

DAIVD LYONS addressed Council expressing the opinion that the current proposal should be approved.

WARREN HUTT addressed Council requesting that the location of the bus stop adjacent to the area in question be moved as soon as possible. He suggested that it was already in a dangerous location and the relocation should not be deferred pending road improvements.

RICK HATTON addressed Council expressing some concern with respect to the fact that the Tim Horton Donut operation would be a 24 hour operation. He suggested that it might become a hang-out and pose a problem with respect to the maintenance of the Tourist Centre. He also expressed some concern respecting the proposed merging lanes of traffic and asked that the traffic situation be resolved before the development commences.

He also suggested that Council should not take into account what other Developers would think if this proposal is rejected - in his opinion the question should be, "Is this the best proposal for this particular property."

DOUG SHANKS addressed Council expressing the opinion that the Town is not addressing the existing problem of the merging traffic lanes. He further expressed the opinion that the development should not be approved until something is done with respect to the traffic and bridge problems. He also was concerned with a 24 hour operation, suggesting that this will simply escalate the currently existing noise problem.


AL CHIASSON addressed Council noting the outstanding record of Tim Horton Donut Limited as a community corporate citizen. He suggested that this Company always goes the extra mile to give something back to the community in which it is involved and that it just may be the best development possible for this site. He advised Council that he supports the proposal.

JOHN THORPE addressed Council asking that the possibility of enlarging the entrance into the Village Centre be considered as an alternative to the proposed entrance way off the Bedford Highway.

PETER MCDONOUGH addressed Council expressing appreciation on behalf of the Developer with respect to the attitude of the residents.

There being no further submissions from the general public in response to three calls from the Mayor, the Public Hearing was declared adjourned at approximately 10:30 p.m.


MAYOR


CHIEF ADMINISTRATIVE OFFICER

original

TOWN OF BEDFORD
PUBLIC HEARING #88-09
MONDAY, DECEMBER 12, 1988

A Public Hearing of the Town Council of the Town of Bedford was held on Monday, December 12, 1988, 7:45 p.m., in the Bedford Fire Hall, Bedford Highway, Bedford, Nova Scotia, Mayor Peter Christie presiding.

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

Staff members in attendance included Barry Zwicker, Director of Planning and Development Control; Joan Pryde, Deputy Clerk; Rick Paynter, Director of Engineering and Works and Steve Moir, Senior Planner.

Approximately seventy-five (75) members of the general public were also in attendance at this Session.

PURPOSE OF PUBLIC HEARING

Mayor Christie advised that the purpose of the Public Hearing was to hear and receive submissions relative to a Development Agreement Application respecting a parcel of land located on the south side of Moirs Mill Road.

STAFF REPORT

Steven Moir, Senior Planner, reviewed details of the proposed Development Agreement which would permit a mixed residential development containing three (3) types of residential housing, one in the form of Condominium Town Housing (45 units), the second in the form of Freehold Condominium Town Housing (24 units), and the third in the form of seven multi-family buildings containing twelve units each, totalling eighty-four units, on an eleven acre parcel of land on the south side of the Moirs Mill Road.

Mr. Moir noted that the project provides for a more or less transitional density between the Nelson's Landing Development and the existing and developing Bedford Village Properties area.

Noting that the major problems which have been identified to date are the school situation and traffic concerns, Mr. Moir advised that it appears that a new school will not be built until the Glen Moir School is actually over-crowded with in all likelihood, portables on the site and that the Developer has agreed to help address the problems which may ensue respecting turning traffic off the Bedford Highway.

DEVELOPER'S SUBMISSION

Mr. Al Chiasson, President of Bedford Village Properties, addressed the meeting reviewing in explicit detail what his company is proposing with this development. In particular, he noted that it is his company's expectation that most of the units being proposed will be occupied by older residents, not residents with young children.

Mr. Chiasson also noted the difficulty of developing this particular parcel of land and expressed the opinion, that the development as proposed will ultimately be a more desirable development than a possible alternative development of R-1 housing. He also expressed the opinion that the Town of Bedford needs a variety of housing options such is being proposed in this development.

QUESTIONS FROM COUNCIL

In response to an inquiry from Council as to what is meant by the Company's policy respecting tree protection, Mr. Chiasson advised that his Company's policy is that trees of a diameter over 3 inches are not to be removed unless absolutely necessary.

In response to an inquiry from Council as to whether there will be a buffer between this proposed development and the two houses currently located in the near vicinity behind the Red Barn, Mr. Chiasson advised that the buffer will be at least seventy feet.

In response to an inquiry respecting the time factor for the total development, Council was advised that the plan is to start immediately and finish in 1990/91. The roadway will be constructed during the initial phase of the development.

In response to an inquiry respecting the total value of this project Mr. Chiasson advised that in all likelihood, the assessed value of the development would be in the area of \$7,000,000.

In response to an inquiry from Council as to why the Company expects the development would be more attractive to the so called, "empty nesters," than to families with children, Council was informed that currently this type of development seems to attract the older resident. Mr. Chiasson also noted the type of land which is involved and the difficulties that would be posed if an R-1 development was contemplated.

In response to an inquiry from Council with respect to what features would be incorporated in the homes that would be particularly attractive for a long term residency, Mr. Chiasson advised that his company does not expect people to stay in these homes more than three to ten years. He did outline features which he felt will attract initial occupancy i.e. closeness to transportation, shopping etc., large master bedrooms, upscale kitchens etc.

In response to an inquiry as to who will own the roadways involved, Mr. Chiasson advised that the main highways, sidewalk etc., will be owned and maintained by the Town while the internal driveways will be owned and maintained by the Condominium Corporation.

In response to an inquiry respecting the plans for blasting, Mr. Chiasson advised that all blasting will be carried out during the initial phase of the development.

In response to concern expressed by Council with respect to the density of the proposed project along with the density of Nelson's Landing, Mr. Chiasson suggested that with respect to density it may be that the Town should consider a larger area as a total. He noted that if one looks at the density of the total Bedford Village area on that side of the lake, the result would still be a density of perhaps five families per acre.

SUBMISSIONS BY THE GENERAL PUBLIC

GEORGE HEPWORTH addressed Council expressing strong concern with respect to the plans for traffic exiting from Moirs Mill Road taking into consideration not only this proposed development but other commercial establishments that are already in the vicinity or in the planning stages. He also expressed concern with respect to the increase in storm water that will occur when much of the tree growth is removed. He advised Council that in his opinion the plans for this development are premature.

PETER FOOTE noted the current prevalence of storm water drainage over his property and requested information respecting what provision has been made for additional drainage.

In response Mr. Chiasson noted that plans have been developed to move the storm water to the other side of the roadway and into the brook.

RUDI SAARLOOS addressed Council expressing concern with respect to the school situation which will result following this development taking into consideration that the neighborhood school is already over-crowded.

It was noted that while it is not expected that the development will generate many children for the neighborhood school, this cannot be guaranteed.

JAN GERO addressed Council requesting and receiving information with respect to the plans for the leveling of the property and the resultant slopes from the development to the main roadway.

WALTER LONGLEY addressed Council expressing concern that this proposed development will greatly increase the density of the area from that which existed when he originally moved to his current location.

NEIL STEWART addressed Council asking for information as to why staff has changed its recommendation considering its original concern respecting the school situation and potential traffic problems.

Mr. Stewart was advised that it now appears that this development will not greatly effect the school situation and that the Developer has worked with the Town to address the possible future traffic problems. It was also noted that plans are already in progress to upgrade the Bedford Highway at the location of the intersection with the Hammonds Plains and Moirs Mills roadways.

WILL APOLD addressed Council reading into the record the recommendations of the Bedford Planning Advisory Committee to Town Council as follows:

It was unanimously agreed to recommend to Town Council:

- (a) to enter into a Development Agreement for this project with the Agreement to be executed when the Contract for the Bedford Highway Bridge replacement is awarded by the Department of Transportation; and,
- (b) to further recommend that the Agreement specify phasing for development of the project so that the condominium apartments may be built in 1989 and the town houses may be constructed when the contract is awarded for the construction of the new school near Meadowbrook playing fields.

In speaking further to this matter Mr. Apold expressed concern that there will be a density problem when one considers the proposed development along with the existing Nelson's Landing development. He also expressed concern with the escalating school situation.

In response it was noted by Council that the Province will not build a new school until the portables are on the ground.

SALLY YOUNG requested information as to whether the units can actually be limited to the, "empty-nesters," and receive an answer in the negative.

She also expressed concern with the number of intersections of the Bedford Highway that will ultimately exist between the Moirs Mill Road and Hammonds Plains Road.

In response the Director of Engineering and Works, reviewed the proposed plans for future exits off the Bedford Highway in this area.

In response to the concern being expressed with respect to the future school situation, it was suggested by Council that the time might be right now for the people of Bedford and Town Council to start pressing the Provincial Government to approve the building of the new school.

In response to an inquiry from Council as to whether or not the existing bridge is actually dangerous, the Director of Engineering and Works answered in the negative, though he expressed the opinion that it should soon be replaced.

WARREN HUTT addressed Council requesting information as to who will build and pay for the bridge. He was advised that the Department of Transportation will replace and pay for the main structure with the Town and the Province cost-sharing some of the approach costs.

GEORGE HEPWORTH again addressed Council reiterating his opinion that the development is premature.

AL CHIASSON again addressed Council expressing his regrets that members of the community at large did not take the time prior to the meeting to become informed with respect to details of the development.


He noted that drainage problems will be properly addressed, that the condo ownership system will look after and maintain all internal roads and park areas and that the matter of the construction of new schools is a responsibility of the Department of Education.

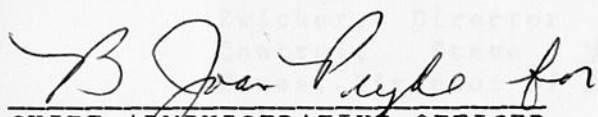
He drew the attention of the meeting to the fact that his company has been very responsible with regard to previous developments and in particular, noted the fact that the park area located on the Bedford Hills Road has been leased to the Town of Bedford for \$1.00 per year. Mr. Chiasson also suggested that any increase in traffic from this development must be looked at in context of what is already in existence.

DOUG SHANKS addressed Council expressing doubt that the Province will become involved in the construction of a bridge unless, the Town agrees to a four lane structure. He also questioned whether the bridge is safe at this point in time.

Mr. Shanks suggested to Town Council that there was no reason why the Moirs Mill Road intersection could not be signaled in order that traffic could more conveniently exit onto the Bedford Highway.

In response to three calls from the Mayor there were no further submissions from the general public and the Public Hearing was declared adjourned at approximately 9:30 p.m.


MAYOR


CHIEF ADMINISTRATIVE OFFICER

APPROVAL OF MINUTES

1.1 REGULAR SESSION - NOVEMBER 21, 1988 - No. 1

1.2 PUBLIC HEARING - DECEMBER 12, 1988 - No. 2

1.3 PUBLIC HEARING - DECEMBER 12, 1988 - No. 3

1.4 PUBLIC HEARING - DECEMBER 12, 1988 - No. 4

ON MOTION of Deputy Mayor Kelly and Councillor Cougher it was moved that the minutes of the regular session of November 21, 1988, Public Hearing No. 88-04, December 12, 1988, Public Hearing No. 88-05, December 12, 1988 and Public Hearing No. 88-10, December 12, 1988, be approved, motion approved unanimously.

TOWN OF BEDFORD
REGULAR COUNCIL SESSION
MONDAY, DECEMBER 19, 1988

A Regular Session of the Town Council of the Town of Bedford took place on Monday, December 19, 1988, 7:30 p.m., in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia, Mayor Peter Christie presiding.

1. LORD'S PRAYER

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

2. ATTENDANCE

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

Staff members attending this Session included Dan R. English, Chief Administrative Officer; Joan Pryde, Deputy Clerk; Ron Singer, Director of Finance; Rick Paynter, Director of Engineering and Works; Barry Zwicker, Director of Planning and Development Control; Steve Moir, Senior Planner and Robert Nauss, Director of Recreation.

3. APPROVAL OF MINUTES

- 3.1 REGULAR SESSION - NOVEMBER 21, 1988 - Meeting No.3
- 3.2 PUBLIC HEARING - DECEMBER 12, 1988 - Meeting No.4
- 3.3 PUBLIC HEARING - DECEMBER 12, 1988 - Meeting No.5
- 3.4 PUBLIC HEARING - DECEMBER 12, 1988 - Meeting No.6

ON MOTION of Deputy Mayor Kelly and Councillor Goucher it was moved that the minutes of the Regular Session of November 21, 1988, Public Hearing No. 88-08, December 12, 1988, Public Hearing No. 88-09, December 12, 1988 and Public Hearing No. 88-10, December 12, 1988, be approved. Motion approved unanimously.

4. ADDITIONS/DELETIONS TO ORDER OF BUSINESS

It was agreed that a delegation from the Doyle Street area would be received by Town Council and placed on the agenda as Item # 10.1.

5. APPROVAL OF ORDER OF BUSINESS

ON MOTION of Deputy Mayor Kelly and Councillor Cosgrove it was moved that the Order of Business, as amended, be approved.

6. MOTIONS OF RECONSIDERATION

NIL

7. DEFERRED BUSINESS/BUSINESS ARISING FROM THE MINUTES7.1 BPAC MEMBERSHIP - EXTENSION OF EXPIRED TERMS RE M.P.S. REVIEW

By memorandum Dan R. English, Chief Administrative Officer, requested clarification of the following Motion made on November 21, 1988, "...that the term of retiring members of B.P.A.C. be extended until the Municipal Planning Strategy Review is complete..."

Mr. English advised that clarification is requested relative to whether the extension of terms for these individuals pertains only to B.P.A.C. discussions on M.P.S. matters or full involvement in B.P.A.C. meetings. He advised that it was his understanding that the intent of the recommendation was that the retiring members would have their terms extended in order that they could continue their involvement with the M.P.S. Review only.

Councillor Draper addressed Council, reviewing details of what has previously taken place respecting this matter. She expressed the opinion that there was a full discussion on the matter during which no reference was made to partial representation; further that the matter has already been decided and that no Motion of Reconsideration was made. She emphasized that, in her opinion, the agreement was that the retiring members of B.P.A.C. would be requested to continue as full members of B.P.A.C. until the review of the Municipal Planning Strategy was complete.

7.1 CON'T

Other members of Council expressed varying opinions as to whether the intent of the Motion was such that these members should remain as full members of B.P.A.C. or only continue their involvement with respect to the M.P.S. Review.

ON MOTION of Councillor Draper and Councillor Goucher it was moved that the Town Council direct the Chief Administrative Officer or Deputy Clerk to forward a letter to the retiring B.P.A.C. members involved apologizing on behalf of Council for the mistake and for any confusion, which may have been created and invite them to stay on as full members of B.P.A.C until the M.P.S. Review is complete, with the rights and privileges extended to any member of the Committee.

The Motion was put to the meeting and was defeated. Deputy Mayor Kelly, Councillor Huntington, Councillor Cosgrove, and Councillor Walker voted against the Motion.

For the benefit of the meeting the text of the original Motion of B.P.A.C. requesting consideration of Town Council was read to the meeting. It was agreed that the wording of this Motion was not specific in its intent.

ON MOTION of Councillor Huntington and Councillor Draper it was moved that the Town of Bedford extend the terms of the retiring members of B.P.A.C. until such time as the Municipal Planning Strategy is complete and that during this time these members be given full membership and privileges as members of B.P.A.C. Motion approved. Deputy Mayor Kelly, Councillor Cosgrove and Councillor Walker voted against the Motion.

7.2 APPEAL /NOVA SCOTIA SUPREME COURT - EXPROPRIATION DECISION - ANDERSON AND BIDDLE

Copies of an Appeal Notice with respect to the Expropriation Decision - Anderson and Biddle, were circulated to members of Council and received for information. In speaking to the matter it was noted by Mr. English that this application for leave to appeal will be heard in March 1989.

8. MOTIONS OF RESCISSION

NIL

9. PUBLIC HEARINGS & MOTIONS ARISING THEREFROM

9.1 PUBLIC HEARING #88-08 RE PROPOSED AMENDMENTS TO THE TOWN OF BEDFORD LAND USE BY-LAW

ON MOTION of Deputy Mayor Kelly and Councillor Huntington it was moved that the Proposed Amendments to the Town of Bedford Land Use By-Law, as considered at the Public Hearing #88-08, be approved.

During discussion of the Motion Councillor Walker expressed some concern that these proposed amendments do not address the possibility of arranging common driveways for abutting properties in order to reduce the number of driveway locations.

In response Mr. Zwicker noted that such co-operation is encouraged by the Town during negotiations but can not be mandated in the By-Law.

The Motion was put to the meeting and approved unanimously.

9.2 PUBLIC HEARING #88-09 RE CONTRACT DEVELOPMENT AGREEMENT APPLICATION - LAND LOCATED SOUTH SIDE OF MOIRS MILL ROAD

ON MOTION of Deputy Mayor Kelly and Councillor Walker it was moved that further consideration of a Contract Development Agreement respecting property located on the South side of Moirs Mill Road, be deferred to the next Council meeting pending a report from staff with respect to the possibility of signalization of the intersection, and receipt of further information relative to traffic and construction of the new bridge. Motion approved. Councillor Goucher and Councillor Draper voted against the Motion.

9.3 PUBLIC HEARING #88-10 RE CONTRACT DEVELOPMENT
APPLICATION - 930 BEDFORD HIGHWAY - TIM HORTON DONUT
LIMITED

ON MOTION of Councillor Goucher and Councillor Draper it was moved that the Town of Bedford not enter into a Contract Development Agreement with Tim Horton Limited for the development of property located at 930 Bedford Highway.

In speaking to the Motion Councillor Goucher expressed the opinion that the proposed development was unsuitable for the location involved and that the proposal is premature due, in particular, to traffic concerns in the area.

Deputy Mayor Kelly expressed the opinion that the Developer has made major changes and concessions in response to the desires of the Town and that the proposal should be approved. He was supported in this opinion by Councillor Huntington.

Councillor Draper expressed concern with respect to the traffic and bridge problems.

Barry Zwicker, Director of Planning and Development Control noted that the Developer has agreed to financially assist in the expansion of the roadway and to place the requested fencing along the back of the property in response to concerns raised at the Public Hearing.

The Motion was put to the meeting and was defeated. Deputy Mayor Kelly, Councillor Huntington, Councillor Walker and Councillor Cosgrove voted against the Motion.

ON MOTION of Deputy Mayor Kelly and Councillor Cosgrove it was moved that the Town of Bedford enter into a Contract Development Agreement with Tim Horton Limited for the development of property located at 930 Bedford Highway as a Tim Horton Donut Shop subject to the Developer's agreement to erect a fence at the back of the property and to share in the cost of the expansion of the roadway. Motion approved. Councillor Draper and Councillor Goucher voted against the Motion.

10. PETITIONS AND DELEGATIONS

10.1 DELEGATION - DOYLE STREET AND DOYLE COURT DELEGATION

On the invitation of Mayor Christie, Mr. Lorne Pike addressed Council on behalf of residents of Doyle Street and Doyle Court.

Noting that the residents of this street petitioned in 1987 for the paving and associated works for Doyle Street and Doyle Court, he requested serious consideration that this work be included in the 1989 Capital Budget.

In speaking to the matter Mr. Pike noted that the residents have met the conditions of the Street Improvement By-Law with 75 percent of the owners and 67 percent of the street frontage being represented by those who have signed the petition requesting that this work be carried out.

Mr. Pike also noted the length of time that the street has existed and suggested that the improvements are long overdue. Council was also advised of the magnitude of traffic on this street which is not local traffic. Finally Mr. Pike advised Council that many of the homeowners would like to pave their own driveways but do not wish to attempt this work until the street has been paved and the finished level of same can be determined.

Following a brief discussion between members of Council and Mr. Pike, Mayor Christie expressed the thanks of Council to Mr. Pike for his address.

11. MOTIONS

11.1 BY-LAW AND POLICY RESPECTING STREET IMPROVEMENT PROJECTS (1ST READING)

ON MOTION of Deputy Mayor Kelly and Councillor Huntington it was moved that a By-Law and Policy respecting Street Improvement Projects be received for first reading. Motion approved unanimously.

11.2 BY-LAW AND POLICY RESPECTING SEWER EXTENSION PROJECTS (2ND READING)

ON MOTION of Deputy Mayor Kelly and Councillor Walker it was moved that the By-Law and Policy respecting Sewer Extension Projects be received for second reading.

During discussion of the Motion the question was raised by Council as to whether the name of this By-Law should not be extended to include, "Sewer and Water," rather than just, "Sewer." It was suggested that residents should be clear as to the process for not only the extension of the sewer service but also of the water service.

The question was also raised as to whether the Town should contribute to the cost of servicing vacant lots. It was noted if a new subdivision is developed the total cost of the placement of sewer and water services is absorbed by the Developer and, of course, ultimately passed on to the purchaser. This question initiated some discussion as to whether or not the Town has the ability to differentiate between occupied and vacant lots. It was agreed that an answer to this question should be determined by staff.

In response to an inquiry from Council, Mr. English explained the rationale for developing a single rate of interest over the period of borrowing for any single Capital Project.

The Motion was put to the meeting and approved unanimously.

11.3 PROPOSED AMENDMENTS TO GRADE ALTERATION BY-LAW

Copies of correspondence from Peter A. McInroy, Solicitor, to Dan R. English, Chief Administrative Officer, were circulated to members of Council respecting Amendments to the Grade Alteration By-Law.

Mr. McInroy advised that at the By-Law Review Committee meeting on Tuesday, December 6, 1988, it was suggested that additional words be added to Subsection 1 and 2 of Section 3 dealing with Prohibitions - the change to add the words, "or cause or permit the alteration of," after the word, "alter," in each Subsection.

11.3

CON'T 1988 TAX WRITE OFFS

ON MOTION of Deputy Mayor Kelly and Councillor Walker it was moved that Town Council of the Town of Bedford approve amendments to the By-Law Respecting Grade Alteration whereby the words, "or cause or permit the alteration of," would be added after the word, "alter," in Subsection 1 and 2 of Section 3 dealing with Prohibitions.

During the ensuing discussion Council Walker expressed strong concern that Section 19, Clause 5 should be deleted from the By-Law. He requested information as to when it was included and was advised that this particular clause was part of the By-Law during Third Reading.

Following further discussion respecting this particular clause, Councillor Walker expressed the opinion that the possible benefit of such a clause is not worth the trouble it will involve.

The Motion was put to the meeting and approved unanimously.

ON MOTION of Councillor Walker it was moved that the By-Law Respecting Grade Alteration be amended by the deletion of Section 19, Subsection 5. There being no seconder to the Motion in response to three calls from the Mayor, the Motion was declared invalid.

12.

NEW BUSINESS 1991 CAPITAL PROGRAM

12.1

PROJECTED 1988 FINANCIAL RESULTS - OPERATING BUDGET

By memorandum Ron Singer, Director of Finance circulated copies of a Budget to Actual Report to November 30, 1988 respecting the Town's Operating Budget.

Mr. Singer advised Council that it appears the Town will conclude the 1988 Fiscal year with an Operating deficit approximating \$150,000 and further advised that the most notable variances are in the accounts respecting Taxes - Real Property, Grants in Lieu of Taxes, Appropriation to District School Board, Public Health and Community Services and Deed Transfer Tax.

The report was received for information.

12.2 PROPOSED 1988 TAX WRITE OFFS

By memorandum Ron Singer, Director of Finance, circulated a proposed list of tax write-offs totalling in the amount of \$32,465.56. Mr. Singer also noted the reasons for the proposed write-offs of the individual accounts and, in particular, those which represent Business Occupancy Taxes in the amount of \$30,417.20. He advised Council that Business Occupancy Taxes do not constitute a lien on real property as do other municipal taxes. Therefore, when a business closes or leaves town, there is no way of enforcing collection, because most of the companies are out of business with no remaining assets.

In response to an inquiry from Council, Mr. Singer explained the difference between taxes outstanding and reduced taxes due to appeals.

Some discussion ensued with respect to those companies who have not paid their Business Occupancy Tax and the time period that should be involved prior to the Town attempting to enforce collection.

ON MOTION of Councillor Goucher and Councillor Huntington it was moved that \$32,465.56 be written off as uncollectable receivables as per the attached list, and that same be applied to the Valuation Allowance. Motion approved unanimously.

12.3 PROPOSED 1989-1991 CAPITAL PROGRAM

By memorandum Ron Singer, Director of Finance, circulated copies of the first draft of the Town of Bedford's Capital Program for the years 1989-1991. He noted that the program, as proposed for 1989, totals \$5,112,150. Revenue of \$2,010,000 generated from various sources reduces the proposed net Capital Program for 1989 to \$3,102,150.

Mr. Singer also reviewed the situation with regard to the future financial impact of debt charges and the proposed sources of funding for the various projects included in this first draft. He further noted that reductions approximating \$1,000,000 may be required within funding Sources #1, 4 and 5.

12.3

CON'T

Mr. English recommended that tendering be approved on some of Council's high priority projects in order to determine positively whether any reduction might be made to the estimated costs.

ON MOTION of Deputy Mayor Kelly and Councillor Walker it was moved that Town staff be authorized to call public tenders for the following projects included in the first draft of the 1989 Proposed Capital Budget:

- Works Compound Building
- Meadowbrook Drive Intersection (including
- Bedford Highway Improvements)
- Range Park Phase IV

Motion approved unanimously.

On the suggestion of Mayor Christie it was agreed that a special meeting of Town Council would, in all likelihood, be called sometime during the middle of January to further discuss the proposed Capital Budget.

12.4

PROVISION OF DOG CONTROL SERVICES - TOWN OF BEDFORD
- OPTIONS FOR 1989

By memorandum Dan R. English, Chief Administrative Officer; and Joan Pryde, Deputy Clerk reviewed for the benefit of Council the current situation with regard to the provision of dog control services.

In speaking to this matter, Mr. English recommended that staff be authorized to negotiate with the present providers of this service for a three-month extension of the current contract; further that staff prepare Terms of Reference (including courier service) and call for proposals early in the new year from the private sector for provision of these services commencing in April, 1989.

It was unanimously agreed that the Chief Administrative Officer should proceed in accordance with his proposal.

12.5 REQUEST FOR REPORT - PROPOSED CLOSURE - REDBANK ROAD
AT OAKMOUNT DRIVE

ON MOTION of Councillor Huntington and Councillor Cosgrove it was moved that the Town Council of the Town of Bedford authorize the Engineering Department to consider and report back to Council with recommendations to deal with the traffic problems currently being experienced on Redbank Road.

During discussion of this Motion, Councillor Huntington expressed concern with respect to the volume of through traffic that is presently occurring in this area. He suggested that it might be considered necessary to close Redbank Road at Oakmount Drive.

In response to an inquiry from Council, Peter McInroy reviewed details of the process that is involved with respect to the closing of a Town street.

The Motion was put to the meeting and passed unanimously.

13. REPORTS: BOARDS/COMMITTEES/COMMISSIONS

NIL

14. STAFF REPORTS

14.1 PLANNING AND DEVELOPMENT CONTROL DEPARTMENT

14.1.1 BUILDING INSPECTION REPORT - MONTH OF NOVEMBER 1988

14.2 FIRE DEPARTMENT REPORT - MONTH OF NOVEMBER 1988

ON MOTION of Deputy Mayor Kelly and Councillor Cosgrove it was moved that the Building Inspection Report and the Fire Department Report for the month of November 1988 be received for information. Motion approved unanimously.

14.3 ENGINEERING AND WORKS DEPARTMENT14.3.a STORM DRAINAGE - GOLF LINKS ROAD/PARKERS BROOK

By memorandum Rick Paynter, Director of Engineering and Works, reviewed for the benefit of Council information received from UMA respecting options pertaining to maintaining an, "open channel," system versus an, "enclosed pipe system," for the storm drainage project, Golf Links Road/Parkers Brook.

Mr. Paynter advised that, of the four options considered, it would be his recommendation that, if an open channel system were to be approved, the Gabion System be chosen. However, he maintained that the drop man-hole pipe system is, in his opinion, the most desirable option for the Town to pursue and involves less site area disturbance to achieve.

A general discussion ensued during which the various options were considered and Mr. Paynter explained his concern with respect to on-going maintenance which might be required if the less expensive Armour Stone Open Channel System was approved.

Councillor Walker expressed the opinion that the Armour Stone Open Channel System would be sufficient if a permanent energy dissipation device was built into the channel.

ON MOTION of Councillor Walker and Councillor Goucher it was moved that the Town Council authorize the calling of tenders for the placing of an Armour Stone Open Channel System for the Golf Links Road/Parkers Brook Storm Drainage Project with the provision that there be a one-drop - manhole structure and that a permanent energy dissipation device be built into the channel. Motion approved unanimously.

14.3c WELL COVE PUMPED STATION - UPGRADING WORKS REPORT

By memorandum Rick Paynter, Director of Engineering and Works reviewed for the benefit of Council the budget status of the proposed Well Cove Pumping Station Upgrading Works and in particular, Phase 2 - Electrical and Mechanical Modifications.

14.3b STORM DRAINAGE - MEADOWBROOK DRIVE

Rick Paynter, Director of Engineering and Works, advised Council that, as previously directed by Council, a design has been undertaken to address the problem area respecting storm drainage - Meadowbrook Drive, and in the interest of time, invitational bids were requested from five contractors. He further advised that three bids were received with the lowest being submitted by Sun Construction in the amount of \$61,523.

ON MOTION of Deputy Mayor Kelly and Councillor Draper it was moved that the Town of Bedford proceed with the proposed project to alleviate the drainage problems in the Meadowbrook Drive area and award the contract to Sun Construction Limited in an amount not to exceed \$61,523; further that the Town absorb 95 percent of the cost on the condition that the involved property owners cost-share in the amount of 5 percent of the project and provide the required easement across their properties at no cost to the Town of Bedford.

During discussion of the Motion varying opinions were expressed with respect to whether or not the involved property owners should be expected to contribute to the cost of this project.

In response to an inquiry from Councillor Draper, the opinion was expressed by the Director of Engineering and Works that much of the problem was in all likelihood initiated from the ongoing development of the area in the vicinity of Meadowbrook Drive.

The Motion was put to the meeting and was approved unanimously.

14.3c MILL COVE PUMPING STATION - UPGRADING WORKS REPORT

By memorandum Rick Paynter, Director of Engineering and Works reviewed for the benefit of Council the budget status of the proposed Mill Cove Pumping Station Upgrading Works and in particular, Phase 2 - Electrical and Mechanical Modifications.

14.3c

CON'T

He noted that the 1988 Budget Allocation for this project was in the amount of \$90,000 but that the total projected cost is now estimated to be \$100,000.

Mr. Paynter recommended the following:

1. The engineering and supervision aspects of Phase 2, as outlined by Porter Dillon Limited, be down scaled to an amount of \$3,800 only, with the balance of the contract supervision works being undertaken by Engineering Departmental Staff.
2. The mechanical/electrical works associated with this contract, be awarded to Bedford Plumbing and Heating Limited in the amount of their tendered price of \$50,700.
3. A contingency allowance in the amount of \$5,000 be allocated to this phase of the project in order to provide the budgetary means to address any unforeseen items that are encountered throughout the Phase 2 portion of this upgrading project.

ON MOTION of Councillor Walker and Councillor Huntington it was moved that the three recommendations from the Director of Engineering and Works with respect to the Mill Cove Pumping Station Upgrading Works, Phase 2 - Electrical and Mechanical Modifications be approved. Motion approved unanimously.

14.3d

ENGINEERING AND WORKS DEPARTMENTAL REPORT #4

Copies of the Engineering and Works Departmental Report #4 were received for information.

In response to an inquiry from Deputy Mayor Kelly, Mr. Paynter reviewed briefly details of a Performance Measurement Project in which his Department recently participated.

15. CORRESPONDENCE15.1 UNSM - APPOINTED DAY FOR MUNICIPAL ELECTIONS

Copies of correspondence from the Union of Nova Scotia Municipalities were circulated to members of Council in which Mr. Sherman Zwicker, Executive Director, requested an opinion with respect to whether or not the appointed day for municipal elections should continue to be the third Saturday in October.

It was noted that one of the member units has registered concern that a Saturday is inappropriate from the stand point of certain religious groups.

Following a brief discussion it was agreed that UNSM should be informed that unanimous consensus of the Council of the Town of Bedford was that the municipal elections should continue to be held on Saturday, with the proviso that there is an Advanced Polling Day on one day of Monday, Tuesday, Wednesday or Thursday.

16. NOTICES OF MOTION16.1 PROPOSED CHANGES - BY-LAW RESPECTING RECREATION COMMISSION

Notice of Motion was served by Councillor Huntington that, at the next regular scheduled meeting of Town Council, he intends to introduce the following Motion:

BE IT RESOLVED that the By-Law respecting the Bedford Recreation Commission, being By-Law #3, be changed in name and content so as to create a Recreation Advisory Committee in place of the present Recreation Commission.

17. QUESTIONS17.1 ACTION SHEET

In response to an inquiry from Deputy Mayor Kelly, Council was advised that a planned meeting with abutters of the Ridgevale Subdivision Parkland in order to initiate discussions on future possible improvements has not yet been scheduled.

TOWN OF BEDFORD
REGULAR COUNCIL SESSION
MONDAY, JANUARY 16, 1989

18. ADDED ITEMS

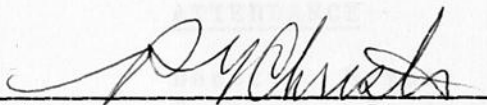
NIL


19. OTHER

NIL

20. ADJOURNMENT

ON MOTION of Councillor Draper and Councillor Walker it was moved that the meeting adjourn at approximately 10:30 p.m.


MAYOR


CHIEF ADMINISTRATIVE OFFICER

APPROVAL OF MINUTES

MEETING NO. 7 - REGULAR SESSION - DECEMBER 19, 1988

ON MOTION of Deputy Mayor Kelly and Councillor Coucher it was moved that the minutes of the Regular Session of December 19, 1988 be approved. Motion approved unanimously.

ADDITIONS/DELETIONS TO ORDER OF BUSINESS

On the request of Deputy Mayor Kelly it was agreed to place an item, "Motion of Support for a new Vn Radio Station," on the agenda at item 12.7.

TOWN OF BEDFORD
REGULAR COUNCIL SESSION
MONDAY, JANUARY 16, 1989

A Regular Session of the Town Council of the Town of Bedford took place on Monday, January 16, 1989, 7:30 p.m., in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia, Mayor Peter Christie presiding.

1. LORD'S PRAYER

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

2. ATTENDANCE

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

Staff members attending this Session included Dan R. English, Chief Administrative Officer; Ron Singer, Director of Finance; Rick Paynter, Director of Engineering and Works; Barry Zwicker, Director of Planning and Development Control and Joan Pryde, Deputy Clerk.

Peter McInroy, Solicitor and David Selig, Chief of the Bedford Volunteer Fire Department, were also in attendance at this meeting.

3. APPROVAL OF MINUTES

3.1 MEETING NO. 7 - REGULAR SESSION - DECEMBER 19, 1988

ON MOTION of Deputy Mayor Kelly and Councillor Goucher it was moved that the minutes of the Regular Session of December 19, 1988 be approved. Motion approved unanimously.

4. ADDITIONS/DELETIONS TO ORDER OF BUSINESS

On the request of Deputy Mayor Kelly it was agreed to place an item, "Motion of Support for a new FM Radio Station," on the agenda as Item 12.7.

4. CON'T

On the request of Mr. English it was agreed to add an item, "Fire Chief's Monthly Report," on the agenda as Item 13.3.1.

5. APPROVAL OF ORDER OF BUSINESS

ON MOTION of Councillor Walker and Councillor Cosgrove it was moved that the Order of Business, as amended, be approved. Motion approved unanimously.

6. MOTIONS OF RECONSIDERATION

NIL

7. DEFERRED BUSINESS/BUSINESS ARISING FROM THE MINUTES7.1 PUBLIC HEARING #88-09 - CONTRACT DEVELOPMENT AGREEMENT APPLICATION - LAND LOCATED SOUTH OF MOIRS MILL ROAD

By memorandum Rick Paynter, Director of Engineering and Works, circulated copies of a Traffic Analysis Report respecting the Moirs Mill Road/Bedford Highway Intersection area. In this report Mr. Paynter noted that, at the Regular Session of Town Council held on December 19, 1988, Council deferred a decision respecting a Contract Development Agreement for the development of lands located on the south side of Moirs Mill Road pending receipt of an additional Traffic Report relative to:

1. The possibility of signalization of the Moirs Mill Road Intersection.
2. Traffic in general.
3. Information relative to the new proposed bridge structure on the Bedford Highway.

7.1

CON'T

With respect to the possibility of signalization of the Moirs Mill Road Intersection, Mr. Paynter advised Council of the results of three, "warrant studies," which have been undertaken at the intersection in question. He advised that it was his conclusion that results of these studies indicate that traffic signal devices should not be installed at the intersection at this time based upon the present traffic numbers and movements.

In his report Mr. Paynter also reviewed the situation with respect to traffic movement in general at this intersection and along the Moirs Mill Road. In particular he noted that it will take anywhere from three to five years for the full impact of the increased traffic volumes to be realized from the proposed development and, during that time, the necessary upgrading works to the whole section of the Bedford Highway should be in place. He also noted that for pedestrian safety, the Developer has indicated his compliance with the installation of a sidewalk along Moirs Mill Road and Amin Street.

With respect to the Moirs Mill Bridge replacement, Council was advised that his Department is optimistic that the new bridge structure can be designed, tendered and under construction by no later than the fall of 1989. However, a final decision with respect to such a schedule will be up to the Province of Nova Scotia.

In response to an inquiry from Council as to whether it was his opinion that the awarding of the requested Contract Development Agreement should depend on the awarding of a contract for the new bridge, Mr. Paynter answered in the negative.

Some discussion ensued with respect to the possibility of the phasing of the development over a three to five year period. In response to inquiries from Council with respect to this possibility, the Director of Planning and Development Control noted that, in all likelihood, such developments would actually proceed in a phased manner as it is very seldom that a large development actually results in all units being put on the market and sold at the same time.

7.1 CON'T

ON MOTION of Deputy Mayor Kelly it was moved that the Town of Bedford approve in principle entering into a Contract Development Agreement with Bedford Village Properties Limited for the development of lands located to the south of Moirs Mill Road subject to the following provisos:

1. That the development be, "phased in," over three years.
2. That the density be reduced to a maximum of twelve units per acre.

There was no seconder to the Motion in response to three calls by the Mayor and the Motion was declared invalid.

ON MOTION of Councillor Goucher and Councillor Draper it was moved that Town Council of the Town of Bedford approve in principle, entering into a Contract Development Agreement with Bedford Village Properties Limited for the development of property located south of Moirs Mill Road subject to the following provisos:

1. That the development be, "phased in," over three years.
2. That the density of the entire development be no greater than ten units per acre.
3. That the project not proceed until the contract for the bridge replacement has been approved by the Province of Nova Scotia.
4. That concerns respecting site disturbance and the placement of a sidewalks within the Development be reviewed by the Director of Planning and Development Control.

During the ensuing discussions some members of Council expressed the opinion that a maximum of ten units per acre was a reasonable restriction - other members of Council expressed concern that the reduction of three to four units per acre will make a difference respecting the viability of the project and is simply an arbitrary number and does not relate to any specific planning or economic principles.

7.1 CON'T

In speaking to the Motion Councillor Goucher expressed the opinion that, while an environment must be provided by the Town that is attractive to the Developers, Council must also look after the interests of the residents of the Town.

The Motion was put to the meeting and was defeated. Councillor Walker and Councillor Huntington voted against the Motion, Councillor Cosgrove and Deputy Mayor Kelly abstained from voting.

ON MOTION of Deputy Mayor Kelly and Councillor Draper it was moved that:

1. The development be, "phased in," over three years.
2. That the density of the entire development be no greater than ten units per acre.
3. That concerns respecting minimum site disturbance and the placement of sidewalks within the Development be reviewed by the Director of Planning and Development Control.

Motion approved. Councillor Cosgrove voted against the Motion, Councillor Walker abstained from voting.

NOTICE OF RECONSIDERATION

Councillor Walker served Notice of Reconsideration of the Motion at the next Regular Session of Council. (This Notice was actually served at conclusion of meeting.)

7.2 PROPOSED TERMS OF REFERENCE - PROPOSAL CALL -
PROVISION OF DOG CONTROL AND COURIER SERVICES

By memorandum Joan Pryde, Deputy Clerk circulated copies of a draft Terms of Reference for a Proposal Call for the Provision of Dog Control and Courier Service commencing April 1, 1989 to December 31, 1990.

In response to inquiries from Council, Mr. English reviewed the reasons why staff is proposing to combine the provision of Dog Control and Courier Service noting that it is hoped that a financial saving will be effected.

7.2 CON'T

ON MOTION of Deputy Mayor Kelly and Councillor Goucher it was moved that the Terms of Reference for the Proposals Call respecting the provision of Dog Control and Courier Service, as circulated, be approved. Motion approved unanimously.

8. MOTIONS OF RESCISSION

NIL

9. PUBLIC HEARINGS AND MOTIONS ARISING THEREFROM

NIL

10. PETITIONS AND DELEGATIONS

NIL

11. MOTIONS

11.1 PROPOSED BY-LAW AND POLICY RESPECTING STREET IMPROVEMENT PROJECTS - 1ST READING

Copies of a proposed By-Law and Policy respecting Street Improvement Projects were circulated to members of Council for consideration and 1st Reading.

During the ensuing discussion it was agreed that the proposed policy should be amended to clarify that, "local," were the only type of streets to be involved in this policy. It was also agreed that Section A of the Policy should indicate an element of time in paragraphs (a) and (c). It was also agreed that the By-Law should indicate any contribution received from other levels of government be applied prior to the division of costs between the Town and abutters.

ON MOTION of Deputy Mayor and Councillor Huntington it was moved that the proposed By-Law and Policy respecting Street Improvement Projects, as circulated and amended, be received for 1st Reading. Motion approved unanimously.

11.2 PROPOSED BY-LAW AND POLICY RESPECTING SEWER
EXTENSION PROJECTS - 3RD READING

Copies of a proposed By-Law and Policy respecting Sewer Extension Projects were circulated to members of Council for consideration and 3rd Reading.

During discussion, it was agreed that the By-Law should be amended to indicate that the division of costs between the Municipality and the abutters would be effected after taking into account any contributions from other levels of Government.

Some discussion took place with respect to whether or not the Town could approve a By-Law which would ensure that owners of vacant lots receive no cost-sharing from the Town in contrast to owners of developed lots. Mr. McInroy, Solicitor, expressed his opinion that the Department of Municipal Affairs would not approve such a provision.

During a clause by clause review of the By-Law it was agreed that Clause 6 should be amended to change the formula "I.P.F." to "P.P.F."

It was agreed that Clause 9 should be amended to indicate in the second line, "Section 6," rather, "Section 5." It was also agreed that Clause 13 should be amended by the addition of the following words at the conclusion of the Clause, "and subject interest rate is to remain fixed over the amortization period of the loan."

ON MOTION of Deputy Mayor Kelly and Councillor Huntington it was moved that the proposed By-Law and Policy respecting Sewer Extension Projects, as circulated and amended, be received for third and final reading and forwarded to the Minister of Municipal Affairs. Motion approved unanimously.

11.3 PROPOSED AMENDMENT TO BY-LAW RESPECTING RECREATION
COMMISSION - NOTICE OF MOTION SERVED BY COUNCILLOR
D. HUNTINGTON

By memorandum Council was advised that the following Notice of Motion was served by Councillor Huntington at a Regular Session of Town Council held on Monday, December 19, 1988:

11.3

CON'T BUSINESS

BE IT RESOLVED that the By-Law respecting the Recreation Commission, being By-Law #27100, be changed in name and content so as to create a Recreation Advisory Committee in place of the present Recreation Commission.

ON MOTION of Deputy Mayor Kelly and Councillor Draper it was moved that this matter be referred to the By-Law Review Committee. Motion defeated. Councillor Walker, Councillor Goucher, Councillor Cosgrove and Councillor Huntington voted against the Motion.

In addressing the original Motion Councillor Huntington expressed concern with respect to the fact that a legal opinion undertaken on another matter, indicates that the Town may have no authority to create a Recreation Commission and/or to empower it with the responsibilities presently being undertaken by the Recreation Commission. He also expressed concern with respect to the possible liability of members of the current Recreation Commission.

During the ensuing discussion it was noted by Councillor Draper that it might be advisable to approach the Provincial Government to request that the definition, "Recreation Commission," be legalized through enabling legislation.

In response to an inquiry from Council, Peter McInroy, Solicitor, reviewed his opinions particularly with respect to the fact that the existing By-Law in effect turns over management of Recreation facilities to the Commission.

Following a further brief discussion it was agreed that the matter be referred to the By-Law Review Committee for recommendation to a future Regular Session of Council.

12. NEW BUSINESS12.1 1989 PROPERTY ASSESSMENT ROLL

By memorandum Ron Singer, Director of Finance, advised Council that the 1989 Preliminary Property Assessment Roll for the Town of Bedford has been received from the Province of Nova Scotia and that the total taxable property assessment for the year 1989 is \$462,782,560. He noted that this represents a 13.75 percent increase over the 1988 taxable assessment for the Town.

Mr. Singer also advised that a shift has occurred in the ratios between residential and commercial assessment. For the year 1988, 72.9 percent of the total taxable assessment related to the residential and resource property whereas, for 1989, the residential and resource assessment reflects 74.3 percent of the total assessment.

It was also noted that the category of, "exempt assessment," has been reduced in the amount of \$1,286,200.

During the ensuing discussion the Chief Administrative Officer advised Council on details with respect to the reduction in exempt assessments and, in particular, to the fact that the Federal Government performs its own assessment which in some cases results in a lower value than that determined by the Provincial Government.

The report was received for information.

12.2 DEPARTMENT GOALS

By memorandum, Dan R. English, Chief Administrative Officer circulated copies of the 1989 Departmental Goals of the various Town Departments and requested the approval of Council, following which they will be forwarded as an addition to the Policy and Information Manual.

12.2

CON'T

During discussion of the Departmental Goals, Councillor Walker requested the consideration of the following additions:

-Administration Department - a focus on the reduction of the percentage increase of commercial assessment as compared to the overall assessment with the view of undertaking an analysis of possible means to streamline policies, by-laws etc., and to identify any that might impose a compliance cost that would negatively impact on commercial/industrial growth. (It was agreed that this might be a possible goal for the E.D.C.)

-Fire Department - to obtain some computer software from the Nova Scotia Research Foundation which might help to determine the best location for any future fire stations.

-Planning and Development Control - assessment of use, current and future, of town owned buildings.

-Qualify and Quantify interactive communication between the W.D.C. and the Town Council.

-Engineering and Works Department - initiation and development of standards for recycling of garbage, and the development of a program for the reduction of pollution.

-Economic Development Commission - the undertaking of a project, "PRIDE," to effect appreciation to the retail and commercial sector within the Town (they survived the Mainstreet Program).

A question was also raised respecting the cost effectiveness of the business directory.

Councillor Walker requested clarification from the Recreation Department, relative to Goals No. 1b and 2b and the Economic Development Commission with respect to Goal 3a.

Following a brief discussion some concerns were expressed with respect to the suggested name and it was agreed that the Committee should be advised of Council's appreciation of its efforts, but at the same time, be asked to reconsider the matter.

12.2

CON'T

It was also suggested by other members of Council that the 1989 Goals might include:

1. An attempt by the Economic Development Commission to encourage residents of the Town of Bedford to purchase local products.
2. A study to determine whether it would be possible for the down-grading of the traffic lanes on the #1 Highway from five lanes to three lanes.

The report was received for information.

12.3

PROPOSED MEETING SCHEDULE - 1989

Copies of a proposed meeting schedule for 1989 were circulated to members of Council, with requests that it be examined in order to determine if any changes should be incorporated.

Following a review it was agreed that the Regular Council Sessions in February and March should be scheduled for the second Monday of the month, rather than the third Monday.

12.4

MOIRS MILL GENERATING STATION - PROPOSED OFFICIAL NAME

By memorandum, Ann Birdsall, Chairman, Moirs Mill Steering Committee requested formal approval from Town Council for the name, "Moirs Mill Visitors Centre," to be applied to the renovated Moirs Mill Powerhouse/Generating Station.

In speaking to the meeting, Mrs. Birdsall reviewed details of a discussion of various alternate names and noted that it was felt that, "Visitors' Centre," best suggests the atmosphere the Committee hopes will exist at the facility.

Following a brief discussion some concerns were expressed with respect to the suggested name and it was agreed that the Committee should be advised of Council's appreciation of its efforts, but at the same time, be asked to reconsider the matter.