

Mr. Robertson reviewed his report to Council advising that Mr. Bloodworth had requested a minor variance to allow modification of the Town's Land Use By-Law requirement respecting side yards.

With permission from Mayor Kelly, Mr. Bloodworth addressed Town Council reviewing his position on the matter.

With permission from Mayor Kelly, Mrs. Debbie Sajko, 22 Wimbledon Road, addressed Town Council explaining her concern with Mr. Bloodworth's request.

In speaking to the matter, Councillor John Davies advised he would be willing to support the proposal if the neighbours were in agreement with same.

ON MOTION of Councillors John Davies and Len Goucher, it was moved to support the recommendation of Town Staff to reject Mr. Bloodworth's proposal. MOTION CARRIED UNANIMOUSLY.

10.3 Literacy Foundation - Deputy Mayor Bill MacLean

Deputy Mayor Bill MacLean advised that the Bedford/Sackville Literacy Foundation was a group which was able to assist in adult education utilizing the talents and knowledge of the area's senior citizen community. There was one concern, however, that being some form of space required, specifically, one room, in which to set up a table/chair/telephone.

ON MOTION of Deputy Mayor Bill MacLean and Councillor Len Goucher, it was moved to refer the matter of allotting space to the Bedford/Sackville Literacy Foundation for the purposes of aiding in adult education through the assistance of the area's senior citizen community to the Heritage '80 group and Heritage Advisory Committee for comment and review. MOTION CARRIED UNANIMOUSLY.

11. REPORTS - NIL
12. CORRESPONDENCE - NIL
13. MOTIONS OF RECONSIDERATION - NIL
14. MOTION OF RESCISSION - NIL
15. NOTICES OF MOTION - NIL
16. DEPARTMENTAL REPORTS

16.1 Chief Building Inspector's Report - Month of August, 1994

ON MOTION of Councillors Len Goucher and Stephen Oickle, it was moved to accept the Chief Building Inspector's Report for the Month of August, 1994 as circulated. MOTION APPROVED UNANIMOUSLY.

16.2 Update - Metro Authority - Mayor Peter Kelly

Mayor Kelly advised that the four metro Mayors had been meeting with the Hon. Sandy Jolly, Minister of Municipal Affairs. Meetings are ongoing to develop a proposed Agreement. Town Council will be subsequently advised when the final Agreement is available and a further update will be provided for the October 11, 1994 Council Meeting.

17. QUESTIONS

17.1 Status Sheet

The Status Sheet was received for information.

18. ADDED ITEMS - NIL

19. ADJOURNMENT

As there was no further business, the meeting adjourned at 9:30 p.m.

MEETING # 108

TOWN OF BEDFORD
PUBLIC HEARING #94-06
TUESDAY, OCTOBER 4, 1994 - 7:00 P.M.

Public Hearing #94-06 was held Tuesday, October 4, 1994 - 7:00 p.m. - in the Town Council Chambers, Mezzanine Level, Sunnyside Mall, Bedford Highway, Bedford, N.S.

Those in attendance included Mayor Peter Kelly; Deputy Mayor Bill MacLean and Councillors Stephen Oickle, John Davies, Len Goucher, Harris Hutt and Anne Cosgrove.

Staff members in attendance included Rick Paynter, Acting Chief Administrative Officer; Donna Davis-Lohnes and Jane Nauss, Recording Secretary.

At the request of Mayor Kelly, Ms. Davis-Lohnes read the Motions pertaining to this proposal from both BPAC and BWAC.

BPAC Motion - "that BPAC support the Planning and Development Control Staff's recommendation that Town Council approve entering into this proposed Development Agreement. The Development Agreement should include special provisions as outlined in the report, including specifying that no water or sewer services are to be supplied to the structures and any water that is brought to the site will be removed from the site in containers."

BWAC Motion - "that BWAC recommends to Town Council that they enter into a development agreement with Hilary Grant to construct a boathouse and cabin on Spruce Island."

Ms. Davis-Lohnes advised that the proponents, Mrs. Hilary Grant and her son Justin, were in the audience. It was noted as well, that one written objection to the proposal had been received.

Mayor Peter Kelly called on Ms. Davis-Lohnes to review the staff report.

Ms. Davis-Lohnes advised that the purpose of this Hearing was to receive both written and verbal submissions on the entering into of a Development Agreement with Hilary Grant, owner of Spruce Island.

The matter had been discussed at a Public Information Meeting on July 25, 1994; Planning Advisory Committee (BPAC) on two occasions, namely; August 31, 1994 and September 6, 1994, and by the Waters Advisory Committee (BWAC) on September 14, 1994.

The meeting was advised that Mrs. Hilary Grant wished to construct a boathouse and cabin on Spruce Island with the proposed boathouse to be 35 ft. by 44 ft. in size and the proposed cabin to be 12 ft. by 12 ft. in size and located on an existing clearing. Ms. Davis-Lohnes noted that no water or septic services are proposed, with

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all water and waste material to be carried off the island. It was noted as well that the proponent plans to use the site for a picnic area and perhaps for an overnight stay.

Ms. Davis-Lohnes noted that the island is designated Residential and zoned Residential Single Unit (RSU) with the nearest land area being a portion of Shore Drive between Long Cove and Admiral Cove which is also zoned RSU.

Council was advised that development on Spruce Island can be considered by Development Agreement due to the fact that the island has no public street frontage, is within the Residential Development Boundary and meets the minimum lot and zoning requirements, as in accordance with Policy R-28 of the Municipal Planning Strategy (MPS). It was also noted that structures are permitted within 50 ft. of Bedford Basin.

As there are no sewer or water services proposed for this development, the proponents intent to utilize a rain water holding tank and a chemical toilet. Accordingly, no permits from the Department of Health will be required. The Department of Health has prohibited grey water on the island, therefore, no sink is permitted as part of this proposal.

It was also noted that the island can be serviced by the Bedford Fire Department.

The proposal will not impact on the school system, recreational lands and streets. The island is privately owned and has no historical buildings. Bald eagles utilize the island year round for perching, however, the proponent has agreed to construct the boathouse and cabin in late fall and winter to minimize the impact on the birds. As construction would take place on existing cleared land, minimal tree cutting and excavation will be necessary. The proponent is also willing to maintain the existing vegetation as a visual screen between the two buildings and the eagles' perch.

It was the recommendation of Town staff that Council approve entering into this proposed Development Agreement, with special provisions i.e. no water or services, to be included.

Mayor Kelly called on Mrs. Hilary Grant to address Council. By referring to a model of the proposal, Mrs. Grant advised of the following: natural shingling will be utilized on the boat house; the buildings will blend with the landscape; the cabin is to be located further back behind the boat house; she does not intent to disturb the natural habitant of the eagles; grey water will be removed from the island.

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Mr. Justin Grant advised that the boat house will be used for winter storage of the boat only.

Mayor Kelly opened the discussion to Town Council.

In response to an enquiry from Councillor Harris Hutt if eagles nest while the Grants are on the island, Mrs. Grant advised she had only seen one eagle at any given time.

In response to an enquiry from Deputy Mayor Bill MacLean as to what the proponent's intent was if they planned on staying on the island for an extended period of time, Mrs. Grant advised the island would only be used for overnight purposes or a picnic area.

In response to an enquiry from Councillor Stephen Oickle as to how the proponents accessed the island now, Mrs. Grant advised either via the public access or the Koppernaes property.

In response to an enquiry from Councillor Oickle, if the proponents were informed that nothing could be developed on the island at this time, Mrs. Grant advised in the negative.

Ms. Davis-Lohnes advised that since 1991, the island has been zoned RSU zoning which was determined through the MPS. Prior to 1991, the area was zoned R1. In other words, development can take place on the island.

In response to an enquiry from Councillor Stephen Oickle, as to what type of boat would be stored, Mr. Grant advised a 36 ft. wooden cabin cruiser.

Mayor Peter Kelly opened the floor for questions.

MR. ROBERT TATE - SHORE DRIVE

Mr. Tate enquired as to why the proponent would want to store such an old boat on a small island.

Mr. Grant advised that although the boat was old, it was well built and he would rather store his boat on his own property rather than having to pay other people to store it for him.

MR. BOB LUGAR - SHORE DRIVE

Mr. Lugar expressed a concern that the Coast Guard viewed these types of development in the Basin negatively.

Ms. Davis-Lohnes agreed with this comment, but that the Coast Guard was particularly concerned with infilling of low tide areas. This proposal, however, does not involve altering the shoreline.

After two calls from the public for further questions from the floor, Mr. Terry Cooper, a solicitor retained by a number of residents on Shore Drive, addressed Council.

Mr. Cooper provided the following comments: the residents are opposed to the draft Development Agreement; concern that the Development Agreement was only made available the Friday prior to this Hearing; the residents opposing this proposal live in very expensive homes; they were misled when they initially purchased their homes; fear their homes will now devalue; questioned the use of the cabin; questioned the degree of usage of the buildings and to what expense of the neighbouring residents; feels the removal of water and waste should be monitored; residents feel this proposal may set a precedent in other areas; may lead to vandalism at certain times; concern re noise i.e. boats coming and going - day and night; current island owners could sell the property to other who may use the property differently; potential fire hazard with a delay in the Fire Department getting to the island (30 - 45 minutes); fire could spread to neighbouring properties; the matter of eagles perching has not been dealt with by staff in the staff report; the eagles perch only 30 ft. away from the proposed buildings and many eagles may be scared off; this Agreement could be the first step against the natural environment of the island as well as more cottages, noise, etc. etc.

With respect to the Development Agreement directly, he had the following concerns:

- what are the benefits of this proposal to the Town of Bedford or other residents (page 1, 2nd paragraph);
- what other uses can be allowed (clause 2);
- what was the height of the cabin (clause 3 (b));
- how was the removal of grey water and waste to be monitored (clause 4 (3));
- concern with "approximate" size (clause 4 (5));
- why "may request" instead of "shall request" (clause 5 (2));
- what if site disturbance costs \$5,000 (clause 7 (2));
- what if the matter is appealed - who pays the costs involved (clause 10);
- the party can breach any of the clauses; this is unfair (clause 11).

Mr. Cooper stressed the fact that this is a highly expensive residential area with a proposal of this type being placed in the residents' backyard.

Mayor Peter Kelly advised that as the meeting had commenced at 7:00 p.m., most of the items raised by Mr. Cooper had previously been discussed. Ms. Davis-Lohnes was requested, however, to provide comments to Mr. Cooper's statement.

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Mr. Cooper advised that the residents could hire an independent planner to review the Planning Act.

Ms. Davis-Lohnes noted the following in response to Mr. Cooper's comments:

- the Development Agreement had been made available to the public earlier than Friday past;
- the site is not a recreational site and has been zoned Residential Single Unit (RSU) since 1991. Prior to that date, it was RI;
- it has been assumed by the public that the Town owns the island, and that no development could take place;
- the cabin has been defined as a single dwelling unit which is a residential use although the proponents do not plan on actually living in the cabin;
- the cabin is to be used occasionally however the Development Agreement does not limit the time usage of this residential unit;
- through the Development Agreement, water and waste will be dealt with the Department of Health being aware of the proposal;
- the Town will monitor the removal of grey water and waste and will be responsible for ensuring same is carried out;
- grey water and waste will be removed from the site;
- should there be a new owner, the Development Agreement is tied to the land irregardless of who owns the land;
- re fire hazard, the Town has consulted with the Fire Department and the Department has agreed there may be a delay in responding to any fire. This may impact on the insurance costs for Mrs. Grant;
- the eagles' perching is discussed within the staff report. Protection of natural habitats cannot be dealt with through the Planning Act;
- the Department of Environment has been contacted by the Town and same has been reflected in the staff report;
- with respect to the Development Agreement, the Town's solicitor assisted in formulating same;
- paragraph 2 of the Development Agreement describes generally what the nature of the project is;
- re the height of the cabin - refer to Schedule "B" included in the package - 2 storey structure in height (16 ft.);
- re site and location - cabin is 12 ft. by 12 ft. with maximum size allowable being 14 ft. by 14 ft.;
- re Section 5 (2) - this is a general clause contained within the Town's Development Agreement - this proposal requires a lot grading plan;
- re \$2,000 security - the object is to try to encourage proponents to abide by the conditions laid out in the Development Agreement. If additional funds are required, the Town's solicitor will refer to the Planning Act with any additional monies to be charged back to the proponent. To date, this section has not been used in the entire Province;

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- re Section 10 - Appeal - the Town does incur its own expenses;
- re Section 11 - if the Town was successfully challenged on its interpretation of a specific clause, only the clause would be invalidated, not the entire Development Agreement.

Mr. Cooper enquired as to the benefits to the Town cited in the Development Agreement. How are the residents and the Town to benefit from this proposal. This proposal would be to the detriment of the Town if the neighbouring residents living in expensive homes are dissatisfied. Any new owners could use the property as they see fit.

Ms. Davis-Lohnes advised that in regards to benefits, this particular clause is a standard clause utilized in Development Agreements. The Town looks at each proposal in terms of the MPS.

With reference to the time frame for usage of the buildings, the owners may stay one or two nights, however, no water or sewer would be available. Ms. Davis-Lohnes suggested also that the lack of water, sewer and electricity would affect the length of time people would stay on the island.

Mr. Cooper expressed concern on the purpose of the MPS. The Town should look at the bigger picture. Should construction be increased at the expense of others.

MRS. HILARY GRANT

As owner of Spruce Island, she could pitch a tent, have bonfires and parties. Why should her habits change with a cabin instead of a tent? What if her wealthy neighbours have bonfires, boats coming and going and partying? Does it matter how much one pays for their own house in relation to the noise that may be created?

Councillor Stephen Oickle noted that Mr. Cooper had circulated a sheet noting a list of neighbouring residents who opposed the proposal. The recording secretary was requested to read back from the minutes as to the property referenced by which the island was accessed from the shoreline. The recording secretary advised the statement recorded was "via public access or the Koppernaes property."

Councillor Oickle enquired as to why the Koppernaes name was now included in the list of objectors the proposal.

With respect to building permits, Councillor Oickle noted other residents required water and sewer before a permit was issued.

Ms. Davis-Lohnes noted that the Town's Chief Building Inspector is aware of this proposal and that an Occupancy Permit will be issued.

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Council was advised that permits are issued on the basis of use.

In response to an enquiry from Councillor Oickle if the cabin will be placed on a concrete slab or box, Mrs. Grant advised it would be placed on a wooden deck, not cement.

Councillor Len Goucher expressed his concern re boat maintenance i.e. thinners, paint, grey water and that something needs to be included in the Development Agreement to limit the types of matter emitted into the Basin as a result of boat maintenance i.e. bilge.

Ms. Davis-Lohnes advised that the Town should be concerned with anyone who empties contaminates into the Basin. If any discharge is suspected, the Department of Environment will be contacted.

Councillor Len Goucher expressed a concern with a wooden boat being stored on an island with bilge being dumped into the Basin.

Mr. Grant noted he has been storing his boat on Shore Drive and that there is currently no facility for the collection or treatment of any grey water thus the reason for building a boathouse.

Councillor Harris Hutt enquired as to why a boat on the island should be treated differently than boats on the shoreline. If he lived on Shore Drive, a boat could be hauled onto the owner's property for maintenance. He enquired if someone could show him where someone has to be treated differently than others in this particular situation.

Ms. Davis-Lohnes noted that the issue concerning bilge water should be looked at for all boats.

After three calls for further comments, the Hearing adjourned at 8:15 p.m.

MEETING #109

TOWN OF BEDFORD
PUBLIC HEARING #94-07
TUESDAY, OCTOBER 4, 1994 - 8:15 P.M.

Public Hearing #94-07 was held Tuesday, October 4, 1994 - 8:15 p.m. - in the Town Council Chambers, Mezzanine Level, Sunnyside Mall, Bedford Highway, Bedford, N.S.

Those in attendance included Mayor Peter Kelly; Deputy Mayor Bill MacLean and Councillors Stephen Oickle, John Davies, Len Goucher, Harris Hutt and Anne Cosgrove.

Staff members in attendance included Rick Paynter, Acting Chief Administrative Officer; Donna Davis-Lohnes, Acting Director of Planning and Jane Nauss, Recording Secretary.

Mayor Peter Kelly called on Ms. Davis-Lohnes to review the staff report.

Ms. Davis-Lohnes addressed Town Council noting that Council has requested staff to initiate the process to amend the Generalized Future Land Use Map of the Municipal Planning Strategy (MPS). The properties affected include 1034 - 1094 Bedford Highway (even numbers) and 2 - 4 Locke St. These properties are designated Mainstreet Commercial on the Generalized Land Use Map and zoned Residential Single Unit (RSU). The amendment is to re-designate the properties from Mainstreet Commercial to Residential.

A review of the Mainstreet Commercial concept and the extent of its application along the Bedford Highway has not take place to date.

The meeting was advised that during a Public Information Meeting held January 20, 1994, concerns were raised regarding the Mainstreet Commercial designation. The purpose of the meeting was to discuss a re-zoning application for 1040 Bedford Highway, however, the application has since been withdrawn.

On March 21, 1994 a Public Information Meeting was held to determine whether there was public support for a change in designation from Mainstreet Commercial to Residential. At that meeting, a majority of residents expressed the desire to have the Mainstreet Commercial designation changed to Residential.

The following considerations must be taken into account regarding the removal the Mainstreet Commercial designation, namely; the rationale for the creation of the Mainstreet Commercial Zone and its application to this portion of the Bedford Highway; the impact of further commercial development on the function and character of the Bedford Highway; and, available opportunities for commercial development in Bedford.

Ms. Davis-Lohnes advised that the Mainstreet Commercial designation

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and zone came about as a result of the 1991 MPS review process. This particular zone was a means by which to revitalize the original commercial core of Bedford by encouraging the development of small scale, local and specialized types of services which would serve local residents and businesses as well as a larger regional/tourist market.

Ms. Davis-Lohnes also noted that the Mainstreet Commercial concept would likely develop within a confined area of the Highway and then spread. The concept was described as a long term vision for Bedford Highway.

During the MPS review, Council had been advised that those properties located between Locke St. and Hammonds Plains Road, could be removed from this Mainstreet Commercial designation due to the fact that none of the respective properties contained commercial uses, the Mainstreet Commercial concept was not likely to begin within this particular area and, the commercial viability of several of the properties was questionable.

With the adoption of the MPS, the properties retained the Mainstreet Commercial designation with an RSU zone being placed on the subject properties to reflect their existing use. Mainstreet Commercial uses could be entertained through a re-zoning. Subsequently, Council recognized that changes to the extent of the designation and to the requirements of the zone itself, may be necessary over time to fine tune the concept. Accordingly, Policy C-38 of the MPS was created to recommend the review of the Mainstreet Commercial Zone and its application along the Bedford Highway within two years. This review has not been initiated. As a result of the February, 1994 meeting, however, it now seems appropriate for Council to review the application of the Mainstreet Commercial zone in this area.

Over time, detailed concept plans have been developed for the area adjacent to the Meadowbrook Drive/Bedford Highway intersection and improvements have been in the area of First Avenue and Division St. Although the Town has received several inquiries regarding possible commercial development between Locke St. and Landsburg Rd., only one re-zoning application had been received for a specific purpose.

In April, 1991, staff requested Council to reconsider lands proposed to be designated for commercial development under the revised MPS. Town staff expressed concern and recommended that Council not designate additional lands for commercial development until an overall economic development strategy was developed for the Town. Further, it was recommended that no additional land along the Bedford Highway be designated for commercial purposes pending a study which would examine the impact of further commercial development on the Bedford Highway. The properties

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located between Locke St. and Landsburg Road were not designated commercial under the 1982 Municipal Development Plan (predecessor of the MPS).

It is the opinion of staff that the removal of the fifteen subject properties from the Mainstreet Commercial designation would not affect the overall supply of land along the Bedford Highway for commercial development. The remaining commercial properties would provide opportunities for commercial development within the Mainstreet Commercial concept which is a long term plan.

Ms. Davis-Lohnes advised that the attached staff report reviews why the designation was initially placed on the properties. At the time of the MPS review, no interest was expressed by the respective properties owners to immediately convert their properties to a commercial use.

In closing, Ms. Davis-Lohnes noted it is the recommendation of the Planning and Development Control Department that the Generalized Future Land Use Designation be changed from Mainstreet Commercial to Residential for properties (even numbers) which front on the Bedford Highway between Locke Street and Landsburg Road and the properties known as 2 and 4 Locke St.

Ms. Davis-Lohnes read for the record, the Motion from the Planning Advisory Committee pertaining to this application:

BPAC - "to support the Planning and Development Control Department's recommendation that the Generalized Future Land Use Designation be changed from Mainstreet Commercial to Residential for properties fronting on the west side of Bedford Highway between Locke Street and Landsburg Road and the properties known as 2 and 4 Locke St."

Ms. Davis-Lohnes also advised that no written submissions had been received.

There were no questions from Town Council at this point in time.

Mayor Peter Kelly opened the floor for comment.

MR. TONY EDWARDS, 8 SULLIVAN'S HILL

Mr. Edwards expressed his support for the amendment.

MS. ROSEMARY GALINGER - check spelling and get address

Ms. Galinger expressed her support for the amendment.

After three calls for further comments from the floor, Mayor Peter

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Kelly enquired if Town Council had any comments.

In response to an enquiry from Councillor John Davies if the Town is aware of how each of the fifteen property owners feel about the amendment, Ms. Davis-Lohnes advised that no formal survey had been undertaken, however, all had been invited to the Public Information Meeting. The minutes reflect that the majority of those in attendance were in favour and that two property owners did not support the proposal.

In response to an enquiry from Councillor John Davies on the future value of the properties, Ms. Davis-Lohnes advised that the value of properties is based on current zoning. Ms. Davis-Lohnes further advised that the area could not be rezoned to Mainstreet Commercial unless the appropriate process was followed.

Councillor John Daves advised he wanted to ensure that all property owners were being treated fairly.

As there was no further discussion, the meeting adjourned at 8:50 p.m.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

meeting #110

TOWN OF BEDFORD
SPECIAL SESSION
TUESDAY, OCTOBER 4, 1994

A Regular Meeting of the Town Council of the Town of Bedford took place on Tuesday, October 4, 1994 - 8:55 p.m. - in the Council Chambers, Mezzanine Level, Sunnyside Mall, Bedford Highway, Bedford, N.S.

1. LORD'S PRAYER

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

2. ATTENDANCE

Those in attendance at the commencement of the Session included Rick Paynter, Acting Chief Administrative Officer; Donna Davis-Lohnes Davis, Acting Director of Planning and Development and Jane Nauss, Recording Secretary.

4. ADDITIONS/DELETIONS TO ORDER OF BUSINESS

Mayor Peter Kelly advised that agenda item 7.1 would be discussed October 11, 1994.

Councillor Len Goucher requested the addition Correspondence from David Shea re Concerns of Residents - Basinview Drive Elementary School.

5. APPROVAL OF ORDER OF BUSINESS

ON MOTION of Councillors Stephen Oickle and Len Goucher, it was to approve the Order of Business, as amended. **MOTION CARRIED UNANIMOUSLY.**

Mayor Peter Kelly advised that agenda item 7.2 may be withdrawn from the agenda for October 11, 1994.

Ms. Davis-Lohnes advised that the developer has requested this matter be deferred and it is anticipated this will be brought before Council on the 18th or 25th of October.

Councillor Stephen Oickle expressed his concern with this request and advised this matter should be decided upon prior to the election.

Ms. Davis-Lohnes advised that the developer for the Paper Mill Lake RCDD made the same request for further time to study comments raised at the respective Public Hearing. The Redden Brothers have the legal right to have this matter postponed as well.

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Councillor Len Goucher stressed this matter should be dealt with prior to the election. If a new Council deals with this proposal, another Public Hearing will be required.

Ms. Davis-Lohnes suggested that Town Council refer this matter to the Town's Solicitor.

Mayor Peter Kelly requested Ms. Davis-Lohes to refer this matter to the Town's solicitor and contact the proponents.

6. DEFERRED BUSINESS/BUSINESS ARISING FROM THE MINUTES

6.1 Update - Solid Waste Management

Mayor Peter Kelly provided an update on the Mayor's Task Force on Solid Waste. The four metro Mayors and Minister of Municipal Affairs, Sandy Jolly have met twice to date. Mr. Bruce Outhouse has been appointed as facilitator to guide the participants through this process. Town Council concerns have been brought forward and further information will be made available as the meetings progress.

7. PUBLIC HEARINGS AND MOTIONS ARISING THEREFROM

7.1 Public Hearing #94-03 and #94-04 - Amendments to Municipal Planning Strategy and Generalized Future Land Use Map, and Amendment to the Land Use By-Law and Zoning Map.

Ms. Davis-Lohnes showed a brief video of the fractionation plant in North Carolina.

Following the video presentation, Ms. Davis-Lohnes advised she wished to discuss: issues raised during the Public Information Meeting and the revised Draft Zone. The following points were raised:

- a) the ITR zone will have its own ITR Generalized Future Land Use designation;
- b) concerns regarding permitted uses
 - issues such as genetic research and use of animal testing are ethical and moral issues, not land use issues. In terms of the permitted uses within the ITR Zone, further analysis by the Town is required as the Town needs to have a clear vision of what will take place in the ITR zone. In North Carolina the individuals involved with the Research Triangle Park have a clear vision and focus i.e. a certain percentage of activity at any operation must be related to research and development. There is a need to do a feasibility analysis.
 - re biohazardous waste - the Town will ensure that consultation occurs with appropriate individuals re disposal of

biohazardous waste. The solid biohazardous waste could be shipped to Quebec for incineration, however, Miles will be reviewing further this aspect of the development;

- c) re liquid waste - is treated on site in Clayton. The type of on-site sewage waste treatment plant to be used in Bedford is not known at this time;
- d) re chemicals for testing - in North Carolina, these are removed by a biohazardous waste disposal company;
- e) Atlantic Acres - staff concur that compatibility with the ITR zone should be examined and the future direction of the Atlantic Acres Park revisited;
- f) transportation network - staff concur that future transportation plans for the area should be reviewed with the area residents; direct access from Highway 102 to the proposed ITR park needs to be examined;
- g) re area beyond the Bicentennial Highway - Town staff feel it is necessary to have a vision and look at the over all economic development and other forms of industrial development;
- h) with respect to the Draft ITR Zone - it has been amended to reflect the supplementary report discussed at the public hearing:

- (b) "processing" - not "manufacturing" - left as "processing" as it is the appropriate terminology.
- (d) "corporate, administrative and business offices associated with uses (a) through (k)" - this change has been reflected.
- Page 2 - "Maximum Height of Building - 52 ft." - the "52 ft." figure stays. The design of the building has not get been designed and will probably be on a vertical design. staff raecommend that 52 ft. remain. If more height is needed then a request to do so can be accomplished through Development Agreement or an amendment to the ITR Zone.
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 - (a) "a minimum of 50% of the property shall be landscaped. Landscaping shall include the retention of natural vegetation." - this has been reflected.
 - (b) "at least 50% of the area between the street(s) and buildings shall be landscaped. Trimming and selective cutting of natural vegetation is permitted." - this has been reflected.

Accessory Uses/Storage

- (a) "All permitted uses and accessory activities, including the storage of equipment or supplies used in any production or assembly shall be confined within an enclosed building. Accessory activities involving toxic

or flammable products which cannot be located within an enclosed building shall be screened from view from all adjacent properties and public streets." - this has been reflected.

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(i) "One announcement/construction sign per lot is permitted. Announcement/construction signage shall not exceed 200 square feet in area per face and shall be removed from the site at the time of issuance of permits for permanent signage." - this has been reflected (it was indicated there may be a requirement for two signs).

For the record, Ms. Davis-Lohnes read the recommendation from the staff report:

"It is the recommendation of the Planning Department that Town Council amend the Town's Municipal Planning Strategy and Land Use By-Law to permit high technology and research uses on lands located at the western quadrant of the Bicentennial Highway and the Hammonds Plains Road. Specifically, it is recommended that an Information, Technology, and Research Generalized Future Land Use Designation and Zone be applied to 48 acres to enable the construction of the proposed Red Cross fractionization facility. Staff recommend that 50 acres adjacent to the Red Cross site be included within the ITR designation to enable similar high tech and research uses to locate in this area by rezoning as part of an overall strategy to develop and ITR park in this location. Further research regarding the feasibility of the ITR park concept should be undertaken immediately upon approval of these amendments by the Minister of Municipal Affairs, followed by a master planning exercise for the additional lands included with the ITR designation."

Councillor Stephen Oickle enquired to Ms. Davis-Lohnes if any guidelines were in place re amount of bulk storage (Page 1 {k}).

Ms. Davis-Lohnes advised that on page 4 (b) there is reference to bulk fuel storage tanks required for heating systems. She indicated "petrochemical chemical and development" uses could be excluded from the zone if there were concerns that the uses could be addressed during the feasibility analysis.

Councillor Len Goucher noted that with the location of the zone, natural drainage is proposed to Sandy Lake and Paper Mill Lake. With respect to toxic storage, could the Land Use By-Law require berming in the event of a spill. Councillor Goucher enquired if a berm could stop drainage into the two water bodies.

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Ms. Davis-Lohnes indicated the Department of Environment (D.O.T.) has regulations regarding the storage of bulk fuel and toxic materials. If these are adequately addressed by D.O.T. there will be no need to include a provision in the Land Use By-Law. She indicated she would consult further with D.O.E. and the Department of Municipal Affairs on the matter. Ms. Davis-Lohnes pointed out that the Town can also address this concern through the storm water management plan for the site.

In response to an enquiry from Councillor Anne Cosgrove as to how the facility would be heated, Ms. Davis-Lohnes advised that heating would be provided through oil.

Councillor Anne Cosgrove advised that although the N.S. Department of the Environment does not keep a record of homes which experience oil leakage from tanks, Prince Edward Island does. They have discovered that 94% of leakage spills comes from outside residential storage tanks. Councillor Cosgrove advised that the Town will have more problems with residential units that this type of facility, in this regard.

Councillor Len Goucher noted that the Town should be cautious and require whatever precautions are necessary i.e. berms, in the event of a spill.

ON MOTION of Councillors Len Goucher and Stephen Oickle, it was moved to refer this matter back to Town Council on the 11th of October due to some concerns brought forth during this meeting.

Ms. Davis-Lohnes noted that with respect to the amount of storage on site at any one time would be of petrochemical use. As well, she noted that the Town will study further the ability to utilize berms to prevent contamination. Discussions will be held with the Department of the Environment.

On a Point of Clarification, Deputy Mayor Bill MacLean enquired if the potential for office tower development existed with the zone as written.

Davis-Lohnes advised that corporate, administrative and business offices must be associated with uses (a) through (k).

Deputy Mayor MacLean enquired if the need for office space changes overtime, will the guidelines prevent other office uses from moving to the area.

Ms. Davis-Lohnes advised that as long as permits are obtained, the guidelines will be stiff enough.

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Deputy Mayor MacLean advised he was not comfortable with the wording on page 1 (d) of the Draft Zone. This wording does not preclude use of office space or surplus space being rented out as office space. Deputy Mayor MacLean advised this clause requires more definition.

MOTION CARRIED UNANIMOUSLY.

10. **NEW BUSINESS**

10.1

Consideration - Awarding of Tender - Tender 94-19 - Bulk Salt Hauling

ON MOTION of Councillor Len Goucher and Deputy Mayor Bill MacLean, it was moved to award Tender 94-19 to Shaw Resources for the hauling of bulk salt in the amount of \$10.65/tonne. **MOTION APPROVED UNANIMOUSLY.**

10.2

Consideration - Awarding of Tender - Tender 94-20 - Snow Plowing Rental Equipment

ON MOTION of Councillor Len Goucher and Deputy Mayor Bill MacLean, it was moved to award Tender #94-20 to Dexter Construction Company Limited for snow plowing rental equipment at a monthly retainer fee of \$1,000 and an hourly rate of \$150. **MOTION APPROVED UNANIMOUSLY.**

10.3

Consideration - Awarding of Tender - Tender 94-21 - Machine Asphalt Patching

ON MOTION of Councillor Len Goucher and Deputy Mayor Bill MacLean, it was moved to award Tender 94-21 to Dexter Construction Company Limited for Machine Asphalt Patching in the amount of \$18,618. **MOTION APPROVED UNANIMOUSLY.**

19. **ADJOURNMENT**

As there was no further business, the meeting adjourned at 10:00 p.m.

MAYOR

ACTING CHIEF ADMINISTRATIVE OFFICER

MEETING #111

TOWN OF BEDFORD
REGULAR SESSION
TUESDAY, OCTOBER 11, 1994 - 7:00 P.M.

A Regular Meeting of the Town Council of the Town of Bedford was held Tuesday, October 11, 1994 - 7:00 p.m. - in the Town Council Chambers, Mezzanine Level, Sunnyside Mall, Bedford Highway, Bedford, Nova Scotia.

1. LORD'S PRAYER

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

2. ATTENDANCE

Those in attendance included Mayor Peter Kelly; Deputy Mayor Bill MacLean and Councillors Stephen Oickle, John Davies, Len Goucher, Harris Hutt and Anne Cosgrove.

Staff members in attendance included Dan R. English, Chief Administrative Officer; Rick Paynter, Director of Engineering and Works; Bob Nauss, Director of Recreation; Eric Sheppard, Assistant Deputy Fire Chief; Donna Davis-Lohnes, Acting Director of Planning and Development; Ron Singer, Director of Finance; Wayne Legere, Operations Manager; Neville Wheaton, Fire Chief, and Jane Nauss, Recording Secretary.

3. APPROVAL OF MINUTES

ON MOTION of Deputy Mayor Bill MacLean and Councillor Anne Cosgrove, the minutes of September 27, 1994 were approved.

In speaking to the Motion, Councillors John Davies and Harris Hutt advised they had not supported the motion to request a joint meeting with Halifax County Council regarding supplementary funding for the Halifax County School Board.

In response, Mayor Kelly advised that unless he sees a show of hands from any member of Council in opposition to a Motion, no formal record of non-support will be indicated in the minutes.

4. ADDITIONS/DELETIONS TO ORDER OF BUSINESS

Item 10.11 - Correspondence from David Shea - Re Basnview Drive Elementary School - is to be moved to 8.1.

Item 10.10 - Consideration - Encroachment Within Street Right of Way - Civic #1274 - was deleted from the agenda.

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5. APPROVAL OF ORDER OF BUSINESS

ON MOTION of Councillor Anne Cosgrove and Deputy Mayor Bill MacLean, it was moved to approve the Order of Business as Amended. **MOTION APPROVED UNANIMOUSLY.**

6. DEFERRED BUSINESS/BUSINESS ARISING FROM THE MINUTES

6.1 Update - Proposed Plan - Solid Waste Management

Mayor Peter Kelly advised that Metropolitan Authority has agreed, unanimously, to the proposal as put forward by Halifax County Municipality and agreed upon by the four mayors to assume responsibility for solid waste management in the metropolitan area. Tipping fees/charges for waste disposal will be based on per tonnage as opposed to assessment and should reduce the Town's costs. He also noted that the Province will be enacting legislation to effect these changes.

7. PUBLIC HEARINGS AND MOTIONS ARISING THEREFROM

7.1 Public hearing #94-03 - Amendments to Municipal Planning Strategy and Generalized Future Land Use Map Relating to the Proposed Creation of an Information, Technology, and Research Generalized Future Land Use Designation and Land Zone; and,

Public Hearing #94-04 - Amendment to the Land Use By-Law and Zoning Map Relating to the proposed Information, Technology and Research Zone.

Ms. Davis-Lohnes advised that during the October 4, 1994 Council Meeting, three questions were raised by Council Members, as follows:

1. Bulk Storage of fuel - permits will be required for the storage tanks; berms have to meet certain specifications; this cannot be dealt with through the Town's Land Use By-Law, however. Same will be controlled by the Department of the Environment. Additional security checks can be incorporated in the storm water management plan for the site.
2. Research and Development Facility - Town staff were advised by the Imperial Oil Research Facility in Sarnia, Ontario, their on-site fuel storage requirements were minimal. The Miles/Red Cross proposal would require more fuel storage than a petrochemical research use, should Town Council still be concerned, this can be removed from the Zone and dealt with during the feasibility study.
3. Office Uses - Under "D" of Permitted Uses, associated offices is part of the proposal. The intent is not to permit general office uses to be established on site. Under "F" there is the ability to have professional offices which provide for support services for

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uses in the ITR park.

Ms. Davis-Lohnes advised of staff's recommendation contained in the staff report.

Councillor Len Goucher expressed his concern on obnoxious nuisances and who would monitor same. In response, Ms. Davis-Lohnes advised that both the Town and the Department of Environment would monitor same.

Councillor Len Goucher enquired of berm usage and if the possibility existed within the Land Use By-Law to make reference to Department of Environment enforcements. In response, Ms. Davis-Lohnes advised that the Town's Municipal Planning Strategy contained a policy pertaining to same. With respect to berms, however, the Department of Municipal Affairs may indicate a reference to them will be redundant.

Councillor Len Goucher reiterated his request. In response, Ms. Davis-Lohnes advised that the Minister of Municipal Affairs may question a provision regarding berm usage, however, comments from the Department of Environment would be obtained.

Councillor Stephen Oickle requested Fire Chief Neville Wheaton's comments on the storage of petrochemicals at the Miles/Red Cross facility.

Although Mr. Wheaton was not prepared to comment on this matter specifically, he noted the Fire Department has not taken a stand on potential large spills from the facility as yet. Under normal circumstances, however, the Fire Department would be called in to control a fire, with an outside agency contacted to control chemical spills.

ON MOTION of Councillors Stephen Oickle and John Davies, it was moved to amend the Town's Municipal Planning Strategy and Land Use By-Law to permit high technology and research uses, on lands located at the western quadrant of the Bicentennial Highway and the Hammonds Plains Road. Further, that an Information, Technology, and Research (ITR) Generalized Future Land Use Designation and Zone be applied to the 48 acres (as depicted in the Planning Staff Report dated August 16, 1994) to enable the construction of the proposed Red Cross Fractionation Facility. Further, that the 50 acres adjacent to the aforementioned Red Cross site be included within the ITR designation to enable similar high tech and research uses to locate in this area by rezoning as part of an overall strategy to develop an ITR park in this location. Further, that the list of permitted uses as proposed by Planning Staff be amended to exclude petrochemical research and development uses.

MOTION CARRIED UNANIMOUSLY.

8. PETITIONS AND DELEGATIONS

8.1 Correspondence - David Shea - Basinview Drive Elementary School

Mr. David Shea addressed Council noting that the citizens of Bedford Village and neighbouring areas request the following: (a) a sidewalk the length of Bedford Hills Road; (b) school cross walk and signs from the top of Bedford Hills Road across Basinview Drive; and (c) a school crossing guard at the junction of Bedford Hills Road and Basinview Drive. At the request of Mayor Kelly, Mr. Shea provided the Recording Secretary with a petition of the area residents requesting same. Mr. Shea requested that the aforementioned be in place for the opening of the school in January, 1995.

A brief discussion took place on the costs involved and Mr. Rick Paynter advised that the cost would not be much higher than \$200,000 which was the price quoted in 1984.

As well, Mr. Shea conveyed his understanding that the connection of Bedford Hills Road to Basinview Drive was only to remain open temporarily. Accordingly, he suggested this connection be closed as a much less costly alternative to the sidewalk.

ON MOTION of Councillors Len Goucher and Stephen Oickle, it was moved to refer this matter to staff with comments to be brought before Town Council during the next Regular Session.

In response to an enquiry from Councillor Stephen Oickle respecting the park located at the corner of Hammonds Plains Road and Bedford Hills Road (M1), Ms. Davis-Lohnes advised that negotiations are currently underway with the developer, to reinstate the park in a new location. Accordingly, Ms. Davis-Lohnes will report back to Town Council on the status of the reinstatement of the park, during the next Regular Session.

MOTION CARRIED UNANIMOUSLY.

9. MOTIONS - NIL

10. NEW BUISNESS

10.1 Strategic Planning for Municipal Reform - Metro CAOs Report

Mr. Dan English, Chief Administrative Officer, advised that the memorandum circulated to Members of Town Council, was prepared by the four metropolitan Chief Administrative Officers as it relates to Municipal Reform. Collectively, they are concerned with the manner in which municipal reform is progressing - or not progressing. The units involved need to arrive at a mutual concensus to send a message to the Province. He noted that with the creation of a Utility respecting the landfill, this could lead to the demise of the Metropolitan Authority with only Transit being left to deal with. Mr. English advised that transit could be taken over by one municipality within the metro area (Option 4).

For information purposes, Mr. English reviewed the six options for reform of municipal government:

1. Municipal Consortium
2. Expanded Role for Metropolitan Authority
3. Regional Government (two tier)
4. Lead Partner System
5. UniCity
6. Status Quo Retained.

Mr. English advised that a concensus from this Council supporting the following process is required at this point in time:

1. the CAOs report be discussed by each municipal Council as soon as possible and a mandate given to the CAO Committee to continue research and discussion leading to municipal reform. The six options should be further analyzed and documented.
2. A survey of Council Members be conducted to establish a benchmark for proceeding with discussions and to identify issues.
3. Concurrent with the Council questionnaire, community focus groups be established to probe a range of issues relating to municipal reform.
4. The results of the above research to be prepared for presentation to a conference of elected officials. The CAO Committee would ensure that the conference is properly facilitated.
5. The conference to be held early in the new year and Council debates would lead to a summary paper to be prepared for the review of the municipal Councils. The resulting agreement among the municipal partners would form the basis for a request to the Minister of Municipal Affairs to implement municipal reform on an agreed upon basis.

ON MOTION of Councillor Len Goucher, it was moved to refer this item to the new Council. As there was no seconder, the **MOTION WAS LOST.**

Councillor John Davies noted that the Chief Administrative Officers were looking for direction only, at this point in time. Direction could be given by this Council with the matter being conveyed to the new Council for further discussion.

ON MOTION of Councillors John Davies and Anne Cosgrove, it was moved to endorse the Chief Administrative Officers' Report on Municipal Reform. **MOTION CARRIED UNANIMOUSLY.**

In speaking to the Motion, Deputy Mayor Bill MacLean required clarification on "the units can embrace change and have significant influence in shaping the change."

Mr. English advised that if the units do not take a stand now, the Province will do what, in its opinion, is necessary in the future and the units will not have any say. If Town Council adopts this process, same will be given to the new Council in the Transitional Report. Accordingly, the new Town Council will need to approve of same.

MOTION CARRIED UNANIMOUSLY.

10.2 Future of Bedford Blueprint

During budget deliberations, Council considered a staff recommendation that production of the Blueprint be discontinued as a cost-saving measure. Subsequently, Council agreed to reduce the amount in the Budget for production of the Blueprint from \$30,000 to \$18,000 and to allow public feedback from the Public Opinion Survey. The results from the Survey depicted 88.6% of the residents relied on the Blueprint for information pertaining to Town issues.

ON MOTION of Councillors Len Goucher and Stephen Oickle, it was moved to continue with production of the Bedford Blueprint on a quarterly basis with co-editors Michael Gillett, Recreation Department and Rudy Vodicka, Administration, being appointed to fulfil this responsibility. Further, that in an effort to reduce production costs, allowance be made for limited advertising and that the quality of the internal paper stock (not the covers) be reduced. **MOTION APPROVED UNANIMOUSLY.**

Mr. English advised that Council owed a debt of gratitude to both Donna Davis-Lohnes and Stephen Nearing for producing the Blueprint over the past two years.

10.3 Consideration - Recommendations - Organizational Review

Mr. Dan English advised that ATI Consulting Corporation was appointed in January, 1994 by Town Council to undertake an organizational review of the Town's organizational structure. As a result of this review, five specific recommendations were being made at this point in time:

A. Establishment of Paid Fire Chief

ON MOTION of Councillors Len Goucher and John Davies, the recommendation as contained within the ATi Consultants Organizational Report to establish a paid Fire Chief position within the Bedford Fire Department be accepted. Further, implementation of this recommendation is to be further discussed between the Chief Administrative Officer and Bedford Volunteer Fire Department Officers in terms of required changes to the Volunteer Constitution, Job Description, Recruitment Process, etc."

It is anticipated this position will be filled by early January, 1995. Other recommendations pertaining to the Fire Department will be considered out by the new Chief with a report to be tabled with Council early Spring, 1995. **MOTION CARRIED UNANIMOUSLY.**

B. Establishment of Corporate Services Department

With the creation of Corporate Services, the following changes will be made: (a) the transfer of Human Resources from the Chief Administrative Officer's Office to Corporate Services; (b) transfer of Management Information Services (Systems Manager) from the Planning Department to Corporate Services, and (c) the Finance Department to now become known as Corporate Services Department.

ON MOTION of Councillors Len Goucher and Anne Cosgrove, it was moved to establish a new Department i.e. Corporate Services, which will involve a reorganization and transfer of Human Resources and Management Information Services to Corporate Services. Further, that the Finance Department now become known as the Corporate Services Department. **MOTION CARRIED UNANIMOUSLY.**

C. Responsibility for Maintenance of Parks and Grounds (excluding playing fields) to transfer from Recreation to Engineering and Works

It was noted that implementation of this change would not take place until April 1, 1995 with no additional staff nor financial impacts being realized.

ON MOTION of Councillors Len Goucher and John Davies, it was moved to transfer from the Recreation Department, the responsibility for maintenance of Parks and Grounds, with the exception of playing fields, to the Engineering and Works Department. **MOTION CARRIED UNANIMOUSLY.**

D. Engagement of Consultant/Facilitator to assist the Town with Strategic Planning

ON MOTION of Councillors Len Goucher and John Davies, it was moved to engage a consultant/facilitator to assist the Town with Strategic Planning with costs to be in the vicinity of \$12,000 to \$15,000.

Mr. English advised that the process will be a continuation of work carried out to date.

MOTION CARRIED UNANIMOUSLY.

E. Appointment of Director of Planning and Development

Mr. English advised that Ms. Donna Davis-Lohnes has held the position of Acting Director of Planning and Development since April, 1993. As Ms. Davis-Lohnes has acted admirably in this position, it was his recommendation that Ms. Donna Davis-Lohnes be appointed Director of Planning and Development.

ON MOTION of Councillors Anne Cosgrove and Harris Hutt, it was moved that Donna Davis-Lohnes be appointed Director of Planning and Development effective immediately.
MOTION CARRIED UNANIMOUSLY.

It was noted this appointment would be subject to a six month probationary period and successful performance evaluation before tenure is obtained. Mayor Peter Kelly and Members of Council congratulated Ms. Davis-Lohnes on her appointment.

F. General

Mr. English further advised that a separate report will be submitted to Town Council within two months outlining how the recommendations relative to Internal Communication and Human Resource Management were addressed. Further, the recommendation for a new position in the Chief Administrative's Office will be addressed during 1995/96 budget discussions.

10.4 Consideration - Awarding of Tender - Lions Pool Expansion

Mr. Bob Nauss reviewed his report making note that the original tenders for renovations to the Bedford Lions Pool changing house and pool tank were over budget and therefore rejected. The project was redesigned to include the replacement of the pool tank component only.

The Recreation Department had applied for and was successful, in receiving a \$25,000 grant from the Province. Mr. Nauss suggested these funds should be credited towards the \$100,000 contribution the Parent Support Group was intending to raise towards the project.

Mr. English advised the meeting that Council had earlier indicated that the \$100,000 contribution from the Parent Support Group would be required prior to April 1, 1995. Due to the bid bond period, however, TAG Enterprises are not obligated to hold their bid beyond

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90 days from the September 30, 1994. Accordingly, Council may not be in a position to award the contract to TAG Enterprises as it is possible for TAG to pull out of the project after 90 days.

Further, Mr. English suggested that Council not award TAG the contract now but defer consideration until the beginning of December. Prior to that, however, the Parent Support Group should be contacted for assurance of their fundraising commitment to date.

Mr. Nauss advised that the Parent Support Group was aware of the process to date.

ON MOTION of Councillor Len Goucher and Deputy Mayor Bill MacLean, it was moved to credit the Parent Support Group with the \$25,000 grant against the \$100,000 which they were to raise initially. **MOTION CARRIED UNANIMOUSLY.**

ON MOTION of Councillors Len Goucher and John Davies, it was moved to defer the matter of awarding this tender to December 13, 1994. **MOTION CARRIED UNANIMOUSLY.**

10.5 Consideration - Awarding of Tender 94-18 - Dartmouth Road Retaining Wall

ON MOTION of Councillors Len Goucher and John Davies, it was moved to award Tender 94-18 - Dartmouth Road Retaining Wall to Vernon Kynock Trucking in an amount of \$45,539.20 plus \$6,000 Engineering and \$5,000 for Contingencies - for a total of \$56,539.20. **MOTION CARRIED UNANIMOUSLY.**

10.6 Consideration - Awarding of Tender 94-23 - Manhole Adjustments - Dartmouth Road

ON MOTION of Councillors Stephen Oickle and Len Goucher, it was moved to award Tender 94-23 - Manhole Adjustments - Dartmouth Road to Basin Contracting Ltd. in an amount of \$24,267.60 plus \$2,500 for Contingencies - for a total of \$26,767.60. **MOTION CARRIED UNANIMOUSLY.**

10.7 Consideration - Awarding of Tender 94-24 - Cleaning and TV Inspection

ON MOTION of Deputy Mayor Bill MacLean and Councillor Harris Hutt, it was moved to award Tender 94-24 - Cleaning and TV Inspection to Floyd Nicholson Services in an amount of \$16,906. **MOTION CARRIED UNANIMOUSLY.**

10.8 Consideration - Resolution - Green Streets Canada Application

Mr. Wayne Legere, Operations Manager, addressed Town Council advising that Green Streets

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Canada's objective was to create a partnership between the National Community Tree Foundation and municipalities across Canada. Accordingly, this affords an opportunity for the expansion and enhancement of municipal tree planting programs through the provision of additional funding for the planting of additional trees.

In Bedford's case, the objective is to reforest along the banks of the Sackville River from Fish Hatchery Park to the Bicentennial Highway (1.2 miles) with numerous types of trees. The meeting was advised that the Town will work closely with the Sackville Rivers Walkway Committee to coordinate the plantings.

ON MOTION of Councillors Len Goucher and Harris Hutt, it was moved to endorse the two year funding proposal - municipal contribution of \$25,120 in total (\$12,560 for the 1995/96 and 1996/97 budget years). **MOTION CARRIED UNANIMOUSLY.**

10.9 Proposed Dissolution of MAPC

Mr. English advised that the Metro Area Planning Commission (MAPC) has been inactive and had originally been established to offset a portion of the Metro Authority budget. Further, it was noted that any surplus funds will be distributed to each unit with Bedford being entitled to \$5,300.

ON MOTION of Deputy Mayor Bill MacLean and Councillor John Davies, it was moved to support the dissolution of MAPC. **MOTION APPROVED UNANIMOUSLY.**

16. DEPARTMENTAL REPORTS

16.1 Chief Building Inspector's Report - Month of September, 1994

ON MOTION of Councillor Harris Hutt and Deputy Mayor Bill MacLean, the September, 1994 Chief Building Inspector's Report was approved as circulated. **MOTION APPROVED UNANIMOUSLY.**

17. QUESTIONS

17. Status Sheet

The Status Sheet was received for information.

19. ADJOURNMENT

The meeting adjourned at approximately 8:50 p.m.

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11

MAYOR

CHIEF ADMINISTRATIVE OFFICER

MEETING #112

**TOWN OF BEDFORD
SPECIAL SESSION
TUESDAY, OCTOBER 18, 1994 - 7:00 P.M.**

A Special Session of the Town Council of the Town of Bedford took place on Tuesday, October 18, 1994 - 7:00 p.m. - in the Council Chambers, Mezzanine Level, Sunnyside Mall, Bedford Highway, Bedford, N.S.

1. LORD'S PRAYER

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

2. ATTENDANCE

Those in attendance at the commencement of the Session included Mayor Peter Kelly; Deputy Mayor Bill MacLean and Councillors Stephen Oickle, John Davies, Len Goucher, Harris Hutt and Anne Cosgrove.

Staff members in attendance included Rick Paynter, Acting Chief Administrative Officer; Ron Singer, Director of Finance; Donna Davis-Lohnes, Director of Planning and Development; Jenifer Tsang, Planner, and Jane Nauss, Recording Secretary.

Mr. Peter McInroy, Solicitor, was also in attendance.

Mayor Peter Kelly advised this was the last Town Council Meeting for the Fifth Council and expressed his appreciation to Council on their contribution to the Town of Bedford. Copies of the Fifth Council group picture, were distributed to each Member of Council by the Mayor.

Deputy Mayor Bill MacLean congratulated Mayor Peter Kelly on his victory during the recent municipal election and wished those Members of Council who were re-elected, the best of luck.

Councillor John Davies wished the Sixth Council, all the best in the future.

Councillor Harris Hutt also wished the Sixth Council, all the best in the future.

Councillor Stephen Oickle advised it had been an honour to serve with Deputy Mayor Bill MacLean, and Councillors John Davies and Harris Hutt over the past three years and that they will be missed.

REGULAR SESSION - OCTOBER 18, 1994**3. APPROVAL OF MINUTES**

ON MOTION of Councillor John Davies and Deputy Mayor Bill MacLean, the minutes for Meeting #107 - Public Hearing 94-06 - October 4, 1994, were approved. **MOTION APPROVED UNANIMOUSLY.**

ON MOTION of Deputy Mayor Bill MacLean and Councillor John Davies, the following minutes were approved:

Meeting #108 - Public Hearing #94-07 - October 4, 1994

Meeting #109 - Special Session - October 4, 1994

Meeting #110 - Regular Session - October 11, 1994.

MOTION APPROVED UNANIMOUSLY.

4. ADDITIONS/DELETIONS TO ORDER OF BUSINESS

4.1 Councillor Len Goucher requested that "Primary Program - Halifax County-Bedford District School Board" - be added to the agenda as item 8.2

4.2 Mayor Peter Kelly advised that item 7.1 - "Public Opinion Survey - 1994" be deleted from the agenda.

4.3 Mayor Peter Kelly advised that item 8.1 - 1993/94 Audited Financial Statements and Appointment of Auditors" - will be discussed prior to Petitions and Delegations.

5. APPROVAL OF ORDER OF BUSINESS.

ON MOTION of Deputy Mayor Bill MacLean and Councillor Len Goucher, the Order of Business, as amended, was approved. **MOTION APPROVED UNANIMOUSLY.**

8. NEW BUSINESS

8.1 Town of Bedford 1993/94 Audited Financial Statements and Appointment of Auditors

Mr. Ron Singer addressed Council noting that the Town had concluded fiscal 1993/94 with an Operating Deficit of \$254,167 mainly due to the number of successful assessment appeals. Further, the meeting was advised that the deficit would be higher by \$100,000 should Council choose to transfer this amount to the Operating

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Reserve as originally planned. It is required that the deficit (\$254,167) be returned to the Surplus Account during 1994/95 and Mr. Singer noted that the 1994/95 Operating Budget included \$250,000 for this purpose.

It is staff's recommendation that:

1. the 1993/94 budgeted transfer to the Operating Reserve in the amount of \$100,000 NOT take place;
2. the 1993/94 Audited Financial Statements be formally accepted as tabled; and
3. the accounting firm of Levy Casey MacLean Chartered Accountants, be appointed as the Town's registered Municipal Auditors for the year 1994/95.

ON MOTION of Councillors Anne Cosgrove and Len Goucher, it was moved to (a) not transfer \$100,000 to the Operating Reserve; (b) accept the 1993/94 Audited Financial Statements as tabled; and, (c) appoint Levy Casey MacLean Chartered Accountants as the Town's registered Municipal Auditors for the year 1994/95.

In speaking to the Motion, Mayor Kelly enquired as to when the last public proposal call had been undertaken. Mr. Singer advised that Town Council discussed the matter last year, however, the decision was made to retain Levy Casey MacLean. It was agreed that this would be addressed for the year 1995/96.

MOTION APPROVED UNANIMOUSLY.

6. PUBLIC HEARINGS AND MOTIONS ARISING THEREFROM**6.1 Public Hearing #94-05 - RCDD Development Agreement Application - Union Street Area**

Ms. Jenifer Tsang, Planner, reviewed amendments to the Draft Development Agreement - Union Street RCDD noting the following:

- (a) Under "Special Provisions" (page 3) - Section 4(6) was reworded to reflect:

"2.5 acres of the 10.8 acres mentioned above - representing approximately 9% of the gross acreage of the parcel of land subject to this agreement - shall be deeded to the Town as public parkland/open space and 1.6 of those 2.5 acres are being deeded to the Town in order to satisfy the parkland dedication obligation of the Developer pursuant to the Planning Act;"

- (b) Under "Special Provisions" (page 3) - Section 4(7) was reworded to reflect:

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"The project shall incorporate, without realignment, the existing trail through the lands and shall include walkways as proposed in the plans which walkways are to be constructed in accordance with the requirements outlined in Schedule "C" attached to this Agreement;"

- (c) Under "Wastewater Discharge" (page 4) - Section 6(3) was reworded to reflect:

"The Development Officer, in consultation with the Director of Engineering and Works, shall determine the most appropriate point of connection of the sanitary sewer system serving the project to the existing Town's sanitary sewer system;"

- (d) Under "Environmental" (page 4) - Section 7(1) was reworded to reflect:

"The developer shall avoid, where possible, any development on slopes of or over 20% grade;"

- (e) Under "Security" (page 7) - Section 8(4) was reworded to reflect:

"The Development Officer, in consultation with the Director of Engineering and Works shall determine the most appropriate point of connection of the storm water system serving the project to the existing Town's storm water system;"

- (f) Under "Security" (page 7) - Section 14(1) was reworded to reflect:

"The Developer shall deposit with the Development Officer security in the amount of \$50,000 by way of certified cheque or Letter of Credit prior to any street or servicing construction activity in relation to each particular phase of the project to ensure:

- (a) the observation of all environmental measures and recommendations called for in the Environmental Study as called for by Section 7 of this Agreement; and
- (b) the completion of works as called for in the Detailed Storm Water Management Plan; and
- (c) the completion of the construction of walkways in accordance with the plans and Schedule "C" attached to this Agreement."

- (g) Under "Security" (page 7)

- (a) change "Developer/builder" in 15(1) to "Developer/future lot owner."