

Defer until spring and re-tender in hope of getting a lower overall price. However, it was recognized that the tender price in the spring will increase by 7% due to the G.S.T. plus the general increase from year to year within the construction industry.

Councillor Goucher presented information that the Town might wish to investigate negotiating a contract direct with one head office supplier in an attempt to obtain major discounts. Mr. Paynter reported that over the past years staff had researched the possibility of obtaining discounts from a retail supplier however the savings realized would be well below those realized from a bulk fuel depot. Councillor Goucher noted that he had been informed that a contract could be negotiated with a head office and that credit cards would be issued to the Town staff. Councillor Goucher will forward to Mr. Singer and Mr. Paynter the name of a contact person so that this alternative may be investigated prior to Town Council committing capital funds to build a bulk fuel depot.

**ON MOTION of Councillor Goucher and Councillor Kelly, it was moved to defer awarding Tender 90-22 for a Fuel Depot Facility until a future meeting in order to give the Director of Finance the opportunity to investigate other avenues of cost savings with respect to purchasing fuel. The motion was approved unanimously.**

#### **10.4 Consideration - Award of Tender - Engineering Department, Hauling of Bulk Salt**

By memorandum of October 11, 1990, Mr. Paynter outlined the results of Tender call #90-20 for the trucking of road salt from Canadian Salt Company's mine operation in Pugwash to the Operations Centre salt dome on a regular basis through the winter season.

**ON MOTION of Deputy Mayor Huntington and Councillor Cosgrove, it was moved to award Tender 90-20 to Commercial Highway Services Limited at a tender price of \$9.90/metric tonne to haul salt for the 1990/91 winter season. The motion was approved unanimously.**

It was agreed that during budget discussions, Town Council will address the issue of levels of service, i.e. policy re usage of salt.

#### **10.5 Consideration - Approval of Withdrawal - Equipment Reserve - Fire Department - 1991 Crew Cab Pickup**

By memorandum of October 12, 1990, Mr. English recommended that Town Council approve of a withdrawal from the Equipment Reserve Fund in the amount of \$24,335 for the purchase of one 1991 GMC Crew Cab Pickup 4 x 4 from Checkpoint Pontiac.

**ON MOTION** of Deputy Mayor Huntington and Councillor Draper, it was moved to approve the withdrawal from the Equipment Reserve Fund, the amount of \$24,335 for the purchase of one 1991 GMC Crew Cab Pickup 4 x 4 from Checkpoint Pontiac. **The motion was approved unanimously.**

In discussion of the MOTION, it was agreed that prior to purchasing a 1991 vehicle that staff would investigate the purchase of a new 1990 crew cab which the dealer might have in-stock at a reduced price. It was also noted that the existing vehicle will be auctioned and the funds deposited to the Equipment Reserve.

Councillor Kelly questioned whether the price had been obtained through a formal tender call. Mr. English noted that it is Town policy to call formal tenders only when the amount is over \$25,000. The price quoted for the 1991 crew cab was obtained through invitational bids.

#### **10.6 Consideration - Referrals to By-Law/Policy Advisory Committee**

By memorandum of October 12, 1990, Mr. English suggested that:

- a) a policy which would address Standards of Conduct and Rules of Order for Public Hearings and Public Participation Meetings, and
- b) the possibility of Bedford obtaining membership on the Halifax Court House Commission be forwarded to the By-Law/Policy Advisory Committee.

**ON MOTION** of Councillor Walker and Councillor Kelly, it was moved that Town Council forward the following issues to the By-Law/Policy Advisory Committee for their consideration and recommendations on:

- a) Standards of Conduct and Rules of Order for Public Hearings and Public Participation Meetings; and
- b) Bedford obtaining membership on the Halifax Court House Commission.

**The motion was approved unanimously.**

#### **10.7 Senior Housing Demand (Councillor Goucher)**

Councillor Goucher addressed Council with respect to the lack of suitable housing for senior citizens within the Town of Bedford. Circulated at the meeting was a Resolution passed by Town Council in 1986 which recognized a shortage of public housing. Councillor Goucher asked Council to pass a similar Resolution which would recognize the shortage of housing for seniors; make application to the Minister of Housing requesting that the Minister participate with the Municipal

Government in an investigation regarding senior housing; if feasible to acquire certain lands and to construct housing pursuant to section 17 of the Housing Act; to request Canada Mortgage and Housing Corporation to participate or provide a loan; the sharing of operating costs be defined and agreed to by Council prior to the implementation of the project.

**ON MOTION** of Councillor Goucher and Councillor Cosgrove, it was moved that

*WHEREAS* under section 6 and section 17 of the Housing Act, Statutes of Nova Scotia 1983, Chapter 6, the Minister of Housing may enter into agreements with the Government of Canada, through Canada Mortgage and Housing Corporation, for the purpose of senior housing construction and undertake jointly with a municipality projects for the acquisition and development of land and construction therein of rental housing projects.

*AND WHEREAS* the Minister of Housing may, pursuant to the Housing Act, make an agreement with a Municipality and the Government of Canada respecting projects referred to under section 40 of the National Housing Act.

*NOW, THEREFORE*, the Council of the Town of Bedford resolves as follows:

1. There is a shortage of senior housing accommodation in the municipality.
2. That an application be made to the Minister of Housing requesting that the Minister participate with the Municipal Government in an investigation regarding senior housing and if feasible to acquire certain lands and to construct rental housing pursuant to section 17 of the Housing Act.
3. That evidence of need and demand available to Council in support of paragraph number one and two above will be submitted.
4.
  - A. That, if investigations reveal the feasibility of a project, the Minister of Housing, pursuant to section 17 of the Housing Act, request Canada Mortgage and Housing Corporation to participate or to provide a loan.
  - B. That the terms of financing be defined and agreed to by Council prior to the implementation of the project.
  - C. That the sharing of operating costs be defined and agreed to by Council prior to the implementation of the project.

**The motion was approved unanimously.**



**11. REPORTS: BOARDS/COMMITTEES/COMMISSIONS/DEPARTMENTS**

**11.1 Boards/Committees/Commissions**

**11.1.1 Heritage Advisory Committee - Provided Evaluation Criteria**

By memorandum of October 11, 1990, Mr. Edwards, Chairman of the Heritage Advisory Committee circulated evaluation criteria for heritage buildings and recommended approval of these criteria dated October 11, 1990.

**ON MOTION** of Councillor Walker and Councillor Goucher, it was moved to accept and approve the Evaluation Criteria for Heritage Buildings dated October 11, 1990 as recommended by Bedford Heritage Advisory Committee. The motion was approved unanimously.

**11.1.2 Transit Advisory Committee - Recommendation - Provision of Public Transit to Atlantic Acres**

By memorandum of October 10, 1990, Councillor Walker as Chairman of Bedford Transit Advisory Committee, submitted a recommendation that Council request Metro Transit to investigate providing public transit service to Atlantic Acres, including paratransit.

**ON MOTION** of Councillor Walker and Councillor Cosgrove, it was moved to accept and endorse the motion made by Bedford Transit Advisory Committee and to request Metro Transit to investigate providing public transit service to Atlantic Acres, including paratransit.

**ON MOTION** of Councillor Kelly and Councillor Cosgrove, it was moved to AMEND the original MOTION such that Town Council would further request Metro Transit to investigate a similar service to the Industrial Park on Rocky Lake Drive.

In speaking to the AMENDMENT to the MOTION, Councillor Kelly suggested that a similar request for investigation be submitted with regards to providing transit service to the Industrial Park on Rocky Lake Drive. Councillor Walker suggested that when the Burnside Expressway is constructed, it is quite possible that Metro Transit would provide transit service in this area. Councillor Walker reflected that the extension of service to the Rocky Lake Industrial Park should be referred to Transit Advisory Committee; however, Councillor Kelly noted that this had been discussed by this committee some time in the past.

**The MOTION to AMEND was put to the meeting and CARRIED** (Councillor Walker voted against the motion).



18. **ADDED** The **AMENDED MOTION** was put to the meeting and **CARRIED** (Councillor Walker voted against the amended motion).

*ON MOTION of Councillor Walker, it was moved to adjourn Meeting #74, Regular Session of Bedford Town Council, at approximately 10:15 a.m.*

**11.2 Departmental Reports**

**11.2.1 Building Inspector's Report (Month of September 1990)**

**11.2.2 Fire Department's Report (Month of August 1990)**

*TAYOR*  
**ON MOTION of Councillor Draper and Councillor Goucher, it was moved to accept the Building Inspectors Report of September 1990 and the Fire Departments Report of August 1990. The motion was approved unanimously.**

*CHIEF*  
In speaking to the MOTION, Councillor Walker commented on the marked decline in building permits and asked for comment from the Director of Planning as to how this would effect the Planning Department. Mr. Zwicker noted that although residential development has slowed, it has not halted and staff are currently reviewing development agreement possibilities including the agreement with the Bedford Waterfront Development Corporation. It was also noted that the number of inspections with regards to permits have increased recently.

**12. CORRESPONDENCE - Nil**

**13. MOTIONS OF RECONSIDERATION - Nil**

**14. MOTIONS OF RECISSION - Nil**

**15. NOTICES OF MOTION - Nil**

**16. QUESTIONS**

**16.1 Status Sheet**

At the request of Councillor Kelly, it was agreed that a report will be forth coming from the Municipal Facilities Committee at the October 30, 1990 meeting.

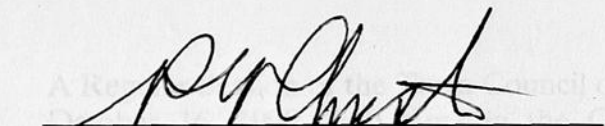
**17. ADDED ITEMS - Nil**

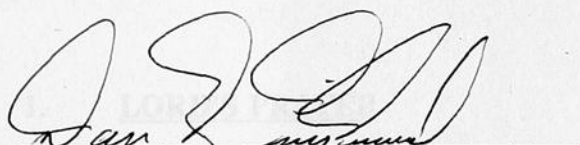
18. ADJOURNMENT

TOWN OF BEDFORD

**ON MOTION of Councillor Walker, it was moved to adjourn Meeting #74, Regular Session of Bedford Town Council, at approximately 10:15 a.m.**

Tuesday, October 16, 1990

  
MAYOR

  
CHIEF ADMINISTRATIVE OFFICER

ldl

ATTENDANCE

Councillors Anne Cosgrove, Len Goucher, Peggy Draper, Peter Kelly and Grant Walker were in attendance at the commencement of the meeting.

Staff members attending this meeting included Dan English, Chief Administrative Officer; Rick Paynter, Director of Engineering and Works; Barry Zwicker, Director of Planning and Development Control; Bob Naus, Recreation Director; and Ron Singer, Director of Finance.

3. APPROVAL OF MINUTES

ON MOTION of Councillor Walker and Councillor Goucher, it was moved that the circulated minutes of Regular Session #69 (September 11, 1990), Public Hearing Meeting #70 (#90-08, September 18, 1990), Public Hearing Meeting #71 (#90-09, September 18, 1990), and Special Session #72 (October 2, 1990) be approved. The motion was approved unanimously.

4. ADDITIONS/DELETIONS TO ORDER OF BUSINESS

At the request of Councillor Walker, it was agreed the agenda be altered upon the arrival of Mr. B. Naus, Director of Recreation, so that Town Council would hear from the delegation (i.e. Agenda Item 8).

**TOWN OF BEDFORD**

*Regular Session*

Tuesday, October 16, 1990

A Regular Session of the Town Council of the Town of Bedford took place on Tuesday, October 16, 1990, 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**

Councillors Anne Cosgrove, Len Goucher, Peggy Draper, Peter Kelly and Grant Walker were in attendance at the commencement of the meeting.

Staff members attending this meeting included Dan English, Chief Administrative Officer; Rick Paynter, Director of Engineering and Works; Barry Zwicker, Director of Planning and Development Control; Bob Nauss, Recreation Director, and Ron Singer, Director of Finance.

3. **APPROVAL OF MINUTES**

*ON MOTION of Councillor Walker and Councillor Goucher, it was moved that the circulated minutes of Regular Session #69 (September 11, 1990), Public Hearing Meeting #70 (#90-08, September 18, 1990), Public Hearing Meeting #71 (#90-09, September 18, 1990), and Special Session #73 (October 2, 1990) be approved. The motion was approved unanimously.*

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

At the request of Councillor Walker, it was agreed the agenda be altered upon the arrival of Mr. B. Nauss, Director of Recreation, so that Town Council would hear from the delegations (i.e. Agenda Items 8).



5. **APPROVAL OF THE ORDER OF BUSINESS**

*ON MOTION of Councillor Walker and Councillor Draper, it was moved to approve the amended order of business. The motion was approved unanimously.*

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

6.1 **Deferred Motion (Ridgevale Drive/Dartmouth Road Signalization)**

During Town Council meeting #69, September 11, 1990, the following MOTION was deferred:

"ON MOTION of Councillor Kelly and Councillor Goucher, it was moved that Town Council approve the necessary expenditures for a pedestrian activated signalization system at Ridgevale Drive/Dartmouth Road."

"ON MOTION of Councillor Kelly and Councillor Goucher, it was moved to amend the MAIN MOTION with regard to Ridgevale Drive/Dartmouth Road intersection such that a left turning only lane up to Ridgevale Drive shall be investigated with the Department of Transportation and Communications."

The Mayor noted the MOTION to DEFER was made to allow the Director of Engineering and Works seek input from the provincial Department of Transportation and Communication with regards to the cost sharing of a pedestrian activated system and creating a left turning lane up to Ridgevale Drive.

At the request of Mayor Christie, R. Paynter, Director of Engineering and Works, reported on his recent conversations with the provincial Traffic Authority. He noted that although nothing has yet been confirmed in writing, the provincial Traffic Authority has indicated support of a centre turning lane from the CN overpass, up Dartmouth Road to the Ridgevale intersection. This centre turning lane would be comparable to that now found on the Bedford Highway mainstreet portion with clearly marked, overhead signage. The provincial Traffic Authority was not however, willing to recommend cost sharing in a pedestrian activated signalization for the Ridgevale/Dartmouth Road intersection.

Several members of Council raised concerns that a pedestrian activated system is still required along with the centre turning lane. At the request of Council, Mr. Paynter noted that the provincial Traffic Authority must approve signalization for provincially designated highways, of which Dartmouth Road is one.

Mr. Paynter estimated that a budget expenditure of approximately \$20,000 would be sufficient for the changes to pavement markings, signage, etc. for the change to a centre turning lane. The existing overhead crosswalk signage would remain.

Councillor Kelly and Councillor Goucher agreed to **WITHDRAW** their **AMENDED MOTION**.

**ON MOTION** of Councillor Kelly and Councillor Goucher, it was moved that Town Council authorize the Director of Engineering, in conjunction with the Provincial Department of Transportation and Communication, to implement a centre turning lane along the Dartmouth Road from the CN overpass to approximately 200 feet past the Ridgevale intersection. **The motion was approved unanimously.**

**ON MOTION** of Councillor Kelly and Councillor Draper, it was moved that Town Council authorize the Chief Administrative Officer to seek a legal opinion with respect to the Town's liability should the Town install pedestrian activated signalization at the Ridgevale/Dartmouth Road intersection without the approval of the Department of Transportation and Communication. **The motion was approved unanimously.**

**6.2 Deferred Motion - Consideration of Lease Agreement with CN Respecting Lot T-6, Bedford Industrial Park**

During Town Council Meeting #69, September 11, 1990, the following MOTION was deferred:

"ON MOTION of Councillor Walker and Councillor Cosgrove, it was moved that the Chief Administrative Officer enter into the five-year Lease Agreement with CN for parcel T-6, subject to arranging a formal agreement for a land swap and the establishment of an appraisal figure for parcel T-6."

The MOTION was deferred until more information was received with respect to a formal agreement for a land swap.

Mr. English commented on the 20 September 1990 correspondence from Mr. G. Poplyansky (CN Industrial Development Officer) which indicates CN's agreement in principle to the land swap.

Councillor Kelly commented that if the Town were to arrange a land swap, it would not be cost-effective to enter into a five-year lease at a cost in excess of \$10,000 per year should the land swap be finalized during the term of the contract. Mr. English noted that the lease would be negotiated with an escape clause.



The MOTION of Councillor Walker and Councillor Cosgrove was put to the meeting and **APPROVED** (Councillor Kelly voted against the motion).

**ON MOTION** of Councillor Kelly and Councillor Goucher, it was moved that Town Council authorize the Chief Administrative Officer to initiate the process for acquiring a parcel of land to be used in a land swap with CN in exchange for parcel T-6 Bedford Industrial Park. **The motion was approved unanimously.**

### 6.3 Town Entrance Signs

At Town Council Meeting #69, September 11, 1990, a MOTION by Councillor Kelly and Councillor Goucher, approval was given to engage Signs of the Times to prepare schematics for two main entrance signs (page 7).

Mr. English presented a completed color drawing for Council comment. It was agreed that in general the drawing, as presented, was acceptable; however, Council would like to see, at the next meeting, an alternate view of Bedford in the centre of the sign. Concern was expressed that the perspective is from Bedford out to Halifax/Dartmouth. The alternate view might be from Halifax/Dartmouth looking in towards the Bedford Yacht Club.

**ON MOTION** of Councillor Goucher and Councillor Draper, it was agreed to award the tender to Signs of the Times for immediate construction of the two main entrance signs with the proviso that an alternate perspective for the centre picture be presented for consideration at or before the October 30, 1990 Council Meeting. **The motion was approved unanimously.**

### 6.4 Cleaning Maintenance Contract

Further to Town Council's consideration of Mr. Singer's recommendation with respect to awarding the cleaning maintenance contract, Mr. Singer presented additional information in his memorandum of October 10, 1990. Also circulated were Cleaning Maintenance Specifications for the Bedford Tower Offices and the Bedford Library. The Staff recommendation was to retain Mrs. Parsons who is currently providing these services.

**ON MOTION** of Councillor Walker and Councillor Cosgrove, it was moved to award the cleaning maintenance contract for the Bedford Tower and Bedford Library as specified in the Cleaning Maintenance Specifications for a monthly fee of \$1,000.00 commencing November 1, 1990 to Mrs. L. Parsons as recommended by staff.



In discussion of the MOTION, Councillor Kelly noted that there was a reduction in the cost of this service as compared to the existing contract. Mr. English noted that when a market cost comparison of services was completed, the current supplier was willing to meet market prices. There was some discussion that the contract did not go to formal tender and it was clarified that according to Policy only contracts estimated over \$25,000 are formally tendered.

**The MOTION was put to the meeting and approved** (Councillor Kelly voted against the motion).

#### 6.6 Proposed Blasting By-Law (Third and Final Reading)

By memorandum of October 11, 1990, Mr. English circulated an amended copy of the Blasting By-law as recommended by the By-Law/Policy Advisory Committee.

Councillor Kelly expressed concern in several areas and suggested changes to the by-law including the following:

- 4.a) 'natural person' should read 'individual'
- 4.j) what standard or guidelines would be used for the location of the proposed blast (R. Paynter clarified that a subdivision or street plan would be adequate to specify the actual siting of the blasting)
- 2.b) recommended that insurance be increased to \$1.0 million (not \$100,000)
- 6.d) 'may impose' should be changed to avoid discretion and that some formal standard should be specified
- 6.g) should be deleted.
- 9.2 'upon the request of the property owner' should be changed to 'will be given to the property owner'
- 10. to add to the clause "and to report weekly to the Town Engineer"
- 11.2 'written notice' should be changed to 'advising by telephone or fax and confirmation could be mailed'
- 12. '..hear appeal within 30 days...' should be changed to 'within 7-14 days'
- 15. fines should be increased
- 16.1 'alleged' contravention; who interprets whether it is alleged
- 16.2 '10-day time period' should be changed to '24-hours'
- 16.3 'impractical' - who determines.

**ON MOTION of Councillor Walker and Councillor Cosgrove, it was moved that the Proposed Blasting By-Law be returned to the By-law Review Committee for review of these comments from Councillor Kelly. The motion was approved unanimously.**

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

8. **PETITIONS AND DELEGATIONS**

8.1 **Eaglewood Residents Association - Golflinks Park**

Correspondence dated October 1, 1990 from Mr. Jim Murphy, President Eaglewood Residents Association, from Mr. & Mrs. R. Landers dated October 2, 1990 and a petition dated September 28, 1990 was circulated with the agenda.

Mrs. Landers addressed Council with regard to the proposed toboggan run project for this park. She briefly reviewed the residents concerns as outlined in the petition. She asked Council to cease work on the project until the recreational needs of the area are re-assessed. Her delegation felt that the needs of the area had changed since the original plans for the toboggan run were developed.

Councillor Walker agreed that the residential neighborhood had indeed changed since the original plans for the toboggan run were developed and he encouraged Council to re-assess not only Golflinks Park but also Admiral's Cove park.

Mr. Murphy, President of Eaglewood Residents Association, addressed Council noting that the association supported enhancements to the Golflinks Park however, acknowledged the valid concerns of the abutting property owners.

— Mr. B. Nauss, Director of Recreation, reported on the Recreation Advisory Committee's recommendations and motions with regard to this issue. He read the following BRAC motion into the record:

"ON MOTION of S. Oickle and S. Hines, it was moved that the Bedford Recreation Advisory Committee suspend discussion of the Toboggan Run/Landers Petition pending further research by this committee."

"ON MOTION of Councillor Draper and S. Hines, it was moved to AMEND the motion such that the item be deferred to the regular November meeting of Council."

"ON MOTION of Councillor Draper and G. Regan, it was moved to AMEND the motion such that there be no further work on the toboggan run project until after the BRAC and Town Council regular November meetings."

A subsequent Recreation Committee motion asked Town Council to call a public meeting on the issue of the toboggan run.



*ON MOTION of Councillor Draper and Councillor Goucher, it was moved to defer further discussion of the toboggan run to the regular November meeting; that work on the project cease until BRAC and Town Council had discussed the issue at their regular November meetings; and that Town Council call a public meeting to be held prior to November 20, 1990 to discuss the issue.*

In discussion of the MOTION, Councillor Walker suggested that the whole concept needed to be revisited. He quoted from the PRIS document which did not specify that a toboggan run should be developed in this park.

*ON MOTION of Councillor Walker and Councillor Kelly, it was moved to AMEND the motion such that BRAC, Town Council and the public meeting would address the future use of all parkland in the Eaglewood area.*

In speaking to the amendment, several Councillors raised concerns that the amendment would change the focus of the discussions and that the issues raised by the residents might be lost in the large issue.

**The MOTION TO AMEND was put to the meeting and DEFEATED** (Councillors Cosgrove, Draper, Goucher voted against the motion).

Council gave permission to Mr. Martin Melnick to address the meeting. Mr. Melnick agreed with Councillor Walker's concept that there was a larger issue which needed to be addressed.

In discussion of the MAIN MOTION, it was noted that the contractor is aware of the residents concerns and the associated delay. Council did recognize that there may be some costs associated with this delay.

It was noted that members of the Recreation Committee outlined specific areas of further research for staff (i.e. flooding, trespassing, noise, parking, promotion, liability) and that these will be discussed at the proposed meetings.

**The MOTION was put to the meeting and approved unanimously.**

## 8.2 Lions Den Noise Control

Correspondence dated September 20, 1990 from Mr. Michael B. Coulthart and the accompanying petition was reviewed by Town Council. Mr. Ken Wright was in attendance to address Council on behalf of the petitioners.

Mr. Wright reviewed concerns with respect to a noise problem originating from the Lion's Den. The petitioners live in the area of the Town-owned facility. He



noted that area residents have complained, both written and verbally, to the Town over the past two years.

It was reported that the noise originates from two sources. The first being the sound of music when the doors and windows of the facility are opened to allow for increased ventilation. The second is from people and cars in the parking lot after the event which often continues until two or three o'clock in the morning.

It was noted that the Police Department have been contacted with regard to the noise from cars and people after events and that the Police Department often stations a car at the bottom of Holland Avenue. It was suggested that the Police Department have a presence closer to the facility to discourage potential offenders.

Councillor Goucher suggested that a buzzer on the panic bars, such as those often used at airports, be investigated as a method to decrease opening of the doors.

The Director of Recreation reviewed the 1989 report on Noise Leakage from the Lebrun Centre and its recommendations. The first recommendation, to keep music below 102 decibels, has been enacted. Music is monitored by Recreation Staff who are on duty during evening events.

Mr. Nauss reported that the second recommendation, to air condition the Lion's Den, will be included by the Recreation Department in its 1991 Capital Budget submission to Town Council.

Councillor Walker suggested that users of the Lions Den hire uniformed security personnel to monitor the opening of doors and windows; and to monitor activities in the parking lot after the events. Mr. Nauss commented that this additional cost would make the Lions Den too expensive to rent as a facility when compared to other equivalent facilities in the area.

**ON MOTION** of Councillor Kelly and Councillor Cosgrove, it was moved that all new contracts for rental of the Lions Den include a clause that a uniformed security person must be hired by the renter.

In discussion of the MOTION, Councillors and staff noted that several contracts are already signed for time slots well into the summer months and that it would be very difficult to amend these. There was additional concern that the citizen issues must be addressed as quickly as possible to allow for 'quiet enjoyment' of their properties.

Councillors Kelly and Cosgrove agreed to WITHDRAW the MOTION.

*ON MOTION of Councillor Kelly and Councillor Cosgrove, it was moved that Town Council instruct the Director of Recreation to hire, at Town expense, for a period of two-weeks, two uniformed security personnel for events at the Lions Den in an attempt to reduce the noise; and that at the end of the two-week period, the effectiveness of the security personnel in reducing noise would be re-assessed and the Director of Recreation would report to Town Council.*

In discussion of the MOTION, several Councillors did not agree that there was the requirement for two security people but that one would be sufficient.

*ON MOTION of Councillor Kelly and Councillor Cosgrove, it was moved to AMEND the MOTION such that one, not two, uniformed security persons would be hired at Town expense for a period of two-weeks.*

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

### 8.3 Recycling Depot - Shirley Towill

Mrs. S. Towill addressed Council with her concerns about the Bedford Recycling Depot located at the Bedford Place Mall. Mrs. Towill's presentation focused on the suggested illegality of the operation (according to correspondence dated October 5, 1990 from Mr.K.A. MacInnis) and the incompatibility of the depot being located in the vicinity of residential properties.

With respect to the question of legality of the operation, Mrs. Towill noted that the development permit was not issued to the registered landowner as is required by the Planning Act and that the operator was not in possession of the permit when he commenced operations. Mrs. Towill also noted that by definition the recycling depot should be classified a scrap yard and as such should not be located on lands zoned C-3.

With respect to incompatibility of location, Mrs. Towill raised concerns that the depot was denying her "quiet enjoyment" of her property. She noted that the noise from the glass crushing was intolerable. She also mentioned the garbage and debris which accumulated in the area.

Mrs. Towill requested that Town Council take immediate steps to close the recycling depot.

There was some discussion as to whether Council should continue to discuss this matter at a public meeting as the issue appeared to be a legal matter. It was clarified that Mrs. Towill had not retained Mr. MacInnis as counsel on an on-going basis but simply asked for his legal opinion as stated in the letter. It was agreed



that the matter would be discussed further at an upcoming meeting of the Committee-of-the-Whole.

**ON MOTION** of Councillor Kelly and Councillor Goucher, it was moved that the Town would give the operators of the Bedford Bottle and Exchange (recycling depot) which is located at Bedford Place Mall forty-eight (48) hours notice to cease operations at this location.

In discussion of the MOTION, and at the request of Council, staff attempted to clarify that the alleged violations must be prosecuted as a zoning violation under the Planning Act and that there is a specified procedure to follow in order to prosecute. Mr. English noted that in accordance with the Planning Act Council must pass a resolution in order that staff begin the prosecution process. Council could also in accordance with the current Policy instruct staff to begin to negotiate with the alleged offender prior to initiation of legal proceedings.

There was some confusion as to whether Council could now pass the same MOTION which was defeated at the last Council meeting, i.e., September 11, 1990, page 10:

"**ON MOTION** of Councillor Kelly and Councillor Goucher, it was moved to proceed to prosecute the operators of the recycling depot adjacent to Bedford Place Mall under the Planning Act as a zoning violation."

Staff commented that although the motion was previously defeated, consideration must be given to the fact that circumstances around an issue of this nature often change and thus the same motion may be valid.

**ON MOTION** of Councillor Kelly and Councillor Goucher, it was moved to immediately close the recycling depot adjacent to Bedford Place Mall and prosecute under the Planning Act as a zoning violation. **The motion was DEFEATED** (Councillors Walker, Cosgrove and Draper voted against the motion).

**ON MOTION** of Councillor Kelly and Councillor Draper, it was moved to authorize the Director of Planning to initiate the process of prosecution as a zoning violation under the Planning Act against the operators of the recycling depot at Bedford Place Mall. **The motion was approved unanimously.**

In discussion of the MOTION, it was noted by Mr. English that Council did not have the benefit this evening of a complete staff report, the legal opinion given to the Town, or the present status of the operation.



**ON MOTION** of Councillor Walker and Councillor Cosgrove, it was moved to refer the matter with respect to the recycling depot at Bedford Place Mall to the Committee-of-the-Whole for clarification and further discussion. **The motion was approved unanimously.**

Mrs. Towill's request for a copy of the legal opinion given to the Town was denied by Mayor Christie as it was noted that it is not the practice of the Town to share legal opinions.

**ON MOTION** of Councillor Kelly and Councillor Goucher, it was moved that the Town of Bedford would withdraw their support of the recycling depot located at the Bedford Place Mall within forty-eight hours.

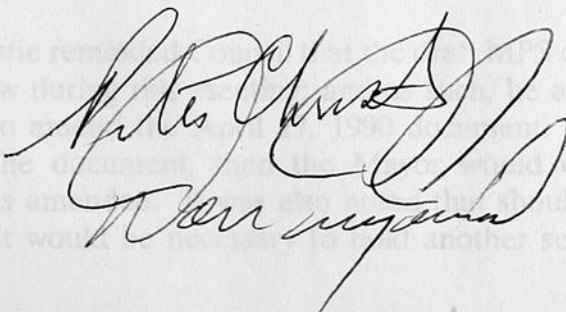
In discussion of the MOTION, there was some discussion of the legal implications of withdrawing support at this time.

**The motion was put to the meeting and DEFEATED** (Councillor Walker, Draper, Cosgrove voted against the motion).

**ON MOTION** of Councillor Kelly and Councillor Cosgrove, it was moved that the Town of Bedford request the owners of Bedford Place Mall, Marathon Realty, to have the recycling depot removed from their property. **The motion was DEFEATED** (Councillors Walker and Draper and Mayor Christie voted against the motion).

Discussion on this item concluded and it was 10:30 p.m.

**ON MOTION** of Councillor Walker and Councillor Goucher, it was moved to recess at 10:30 p.m. until Monday, October 22, 1990 at 8:30 a.m. **The motion was approved unanimously.**



Two handwritten signatures are present at the bottom of the page. The top signature is in cursive and appears to be 'Peter Christie'. The bottom signature is also in cursive and is less legible, possibly 'Don [unclear]'. The signatures are written in dark ink over the printed text of the meeting minutes.

**TOWN OF BEDFORD**

*Special Session*

Monday, October 22, 1990

A Special Session of the Town Council of the Town of Bedford took place on Monday, October 22, 1990, 10:30 a.m., in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia; Mayor Peter Christie presiding.

**ATTENDANCE**

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

Staff members attending this meeting included Barry Zwicker, Director of Planning and Development Control; Steve Moir, Senior Planner; and Donna Davis-Lohnes, Junior Planner.

**PROCEDURE**

In the absence of a formal agenda, Mayor Christie outlined that the purpose of the meeting was to address the five major issues which emerged during the public hearings held in May 1990 with regards to the Municipal Planning Strategy (MPS). The five issues were Density, Heritage Commercial, Secondary Development Area, Intertidal Zones and Union Street Residential Comprehensive Development District (RCDD). Town Council was to consider the staff reports (dated September 11, 1990, September 6, 1990, September 11, 1990, September 11, 1990 and September 11, 1990 respectively), the written submissions, and the transcripts of these public hearings.

Mayor Christie reminded Council that the draft MPS dated April 17, 1990 was the document under review during this meeting; and as such, he asked that each issue be addressed by MOTION to amend the April 17, 1990 document. When Council have completed their review of the document, then the Mayor would entertain a MOTION to accept the document as amended. It was also noted that should there be substantial changes to the document, it would be necessary to hold another set of public hearings on the amended document.

**DENSITY**

**ON MOTION** of Councillor Goucher and Deputy Mayor Huntington, it was moved to amend the April 17, 1990 draft MPS such that Policy R-11 shall read: "It shall be the intention of Town Council to limit the density of residential development within an RCDD to a maximum of 6 units per gross acre."

In speaking to the MOTION, Councillor Walker was uncertain whether the 6 units per gross acre would allow sufficient flexibility for developers. Councillor Walker also questioned whether six was the correct number for the ceiling.

Mr. Zwicker noted that planning staff suggested that there be no ceiling for residential density within RCDDs for a number of reasons; one being that since an RCDD is developed by contract, the Town has the ability to negotiate density with the developer and to deal with other items of concern such as affordability, environmental issues, amount of impervious surface, amount of site disturbance, ability to build a development to fit into the topography and adjust to the soil conditions, the amount of open space, etc. A term 'performance zoning' was discussed and it was noted that a developer will be encouraged to earn the right to develop to a maximum of six units per gross acre.

Councillor Draper suggested that there be a sliding scale for density within RCDDs and that should a developer adequately address concerns such as saving trees, environmental concerns, open space, then the developer may be permitted a density closer to the maximum. She noted that citizens require a 'comfort level'; i.e., they must be assured that density will not exceed a fixed figure.

It was agreed that the intent of the MOTION shall be that residential development within RCDDs is set at a maximum of six units per gross acre with the developer addressing criteria as outline in R-13. Staff is to re-draft R-13 to stipulate these criteria and to address the concept of performance zoning.

**The MOTION to regarding Policy R-11 was put to the meeting and approved.**

**ON MOTION** of Councillor Walker and Deputy Mayor Huntington, it was moved to amend the April 17, 1990 draft MPS such that 'affordability' shall be included in the Residential Objective. The motion was approved unanimously.

**SECONDARY DEVELOPMENT AREA**

**ON MOTION** of Councillor Draper and Deputy Mayor Huntington, it was moved to amend the April 17, 1990 draft MPS such that Policy R-6 shall be amended to reflect that minimum lot area shall be one acre.



**ON MOTION** of Councillor Walker, it was moved to **AMEND** the above **MOTION** such that there be a restriction to limit subdivision of land to one lot per year for lots which exist currently. After three calls from the Mayor for a seconder, **the MOTION was LOST** as there was no seconder.

It was noted that the **MOTION** put forth by Councillor Draper was a substantial change to the current draft MPS policy and very different from the recommendation by staff. Mr. Zwicker suggested that the effect of the **MOTION** would be to destroy the existing concept of a Secondary Development Area and he asked Council to review the implications with respect to the Town's ability to absorb the increased servicing costs of such a potentially large development.

Councillor Walker, in speaking to the **MOTION**, suggested that the motion would deplete the traditional land reserves of the Town and break the current development pattern. He commented that he was in favour of one acre lots but that it must be restricted to one per year for lots which exist currently.

Mr. Moir commented that, as a result of this motion, he would expect rapid development in the area currently known as the SDA. He suggested that developers would seek developments in this area rather than negotiate with the Town for developments within the Residential Boundary where they must conform to specified criteria.

**ON MOTION** of Councillor Draper, it was moved to **AMEND** the **MOTION** such that one acre lots be permitted and subdivision permitted to a maximum of three lots per year for existing lots. **The MOTION was WITHDRAWN.**

**ON MOTION** of Councillor Draper and Deputy Mayor Huntington, it was moved to defer consideration of the issue of Secondary Development Area to the next Council meeting on the MPS and to request staff to present a report with suggestions and alternatives for Council's review which would permit more than one 1-acre lot per year.

In discussion of the **MOTION**, Councillor Kelly asked that staff also consider the potential spin off effects to the Town from this potential increased development. Mr. Zwicker commented that Council already has staffs report and recommendations on the subject. However, staff could identify the number of parcels that would be available for potential subdivision. It was conceivable that staff might also address whether it would be economically feasible for a developer to put in roads and other services with a limit of 3, or 5 lots per year. In discussion of services, it was suggested that staff also investigate standards for services, i.e., dry services, gravel roads, curbs, etc.

Mr. Zwicker noted that the **MOTION** is a fundamental change in planning for the Town. It would take staff many months to examine the issue in order to address the various aspects and implications of such a change.

**ON MOTION** of Councillor Walker and Councillor Cosgrove, it was moved to **AMEND** the **MOTION** such that staff investigate and report on the number of existing parcels of land within the Secondary Development which are greater than two acres; and as well, identify where possible the number of lots which might be subdivided for compassionate/family reasons. **The motion to AMEND was approved unanimously.**

Mayor Christie suspended the **AMENDED MOTION** temporarily and polled individual Councillors on the issue of restricted versus non-restrictive residential development within the Secondary Development Area. Councillors Cosgrove, Walker and Deputy Mayor Huntington supported the current draft MPS which restricts residential development and the staff recommendation to allow for the subdivision, for compassionate/family reasons, into one-acre lots from existing lots. Councillor Draper requested other options be presented by staff for Council consideration and that a slight modification of staff recommendation #2 (one-acre lot; one per year) would be appropriate. Councillor Goucher voiced his concern for fairness to current landowners and that there must be some other alternative. Councillor Kelly noted that staff recommendation #2 was too restrictive. Councillor Cosgrove also suggested that there may be a third option worth investigating.

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

### **HERITAGE COMMERCIAL**

At the commencement of this discussion, Councillor Cosgrove declared a possible conflict of interest and left the room.

**ON MOTION** of Councillor Walker and Deputy Mayor Huntington, it was moved to amend the April 17, 1990 draft of the MPS such that Council would approve the staff recommendations contained in their report regarding the zone and designations and as outlined on the map.

At the request of Council, Donna Davis-Lohnes outlined with the aid of maps the areas of application for the zone and designations.

**ON MOTION** of Councillor Goucher and Councillor Draper, it was moved to **AMEND** the **MOTION** such that the above motion would include the property of Mr. Charles Shediak to be within the Heritage Commercial zone. **The motion was LOST** (Councillor Walker, Cosgrove, Kelly and Deputy Mayor Huntington voted against the motion).

Deputy Mayor Huntington raised his concern that commercial activity across the Bedford Highway from residential areas was unfair to those residential property owners.

**The MOTION was put to the meeting and approved** (Councillor Goucher voted against the motion).



**ON MOTION** of Councillor Draper and Councillor Goucher, it was moved to amend the April 17, 1990 draft of the MPS such that in the Heritage Commercial zone front yard parking for redevelopment properties would be restricted to the required wheelchair/handicap designated parking where appropriate.

In speaking to the MOTION, Councillor Draper noted that she would also encourage the development of public parking lots to support the limitations to front yard parking.

**The MOTION was put to the meeting and DEFEATED**(Councillor Walker, Deputy Mayor Huntington and Mayor Christie voted against the motion; the vote was tied and therefore defeated).

**ON MOTION** of Councillor Goucher and Councillor Draper, it was moved to amend the April 17, 1990 draft of the MPS such that Policy C-17 would prohibit all front yard parking, even by development agreement, except for those properties which currently have front yard parking. **The motion was DEFEATED** (Councillor Walker, Deputy Mayor Huntington and Mayor Christie voted against the motion; the vote was tied and therefore defeated).

In speaking to the MOTION, a number of Councillors expressed concern that since the Heritage Commercial zone/designation for the most part deals with redevelopments, it is highly unlikely that existing buildings would be moved closer to the road to allow sufficient parking in the rear yards.

**ON MOTION** of Councillor Walker, it was moved to amend the April 17, 1990 draft of the MPS such that the staff recommendation to change the name of the Heritage Commercial zone/designation be accepted; the new name would be Mainstreet Commercial. **The motion was LOST** (after three calls from the Mayor for a seconder).

At the request of Councillor Kelly, Mr. Zwicker reported that one way to restrict the cutting of mature trees in order to maintain the character of the mainstreet might be through special legislation or perhaps through negotiations in a development agreement.

Councillor Cosgrove returned to the Council Chambers.

**ON MOTION** of Councillor Kelly and Councillor Draper, it was moved to request Planning and Engineering Staff to explore possible special legislation (or some other method) whereby the Town had the authority to identify and preserve mature trees within the Heritage Commercial area in an attempt to maintain the character of the mainstreet. **The motion was approved unanimously.**

In discussion of the MOTION, it was agreed that the intent is for staff to draft proposed policies for inclusion in the MPS and to investigate several options for preserving mature trees.



**ON MOTION** of Councillor Walker and Deputy Mayor Huntington, it was moved to amend the April 17, 1990 draft of the MPS such that staff would draft a policy for inclusion that would permit all existing residential uses in the Heritage Commercial zone as permitted uses within the zone. **The motion was approved unanimously.**

### INTERTIDAL ZONE

**ON MOTION** of Councillor Walker, it was moved to amend the April 17, 1990 draft of the MPS such that a new policy would be drafted which would reflect the staff recommendation that permits pre-Confederation lots to be infilled by development agreement. **The motion was LOST** (after three calls from the Mayor for a seconder).

**ON MOTION** of Deputy Mayor Huntington and Councillor Goucher, it was moved to amend the April 17, 1990 draft of the MPS such that Policy E-15 (creation of Intertidal Management Zone) be eliminated. **The motion was CARRIED** (Councillor Walker voting against the motion).

In discussion of the MOTION, Councillor Walker cautioned Council with regards to the elimination of the Intertidal Management Zone highlighting the environmental consequences.

**ON MOTION** of Deputy Mayor Huntington and Councillor Cosgrove, it was moved to amend the April 17, 1990 draft of the MPS such that Policy E-16 shall be amended to restrict infilling to fifteen (15) feet past the high water mark and should a property owner wish to infill further, then an environmental assessment shall be done and paid for by the property owner.

In discussion of the MOTION, Councillor Walker suggested that Council stipulate guidelines for the infilling, i.e., type of material used to infill, type of retaining walls built, etc.

**ON MOTION** of Councillor Walker and Deputy Mayor Huntington, it was moved to **AMEND** the above motion such that staff be asked to prepare a schedule of mitigative measures and criteria applicable to infilling and that this schedule be included in the policy.

While discussing the above MOTION and MOTION to AMEND, it was agreed that the MOTION should be split to deal with the two separate issues, i.e. one motion dealing with infilling 15 ft out from the shore and another motion dealing with the technical data.

**Councillor Walker and Deputy Mayor Huntington agreed to WITHDRAW** their amendment to the motion.

In discussion of the original MOTION, it was pointed out by staff that this motion effectively eliminates public access to the intertidal zone.

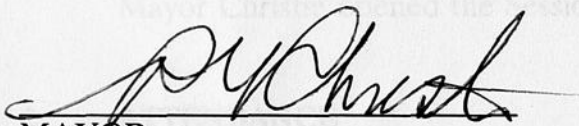
**The original MOTION (Deputy Mayor Huntington and Councillor Cosgrove) was put to the meeting and CARRIED.**

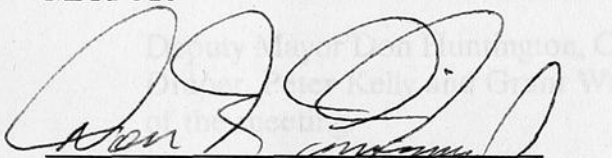
*ON MOTION of Councillor Cosgrove and Councillor Kelly, it was moved to amend the April 17, 1990 draft of the MPS such that the Town Council requests the Halifax Port Authority to forward applications for infilling of Bedford Bay shoreline to the Bedford Waters Advisory Committee and the Provincial Department of Environment for comment.*

*ON MOTION of Councillor Walker and Councillor Kelly, it was moved to AMEND the MOTION such that in addition to approval from the Port Authority, the Town will require a development permit for all infilling of the Bedford Bay shoreline and that the development permit shall stipulate conditions for infilling, material to be used and mitigative measures. The motion to AMEND was carried unanimously.*

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

**ON MOTION of Councillor Goucher, the Special Council Session of October 22, 1990 on the Municipal Planning Strategy was adjourned at 3:30 p.m.**

  
MAYOR

  
CHIEF ADMINISTRATIVE OFFICER

/dl

3. ADDITIONS/DELETIONS TO ORDER OF BUSINESS

*ON MOTION of Councillor Draper and Councillor Goucher, it was moved to amend the agenda to add a new item, Adjustment of Taxes, 2 Eastwood Terrace. The motion was approved unanimously.*

*ON MOTION of Councillor Kelly and Councillor Goucher, it was moved to amend the agenda to add a new item, Petition re-Bedford Recycling. The motion was approved unanimously.*

MEETING #76

**TOWN OF BEDFORD**

*Special Session*

Tuesday, October 30, 1990

A Special Session of the Town Council of the Town of Bedford took place on Tuesday, October 30, 1990, 7:30 p.m., in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia; Mayor Peter Christie presiding.

Prior to the commencement of the Special Session, Mayor Christie noted that from this date forth Council will be conducting itself according to the new Rules of Order By-Law recently approved by the Department of Municipal Affairs.

1. **LORD'S PRAYER**

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

2. **ATTENDANCE**

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

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

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

*ON MOTION of Councillor Draper and Councillor Goucher, it was moved to amend the agenda to add a new item, Adjustment of Taxes; 2 Eastwood Terrace. The motion was approved unanimously.*

*ON MOTION of Councillor Kelly and Councillor Goucher, it was moved to amend the agenda to add a new item, Petition re Bedford Recycling. The motion was approved unanimously.*



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

*ON MOTION of Councillor Draper and Councillor Cosgrove, it was moved to approve the amended order of business. The motion was approved unanimously.*

5. **SOLID WASTE PLAN PRESENTATION - GRIFFITH MUECKE (VERBAL)**

Mr. McEachern and Ms. Griffith were present; Ms. Griffith reviewed the Summary of Solid Waste Management Strategies with costs as outlined in Table 2 (circulated at the meeting). The verbal review was supplemented with slides many of which depicted various types of processing plants which the consultants had viewed during their research.

Ms. Griffith did point out that not only will the Metropolitan Authority require new solid waste facilities but also support from government agencies and regulatory departments will be sought.

The presentation clearly outlined the differences between the five strategies as presented. Ms. Griffith noted that the advisory committee had recommended Strategy #2 (MRF, baling, pulverization, central organic composting).

Ms. Griffith summarized by reviewing a time chart outlining scheduling. She noted that currently decision making is about a month behind schedule. It was noted that in the near future, regulations and guidelines for landfill sites and facilities should be forthcoming from government agencies; representatives of municipalities are being encouraged to see various types of facilities; preliminary work for identifying a new landfill site must begin; and the public consultation process instigated by discussion papers will commence.

During the question and answer period, several issues were raised including:

- users will pay on the basis of tonnage
- successful recycling programs without legislation.

Ms. Griffith noted that in all likelihood she will visit Council before the end of December with information on site criteria for a landfill location.

6. **REVIEW OF COST ESTIMATES - PROPOSED VENTILATION/AIR CONDITIONING - LEBRUN CENTER**

Director of Recreation, B. Nauss was present for this agenda item. His

to the meeting and outlined information with respect to hiring security during music related functions; air conditioning estimates; and alarm system for Den exit doors.

In discussion of the memorandum, at the request of Council, Mr. Nauss pointed out that his course of action on this issue has been to follow the recommendations of the report made to the Recreation Department with respect to Noise, i.e. monitor noise levels and keep the music below 102 decibels; and the second step would be air conditioning. Condensation was not anticipated to be a problem according to the contractors. The quotes were by invitation and are not formal quotes but simply guidelines so that this item may be included in the 1990-91 Capital Budget.

With respect to hired security, Mr. Nauss had no report as there had been no functions at the Lions Den with music.

**ON MOTION of Councillor Kelly and Councillor Draper, it was moved to authorize the Recreation Director to purchase and install exit door alarms at a cost of \$835.50 in an effort to reduce noise escaping through open doors. The motion was approved unanimously.**

During the discussion on the MOTION, concern was raised that the room may indeed become too hot; Mr. Nauss suggested that he will attempt to keep thermostats low and that some effort will be made to permit the opening of doors during non-music periods.

**ON MOTION of Councillor Walker and Deputy Mayor Huntington, it was moved to authorize the Recreation Director to include an amount of approximately \$27,100 in the 1990-91 Capital Budget for the purpose of installing air conditioning in the Lions Den. The motion was approved unanimously.**

#### **7. APPOINTMENT OF REPLACEMENT FOR SOLID WASTE COMMITTEE**

Due to the resignation of Mr. C. Nolan from the Solid Waste Management Advisory Committee, Council must consider a replacement. It was agreed that the nominated individual must be available to fulfil the time demands as well as fulfil the numerous requirements of the committee.

**ON MOTION of Councillor Cosgrove and Councillor Walker, it was moved that Councillors Cosgrove and Walker would review the membership of Bedford Waters Advisory Committee and investigate the possibility of one of the departing members acting as a replacement for Mr. Nolan on the Solid Waste Management Advisory Committee; and would report at the next Council session. The motion was approved unanimously.**



**8. PROPOSED TERMS OF CONTRACT - OPERATOR OF RECYCLING DEPOT**

By memorandum of October 24, 1990, Mr. Paynter submitted a report on the recycling proposal and attached a draft agreement between the Town of Bedford and Bedford Bottle and Metal Exchange Limited for the purposes of operating a residential recycling program within the Town. Mr. Paynter also noted several criteria which Council should apply in regard to establishing locations for such a facility within the core developed area of the Town (red outlined area).

*ON MOTION of Councillor Kelly and Councillor Cosgrove, it was moved to locate the recycling depot in a C-6 zone in the Town of Bedford.*

*ON MOTION of Councillors Kelly and Cosgrove, it was agreed to AMEND the MOTION such that the recycling depot be located in a C-6 or I-1 zone in the Town of Bedford.*

In discussion of the motion, at the request of Councillor Goucher, Mr. Zwicker outlined and identified several spots in the Town which carried either the C-6 or I-1 zone; for the most part, the majority of these were outside the core developed area with the exception of the Trade Mart location.

Although several Councillors agreed that the drop-off facility/depot should be located conveniently; there was no consensus. There was discussion and debate surrounding the interpretation of 'processing'. Concern was also raised that the current recycling depot is also acting as a bottle exchange and this is not permitted in this zone (even though, as a Councillor pointed out, the N.S. Liquor Store performs the same function).

Councillor Draper asked Mr. Paynter to comment on his recent research into the decision making process of the City of Halifax with respect to recycling depots. Mr. Paynter reported that Halifax staff has not presented their report to Halifax Council to-date and the information was not available. Councillor Kelly noted an unsubstantiated report that the City of Halifax will not permit recycling depots at mall locations and that they will not be crushing glass.

*ON MOTION of Councillor Kelly and Councillor Goucher, it was moved to defer the MOTION on location of the recycling depot until after Council reviews the draft contract agreement. The motion was approved (Councillor Walker voted against the motion).*

*ON MOTION of Councillor Walker and Deputy Mayor Huntington, it was moved that Town Council accept the agreement between the Town of Bedford and Bedford Bottle and Metal Exchange Limited for the purposes of operating a residential recycling program within the Town as circulated by the Director of Engineering and Works on October 24, 1990.*



and glass.')

**The motion was approved** (Mayor Christie, Councillor Walker and Councillor Cosgrove voted against the motion).

**ON MOTION** of Councillor Draper and Councillor Kelly, it was moved to **AMEND** the proposed residential recycling agreement between the Town of Bedford and Bedford Bottle and Metal Exchange such that a new paragraph be written and included; and the intent of the additional paragraph would be that the residential recycling facility would not act as a bottle exchange. **The motion was DEFEATED** (Councillors Walker, Cosgrove, Deputy Mayor Huntington and Mayor Christie voted against the motion).

In discussion of the MOTION TO AMEND the agreement and excluded the bottle exchange activity, it was noted that currently the provincial liquor store is permitted to act as a bottle exchange in a C-3 zone and therefore so should the recycling depot.

**ON MOTION** of Councillor Walker and Deputy Mayor Huntington, it was moved to **AMEND** the proposed residential recycling agreement between the Town of Bedford and Bedford Bottle and Metal Exchange such that paragraph #3 wording would change from 'are to be' to *may be*.

In discussion of the MOTION to AMEND the wording, Councillor Walker and Deputy Mayor Huntington **WITHDREW** the motion as it was agreed that the recycler must remove all specified items from the depot whether they are marketable or not.

**ON MOTION** of Councillor Kelly and Councillor Goucher, it was moved to **DEFER** further consideration of the proposed residential recycling agreement until the next regular Council Session so that staff could provide Council with additional information on other options/scenarios for payment of the recycling subsidy. **The motion was approved.**

## 9. REPORT FROM PLANNING DEPARTMENT ON RECYCLING DEPOT

By memorandum of October 26, 1990, Director of Planning Barry Zwicker outlined the current status of the alleged zoning violation of the present recycling depot located at Bedford Place Mall. Staff recommended that no further legal action be pursued until such time as Council has resolved its direction with respect to recycling and following that decision, a further discussion would take place with the present operator to ensure compliance with the Land Use Bylaw.

It was agreed that since Council had deferred consideration of the proposed residential recycling depot that the issue of the alleged violation was for information only at this time.