle an account. He also noted that the proposed increase in interest rates still leaves the Town of Bedford with a lower interest rate than many other municipalities. There was some discussion of the possibility of a sliding scale for interest; Mr. English noted that a sliding scale is not legally permitted. Further information and comparisons will be provided by staff.

6. **TAX CERTIFICATE CHARGE**

Councillors asked that figures from other municipalities be provided relative to increasing the charge for Tax Certificates.

7. **NON TAX REVENUE/USER FEES**

As the departments report back on this item, it was suggested that comparable figures from other municipalities be included. Councillor Walker cautioned that Town Council must also examine the cumulative effect upon individual industries.

8. **TRANSFER TO RESERVES**

Mr. English noted that staff was not pleased with this recommendation and hoped that any further reductions in estimated expenditures would be assigned to this area. Councillor Walker noted that Town Council must look into the future and begin providing for long term capital projects, i.e. sewage treatment plant, new solid waste management program, etc.

9. **WATER UTILITY SURCHARGE**

Councillor Walker pointed out that any initiative by the Town in terms of placing a surcharge on Water Utility bills should be harmonized with possible provincial initiatives.

Mayor Christie noted that in general Town Council agreed to the staff recommendations as presented in Appendix #5.

Mayor Christie summarized Town Council's requests for changes in draft #2:

- to include 1990 actuals
- to include 12 and 15-month figures
- additional information on:
 - capital and leased equipment carrying costs
 - present value data

At the request of Town Council, Mr. Singer provided information regarding the projected 1990 Operating Budget i.e., over expenditures and short falls in revenue from the 1990 budget, i.e. shortfalls in revenue for property taxes due to successful appeals \$66,000; building permits \$44,000; increased legal expenses \$30,000 and increased social assistance payments \$82,000.

6. **OTHER**

There was no other business.

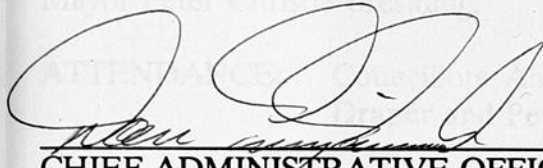
7. **ADJOURNMENT**

TOWN OF BEDFORD

ON MOTION of Councillor Draper, it was moved to adjourn the 93rd Special Session of the Town Council of the Town of Bedford at approximately 10:00 p.m.

Tuesday, March 19, 1991

MAYOR



CHIEF ADMINISTRATIVE OFFICER

/dl

INTRODUCTION

The purpose of the Public Hearing was to receive written and verbal submissions relative to the proposed deregistration of 15 Fort Sackville Road as a Municipal Heritage Property. The Town advertised the intent to deregister (February 5, 1991) as follows:

1. The landowner, Mrs. E. Trison, requested that a portion of the property located at 15 Fort Sackville Drive, Bedford being registered as a Municipal Heritage property on August 15, 1988 as per the Notice of Registration filed at the Registry of Deeds excluding the original Fort site (approximately 25,000 sq. ft.) the building commonly known as the "Manor House", and approximately 36,000 sq. ft. of land associated with the Manor House as shown on the submitted development site plan be considered for deregistration from the Municipal Registry of Heritage Property.
2. The reason for this proposed deregistration is to permit the development of a mixed residential project on the land parcel described above.
3. The effect of deregistration from the Municipal Registry of Heritage Property means that the land described herein will cease to be Municipal Heritage Property and the owner may alter or demolish said property without reference under the Heritage Property Act to the municipality.

TOWN OF BEDFORD

Public Hearing

Tuesday, March 19, 1991

A Public Hearing of the Town of Bedford took place on Tuesday, March 19, 1991, at 7:00 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia; Mayor Peter Christie presiding.

ATTENDANCE: Councillors Anne Cosgrove, Len Goucher, Grant Walker, Peggy Draper and Peter Kelly.

Staff members in attendance included Donna Davis-Lohnes, Planning staff and Rick Paynter, Director of Engineering.

Approximately 60 residents were also present.

INTRODUCTION

The purpose of the Public Hearing was to receive written and verbal submissions relative to the proposed deregistration of 15 Fort Sackville Road as a Municipal Heritage Property. The Town advertised the intent to deregister (February 6, 1991) as follows:

1. The landowner, Mrs. E. Tolson, requested that a portion of the property located at 15 Fort Sackville Drive, Bedford being registered as a Municipal Heritage property on August 15, 1988 as per the Notice of Registration filed at the Registry of Deeds excluding the original Fort site (approximately 25,000 sq. ft.), the building commonly known as the "Manor House", and approximately 36,000 sq. ft. of land associated with the Manor House as shown on the submitted development site plan be considered for deregistration from the Municipal Registry of Heritage Property.
2. The reason for this proposed deregistration is to permit the development of a mixed residential project on the land parcel described above.
3. The effect of deregistration from the Municipal Registry of Heritage Property means that the land described herein will cease to be Municipal Heritage Property and the owner may alter or demolish said property without reference under the Heritage Property Act to the municipality.

4. A decision with respect to deregistration of the property will not take place until 30 days after service of the Notice in order to allow adequate time for interested persons to make representation to the municipality.

Circulated as background material for the public hearing was a March 13, 1991 memorandum from Ms. Davis-Lohnes, a letter from Ms. E. Tolson dated January 24, 1991 requesting the deregistration, notice to the property owner of proposed deregistration, memorandums dated March 8 and 14, 1991 from Mr. T. Edwards (Chair, Heritage Advisory Committee), a notice of registration dated 26 August 1988, copy of Town Council minutes dated August 15, 1988 with MOTION by moving Municipal Registration, a letter of notification of registration to landowner dated 21 July 1988, and a copy of pertinent sections of the Heritage Property Act.

STAFF PRESENTATION

Mayor Christie outlined the process for the public hearing and invited staff member, Donna Davis-Lohnes to make a presentation to Town Council and the residents present. The Mayor indicated that this public hearing would deal only with reasons in favour or against the municipal deregistration; it would not deal with the proposed development agreement.

Ms. Lohnes referred to her memorandum dated March 13, 1991 and indicated a slight revision to the boundaries with respect to deregistration. The request is currently to deregister all the land except for the fort area approximately 25,856 sq. ft. and the Manor House and site which has been enlarged to 38,748 sq. ft.

Ms. Lohnes indicated that there were three decision options (refusal, approval, or approval of a portion as deemed appropriate). She also outlined the "substantial alteration" implications. Town Council was given an opportunity to ask questions of staff regarding the deregistration and some clarification was provided to Councillor Goucher.

IN FAVOUR OF DEREGISTRATION

DOUG MILLER (Architect for the Tolson Family): Mr. Miller's lengthy address to Town Council focused on the 'sufficiency of boundaries' issue. He pointed out that sufficient land would be left for an effective historical interpretation of the landscape of the fort site and for the context and ambience of the Manor House. Mr. Miller requested that Mrs. Tolson's letter of March 14, 1991 (addressed to Mr. D. English) be entered in the record as a written submission in favour of the deregistration.

Mr. Miller also indicated his surprise that during the first development agreement application the issue of municipal heritage designation was not raised by Town staff or by the Planning Advisory Committee. He suggested that Town staff had recommended