

**TOWN OF BEDFORD**

**Special Session**

**Tuesday, May 4, 1993**

A Special Session of the Town Council of the Town of Bedford took place on Tuesday, May 4, 1993 at 8:00 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia.

**1. LORD'S PRAYER**

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

**2. ATTENDANCE**

Deputy Mayor Stephen Oickle and Councillors Anne Cosgrove, John Davies, Harris Hutt, Len Goucher and Bill MacLean were in attendance at the commencement of the Meeting.

Staff members in attendance included Dan English, Chief Administrative Officer; and Rick Paynter, Director of Engineering and Works.

Legal counsel, Mr. Barry Ward was also present.

Approximately 20 residents were present.

**3. ELECTORAL BOUNDARIES APPEAL**

Mayor Kelly requested Mr. Barry Ward, legal counsel, to provide a brief overview of the events relating to the Supreme Court Appeal case.

Mr. Ward summarized the case to date, and indicated that it was now recommended that a challenge to the election writs for the two voting districts in question be launched; if accepted, then an injunction would be requested to stay the election, scheduled for May 25, in the two units only.

Mr. Ward noted that a recent application for a Stay of Proceedings, which was turned down, did serve to raise awareness in the courts as to the seriousness of the matter, and there seems to be an understanding of the issue of the right of residents to vote for a representative for their "community of interest."

CHIEF ADMINISTRATIVE OFFICER

TOWN OF BEDFORD

**ON MOTION** of Councillor Goucher and Councillor Cosgrove, it was moved, that Town Council, on behalf of the residents of Bedford West, authorize a Charter Challenge against the legality of the two election writs under Section 3 of the Charter of Rights.

Councillor MacLean inquired about the timing of these events, and whether it might be possible that the residents in the two voting districts will be able to vote in the Bedford riding in this upcoming election.

Mr. Ward explained that the challenge and injunction can be launched and heard very quickly, but the electoral boundaries can only be changed in the Legislature, and he could not say how soon that might be done. He also indicated that there was a 50/50 chance that the injunction would be granted.

Councillor Goucher noted that the Town has been fighting the physical boundary of the 102 for a long time, and the new electoral boundaries have re-inforced that boundary. He suggested that when Bedford became a Town in 1980, the boundary should have been abolished, and that Bedford West is the same "community of interest" as the rest of Bedford.

Councillor Hutt inquired whether it would make any difference to postpone the challenge until after the election.

Mr. Ward indicated a challenge to the election writs must be launched before the election.

**The Motion was put to the Meeting and was unanimously approved.**

4. **ADJOURNMENT**

**ON MOTION** of Mayor Kelly, it was moved to adjourn the 64th Special Session of the Town of Bedford at approximately 8:30 p.m. The motion was unanimously approved.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

**MEETING #65**

**TOWN OF BEDFORD**

**Regular Session**

**Tuesday, May 11, 1993**

A Regular Session of the Town Council of the Town of Bedford took place on Tuesday, May 11, 1993 at 7:30 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia.

**PRESENTATION - TOWN WORKS DIVISION AND RECREATION FIELD WORKS PERSONNEL - MAYOR PETER KELLY (NATIONAL PUBLIC WORKS WEEK)**

Included in the agenda package was a memorandum dated May 3, 1993 from Rick Paynter, Director of Engineering and Works relative to National Public Works Week for 1993, May 17-21.

Mayor Kelly spoke briefly about the event, and presented certificates to full-time field personnel employed with the Engineering and Works Department and the Recreation Department. Those personnel who were present to accept certificates were:

- Brian Maisine
- Gary MacDonald
- Bill Dahr
- Dave Quinn
- Paul Mills
- Wallace Goodwin
- Ken MacDonald

Mayor Kelly thanked the employees, on behalf of Council and the Town of Bedford, for their efforts and service to the Town.

**1. LORD'S PRAYER**

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

**2. ATTENDANCE**

Deputy Mayor Stephen Oickle and Councillors Anne Cosgrove, John Davies, Len Goucher, Harris Hutt and Bill MacLean were in attendance at the commencement of the Meeting.

Staff members in attendance included Rick Paynter, Acting Chief Administrative Officer; Ron Singer, Director of Finance; and Bob Nauss, Director of Recreation  
Donna Davis-Lohnes, Senior Planner;

Approximately 25 residents were present.

3. **APPROVAL OF MINUTES - #63 - Regular Session - April 27, 1993**

**ON MOTION** of Councillor Goucher and Councillor MacLean, it was moved to **APPROVE** the minutes for Regular Session #63 - April 27, 1993, as amended.

The minutes were amended such that:

Item 9.1 Notices/Motions of Reconsideration - Third Reading - should have been **Second Reading**.

**The Motion was unanimously approved.**

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

The following changes were made to the Order of Business :

Item 10.2 Consideration - Amendment (Non-Substantial) Development Agreement - Lot J3 (Riverlane), was changed to Item 6(A)

The following additions were made to the Order of Business:

Item 8.1 Presentation - Air Canada Employee Political Action Committee  
Item 10.4 Bedford West Electoral Boundary Issue  
Item 10.5 Replacement of Truck 66 - Engineering and Works Department  
Item 10.6 Tender #93-07 - Range Park Ballfield Lighting  
Item 10.7 Clarification - Correspondence - Enviro Town  
Item 10.8 41 Union Street - John Robertson, Chief Building Inspector  
Item 11.1.1 Metropolitan Authority Report - Councillor MacLean

5. **APPROVAL OF ORDER OF BUSINESS**

**ON MOTION** of Councillor Hutt and Deputy Mayor Oickle, it was moved to approve the Order of Business as amended. **The Motion was unanimously approved.**

6. DEFERRED BUSINESS/BUSINESS ARISING FROM THE MINUTES

6(A) **Consideration - Amendment (Non-Substantial) Development Agreement - Lot J3 (Riverlane)**

By memorandum dated May 6, 1993, Donna Davis-Lohnes, Senior Planner, introduced and provided background and recommendations relative to a Non-Substantial Amendment for Lot J-3 Development Agreement.

Ms. Davis-Lohnes verbally reviewed the memorandum for Council.

Councillor Cosgrove requested that two residents, Mrs. Hines of #29 Meadowview and Mrs. Robertson of #31 Meadowview, who were mentioned in the staff memorandum, be allowed to speak to Council. Council gave unanimous consensus.

Mrs. Hines and Mrs. Robertson reported to Council that, although the owner of Lot J3 had approached them some time ago with a proposed agreement between the residents and the owner, relative to constructing balconies at the rear of the building on Lot J3, which would face the rear yards of the above two residents. He had made provisions for privacy screens on the balconies, trees being planted for screening, and the building of a fence between the residents' property and lot J3, all of which the residents had agreed to at the time. The private agreement fell through however, due to dissatisfaction of the owner of lot J3 with the agreement.

Since then, the proponent has not approached the residents, and they were unaware until very recently that the proponent was requesting the amendment to the Development Agreement to allow the construction of balconies on the rear of the building. Mrs. Hines and Mrs. Robertson indicated they were not in agreement with the proposal, as was stated in the staff memo, and made complaints regarding the accumulation of garbage at the rear of the building, a stray dog abandoned by previous tenants that has been barking at night, and a high drop-off along the rear property line, created by the excavation for the construction of the building, which represents a danger to children, and has not been fenced.

Mayor Kelly inquired to Ms. Davis-Lohnes whether staff had been aware of the allegations of the residents. Ms. Davis-Lohnes indicated they had not. She noted with the use of a diagram on the wall, where the drop-off was located, and that there had not been a provision in the Development Agreement for the construction of a fence. She suggested it was not a high drop-off, and was some distance from the property line of the abutting residents.

Mayor Kelly indicated to the residents that a building inspector would visit the property, relative to the complaints about garbage etc.

**ON MOTION of Councillor Goucher and Councillor Hutt, it was moved to turn down the application for a non-substantial amendment to Lot J-3 Development Agreement. The Motion was unanimously approved.**

Ms. Davis-Lohnes confirmed, in response to a question from Councillor MacLean, that the proponent **can** re-apply for a **substantial** amendment to the Development Agreement, but that this would mean the Application would go through the full approval process of an information meeting, a public hearing, and review by B.P.A.C.

**6.1 Consideration - Policy Regarding Employment Related Sexual Harassment**

By memorandum dated May 6, 1993, Mr. Dan English, Chief Administrative Officer, reported on the By-Law/Policy Advisory Committee's recommendation by Motion relative to the above-noted UNSM policy that had been tabled with Town Council on February 23, 1993.

**ON MOTION of Councillor Goucher, it was moved that the Sexual Harassment Policy as developed by the UNSM be adopted.**

Mayor Kelly noted that since this is the first reading of the policy, a seconder to the Motion is not necessary. The policy will come back to the table for second reading at the next meeting.

**6.2 Consideration - Recommendations - Bedford Board of Trade Developer's Forum**

By memorandum dated May 4, 1993, Donna Davis-Lohnes, Senior Planner, provided a staff report relative to Town Council's request for staff comments regarding recommendations from the Board of Trade Developers' Forum Committee.

**ON MOTION of Councillor Cosgrove and Councillor Goucher, it was moved that Town Council approve the recommendations of the Bedford Board of Trade Developers' Forum. The motion was unanimously approved.**

Councillor Davies indicated his support for the recommendations, particularly item #10, which he suggested all Councillors should undertake to perform.

**6.3 Consideration - Engineering Design Services - Shore Drive Water Extension**

By memorandum dated May 3, 1993, Mr. Rick Paynter, Director of Engineering and Works, reported on the results of a proposal call to Consultant Engineering Firms for engineering design services required for the Shore Drive Water Extension Project, and Staff's recommendations.

*ON MOTION of Councillor Goucher and Deputy Mayor Oickle, it was moved that the engineering proposal be awarded to O'Halloran Campbell Consultants Limited, in the amounts of \$12,800.00 plus G.S.T. for Basic Design, Geotechnical Program and Disbursements, and \$6,000 plus G.S.T. for Design fees for Booster Capability if deemed required. The Motion was unanimously approved.*

**6.4 Consideration of Appointments - Public Participation Committee - Paper Mill Lake RCDD**

By memorandum dated May 4, 1993, Donna Davis-Lohnes, Senior Planner, reported on the results of requests for representatives for the Paper Mill Lake RCDD Public Participation Committee from appropriate Town Advisory Committees, the Bedford Board of Trade, and the Bedford Village Residents Association.

*ON MOTION of Councillor Goucher and Deputy Mayor Oickle, it was moved that Town Council ratify the appointments of Mr. Gary Schmeisser as BRAC representative, and Mr. Sandy Irwin as "citizen at large", to the Paper Mill Lake RCDD Public Participation Committee. The Motion was unanimously approved.*

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

**8. PETITIONS AND DELEGATIONS**

**8.1 Presentation - Air Canada Employee Political Action Committee**

Mr. Stephen Helms was present to speak to Council relative to the goals of the A.C.E.P.A.C., which he stated as being to provide the airline industry workforce with the best information relative to the proposed American Airlines investment in Canadian Airlines International.

Mr. Helms spoke about the concerns of the Committee regarding the proposal, and in particular, the amount of service contracts that will be taken over by A.M.R. under the deal, which will result in jobs being transported to the U.S.

Mr. Helms reviewed the aspects of the deal, and how they would impact on the Canadian Airlines employees. He also spoke about the role of the airline industry in Canada.

Mr. Helms stated that the employees of Air Canada are opposed to the A.M.R. investment in Canadian Airlines, and stand prepared to assist the employees of Canadian Airlines in a "made in Canada" solution to the Canadian airline industry problems that exist today.

Mr. Helms circulated a package of information to Council.

Mayor Kelly thanked Mr. Helms for his informative presentation. He indicated that the issue will be placed on the agenda for the next meeting for discussion by Council.

## 9. MOTIONS

### 9.1 Notices/Motion of Reconsideration - 3rd Reading

*ON MOTION of Councillor Davies and Councillor Hutt, it was moved that the following revised Clause to the Rules of Order By-Law be approved:*

*"...After any motion, other than an amending motion, has been decided in the affirmative, any member who voted in the affirmative may, at the meeting at which the same was decided, give Notice of Motion to reconsider such resolution."*

**The Motion was DEFEATED.** (Councillor Davies and Councillor Hutt voted in favour; Councillor Cosgrove, Councillor Goucher, Deputy Mayor Oickle and Mayor Kelly were opposed; Councillor MacLean abstained.)

*ON MOTION of Councillor Goucher and Deputy Mayor Oickle, it was moved that the following revised Clause to the Rules of Order By-Law be approved:*

*"...After any motion, other than an amending motion, has been decided in the affirmative or the negative, any member who has voted in the affirmative or in the negative may, at the meeting at which same was decided, give Notice of Motion to reconsider such resolution."*

**The Motion was CARRIED.** (Councillor Goucher, Deputy Mayor Oickle, Councillor MacLean, and Mayor Kelly voted in favour; Councillor Hutt, Councillor Cosgrove and Councillor Davies were opposed.)



10. NEW BUSINESS

10.1 **Consideration of Appointment - Bedford Board of Health**

Council voted by ballot for an appointment to the Bedford Board of Health to replace outgoing member B. L. Simchison. The result of the first ballot was for the appointment of Mr. Gordon Smith.

10.3 **Proposed Tax Write-offs**

By memorandum dated May 7, 1993, Mr. Ron Singer, Director of Finance, provided a report from Nancy Harper, Financial Assistant, containing the recommended write-offs for taxes from 26 businesses totalling \$35,494.29 and a further \$11,925.00 for sewer write-offs. The total of the write-offs would be \$47,419.28.

Mayor Kelly inquired whether payment would be pursued if the accounts were written off. Mr. Ron Singer explained that the accounts would be handed over to a collection agency once they have been written off, but noted there has been very little success in the past in collecting any of the outstanding amounts.

*ON MOTION of Councillor Goucher and Deputy Mayor Oickle, it was moved that \$47,419.28 be written off as uncollectible tax receivables as per the attached list and that same be applied to the Valuation Allowance; and*

*that \$87,417 be appropriated from the Accumulated Operating Surplus to the Valuation Allowance.*

Councillor Cosgrove asked Ron Singer how much of the accounts that have been written off in the past have been collected later. Mr. Singer indicated that none were collected last year, but that \$2,000 to \$3,000 was collected the year before that. Councillor Cosgrove expressed the opinion that more of the outstanding accounts could be collected with a more concerted effort, and indicated that she would not support the Motion.

Councillor Davies inquired about the sewer accounts. Mr. Singer explained that these amounts have been on the books for 13 years, since the incorporation of the Town, and were the result of the transfer of accounts from the County to the Town.

Mr. Singer further reported that a monitoring agency has now been contracted by staff, to aid in checking up on doubtful businesses, so the amount of uncollectible accounts should be less this year.

There was further discussion as to whether some of the businesses in default could be collected from if a staff person was designated to pursue them. It was agreed that if any Councillor recognized one or two of the list of businesses, and could offer assistance in locating the owners, they should forward them to staff.

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

#### 10.4 Bedford West Electoral Boundaries Issue

Mayor Kelly reported that the C3 Challenge documents were in the process of being served by legal counsel; however, clarification is needed as to whether Council agrees to proceed with an Injunction following the acceptance of the Challenge.

Councillor Davies inquired whether the figure of \$1,000 quoted by legal counsel included the Application for an Injunction. Mayor Kelly indicated his understanding was that the \$1,000 was for the serving of the papers for the Challenge only.

Council discussed the matter. Councillor MacLean and Councillor Goucher agreed that Bedford West residents had expressed a desire to vote in the upcoming election in the Bedford riding, and that the full intention of the Challenge was to stall the election in the two ridings until a Supreme Court decision was reached as to the legality of the boundaries. Councillor Cosgrove indicated that she felt the residents were more concerned with ensuring they will vote in the Bedford riding in a future bi-election, and not so much about this upcoming election.

Council agreed to approve the C3 Challenge and to seek an Injunction against voting in the two ridings in question. Mayor Kelly indicated he would get clarification as to what the Injunction will cost.

#### 10.5 Replacement of Truck 66 Engineering and Works Department

By memorandum dated May 10, 1993, Mr. Rick Paynter, Director of Engineering and Works, reported on the results of tender 93-08 for the supply of one 1993 1-ton diesel 4X4 truck cab & chassis for service as a Public Works heavy duty field maintenance vehicle, and staff's recommendation.

**ON MOTION of Deputy Mayor Oickle and Councillor Goucher, it was moved that Tender #93-08 be awarded to Carroll Pontiac Buick Ltd. in the amount of \$23,350.61 plus an additional \$127.33 for the additional heavy suspension support package required for winter operation for a total contract price of \$23,477.94, inclusive of G.S.T. The Motion was unanimously approved.**

**10.6 Tender #93-07 - Range Park Ballfield Lighting**

Bob Nauss, Director of Recreation, reported on the results of the tender call, noting that there had been eight responses, and recommending the awarding of the tender to Jack Whiting Electric in the amount of \$54,002.00.

Councillor MacLean noted that Council had approved \$45,000 in the budget for the lighting, and suggested that the Minor Baseball Association be asked to raise the funds over and above that amount.

*ON MOTION of Councillor MacLean and Councillor Goucher, it was moved that Tender #93-07 be awarded to Jack Whiting Electric in the amount of \$54,002.00, and that Council approve funding in the amount of \$45,000, with the balance to be raised by the Minor Baseball Association. The Motion was unanimously approved.*

Bob Nauss also noted, on behalf of Councillor Hutt who had left the session due to illness, that the Jigger Mott Walk is scheduled for May 27, and that pledge sheets are available.

**10.7 Clarification - Correspondence - Enviro Town**

Councillor Cosgrove spoke to Council regarding the activities of the Enviro Towns Committee, on which she sits. Councillor Cosgrove noted that the criteria for a town to become an Enviro Town is 10,000 residents or less, but that she would like to see Bedford become an Enviro Town.

**10.8 41 Union Street - Mr. John Robertson, Chief Building Inspector**

Mr. Robertson was present to speak to Council about a matter concerning the property at 41 Union Street owned by Mr. David Munro. Mr. Robertson read from a Staff report on the property, and a resolution suggested by Town legal counsel, Mr. P. McInroy.

*ON MOTION of Deputy Mayor Oickle and Councillor Goucher, it was moved that Town Council authorize Peter McInroy to write to the owner of 41 Union Street and demand that the mobile home/construction trailer be removed within forty-eight (48) hours. If not removed, the matter should be taken to the Supreme Court, pursuant to both the Town of Bedford Land Use By-Law, as well as the Town of Bedford Building By-Law, for an injunction to have the trailer removed with a court date to be obtained as quickly as possible.*

Mr. David Munro asked to be allowed to address Council. A secret ballot was taken by Council, as per the Rules of Order, and it was not unanimous. Mayor Kelly indicated to Mr. Munro that he would not be allowed to speak at this meeting, but with 5 days notice, he will be allowed to speak at the next Regular Session on June 8, 1993.

Deputy Mayor Oickle and Councillor Goucher then withdrew their Motion, in order that Mr. Munro may be allowed to speak before the Motion is voted on at the next meeting.

## 11. REPORTS

### 11.1 COMMITTEES/COMMISSIONS/BOARDS

#### 11.1.1

##### **Metropolitan Authority - Report**

Councillor MacLean gave a verbal report relative to the last meeting of Metropolitan Authority.

*Dartmouth/Halifax Ferry* - The Authority passed a motion (7-3) to take over the ferry system, with costs to be shared based on uniform assessment. Bedford's share of the Capital debt will be \$50,000, capitalized over 20 years, and the Operating expense will be \$75,000 to \$80,000 per year. Councillor MacLean noted that he had voted against the Motion. Bylaws are being prepared for approval by each Municipal Council.

*Incinerator* - The Authority will be appealing a recent Supreme Court decision regarding the W.T.E. Incinerator planned for construction in Burnside.

##### *Composting Facility*

**ON MOTION of Councillor MacLean and Councillor Davies, it was moved that Bedford Town Council support the hosting of a composting facility, to be located in Blue Acres Industrial Park or Bedford Industrial Park, subject to Department of Environment approval. The Motion was unanimously approved.**

Councillor MacLean indicated that he would bring the above motion forth at the next meeting of the Metropolitan Authority.

Councillor MacLean further reported that costs for solid waste management for the Town of Bedford will be increasing by approximately 20%, due to increased debt charges.

**11.2 DEPARTMENTAL**

**11.2.1**

**Engineering Department - Status Report - Bedford Highway - Water and Sewer Extension Proposal**

By memorandum dated May 6, 1993, Mr. Rick Paynter, Director of Engineering and Works, reported on the status of the above.

*ON MOTION of Councillor Goucher and Councillor Cosgrove, it was moved that the Engineering Dept. and Planning Dept. bring forth a joint report regarding the rationalization of the justification to proceeding with this project at this time. The Motion was unanimously approved.*

**12. CORRESPONDENCE**

**12.1 Marilyn Alexander - Wimbledon Road**

A copy of a letter and petition from Ms. Alexander was included in the agenda package. The correspondence contained recommendations relative to traffic and parking problems on Wimbledon Road.

Mr. Rick Paynter, Director of Engineering and Works, noted that the correspondence has been referred to Staff for a report, which will be brought forth to Council, and Staff have begun an investigation.

**12.2 S.S. Sodhi - 910 Bedford Highway - Red Barn Property**

A copy of correspondence from Mr. Sodhi and a Notice regarding the fire-damaged property at 910 Bedford Highway owned by Mr. Sodhi and Dr. Raghunandan was included in the agenda package for the information of Council.

**13. MOTIONS OF RECONSIDERATION - NIL**

**14. MOTION OF RESCISSION**

**14.1 Tenders - Sale of Peregrine Lot - Councillor Hutt**

Councillor Hutt noted that the tenders received for the single large lot on Peregrine Crescent have not been satisfactory, and that the lots should be sold as two lots in order that a satisfactory revenue from the sale can be obtained.

TOWN OF BEDFORD

**ON MOTION** of Councillor Hutt and Councillor Cosgrove, it was moved to **RESCIND** the following Motion of February 9, 1993:

*ON MOTION of Councillor MacLean and Councillor Goucher, it was moved that lots 37 and 38 Peregrine Crescent be combined and sold as one lot.*

**The Motion was LOST.** (Councillor Hutt and Councillor Cosgrove voted in favour; Councillor Davies, Councillor MacLean, Deputy Mayor Oickle and Mayor Kelly voted against the motion.)

15. NOTICES OF MOTIONS - NIL

16. DEPARTMENTAL INFORMATION REPORTS

16.1 Building Inspector's Monthly Report - Month of April, 1993

**ON MOTION** of Councillor Goucher and Deputy Mayor Oickle, it was moved to approve the Building Inspector's Monthly Report for the Month of April 1993. **The Motion was unanimously approved.**

17. QUESTIONS

Deputy Mayor Oickle noted that there had been a near-fatal accident on the CN rail tracks in Bedford recently, and suggested that staff prepare a report as to the details of the event, and whether or not any corrective actions should be taken.

18. ADDED ITEMS - NIL

19. ADJOURNMENT

**ON MOTION** of Mayor Kelly, it was moved to adjourn the 65th Regular Session of the Town of Bedford at approximately 10:10 p.m. **The motion was unanimously approved.**

  
MAYOR

  
Acting  
CHIEF ADMINISTRATIVE OFFICER

**MEETING #66**

**TOWN OF BEDFORD**

**Public Hearing #93-02**

Tuesday, June 8, 1993

A Public Hearing of the Town of Bedford took place on Tuesday, June 8, 1993 at 7:00 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia.

**ATTENDANCE**

Councillors Harris Hutt, Bill MacLean, Anne Cosgrove, Len Goucher and John Davies in attendance at the commencement of the Meeting.

Staff members in attendance included Rick Paynter, Director of Engineering and Works; and Donna Davis-Lohnes, Senior Planner.

**Amendment to Development Agreement Application-#84-01/02 - Bedford Park Development**

**INTRODUCTION**

Donna Davis-Lohnes, Senior Planner verbally reviewed the background to the Application, noting a Public Information Meeting has been held, and that a Staff report had been reviewed by Bedford Planning Advisory Committee. All written documentation for the Application was included in an information package with the agenda.

Ms. Davis-Lohnes referred to three development plans on the wall, one of which was the original 1984 development plan for the area. The other two represented two variations, each with a total of 27 housing units. Ms. Davis-Lohnes explained the differences in the two new plans, and noted that significant portions of the land will be retained in a natural state. In addition, the amount of hard surface area will be limited, and the multiple-unit building will not exceed 4 storeys.

Ms. Davis-Lohnes also referred to lot #F-4 on the plan, which she explained had been approved for building, but the proponent had at, at one time, proposed that this lot become parkland. However, the proponent now wishes to build a single family home on the lot, since two other parcels of land have already been designated parkland, and further revenue is needed to offset unforeseen costs.

Ms. Davis-Lohnes reviewed the Staff reports, explaining the key points covered in them such as: density, bulk-scale-compatibility, impact on the street network, storm water management and pedestrian linkages. She noted that it is Staff's recommendation that the amendment be approved, with the suggestion that Council consider requiring the creation of a pedestrian linkage path between the two cul-de-sacs by the proponent.

The proponent, Mr. Graeme Duffus, spoke briefly, noting that the new plans will enable the developer to retain all "specie" trees, and that two variations on the plan are desired to be approved in order to give the developer flexibility to respond to changing market demands.

Mayor Kelly inquired whether there were any questions from Council.

Councillor Hutt asked for clarification as to the location of the development, relative to Wimbledon and Basinview streets, and further inquired about the type and size of walkway that might be placed in the development. Donna Davis-Lohnes indicated that the standard would be a four-foot wide path, covered with gravel.

Councillor Goucher noted that B.P.A.C. had given a positive recommendation to the amendment, but for scheme "D" only. The committee had not made any recommendation for scheme "E".

Councillor Davies inquired about a detailed storm water management plan. Ms. Davis-Lohnes referred to the development agreement, which did include the requirement for such a plan.

Mayor Kelly inquired as to the developer's time frame for completion of the project. Ms. Davis-Lohnes indicated that the first cul-de-sac of 5 single family homes will be built immediately following approval. The multiple-unit building is planned to be built in one year's time, and the other two lots would be done within approximately 2 years.

There were no further questions from Council and the floor was then opened to the public.

## **SPEAKERS**

### ***Ms. Peggy Draper***

Ms. Draper inquired about the present zoning of the land. Ms. Davis-Lohnes stated that it was zoned RSU, but noted that the amendment is guided by the original agreement, and that the change is in housing form only.

Ms. Draper inquired further about policy R8, and how it relates to the development. Ms. Davis-Lohnes noted that policy R8 is addressed in the staff report.



Ms. Draper expressed concern regarding increased traffic onto Wimbledon Dr., especially with respect to the location of a new elementary school in the area. She also suggested that a 4 storey multiple-unit building would be out of character with the neighbourhood, and that scheme "E" would result in more site disturbance than scheme "D".

***Margaret Bradley - Glencairn Apartments***

Ms. Bradley noted that she was the past president of the Bedford Park Residents Association. She stated that the 1984 original proposal had given cause for many concerns, but that the changes made in the new proposals are appreciated. She further expressed concern relative to traffic in the area, which she suggested is already of concern in the neighbourhood and needs monitoring. In response to Ms. Draper's statement about building height, Ms. Bradley clarified that the Glencairn is four stories in height on one elevation.

***Rick Pratt - President, Bedford Park Resident's Association***

Mr. Pratt stated that the new plans are acceptable to the neighbourhood, but that there was some concern with the fact that two plans are being proposed. He suggested that approval of one plan only would be preferable, and expressed concern that further subdivision of the lots within the development should be restricted. He also expressed concern regarding the traffic in the area.

At the request of Mayor Kelly, Ms. Davis-Lohnes clarified that the two proposed plans are not different in any "substantial" way. In addition, she noted that the development agreement states that further subdivision of any of the lots is not permitted; once the development agreement is approved, the lots must be developed as is stated in the agreement. Mayor Kelly inquired to Mr. Pratt as to which plan would be preferable to the residents. Mr. Pratt indicated that the only point of preference would be the plan that requires the least blasting.

***Ron Albert***

Mr. Albert suggested that the pedestrian pathway to link the two cul-de-sacs should be built to go around the development, not between lots. He indicated that his concerns are with storm water and blasting. He inquired about the retention pond. Mr. Rick Paynter, Director of Engineering and Works explained that the upper retention pond already exists. It fills up during rain-storms and then bleeds off slowly.

*Mrs. Schraeder - Campbell Drive*

Mrs. Schraeder inquired about a change to the original plans with respect to a second holding pond that had been planned for storm water runoff. She expressed concern that without the pond, the runoff may affect her property.

Ms. Davis-Lohnes indicated that the storm water management study will determine whether or not the second holding pond is still needed; the new plan is expected to generate less runoff than the old. Mr. Graeme Duffus also spoke, and explained in more detail why the pond is no longer planned.

*Margaret Bradley*

Ms. Bradley inquired whether there was any way the Town could ensure that the multi-unit building will be condominiums instead of rental units. Donna Davis-Lohnes stated that the Town does not have any legal ability to do so.

*Anne Newcombe*

Ms. Newcombe expressed concerns regarding traffic, especially truck traffic; blasting, the length of the construction time during the day; and inquired whether the use of pneumatic drills and blasting have restrictions with respect to the time of usage during the day.

Mr. Rick Paynter indicated that there is a blasting bylaw which restricts the hours of operation and the size of the blasts.

Ms. Newcombe also expressed concern with the fact that two plans are up for approval. Ms. Davis-Lohnes explained that the proposal is to approve two plans, and that there is not a substantial difference between the two. She further explained that the proponent wishes to have flexibility with respect to market conditions, and that the wording of the development agreement will provide for all the guidelines required.

Mayor Kelly suggested that Council does have the option of approving one or the other of the two plans.

Donna Davis-Lohnes agreed, but noted that the proponent could then appeal the decision by Council if only one scheme was approved.

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**Mr. Graeme Duffus - Proponent**

Mr. Duffus spoke about the project and the concerns raised by residents. He noted that the height of the multi-unit building will be lower than the existing neighbouring Glencairn Apartments. With respect to site disturbance, he noted that the new plans will mean 6% less disturbance than the old, and that there are more non-site-disturbance areas designated.

Regarding traffic, he indicated that existing problems with traffic on Wimbledon Road should not be a consideration in his opinion.

He stated that it was unlikely the multi-unit building would be condominium.

With respect to Lot F-4, he explained that although the lot is steep, it is possible to design a house for that type of terrain.

Mr. Duffus ended by reiterating the desire for flexibility, and therefore, the need for approval of two plans.

After three calls by Mayor Kelly there were no further speakers or questions from Council.

Therefore, Public Hearing #93-02 of the Town of Bedford was adjourned at 8:40 p.m.

Councillors Bill MacLean, Len Goucher, Anne Cusgrain, Barbara Day and John Davies were in attendance at the commencement of the hearing.

Staff members in attendance included Tom H. English, Chief Administrative Officer; Rick Purvis, Director of Engineering and Water; Ron Grant, Director of Finance; Dr. Cliff Macle, Wastewater and Daniel P. Macle, Senior Planner.

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MAYOR

Approximately 30 residents were present.

PETITIONS AND DELEGATIONS

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CHIEF ADMINISTRATIVE OFFICER

/sk

Mr. Alan Paul P. Png, of ADI Nolan Davis (NS) Limited, was present to advise Council with respect to an unadopted Proposal to Improve the Existing Infrastructure for Municipal Wastewater Systems, which would be conducted in cooperation with the Corporation Agreement on Sustainable Economic Development. A copy of the proposal was included in the Agenda for the hearing.

**MEETING #67**

**TOWN OF BEDFORD**

**Regular Session**

**Tuesday, June 8, 1993**

A Regular Session of the Town Council of the Town of Bedford took place on Tuesday, June 8, 1993 at 9:00 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia.

**SPECIAL GUESTS - MR. DON HOULE AND STUDENTS - BEDFORD JUNIOR HIGH**

Mayor Kelly welcomed the Junior High students and Mr. Houle. He and Council then answered questions from the students relative to the function of Council and Councillors in municipal government.

**1. LORD'S PRAYER**

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

**2. ATTENDANCE**

Councillors Bill MacLean, Len Goucher, Anne Cosgrove, Harris Hutt, and John Davies were in attendance at the commencement of the Meeting.

Staff members in attendance included Dan R. English, Chief Administrative Officer; Rick Paynter, Director of Engineering and Works; Ron Singer, Director of Finance; Fire Chief Neville Wheaton; and Donna Davis-Lohnes, Senior Planner;

Approximately 20 residents were present.

**8. PETITIONS AND DELEGATIONS**

**8.5 Economic Instruments Presentation**

Mr. Alan Bell, P. Eng., of ADI Nolan Davis (NS) Limited, was present to address Council with respect to an unsolicited Proposal to Investigate Economic Instruments for Municipal Wastewater Systems, which would be conducted in conjunction with the Cooperation Agreement on Sustainable Economic Development Secretariat. A copy of the proposal was included in the agenda package.

Mr. Bell indicated that he wished to present the proposal to Bedford Town Council because it was desired that the investigation use the Town of Bedford as a case study, and it was requested that the Town contribute \$10,000 towards the study.

Mr. Bell noted that the total cost for the project is estimated at \$193,000.00. The participating consultants from the firms of Nolan Davis and Boyne Clarke, Barristers and Solicitors, will be donating \$18,000 towards this cost, by way of reduced rates. He then provided Council with background information relative to economic instruments, indicating that the study would provide many benefits and useful information, not only to the Town of Bedford, but to all three levels of government. He suggested that by using Bedford as the case study, the Town will be placed in a progressive position with respect to waste-water management.

Councillor Goucher noted that the County of Halifax uses 65% of the capacity of the sewage treatment plant, and inquired whether it will be asked to make a contribution to the project as well.

Peter McInroy, Town Solicitor, of Boyne Clarke, spoke in response noting that the data collected will be mainly regarding Bedford's system.

Councillor Goucher suggested that Town Staff could provide time and assistance in lieu of a monetary contribution.

Peter McInroy suggested that the Town could put a dollar figure on staff time, and possibly reduce the \$10,000 contribution.

Councillor MacLean inquired about the consultants' contribution to the project. Mr. Bell indicated that their contribution is in the form of reduced rates; they are not making a cash contribution.

In response to further questions from Councillor MacLean relative to the benefits of the project to the Town, Mr. Bell explained that a database of information regarding the three types of waste streams - industrial, commercial, and residential - would be created, which would allow the Engineering Department to identify problems at their source, rather than after the fact. Mr. Peter McInroy suggested that Bedford's profile would be increased by its participation, especially since the study is the first of its kind in Canada. In addition, a draft bylaw that can be submitted to the Provincial government by the Town will be a product of the study.

Mayor Kelly noted that Staff will conduct a review and report to Council on the proposal at a subsequent meeting.

Councillor Davies suggested that the report be more specific with respect to how the Town can use the information from the study, and how it will benefit the Town.

**8.4 Mr. Geoff Keddy - re Lot A-1 - Dartmouth Road**

Mr. Keddy was present to address Council relative to a development proposal for a lot owned by his client, Mr. Doug Cox, on Hwy #7. He referred to a map on the wall.

Mr. Keddy explained that his client wished to build four single-family homes on the property, and requested to exchange a portion of his land for a 50 foot (frontage) Town-owned lot adjacent to Mr. Cox's land and currently designated Parkland. He indicated that the Town-owned land was better suited for development. He noted that, at one time, there were two homes and two cottages located on the lot.

Councillor Davies asked why the proposal was forwarded to Council prior to consideration by way of the development approval process. Donna Davis-Lohnes, Senior Planner, explained that the key request at this time was the land exchange, and that staff will review the proposal with respect to planning if and when an exchange is granted.

There was further discussion with respect to access to and regress from, Highway #7, as well as lot disturbance.

Mayor Kelly indicated that the proposal would be referred to Staff and the Bedford Recreation Advisory Committee (BRAC) for study and recommendation to be subsequently reviewed by Council.

**8.3 Update - Sackville River Walkway - Don Ambler**

Mr. Ambler was present to verbally provide Council with the Sackville River Walkway Sub-Committee report, of which a written report will be submitted. Mr. Ambler reviewed the purpose of the committee, and referred to a map of the proposed walkway.

Mr. Ambler reviewed the tasks of the committee, and explained the walkway route recommended by the committee. He spoke about standards for the path, lighting, interpretation station opportunities, and a seasonal bridge across the river where cement pilings already exist, near the Bedford Place Mall.

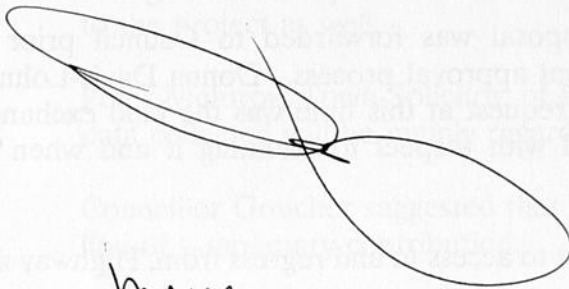
Mr. Ambler explained the two-year plan for the development of the walkway and the committee's recommendations for partial development this summer. He noted that

the committee wishes to continue with planning this fall.

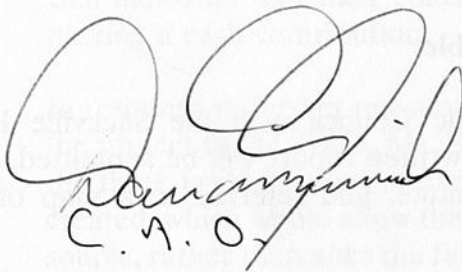
Mr. Ambler noted that a local company wishes to install a 100' Gabian mat on the river bank, free of charge, in July, and will need notification of approval for this in the near future.

Mayor Kelly indicated that the sub-committee's report will be reviewed by B.R.A.C. at it's next meeting, and that same would be brought back to Council with recommendations.

*It was agreed to recess the 67th Regular Session of the Town of Bedford at approximately 10:30 p.m.*



Mayor



C.A.O.



## **TOWN OF BEDFORD**

### **Public Information Meeting**

#### **MUNICIPAL FACILITIES - WATERFRONT SITE**

*Tuesday, June 15, 1993*

A Public Information Meeting of the Town of Bedford took place on Tuesday, June 15, 1993 at 6:30 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia.

#### **ATTENDANCE**

Councillors Harris Hutt, Bill MacLean, Anne Cosgrove, Len Goucher, and Deputy Mayor Stephen Oickle were in attendance at the commencement of the Meeting.

Staff members in attendance included Dan English, Chief Administrative Officer; Rick Paynter, Director of Engineering and Works; Ron Singer, Director of Finance; and Donna Davis-Lohnes, Senior Planner.

Legal counsel to the Town, Mr. Peter Spencer, was present.

Approximately 50 residents were in attendance.

#### **1. Welcome and Opening Remarks - Mayor Kelly**

Mayor Kelly thanked everyone who attended, and informed those present that the meeting was intended for information purposes only, and it was not an opportunity for debate.

#### **2. Chronology of Events - Dan R. English, Chief Administrative Officer**

Mr. English provided, with the use of overheads, a chronology of events from 1986 leading up to the current decision to relocate Town facilities to the Boardwalk Development site at the Waterfront.

Following this, it was announced that a letter of approval by Municipal Affairs, signed by the former Minister of Municipal Affairs, Hon. Brian Young, and dated April 14, 1993, had been received by the Mayor on June 14, 1993. Mayor Kelly reported that the reason given for the date discrepancy, and delay in sending of the letter was because the Department of Municipal Affairs had held it back, pending the outcome of the Provincial Election, and the proposed Municipal Amalgamation. Since the newly-elected Liberal Provincial Government had announced its intention of cancelling any Reform/Amalgamation proposals, the letter had been released.



Town legal counsel, Mr. Peter Spencer, also reported that he had investigated the legality of the letter, and had been officially informed that the letter had, indeed, been signed while Brian Young was still Minister and was therefore valid.

**3. Financial Review - Ron Singer, Director of Finance**

Mr. Singer provided, with the use of overheads, a review of the financial projections comparing the current and future size and costs of the Town facilities, noting that the figures are in "absolute dollars".

**4. Presentation of Project - Bruce Christmas, Boardwalk Developments Ltd.**

Mr. Christmas displayed a scale model of the development, noting the three Phases, a breakwater with 75 boat marina and boardwalk, the clock tower with reflecting pool. He also indicated the Phase I buildings that the Town is proposing to lease-to-own, which includes a 4500 square foot Town Hall/Cultural Centre/Theatre. Also, there is a possibility that a hovercraft service, with docking facilities provided by Boardwalk, will operate from Bedford to Halifax. Mr. Christmas indicated that Phase I is 77% leased at this time, and may be 90% leased in the near future, following negotiations with another tenant. He spoke about the positive effects the development will have on Bedford, including job creation.

**5. Lease-To-Purchase Agreement - Peter Spencer, Town Legal Counsel**

Mr. Spencer reported that he had conducted a legal review of the lease-to-purchase agreement, and outlined some of the areas where it differs from an ordinary commercial lease.

**6. Question Period - Public**

**Mr. Don Cherry**

Mr. Cherry raised questions with respect to the financial projections. He inquired why the tax revenue amounts for the existing space leased by the Town were not shown, suggesting that it was not a fair comparison. He asked if the Town considered that they may be the only tenant for the Boardwalk development, and that it would fail if they do not relocate there.

Mr. Singer responded, indicating that it is felt the Town will play a catalytic role in spearheading the development, not only for Phase I but for the other two Phases as well, and if it does not relocate there, the development may sit vacant for a number of years, thereby eliminating any tax revenues. He compared the proposal to others conducted by

Dartmouth and Halifax, and noted that tax revenues for the existing building already exist, and will continue to exist, therefore it was not taken into consideration.

Mr. Cherry suggested that projecting the figures in "absolute dollars" is a fatal flaw in the analysis.

Mr. Singer indicated that staff had looked at present values figures as well, but these were not presented. He noted that there are differences between public and private sector financing, such as the fact that the Town does not pay income tax, and does not look for a return on investment.

**Ms. Marie Smith**

Ms. Smith suggested that it was elementary that it is better to purchase than to rent, and urged everyone to think about the future generations and the time in 30 years when the Town will not be paying any lease payments or rent.

**Mr. Sceles**

Mr. Sceles inquired about the owner of the current facility providing a 30-year lease as well, and indicated his feeling that the figures provided by Town staff were not relevant because they were only projections.

Mr. Singer indicated that a proposal from the current landlord, had been received today offering rental rates for 30 years at substantially lower rates than shown in the projected figures, but that the Town could not consider the proposal at this late date due to fair public tendering processes. He noted that the landlord had an opportunity to bid on the public proposal when tendered in 1991, but he had declined to do so.

**Unknown Resident**

This resident inquired about the background of Boardwalk, and asked whether a performance bond would be posted by them.

Mr. Christmas was asked to respond, and he gave a brief background on Boardwalk, noting that a performance bond would be posted, and that Boardwalk will also hold a fixed-cost contract with a top construction firm, McAlpine Ltd.

**Gary Schmiesser**

Mr. Schmiesser suggested that buildings wear out over time, and that in 30 years the Town will own a building worth only the \$1.00 they will pay for it. He indicated his feeling that

the Town should not be considering entering into building ownership, but should be doing what they are voted in to do. He spoke about the lack of facilities in the town for such things as Minor Hockey, and suggested that the proposed waterfront development does not do anything for the residents.

Mr. Peter Spencer noted that in accordance with the Lease, a maintenance fund will be established for the upkeep of the building, and that the landlord is required to deposit an amount of funding equal to one and one half percent of the gross minimum rent received annually from the Building Complex, however with a minimum amount of \$20,000 per year to this fund.

#### **Roland Martin**

Mr. Martin suggested that the financial analysis was incorrect and not a fair comparison. He indicated that he felt the proposal will cost more, and that he and the other residents of Bedford are the ones that will have to pay for it. He also suggested that the Town is assuming that real estate will increase in value.

Mr. Singer pointed out that although lease rates in today's market are low, the economy is recovering from a recession and there is no guarantee on what rates will be in 5 or 10 years. He further noted that with the proposed lease-to-own agreement, the Town will now what their costs will be for the next 30 years whereas this is not true with any other comparison.

#### **Don Huntington**

Mr. Huntington inquired whether the Town is already committed to the agreement; whether Council had seen all original proposals for the waterfront; and whether the Library Board had been asked if they approved of the move. He pointed out that Council has decided to spend 20 million dollars over 30 years without conferring with residents.

Mayor Kelly indicated that a Motion had been passed by Council to relocate to the Waterfront, subject to two conditions, which have now been met; therefore, Council is committed to that extent. He further noted that Council had not seen all the proposals as submitted to the Bedford Waterfront Development Corporation, only the successful one. Mr. English indicated that he had met with the Chief Librarian, but pointed out that the decision as to the location of the Branch Library is Council's not the Library Board.

Mr. Huntington went on to express concern regarding the amount of debt the Town is facing in the future, particularly with respect to improving the Mill Cove sewage treatment plant.

Mayor Kelly noted the projected tax revenues from the project that have been taken into consideration. Mr. Huntington suggested that they were only assumptions.

Councillor Harris Hutt noted that he was a Library Board representative, and that he had met with the Chief Librarian, although not on an official basis. He reported that the Chief Librarian had expressed support for the proposal.

**Betsy Van Helvoort**

Ms. Van Helvoort raised questions with respect to the legality of the "new land" created at the Waterfront.

Mr. English indicated that the land is owned by B.W.D.C., and that Boardwalk has an agreement to purchase the land. The lot is considered exactly the same as any other building lot in Bedford, and is subject to the same regulations. He noted that it falls under the Waterfront section of the M.P.S., was legally subdivided, and as an approved building lot under the Planning Act.

Ms. Van Helvoort inquired to Mr. Christmas whether the project would be built if the Town does not relocate there. Mr. Christmas stated that it would not. Also in response to Ms. Van Helvoort, Mr. Christmas indicated that the timing of the construction of the three Phases would be that Phase I would commence immediately, with Phase II starting soon after. Phase III may be 3 to 4 years in the future.

**Peter Sheehan**

Mr. Sheehan questioned the veracity of the projected tax revenues and assessed values for the project. He suggested that it was important for residents to be aware that the projections are subject to some fluctuations and may not be as clear-cut as shown on the financial schedule.

Mr. Singer noted that all information relative to assessed values came from the Assessment Division of Municipal Affairs, and that the project is considered a Class A building with the Town as a lead tenant.

Mr. Sheehan suggested that staff should have obtained a comprehensive analysis of office space in Bedford.

**Rene McEachern**

Mr. McEachern questioned the amount of return on investment that Boardwalk will receive with the proposed lease agreement, and suggested that the Town should be sure of Boardwalk's financial status.

Mr. Singer suggested that it is not the Town's business how Boardwalk makes money on a project, and noted that the Town is protected with respect to Boardwalk's financial viability.

Councillor Hutt clarified that Boardwalk's investment involves all of Phase I, II and III, and that they will stand to make a substantial return on their investment.

**Patrick Haley**

Mr. Haley expressed doubt that the existing market is a good one to be building in, and suggested that the current building could remain vacant if the Town leaves, thereby reducing the tax base on the building.

Mr. Singer again noted that it was Council's previous decision that the Town should own their own space on the Waterfront. He reiterated that continuing to rent might be cheaper in the short run since rates are low now, but that may not be the case in 5 years.

**Mr. Don Kelly**

Mr. Kelly also inquired as to how committed Council was to this deal already, and put forth some figures indicating a large after-tax cost difference if the Town moves relative to staying where they are. He suggested that a public vote on the matter should be held. Mr. Singer requested that the resident clarify further his figures, but he indicated that clarification would be provided in writing if the Town requests it.

Mayor Kelly again clarified the Council's status of commitment relative to the Motion. Mr. Peter Spencer, legal counsel, also clarified the status and suggested that the Town **could** be sued by Boardwalk if the agreement is not signed at this time.

Deputy Mayor Stephen Oickle stated that the agreement was **not** a "done deal", and that Notice of Rescission of the motion could be served. He suggested that Mr. Christmas be asked whether the Town would be sued if the deal fails to go through.

Mr. Christmas responded and stated that legal action would indeed be initiated against the Town.

**Don Murphy**

Mr. Murphy inquired whether the financial figures shown by Mr. Singer earlier had been available when the decision was made by Council, and asked who had put the figures together.

Mr. English reported that a presentation of the figures had been made to Council in February, prior to their decision. He noted that the figures had been put together by the Finance Department, in coordination with Municipal Affairs Assessment department and Boardwalk.

**Anne Birdsall**

Ms. Birdsall expressed concern about the discrepancy of dates on the letter from Hon. Brian Young, and asked whether Mr. Young had ever alluded to the existence of an unsigned letter.

Mayor Kelly stated that he had no knowledge about the letter previously. He noted that a letter from the new Minister of Municipal Affairs, Hon. Sandy Jolly had been received relative to this matter, and that he would be meeting with her at 8:00 a.m. on June 16.

Councillor MacLean also stated that there had never been any indication that the letter existed, but suggested that the validity of it should be questioned further.

Mr. Peter Spencer stated that the letter has been accepted as valid by the new Minister. Mayor Kelly indicated that he would inquire about it further during his meeting with Hon. Sandy Jolly.

**Aileen McCormick**

Ms. McCormick asked whether anything has been signed yet by Council. Mayor Kelly indicated that it had not. Ms. McCormick then inquired how many proponents had responded to the original tender call for the waterfront property.

Mr. Micheel Towner of Bedford Waterfront Development Corporation responded, noting that there had been 3 proposals received, and that Boardwalk's had been the best with respect to the design and the Lease Agreement.

Ms. McCormick inquired of Mr. Christmas whether Boardwalk had any other lease-to-purchase agreements. Mr. Christmas indicated that they did not. Ms. McCormick expressed concern with respect to the number of vacancies in the Town, and that this new development would be taking away a large tenant from an existing building.

**Unknown resident**

This resident suggested that the Town buy or build their own 20,000 square foot building. He indicated that the people of Bedford had not been asked if they wanted Council to become a landlord. He further stated his feeling that this is a bad deal for the Town of

Bedford.

Mr. Singer indicated that buying or building a facility had been examined; however, there are several drawbacks, such as the need for room to grow in the future and lack of flexible financing. With the Boardwalk proposal, the financing is provided by Boardwalk, which consists of blended payments and other flexible features.

**Richard Hattin**

Mr. Hattin noted that he sits on the Bedford Planning Advisory Committee, and that he recalled that the developer had stated during a meeting that the Town was **not** required to become a tenant for the project to be viable.

Mr. Christmas indicated that he did not recall making that statement, but noted that if it was, the market has now changed. He stated that the objective has always been that the Town be the lead tenant.

Councillor Cosgrove noted that she also sits on B.P.A.C., and that it has always been the intention that the Town be the catalyst for the development.

Councillor Goucher also concurred this has always been the intent.

Mr. Hattin suggested that 30 year lease was a guaranteed income to the developer for a long period of time, and that it was like receiving a subsidy from the Town.

**Mr. Peter Sheehan**

Mr. Sheehan inquired about the Town's flexibility to shrink their space under the agreement.

Mayor Kelly indicated that the Town does have that option, and can dispose of a part of the building if so desired.

**Unknown resident**

This resident inquired whether the original tender call had included the aspect of the Town becoming a tenant.

Mr. Micheel Towner responded that it had, and that this had been at Council's direction. The original square footage that Council had proposed to lease had been 30,000 square feet.

The resident questioned the figures provided by Town financial staff, and suggested that this was a high-priced move.

**Doug Shanks**

Mr. Shanks pointed out that the Town had, during 1986 through 1988, acquired land at Hammonds Plains Road and the Bedford Highway with the possible intention of locating there. He asked why this was dismissed, and suggested that the Town is only going to the waterfront to "help out" the Bedford Waterfront Development Corporation.

Mayor Kelly again reviewed the past decisions by Council regarding the intention to own space, not rent it. He noted that 5 different locations had been considered, but that Council had decided to go to the waterfront. He reported that the Town had approached the current landlord with requests to downsize or negotiate on the rent, but the landlord had been unwilling to do so. Mayor Kelly stated that this proposal gives the Town control of its destiny.

**Mr. Roland Martin**

Mr. Martin suggested that an independent analysis of the figures be conducted.

**Mr. Roughneen**

Mr. Roughneen agreed with Mr. Martin.

**Unknown resident**

This resident indicated that he felt the Town should not be trying to be a landlord. He suggested that Mr. Hustins letter to the Town should be made public. He further suggested that the purchase option in the agreement may not necessarily be a good deal.

**Betsy Van Helvoort**

Ms. Van Helvoort expressed concern that there had been no public input on the waterfront section of the M.P.S.

**Francene Cosman**

Ms. Cosman expressed concern with respect to the assumptions made in the financial figures, and suggested that the Town has a responsibility to reassess the figures. She also indicated that there should be concern with respect to the dating of the letter from Hon. Brian Young. Ms. Cosman suggested that a plebiscite on the matter be held.