

In discussion with Mr. Zwicker, it was clarified that should individuals want to seek exemption from the LUB provision, they may apply for a development agreement and go through the public hearing process which will cost approximately \$1,000.

**MRS. PHYLLIS PATTON:** Mrs. Patton noted that she will be opening a dance school on August 15 in Sunnyside Mall. With respect to the application made by Mr. & Mrs. Hughes for rezoning to permit a dance school at 51 Rocky Lake Drive (this property was identified in discussion with Councillor Goucher), Mrs. Patton expressed concern that she is against the concept of spot rezoning. She indicated that the applicants should have their enterprise in an area already zoned commercial; last minute zoning changes to the MPS "create unfair competition".

*Mayor Christie called for any further speakers. Although there were no new speakers, Mayor Christie asked for Council's consideration to allow individuals to speak a second time (Mrs. Towill had made an earlier request to speak for 2 minutes). Mr. Roughneen and Mrs. McCormick indicated their wish to make a second ten minute presentation.*

**ON MOTION** of Councillor Draper and Councillor Goucher, it was moved to permit Mrs. Towill to speak for two minutes and for Mr. Roughneen and Mrs. McCormick to make additional 10-minute presentations regarding the draft MPS and LUB. **The MOTION was carried** (Deputy Mayor Huntington voted against the motion).

**MRS. S. TOWILL:** Mrs. Towill requested that, like many other residents, Town Council "put the documents on hold until after the fall election".

**MR. MICHAEL ROUGHNEEN:** Mr. Roughneen's second presentation focused on his comment that the policies were not always consistent with the goals. After discussion with Mr. Zwicker that inconsistencies should be removed, Mr. Roughneen suggested the inclusion of a sentence that indicates "in evaluating actions or proposals, the Town is committed to and will give priority to the following objectives:....". He also suggested that the statement of goals should be more clearly expressed.

Other comments included:

- C-1 (p. 42) -- Town Council shall give favourable consideration to.... should be changed to be consistent with other policies which state "It shall be the intention of Town Council ..."
- HC-1 and HC-5 should include the word 'areas'

- residential section -- agrees with other speakers including A. Chaisson that the expansion of the Primary Development boundary to include Crestview Properties is inconsistent
- objects to the policy of residential infilling
- recommended that a greater mix of uses along the Mainstreet would be more in keeping with the charatcer of the Town
- recommends that the height restriction along the Bedford Highway should be three stories measured from the Bedford Highway
- the list of private streets slated for acquisition requires a clear statement of intent.

**MRS. A. MCCORMICK:** Mr. McCormick's second presentation focused on two areas. The first area of concern was the environment and Mrs. McCormick noted the disappearance of some wildlife due to tree cutting, infilling of the waterfront, especially bird life. Mrs. McCormick also noted that although the MPS makes several references to maintaining the "small town character" of Bedford, the policies seem to be "city policies forced on a small town and they won't work".

Mayor Christie reminded individuals that written submissions would be accepted at the Town Office until 4:30 p.m. July 10, 1991.

Public Hearing #91-03 was adjourned at approximately 10:30 p.m.

  
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MAYOR

  
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CHIEF ADMINISTRATIVE OFFICER

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MEETING #109

Reconvened

TOWN OF BEDFORD

Reconvened Regular Session (June 18/91)

Tuesday, July 16, 1991 - 7:30 P.M.

A Reconvened Regular Session (June 18/91) of the Town Council of the Town of Bedford took place on Tuesday, July 16, 1991, at 7:30 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia; Mayor Peter Christie presiding.

ATTENDANCE

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

Staff members in attendance included Dan English, Chief Administrative Officer; Rick Paynter, Director of Engineering; John Robertson, Chief Building Inspector; and Nancy Harper, Recording Secretary.

There were also approximately 10 residents in attendance.

10.2 Proposed Bulk Fuel Depot Facility

Memorandums dated June 13, 1991 and November 5, 1990, submitted by Mr. Ron Singer, Director of Finance, discussing the financial considerations of the proposed bulk fuel depot, were discussed by Council regarding costs, leases and borrowing options. Mr. English explained that the lease agreement would be external, and the Town would realize significant savings after the three year debt repayment.

Further questions arose regarding usage control, life span of tanks and equipment, and the supply of fuel from the City of Halifax.

Rick Paynter, responded that he would investigate the need for colour coded gasoline, but felt the usage would be controlled by cards issued to each truck. The life span of the equipment is estimated to be 10 - 12 years, and the supply from the City of Halifax is on a yearly basis.

**ON MOTION** of Councillors Len Goucher and Anne Cosgrove, it was moved that Council authorize the Engineering Department to place a tender call for bulk fuel

depot based on a lease pay-out system.

Councillor Grant Walker requested that the draft tender specifications be circulated to Council for review prior to tender call.

**Motion carried unanimously.**

10.3 Temporary Borrowing Resolutions - Metro Transit/Solid Waste

**ON MOTION** of Deputy Mayor Don Huntington and Councillor Goucher, it was moved to accept the Town's proportionate share of two Temporary Borrowing Resolutions approved by the Authority on May 28, 1991, for Metro Transit \$2,160,000, and Solid Waste \$5,643,000.

**Motion carried unanimously.**

10.4 Town of Bedford Tax Certificate Charge

There was a brief discussion regarding the number of calls received by the Town questioning the increased charge of \$100.00/tax certificate. Councillor Walker commented that he had received several calls, as did the Town's receptionists. It was stated that the following number of calls had been received by Council: Councillor Goucher - no calls; Councillor Kelly - no calls; Councillor Anne Cosgrove - no calls; Mayor Peter Christie - 5 calls from lawyers and a few letters; Councillor Walker - numerous calls; Deputy Mayor Don Huntington - a few calls.

Mayor Christie noted this item is on the July 16 Regular Meeting Agenda.

10.5 Proposal to Service Smith's Road

A brief discussion ensued regarding the submitted memorandum from Mr. Rick Paynter, Director of Engineering, dated June 7, 1991 detailing the cost estimates to service Smith Road. This information had been previously requested by Councillor Kelly.

**ON MOTION** of Councillor Peter Kelly and Anne Cosgrove, it was moved to poll the residents of the street to determine their wishes in accordance with the Town Policy P-21108 relative to proposed Service Extensions.

Councillor Walker voiced his concerns regarding the costs, and suggested a delay



until a report from CMHC is available.

**ON MOTION** of Councillor Walker, it was moved to defer any polling until further information is available from CMHC.

Motion to defer was **DEFEATED** after three calls for a seconder were unsuccessful.

**Motion carried.** Councillor Walker opposed.

11.1.1 Correspondence from BPAC re Non-Council Vacancy on BPAC

Councillor Len Goucher advised Council there could be problems achieving a quorum at BPAC meetings and requested that Council reconsider their previous position and appoint a member to fill the non-council vacancy.

**ON MOTION** of Councillors Goucher and Cosgrove, it was moved to **SUSPEND THE RULES OF ORDER**. The Motion was put to the meeting and was **DEFEATED**. Deputy Mayor Don Huntington opposed. A motion to Suspend the Rules of Order requires unanimous consent.

Councillor Goucher served a Notice of Rescission with respect to the Motion of Council approved on June 18, 1991.

11.2.2 B.W.A.C. Minutes - May 29/91 and Annual Report

**ON MOTION** of Councillors Cosgrove and Goucher, it was moved to accept the B.W.A.C. Minutes of May 29 and their Annual Report.

Councillor Grant Walker requested a report or response regarding the Sandy Lake tour. Mr. Rick Paynter, Director of Engineering, stated that a report is being circulated to B.W.A.C. and will be forwarded to Council in the near future.

**Motion carried unanimously.**

11.2.1 Fire Chief's Monthly Report - June 1991

Councillor Grant Walker voiced his concerns respecting the Fire Department's role in medical calls insofar as ensuring that proper response is being carried out, i.e. fire trucks responding to medical calls.

Mr. Dan English, Chief Administrative Officer, responded a report had been prepared on the matter some time ago and submitted to Council. Also, from the E.M.O. and ambulance perspective, there were no apparent problems.

Councillor Grant Walker requested that a report be prepared pertaining to what medical care was provided at the first response through to the second response and including hospital care. Is the care given adequate? Was there some other medical care needed and not given?

Councillor Peter Kelly questioned the increase in fire alarms.

Mr. Dan English, Chief Administrative Officer responded by stating that a lot of alarms are set off by changes in water pressure.

11.2.2 Request for Amendment - Extension to Development Agreement with Westgate Park

A request from Mr. Eisenhauer, President of Westgate Consultants Limited to have an extension of time to develop lot J3 Westgate Park was presented by way of memorandum from Mr. Barry Zwicker, Director of Planning.

**ON MOTION** of Deputy Mayor Don Huntington and Councillor Draper, it was moved that Council agree to extend the term of the Development Agreement for lot J3 Westgate Park Limited for an additional five years.

**Motion carried.**

11.2.2 Building Inspector's Monthly Report - May 1991

**ON MOTION** of Deputy Mayor Huntington and Councillor Draper, it was moved to accept the Building Inspector's Report for the month of May 1991.

Councillor Grant Walker repeated his request for a report on the projections of building trends and subsequent possible impact from the Planning Department.

Mr. English responded that a report was in progress, however the Planning Department is using the figures to the end of June so the report should be available for the August Regular Meeting.

**Motion carried unanimously.**



11.2.3 Recycling Depot

A report on a Town Operated Recycling Depot Facility submitted to Council from Mr. Rick Paynter, Director of Engineer, dated June 12, 1991 was discussed.

**ON MOTION** of Councillors Walker and Draper, it was moved to accept the recommendation of the Engineering Department to maintain our present methodology of supporting recycling in the Town.

Councillor Peter Kelly commented on the fact that the term of the increased fees to Mr. Redmond had expired. The costs were increased from \$2,500/mo. to \$3,500/mo., and was retroactive to January until the end of June.

Mr. Dan English left to verify the minutes of the previous meeting to determine the length of time for the increased rate.

**ON MOTION** of Councillor Kelly, it was moved to place a tender out for recycling proposals.

Mayor Christie ruled the Motion out of order as there was a Motion on the floor.

Mr. Dan English confirmed the minutes of May 7th wherein the rate was increased to \$3,500/month retroactive to January 1, 1991 until June 30, 1991 until the staff report was reviewed and that the Director of Finance for the Town have access to the Depot's financial records.

Councillor Peggy Draper mentioned that the extended hours that Mr. Redmond had implemented is not acceptable. The extra hour on Thursday, evenings is insufficient.

Councillor Walker advised that his original intent to the Motion was to extend the rate of \$3,500/month to the end of 1991.

**ON MOTION** of Councillors Walker and Draper, it was moved to **AMEND** the Motion to extend the rate to \$3,500/month for the remainder of 1991.

There was further discussion regarding the possibility of Mr. Redmond closing the depot and if so, what response could be expected from the Engineering and Works Department. Mr. Paynter advised there could be steps taken to implement the continuation of the depot within a two week period.

**ON MOTION** of Councillors Draper and Walker, it was moved to **AMEND THE AMENDED MOTION** to allow for a \$3,500/month fee until the end

of August, 1991, at which time, Council could review the report generated by the Engineering and Finance Departments to verify the need for extra funding.

**Motion to amend motion carried.** Councillors Goucher, Kelly and Cosgrove opposed.

**ON MOTION** of Councillor Draper and Deputy Mayor Huntington, it was moved to **AMEND** the Amended Motion to include that the hours of operation of the recycling depot be extended on Thursday evenings to 9:00 P.M.

**Motion to amend the motion carried unanimously.**

**REPEAT OF FULL MOTION:**

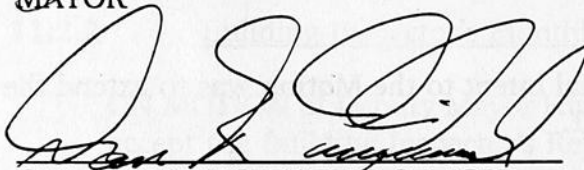
The Town continue with the present status of the recycling facility until the end of August at the rate of \$3,500/month following which the report from the Engineering and Finance Departments will be reviewed to determine the rate from September 1 to December 31, 1991 and that Mr. Redmond be requested to extend his hours of operation to 9:00 p.m. on Thursdays.

**Motion carried unanimously.**

**ON MOTION** of Councillor Kelly, it was moved that the meeting be adjourned. **Motion carried unanimously.**

Meeting adjourned at approximately 8:50 p.m.

  
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MAYOR

  
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CHIEF ADMINISTRATIVE OFFICER



**TOWN OF BEDFORD**

**Public Hearing #91-04**

Tuesday, July 16, 1991 - 7:00 P.M.

A Public Hearing of the Town of Bedford took place on Tuesday, July 16, 1991, at 7:00 p.m. in the Council Chambers, Suite 400 Bedford Tower, Bedford, Nova Scotia; Mayor Peter Christie presiding.

**ATTENDANCE:** Deputy Mayor Don Huntington and Councillors Len Goucher, Anne Cosgrove, Grant Walker, Peggy Draper and Peter Kelly.

Staff members in attendance included Donna Davis-Lohnes, Planner.

Approximately 10 residents were also present.

**INTRODUCTION**

The purpose of the Public Hearing was to receive written and verbal submissions relative to the proposed Development Agreement Application which would permit the completion and occupancy of five additional residential units within the existing 36 unit building at 41 Moirs Mill Road.

**PROPONENT**

Mr. Bruce Logie with Annapolis Basin Pulp and Power, representing Halifax Condominium Corporation #53, indicated the proposal of completing five additional units to the existing 36 units at 41 Moirs Mill Road. The only change to the outside of the structure is the proposal to place patios on the outside of the units facing the brook.

**STAFF REPORT**

Donna Davis-Lohnes made a brief review of the Halifax Condominium Corporation's intent on the completion and occupancy of the proposed five additional units at 41 Moirs Mill Road. The only visible change as a result of their application would be the addition of external patios.

Included in the Staff Report were comments regarding the residential objectives. The current proposal contributes to this objective in the sense of offering high quality residential units. This proposal is considered to be compatible in terms of adjacent uses, ie; combination of single and two family and town house units. Comments from the Halifax County-Bedford District School Board, were that the addition of these dwelling units will have a negligible effect on the school capacity.

In conclusion, Donna Davis-Lohnes indicated to Council that it is the recommendation of the Planning and Development Control Department that this Development Agreement Application by the Halifax Condominium Corporation #53 be permitted to complete five additional condominium apartment units situated at 41 Moirs Mill Road.

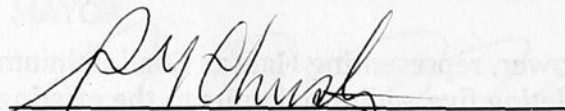
#### IN FAVOUR

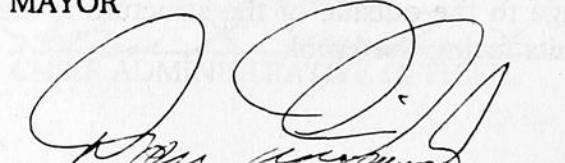
Councillor Len Goucher commented that BPAC approved the conditions of this proposal and is in favour of the development proposal.

#### IN OPPOSITION

There were no speakers in opposition of the development agreement, after three calls from the Mayor.

There were no other speakers in favour of the development agreement, after three calls from the Mayor. The public hearing adjourned at approximately 7:15 P.M.

  
MAYOR

  
CHIEF ADMINISTRATIVE OFFICER

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MEETING #113

TOWN OF BEDFORD  
REGULAR SESSION  
TUESDAY, JULY 16, 1991

A Regular Meeting of the Town Council of the Town of Bedford took place on Tuesday, July 16, 1991 - 9:00 p.m. in the Town Council Chambers, Suite 400, 1496 Bedford Highway, Bedford, Nova Scotia.

1. LORD'S PRAYER

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

2. ATTENDANCE

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

Staff members in attendance included Dan R. English, Chief Administrative Officer; Rick Paynter, Director of Engineering and Works; John Robertson, Chief Building Inspector; Nancy Harper, Recording Secretary.

There were also approximately 10 residents in attendance.

3. APPROVAL OF MINUTES

ON MOTION of Councillors Len Goucher and Peggy Draper, it was moved to approve the minutes for Meeting #110 - Special Session, July 2, and Meeting #111 - Public Hearing, July 3rd and 4th.

MOTION CARRIED unanimously.

5. ADDITIONS/DELETIONS TO ORDER OF BUSINESS

ON MOTION, of Councillor Len Goucher and Deputy Mayor Huntington, it was moved to add two items to the agenda, i.e. Discussion respecting use of power boats on Papermill Lake and Drainage Ditch - D.O.T Garage - Oakmount.

MOTION CARRIED unanimously.

**ON MOTION**, of Councillors Cosgrove and Kelly, it was moved to add an Item i.e. Discussion of Building Permit Issuance - South Shore Ready Mix, Bedford Place Mall.

**MOTION CARRIED unanimously.**

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

Mayor Christie proposed, and Council agreed, that the MPS and LUB be deferred until the next meeting of July 23, 1991.

6.1 **STATUS REPORT - METRO AUTHORITY SOLID WASTE MANAGEMENT STRATEGY**

Mayor Peter Christie advised Council respecting progress on the efforts of the Metropolitan Authority to adopt a Solid Waste Management Strategy. Mayor Christie noted that at present the vote to adopt a strategy is tied however, once an independent Chairman is appointed another vote will be taken on July 23, 1991. He further noted that a number of Metro Authority Representatives will be visiting three Compost Operations in the United States later this week in order to tour and observe the facilities.

**ON MOTION** of Councillor Peter Kelly, it was moved to **SUSPEND THE RULES OF ORDER** to permit a **MOTION OF RECISION** relative to the position taken by Town Council on a proposed Solid Waste Management Strategy during a meeting held on April 16, 1991.

**This motion was DEFEATED** (Deputy Mayor Huntington voted against the Motion). (A Motion to Suspend the Rules of Order requires unanimous consent).

**ON MOTION** of Councillors Kelly and Goucher, it was moved that Town Council recommend to the Metropolitan Authority that a Sortation System be installed as part of any future Solid Waste Management System, so as to allow for the sorting of recycables, compostables which will enable further removal of contaminates from the waste stream; and

**BE IT FURTHER RESOLVED** that the end product be marketable; and

**BE IT FURTHER RESOLVED** that the Metropolitan Authority be encouraged to move toward an integrated Waste Management System with the balance to be landfilled with a totally inert waste.



There was further discussion regarding the amount of contaminates to be removed from this process. Deputy Mayor Huntington advised of his belief in incineration and noted that he and Mayor Christie will be viewing some sites for further inspection.

**MOTION CARRIED unanimously.**

Both Mayor Christie and Deputy Mayor Huntington reviewed the discussions and research which have been conducted by the Metropolitan Authority relative to a future Solid Waste Management Strategy.

**7.1 PUBLIC HEARING 91-04 JULY 16/91**

The purpose of this Hearing was to receive written and verbal submissions on a proposed Development Agreement Application which would permit the completion and occupancy of five additional residential units within the existing 36 unit building located at 41 Moirs Mill Road.

**ON MOTION** of Councillors Goucher and Walker, it was moved that the Mayor and Chief Administrative Officer be authorized to execute, on behalf of the Town, a Development Agreement with Halifax Condominium Corporation #53 for the construction and occupancy of an additional five units at 41 Moirs Mill Road.

**MOTION CARRIED unanimously.**

**10.1 1991 CAPITAL STORM DRAINAGE AND SANITARY SEWER UPGRADING PROJECTS**

A report dated July 10, 1991, prepared by Mr. Rick Paynter, Director of Engineering & Works, outlining the various Storm Drainage and Sanitary Sewer projects currently needing attention was previously circulated requesting Council direction.

**ON MOTION** of Deputy Mayor Huntington and Councillor Kelly, it was moved that the Engineering and Works Department be authorized to obtain tenders on the sanitary sewer projects for Bedford Industrial Park at \$5,000; Rocky Lake Drive at \$20,000 and Union Street at \$25,000.

There was a brief discussion on the sewer upgrading works proposed by the Engineering Department. Councillor Walker voiced his concerns on the possibility of sea water entering the sewage treatment plant, and whether the sewer main repairs in the Mill Cove area would be a complete or partial replacement.



Mr. Paynter responded that some sea water could be entering during high tides, however repairs could be conducted in phases.

**MOTION CARRIED.** Councillor Draper voted against the Motion.

**ON MOTION** of Councillors Walker and Draper, it was moved to add to the tender, that an analysis be undertaken to determine if sea water is infiltrating the system along with the approximate volume and the cost of repairing same.

**MOTION CARRIED.** Councillor Kelly voted against the Motion.

### STORM DRAINAGE

**ON MOTION**, of Councillors Walker and Draper, it was moved that the Engineering and Works Department be authorized to obtain tenders for the following projects:

- Dartmoor Crescent - \$20,000
- Glenmont Avenue - \$28,000

There was a brief discussion on the storm drainage and flooding problems at the Dartmoor Crescent area. Mr. Paynter responded to these questions. Concerns relative to liability exposure at this intersection as well as the Union Street and Falcon Run areas due to road icing was also discussed.

**MOTION DEFEATED.** Councillors Goucher, Kelly and Cosgrove voted against the Motion.

**ON MOTION** of Councillors Goucher and Kelly, it was moved that the Engineering Department be authorized to call for tenders for the following Capital Storm Drainage Work projects:

- Dartmoor Crescent - \$20,000
- Union Street - \$8,000

**MOTION CARRIED unanimously.**

**ON MOTION** of Deputy Mayor Huntington and Councillor Draper, it was moved to add Glenmont Area drainage works (\$28,000) to the tender.

**MOTION CARRIED unanimously.**

10.2 CIVIC #1129 BEDFORD HIGHWAY - POTENTIAL SAFETY HAZARD

Mr. John Robertson, Chief Building Inspector, requested direction from Council relative to the necessary process to correct a potential safety hazard concerning a building located at 1129 Bedford Highway.

**ON MOTION** of Deputy Mayor Huntington and Councillor Goucher, it was moved to seek legal advice from a Solicitor for appropriate action. This advice is to be brought back before Council for discussion of all options presented by legal counsel.

**MOTION CARRIED unanimously.**

10.3 CIVIC #8 SUNNYDALE CRESCENT - UNSIGHTLY PREMISES

Mr. John Robertson, Chief Building Inspector, requested Council approval to remove a derelict vehicle at 8 Sunnydale Crescent under the provisions of the Towns Act.

**ON MOTION** of Deputy Mayor Huntington and Councillor Goucher, it was moved that the Chief Building Inspector be authorized to take necessary action in accordance with the Towns Act for removal of a derelict vehicle at 8 Sunnydale Crescent.

**MOTION CARRIED unanimously.**

10.4 PROPOSED PROCEDURES RESPECTING ELIMINATION OF TRAIN WHISTLING AT LEVEL CROSSING

Mayor Christie informed Council that because of a change in Federal Legislation, he had requested information from Canadian National Railways with respect to proper procedures necessary to eliminate the need for train whistling within the Town. A letter from Mr. Gordon Graham, P.Eng., Canadian National Railways outlined the procedures required.

**ON MOTION** of Councillors Walker and Cosgrove, it was moved that Council request staff to initiate the proper process to work with CN and Transport Canada to provide a safety inspection of the Isleview level crossing.

Councillor Draper voiced her opinion of disapproval in terms of a possible safety hazard which could be created through the elimination of a whistle warning at this crossing.

**ON MOTION** of Councillor Draper and Deputy Mayor Huntington, it was moved to defer.

**Motion to Defer DEFEATED.** Councillors Cosgrove, Goucher, Kelly and Walker voted against the Motion.

**ORIGINAL MOTION CARRIED.**

Deputy Mayor Huntington, Councillor Draper and Councillor Goucher voted against the Motion.

10.5 PAPER MILL LAKE

Councillor Goucher informed Town Council that he has been made aware of outboard motors being used on Paper Mill Lake. He further noted that it is his understanding the Police Department has no enforcing legislation which enables them to prevent the use of outboard motors on the lake notwithstanding subdivision covenant restrict same.

**ON MOTION** of Councillors Goucher and Draper, it was moved to refer this matter to the By-Law/Policy Advisory Committee for recommendation.

**MOTION CARRIED unanimously.**

10.5 STORM DRAINAGE DITCH - D.O.T. GARAGE - OAKMOUNT DRIVE

Councillor Goucher expressed concern with respect to the condition of the D.O.T. Garage and surrounding lands (particularly the drainage ditch) located at the end of Oakmount Drive. He further noted that it was his previous understanding D.O.T. was to fence the property. In response to a question from Council, Staff advised that the Unsightly Premises provisions of the Towns Act cannot be applied to Provincial Property.

**ON MOTION** of Councillors Goucher and Kelly, it was moved that the Mayor correspond with the Minister of the Department of Transportation requesting their cooperation in correcting the condition of the property located at the end of Oakmount Drive by having a fence or some form of screening erected.

**MOTION CARRIED unanimously.**

**ON MOTION** of Councillors Kelly and Cosgrove, it was moved to extend the meeting



until 10:45.

**MOTION CARRIED unanimously.**

Councillor Goucher also raised the issue of aesthetic and nuisance problems associated with the drainage ditch in the area of the D.O.T. property. He noted that this ditch apparently is located on Provincial lands.

**ON MOTION** of Councillors Goucher and Kelly, it was moved that the Mayor also include in his correspondence with the D.O.T. Minister that the issue of the problems associated with the drainage ditch be addressed including the removal of the underbrush.

**MOTION CARRIED unanimously.**

10.6 1658 BEDFORD HIGHWAY SOUTH SHORE READY MIX

**ON MOTION**, of Councillors Cosgrove and Kelly, it was moved to **SUSPEND THE RULES OF ORDER** in order to enable Mrs. Towill to address Council regarding the issuance of a building permit to South Shore Ready Mix, Bedford Place Mall.

**The Motion was DEFEATED.** Deputy Mayor Huntington and Councillor Walker voted against the Motion. (The Motion to Suspend the Rules of Order requires unanimous consent.)

Mayor Christie advised Council that this matter will be placed on the Agenda for July 23 in accordance with Mrs. Towill's request. Mayor Christie further noted that this Regular Session will reconvene on July 23 to deal with the remaining items on the agenda following which the MPS review will continue.

**ON MOTION** of Councillors Kelly and Walker, it was moved to **SUSPEND THE RULES OF ORDER** in order to deal with item 13.1 of the agenda.

**Motion carried unanimously.**

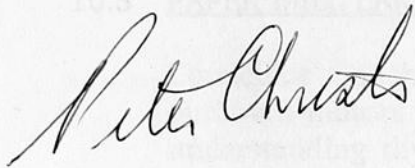
13.1 POLICY #24201 (SEWER INSTALLATION) - LATERAL EXTENSIONS TO VACANT LOTS

**ON MOTION** of Councillors Goucher and Kelly, it was moved that the Motion approved by Council on July 2, 1991, be reconsidered in order to allow Council to obtain better information on this issue.

**MOTION DEFEATED.** Mayor Christie, Deputy Mayor Huntington, Councillor Draper and Councillor Walker voted against the Motion.

**ADJOURNMENT**

The meeting adjourned at approximately 10:45 P.M. and is to be reconvened on July 23, 1991.

A handwritten signature in cursive script, appearing to read "Peter Christie". The signature is written in dark ink on a light-colored background.

MEETING 113

Reconvened

**TOWN OF BEDFORD**

**Reconvened Regular Session (July 16, 1991)**

Tuesday, July 23, 1991

A Reconvened Regular Session of the Town Council of the Town of Bedford took place on Tuesday, July 23, 1991 at 7:30 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia; Mayor Peter Christie presiding.

**ATTENDANCE**

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

Staff members in attendance included Barry Zwicker, Director of Planning and Development Control; Steve Moir, Planner; Ron Singer, Director of Finance; and Nancy Harper, Recording Secretary.

There were also approximately 15 residents in attendance.

**10.2 CIVIC # 1129 BEDFORD HIGHWAY - POTENTIAL SAFETY HAZARD**

Mr. Barry Zwicker, Director of Planning and Development Control, outlined the procedures the Town needed to follow regarding the unsightly and potentially hazardous conditions of the building located at 1129 Bedford Highway, as was given to him in a report prepared by Mr. Peter McInroy of Boyne Clarke, Solicitor.

**ON MOTION** of Deputy Mayor Huntington and Councillor Goucher, it was moved that the Town adopt the procedures as indicated in Mr. Peter McInroy's report dated July 23, 1991.

**MOTION CARRIED unanimously.**

**10.6 1658 BEDFORD HIGHWAY - SOUTH SHORE READY MIX**

Mrs. Towill addressed Council, and noted it was her opinion, that South Shore Ready Mix is violating the Land Use By-Law by operating a business located at 1658 Bedford Highway.



She feels the company in question, does not conform to the uses of part 17 of the Zoning By-Law, nor does this business use meet with the C6 zone of the area. Other areas where Mrs. Towill felt that South Shore Ready Mix was in violation were on pages 5, 16 and 25 part 14.

Council discussed the application of South Shore Ready Mix and asked various questions of the Director of Planning and Development Control.

Mr. Zwicker responded to these questions by stating that the application is, in his opinion, a valid operation and does meet with all requirements of the Land Use and Zoning By-Law, after a few changes to their initial application were implemented. For example, instead of a chain link fence, they erected a lattice type fence surrounding the compound of their operations.

**ON MOTION** of Deputy Mayor Huntington and Councillor Goucher, it was moved that the Planning and Development Control Department be requested to prepare a report chronicling the happenings surrounding the issuance of the building permit to South Shore Ready Mix.

Councillor Cosgrove commented on the possibility of the Planning and Development Control Department corresponding with Council on future permits that are potentially an issue of concern to residents.

Mayor Christie informed Council that the Development Officer has complete authority under the Nova Scotia Planning Act and that Council need not be aware of every permit issued. Mayor Christie noted that he would take this request under advisement and will verify with the current legislation respecting the Development Officer's authority.

**MOTION CARRIED unanimously.**

#### 11.2.2 BUILDING INSPECTOR'S REPORT - JUNE/91

Mr. Barry Zwicker, Director of Planning and Development Control, confirmed to Council that a report on projections of building trends and subsequent possible impact to the Town is currently being prepared and will be circulated to Council shortly.

**ON MOTION** of Councillors Goucher and Walker it was moved to receive the Building Inspector's Report dated June 1991.

**Motion carried unanimously.**

12.1 CORRESPONDENCE FROM UNSM - MUNICIPAL BOUNDARIES

Councillor Cosgrove referred to a memorandum of July 25, from Ken Wilkinson, President of the Union of Nova Scotia Municipalities in which the UNSM is providing information to all municipal units relative to a process on which to address the question of Municipal Boundaries.

**ON MOTION** of Councillors Goucher and Cosgrove, it was moved that Town Council indicate their support of the Municipal Boundaries Report as prepared by the Joint UNSM/AMA Resource Committee.

**MOTION CARRIED unanimously.**

15.1 TOWN OF BEDFORD TAX CERTIFICATE CHARGE

A memorandum dated July 11, 1991 from Mr. Ron Singer, Director of Finance, was circulated to Council indicating the budget shortfall should Council reduce the previously approved Tax Certificate charge.

**ON MOTION** of Councillor Walker and Deputy Mayor Huntington, it was moved that for the remainder of the budget year, Tax Certificates be charged out at a \$50.00 rate and a refund of \$50.00 be forwarded to those individuals having already paid the \$100.00 fee for Tax Certificates.

There was a brief discussion regarding the amount of money which would be affected by the refunds and the lower rate for the remainder of the year. Mr. Singer, Director of Finance, stated that if this motion was approved, the Town would lose approximately \$6,500 representing the refunds issued and could end the budget year with a deficit approximating \$25,000 - \$28,000.

There was further discussions regarding the reduction in the tax certificate charge and the possibility of pro-rating them to the value of the property as Deed Transfer Tax is currently done.

Further discussions arose regarding the possibility that the motion is out of order as it pertains to the Budget which has already been approved. Mayor Christie advised Council that since this topic is a "money matter", Council is able to address it without the ruling of the Budget being affected.

Councillor Len Goucher requested a polling of the vote:

Councillor Kelly - abstained due to conflict of interest, Councillor Cosgrove opposed,

Councillor Walker and Councillor Draper voted in favour.

Councillor Goucher raised a Point of Order with respect to the possibility that Councillor Draper was in conflict of interest due to the fact she was about to enter the real estate sales community and was voting on a real estate matter. Mayor Christie advised that he will seek legal advice and would rule on the motion following review of same.

Councillor Draper offered to abstain so that the motion could be finished. Mayor Christie advised that he had already accepted Councillor Goucher's question and that the motion will wait until he has a ruling.

16.1 STATUS SHEET

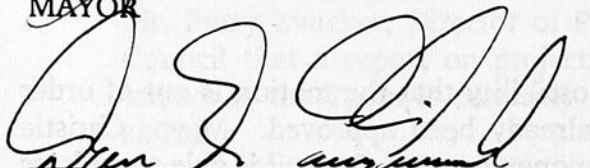
Councillor Kelly served a Notice of Rescission regarding item #13.1 Sewer Installation, Policy #24201. Mayor Christie noted that the Notice of Rescission will not be dealt with until an August meeting.

At the request of Councillor Kelly Mayor Christie briefed Council on the Metro Authority's recent approval respecting the Region's future Solid Waste Management Strategy. He also updated Council with respect to his and Deputy Mayor Huntington's recent trip to Iowa visiting Composting Facilities.

ADJOURNMENT

There being no further business the meeting adjourned at approximately at approximately 8:50 p.m.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER



**TOWN OF BEDFORD**

**SPECIAL SESSION**

**Tuesday, July 23, 1991**

A Special Session of the Town Council of the Town of Bedford took place on Tuesday, July 23 at 9:00 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia; Mayor Peter Christie presiding.

1. **LORD'S PRAYER**

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

Mayor Peter Christie announced that Mr. William Fenton, Bedford's Nominee, was elected chair of the Metropolitan Authority on July 22, 1991.

2. **ATTENDANCE**

Those in attendance at the commencement of the Session included Deputy Mayor Huntington and Councillors Draper, Goucher, Walker, Cosgrove and Kelly.

Staff members in attendance included Barry Zwicker, Director of Planning and Development Control; Steve Moir, Planner; and Nancy Harper, Recording Secretary.

There were also approximately 15 residents in attendance.

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

Mayor Christie advised Council that Councillor Cosgrove wished to add two topics for discussion at tonight's meeting. The first was Inter-Municipal Cooperation and the second was UNSM Bill 200 - Schools Act.

Councillor Cosgrove moved to DEFER these topics to the next meeting in order that Council may proceed with the MPS discussions.

**ON MOTION** of Councillor Walker and Goucher, it was moved to approve the Order of Business.

**Motion carried unanimously.**

MPS Discussions

HC-4 **ON MOTION** of Councillors Goucher and Cosgrove, it was moved to add the Native Petroglyphs of the Barrens area after the words Fort Sackville.

**Motion carried unanimously**

R-2 **ON MOTION** of Councillors Goucher and Kelly, it was moved to move the Municipal Development Boundary back to its present position until such time as the criteria as defined in Policy R2 within the Municipal Strategy is studied by the Planning Department and at that time with the release of the report from the Planning Department, Council can then make its decision with regard to the extension of the Municipal Development Boundary.

**Motion DEFEATED.** Mayor Christie, Deputy Mayor Huntington, Councillors Draper and Walker opposed.

R-3 **ON MOTION** of Councillors Goucher and Cosgrove, it was moved to extend the Municipal Development Boundary to include the Jack Lake Land Assembly.

Mr. Zwicker confirmed to Council that this would be, in his opinion, a substantial change.

**The Motion was put on hold** until Council was able to review a letter of intent from Mr. Dillon dated May 29, 1991.

R-6, R-7 **ON MOTION** of Councillors Cosgrove and Kelly, it was moved to remove the words "neighbourhood convenience store" as a permitted use within the areas zoned residential reserve.

Mr. Zwicker noted this motion would also affect policy C-4 and Table III.

**Motion DEFEATED.** Mayor Christie, Deputy Mayor Huntington and Councillors Walker and Draper opposed.

R-8, R26 **ON MOTION** of Councillors Goucher and Cosgrove, it was moved to remove Policy R-26.

**Motion DEFEATED.** Mayor Christie, Deputy Mayor Huntington, Councillors Walker, and Draper opposed.

R-3 Mr. Steve Moir produced the letter in question from Mr. Harold Dillon respecting the wishes of the Nova Scotia Department of Housing. Council reviewed and discussed this correspondence.

**REPEAT OF MOTION:**

**ON MOTION** of Councillors Goucher and Cosgrove, it was moved to extend the Municipal Development Boundary to include the Jack's Lake Land Assembly as of the date of the MPS.

**ON MOTION** of Councillor Cosgrove, it was moved to DEFER until such time that Council can obtain verification of intent from the N.S. Dept. of Housing.

Motion to Defer was DEFEATED after three calls to second the motion from Mayor Christie.

**Original Motion DEFEATED.** Councillors Walker, Draper, Mayor Christie, and Deputy Mayor Huntington opposed.

R-14 **ON MOTION** of Councillors Goucher and Cosgrove, it was moved to rezone the lands known as the Barrens from RCDD back to secondary planning strategy in this MPS designation.

Mayor Christie stepped down from the chair for reasons of conflict. Deputy Mayor Huntington Chaired the meeting. Councillor Kelly also abstained from discussion and left with Mayor Christie.

There was a brief discussion as to what development rights are permitted within the RCDD and RSU zones. Mr. Zwicker explained the options of different zones, and that RCDD allows the least amount of development by right. RCDD allows only 2 units per acres compared to 4 units per acre in RSU. In addition, Mr. Zwicker pointed out that a secondary planning strategy does not freeze development.

**MOTION was withdrawn.**

Mayor Christie resumed his position of chairman and Councillor Kelly returned.

R-22 **ON MOTION** of Councillors Walker and Goucher, its was moved to amend the Land Use By-Law to have a 500 foot street distance separation between daycare facilities within Residential zones.

**Motion carried unanimously.**



R-21 Councillor Cosgrove noted that the words "obnoxious use" should be changed to "objectional use" throughout the By-Law.

**Council agreed by consensus.**

R-26 Councillor Goucher suggested that Policy R-26 should have the words "encourage" changed to "consider" to be more consistent with previous policies.


**Council agreed by consensus.**

T-13 **ON MOTION** of Councillor Goucher and Deputy Mayor Huntington, it was moved to remove the Basinview Drive Extension from Map #1.

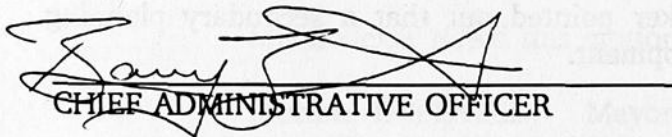
**Motion carried unanimously.**

**ON MOTION** of Councillor Kelly and Deputy Mayor Huntington, it was moved to recess the meeting and to reconvene on Tuesday, July 30, 1991 at 7:30 p.m.

**Motion carried unanimously.**



MAYOR



CHIEF ADMINISTRATIVE OFFICER

**TOWN OF BEDFORD**

*Reconvened Special Session (July 23, 1991)*

Tuesday, July 30, 1991

A Reconvened Special Session of the Town Council of the Town of Bedford took place on Tuesday, July 30, 1991, at 8 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia; Mayor Peter Christie presiding.

**ATTENDANCE**

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

Staff members in attendance included Barry Zwicker, Acting-Chief Administrative Officer and Steve Moir, Planner.

**4. CONTINUATION - REVIEW AND CONSIDERATION OF APPROVAL - PROPOSED MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW**

During the July 23rd portion of this meeting, Town Council reviewed comments on the draft MPS and LUB which resulted from the Public Hearings July 3 and 4 as well as the written submissions. Planning staff consolidated the comments into a memorandum dated July 12, 1991 which Town Council followed. The first six pages (up to the beginning of Commercial Objectives) was completed July 23, 1991.

Circulated at the meeting was a memorandum from S. Moir (July 30, 1991) which provided clarification of comments made by Mrs. VanHelvoort at her request. Town Council continued their review of the July 1991 draft of the MPS and LUB by following the July 12, 1991 memorandum.

**COMMERCIAL**

C-1 Town Council agreed by consensus to Mr. Roughneen's suggestion to change the wording to "shall be the intention to..."

- C-3 Mrs. McCormick's suggestion that neighbourhood collection centres be used with respect to recycling depots was considered. Planning staff suggested that the issue be addressed under Environmental section, E-42
- C-4 Staff suggested that Town Council could consider the deletion of this policy.

**ON MOTION** of Councillor Goucher and Councillor Cosgrove, it was moved to **AMEND** the July 1991 draft of the Municipal Planning Strategy such that Policy C-4 (neighborhood convenience stores) be deleted.

In discussion of the MOTION, it was clarified that deletion of the policy would permit neighborhood convenience stores only in commercially zoned areas. The impact upon neighborhoods in the Residential Reserve was noted as well as the public input in favour of neighborhood convenience stores in the initial stages of the MPS discussions. Also noted was public concern that the draft Policy created some level of uncertainty for residents who did not wish to have a neighborhood convenience store in their area.

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

- C-5 With regard to specifying a maximum height for buildings, staff noted that the tallest building is currently eight storeys.

**ON MOTION** of Councillor Goucher and Deputy Mayor Huntington, it was moved to **AMEND** the July 1991 draft of the Municipal Planning Strategy such that Policy C-5 specify a maximum of 75 feet for office buildings in the General Business District.

In discussion of the MOTION, there was some confusion regarding height measured in feet or storeys.

**ON MOTION** of Councillor Goucher and Deputy Mayor Huntington, it was moved to **AMEND** the **AMENDMENT** such that Policy C-5 specify a maximum of eight storeys for office buildings in the General Business District.

In discussion of the MOTION, it was noted that the tallest building in the Town although eight storeys is approximately 90 feet. There was concern that the placement of mechanical equipment on the top of buildings often substantially adds to the height of the building.



**The AMENDED MOTION was put to the meeting and tied therefore LOST** (Deputy Mayor Huntington, Councillor Draper and Councillor Goucher voted in favour of the MOTION; Councillors Cosgrove, Kelly and Walker voted against the MOTION).

**ON MOTION of Councillor Cosgrove and Councillor Kelly, it was moved to AMEND the July 1991 draft of the Municipal Planning Strategy such that Policy C-5 specify a maximum height of seven storeys for office buildings in the General Business District. The MOTION was DEFEATED** (Councillors Cosgrove, and Kelly voted in favour; Deputy Mayor Huntington, Councillor Walker and Councillor Kelly voted against the motion).

- C-12 Councillor Goucher suggested that a minimum distance for the buffer/screen should be specified. However, in discussion with staff it was noted that a watercourse exists in the area and therefore, due to policies in the environmental section, a minimum buffer will be applied.

#### WATERFRONT DEVELOPMENT

- WF-23 Staff recommended that Town Council consider changing the reference to a "predominately low-rise" project to be consistent with the current Bedford Waterfront Development Corporation's concept plan which is predominately "medium-rise".

**ON MOTION of Councillor Walker and Deputy Mayor Huntington, it was moved to AMEND the July 1991 draft of the Municipal Planning Strategy such that Policy WF-23 (i) be changed to refer to a project which is "predominately medium rise (4,5,6 storeys) and high rise (7 storeys and higher)". The motion was unanimously approved.**

#### INSTITUTIONAL

- S-7 It was suggested that correctional facilities be removed from the list of permitted uses in the Residential Reserve.

**ON MOTION of Councillor Walker, it was moved to AMEND the July 1991 draft of the Municipal Planning Strategy such that correctional facilities be permitted only in Light Industrial zones.**

In discussion of the MOTION, and at the suggestion of staff, it was noted that this issue would be more appropriate dealt with by amending Table III.

Councillor Walker WITHDREW his motion.

**ON MOTION** of Councillor Walker and Councillor Cosgrove, it was moved to **AMEND** the July 1991 draft of the Municipal Planning Strategy such that Table III be amended so that correctional facilities are permitted only in Industrial Designations and that the appropriate MPS policies be amended to reflect this change. **The MOTION was CARRIED** (Councillors Walker, Cosgrove, Draper and Deputy Mayor Huntington voted in favour of the motion; Mayor Christie, and Councillors Kelly and Goucher voted against the motion).

## PARKS AND RECREATION

- P-6 Councillor Goucher asked Town Council to consider recognizing the importance of the Barrens as a potential Town Park; however, staff noted that Policy P-6 deals with existing parks and perhaps Policy P-8 would be more appropriate for some mention of the Barrens.

**ON MOTION** of Councillor Goucher and Deputy Mayor Huntington, it was moved to **AMEND** the July 1991 draft of the Municipal Planning Strategy such that Policy P-8 have the following clause added: "...and that within the area known as the Barrens, which is presently under study by the Bedford Petroglyphs Advisory Committee." **The motion was unanimously approved.**

## ENVIRONMENT

- E-6a **ON MOTION** of Councillor Goucher and Councillor Kelly, it was moved to **AMEND** the July 1991 draft of the Municipal Planning Strategy such that a new Policy would be added with the intent that Town Council request Bedford Waters Advisory Committee to undertake and maintain a water quality sampling program of all fresh water lakes and rivers in the Town in an attempt to provide an historical data base for water quality. **The motion was unanimously approved.**

In discussion of the MOTION, it was recognized that BWAC did not have the facilities nor the budget to undertake a comprehensive program; however, a program similar to those devised by the Dartmouth Lakes were recognized as being very successful.

- E-19 Mrs. Broome suggested the inclusion of Marsh Lake and Paper Mill Lake watersheds.

**ON MOTION** of Councillor Goucher and Councillor Cosgrove, it was moved to **AMEND** the July 1991 draft of the Municipal Planning Strategy such that Policy E-19 be changed to include Marsh Lake and Paper Mill Lake