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7. **CONSIDERATION OF DEFERRED BUSINESS**

7.1 **Sidewalk Tax for Sidewalk Clearing in District 19**

MOVED by Councillor Johns, seconded by Councillor Goucher to request a Staff Report from appropriate staff regarding the possibility of having the tax eliminated for sidewalk clearing and maintenance for taxpayers when there is no sidewalk for kilometers away from their home or who have no hope of ever having a sidewalk. Alternatively, to have the money put aside for future development of a sidewalk. MOTION PUT AND PASSED.

8. **PUBLIC HEARINGS**

8.1 **Case 00371 - Application by Frank Robinson to rezone 799 Kearney Lake Road in order to permit a Private Recreation Facility (i.e. Golf Academy and Driving Range)**

A Staff Report dated August 21, 2001 was before Community Council along with a recommendation for approval dated September 6, 2001 from North West Planning Advisory Committee.

Andrew Bone, Planner provided an overview of the application with the aid of overheads. He advised that staff was recommending approval of the application.

The Chair then called for speakers for or against the application.

Mr. George Churney, Bedford asked if there was only one entrance, to be off Kearney Lake Road. In response, Mr. Bone advised he understood there was no intention to ever have an entrance on Hammonds Plains Road.

Mr. Frank Robinson, the applicant, raised the following points on behalf of his application:

- The project would be developed in a very sensitive way, recognizing the marsh and water collection. He understood there were problems with ditching and flooding in the area. The project will be suited to the land.
- Lighting concerns will be addressed with alternative lighting, working with people in the area.
- After a few years, they would consider community based programs for the winter months such as skating on the pond and community meetings in the facility.

The Chair then called three times for further speakers for or against the application. There were none.

MOVED by Councillor Goucher, seconded by Councillor Johns to close the Public Hearing. MOTION PUT AND PASSED.

Councillor Goucher pointed out that the proposal is in the Residential Reserve and probably this type of use would be the only use eligible other than residential. It received extensive review by Bedford Waters Advisory Committee.

MOVED by Councillor Goucher, seconded by Councillor Johns to approve the rezoning of the property identified as PID #00645846, known as 799 Kearney Lake Road, Bedford from RR (Residential Reserve) to SI (Institutional), as shown on Map 1 of the Staff Report dated September 6, 2001, to permit the construction of a golf academy and driving range. MOTION PUT AND PASSED.

8.2 **Case 00334 - Request by North West Community Council to review rezoning existing Subdivision Lots at the end of Megan Crescent, Lakecrest Drive, Lylewood Drive and Birch Hill Court to R-1 from MU-2 and consider rezoning adjacent land to R-6 from MU-2**

A Staff Report dated June 29, 2001 was before Community Council along with two separate recommendations from North West Planning Advisory Committee dated September 6, 2001 and October 5, 2001 respectively.

Andrew Bone, Planner provided an overview of the application. During the course of his presentation, he provided information on the extraction pit which the Planning Advisory Committee had recommended remain zoned MU-2 and the lands along Sackville Drive which staff was recommending remain MU-2. He indicated that very late in the process, the question arose as to whether or not R-6 should be used instead of R-1 in the existing Fenerty Subdivision but he did not think this could be approved tonight because Community Council had agreed to consider R-1 and it would probably have to be readvertised to consider R-6.

Councillor Johns provided the reasoning for the initial request which ended with staff looking at the whole area. He indicated, however, that there had been discussions about certain properties currently proposed for rezoning to R-1 to be considered R-6. He indicated the reason the properties around the lake are R-1 is because there is a specific sewage treatment plant for those properties and there was no wish to have multi unit or apartments which could mean over capacity of the sewage treatment plant. He thought the R-6 zone was adequate to ensure no type of commercial business is allowed but the R-1 zone restricts certain things you can do on your property, i.e. the number of outbuildings and height but in this

area the lots were larger. Based on that, he was not prepared to support a motion for approval of all the properties under consideration but was prepared to consider the rezoning of Megan Crescent to R-1. He asked for input from the Municipal Solicitor as to how to proceed.

Ms. Angela Jones-Rieksts, Municipal Solicitor stated that with regard to changing what was advertised, the Municipal Government Act clearly states that the zoning has to be correctly mentioned. Since the zoning was advertised as R-1, a new advertisement would have to be placed and there would have to be an additional Public Hearing with regard to the properties being affected. It would be in order to make a decision tonight regarding the remaining properties.

Councillor Harvey then called for speakers for or against the application.

Ms. Lynndell Myers stated she was a landowner of a portion of the property and did not have any problems except for the fact that the front portion remain MU-2. She did not think R-6 was a fair zoning for the front portion onto Sackville Drive.

Mr. Darryl Marsh, after having been provided with the differences between R-1 and R-6 zoning, asked if there was anything else that could impact on the existing properties should they go R-6 in the future, as part of the charm of moving into the area was the size of the lots. He asked if the lots could be subdivided, for instance.

In response, Councillor Johns advised that because there is no water and sewer, the size of the lot is restricted and the area is not within the serviceable water boundary. Also, people were building their houses in the middle of the lot.

Mr. Bone also indicated it was more likely that water would come to the area and water alone would not allow further subdivision. The likelihood of sewer coming was fairly slim.

Mr. John Fenerty stated that he had talked to residents in his area and the main concern was to have the property in his area go to R-1.

Mr. Wade Lively said he did not understand why the lands not going to be developed were being affected. A change to R-6 would limit what can be done with those properties five or ten years from now. He said he might want to put a golf course on the property at some time in the future. It seemed strange to have developers on both sides and all of a sudden the lands in question were being brought into the mix.

In response, Councillor Johns advised that sooner or later the properties in between will be approached for development.

The Chair called three times for further speakers for or against the application. There were none.

MOVED by Councillor Johns, seconded by Councillor Goucher to close the Public Hearing. MOTION PUT AND PASSED.

Mr. Bone provided Map 7 which clearly delineated the clean line for rezoning to MU-2.

MOVED by Councillor Johns, seconded by Councillor Goucher that the lands at the end of Megan Crescent be rezoned to R-1 and that the lots at the end of Lakeview Avenue with split zoning be rezoned to R-1 as shown on Map 4 of the Staff Report dated June 29, 2001, with the exception of parcels shown on Lakecrest Drive, Lylewood Drive and Birch Hill Court. Further, that the other properties shown on Map 5 of the Staff Report dated June 29, 2001 be rezoned from MU-2 (Mixed Use 2) Zone to R-6 (Rural Residential) zone, with the exception of the Harvey Lively extraction pit area which should remain zoned MU-2, as shown on Map 7 as provided by the Planner. MOTION PUT AND PASSED.

MOVED by Councillor Johns, seconded by Councillor Goucher that staff bring forward the properties not rezoned R-1 for consideration for rezoning to R-6. MOTION PUT AND PASSED.

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Correspondence

9.1.1 A letter dated October 3, 2001 from the Minister of Environment regarding Paper Mill Lake - Dam Safety was before Community Council in response to Community Council's question at the last meeting of Community Council

Councillor Goucher advised that subsequent to the Minister's letter, he had conversation with the Minister and expressed concern that the letter indicated that if Annapolis Group Inc. does not re-establish the permit, it is incumbent on them to dismantle the dams in a safe and orderly manner, which basically means draining the lake. The Minister indicated he would investigate further. The Councillor agreed to keep Community Council advised.

9.1.2 A letter dated October 23, 2001 from the Parents Teachers Partnership of Basinview Drive Community School was before Community Council requesting that action be taken to relocate the basketball posts at Basinview School from the upper parking lot to a useable location.

MOVED by Councillor Goucher, seconded by Councillor Johns to receive the letter and forward a request to appropriate staff to reposition the basketball posts. MOTION PUT AND PASSED.

9.1.3 A letter dated October 24, 2001 from Don Stewart, 68 Ridgevale Drive, Bedford re the condition and use of the field at Eaglewood Elementary School was before Community Council.

MOVED by Councillor Goucher, seconded by Councillor Johns to receive the correspondence and express concerns to Blair Blakeney, Parks and Recreation. MOTION PUT AND PASSED.

10. REPORTS

10.1 Appointment to Paper Mill Lake Advisory Committee

MOVED by Councillor Goucher, seconded by Councillor Johns that Sandy Irwin be appointed as a member of Paper Mill Lake Area Advisory Committee. MOTION PUT AND PASSED.

10.2 Minimum Lot Sizes and Square Footage of Accessory Buildings

MOVED by Councillor Johns, seconded by Councillor Goucher to request a staff report on the feasibility, because size of accessory buildings is restricted in areas because of zoning, on a change to having accessory buildings related to the size of the lot and not based on the zone. Further, that the report be available for the January meeting of Community Council. MOTION PUT AND PASSED.

10.3 Outdoor Display Courts - Beaver Bank

MOVED by Councillor Johns, seconded by Councillor Goucher to request staff to consider amendments necessary to restrict outdoor display courts, particularly used car lots, from the Millwood Drive/Stokil Drive intersection on Beaverbank Road up to the County line. MOTION PUT AND PASSED.

Councillor Johns referred to an earlier motion regarding the same type of issue up Sackville Drive and the fact that staff has still not come forward with a report. He indicated he hoped it would not take as long for this request as for the other.

10.4 Sandy Lake - New Park Naming

A Staff Report dated October 15, 2002 was before Community Council from Parks and Recreation Services. Staff was recommending that the park be named "Sandy Lake Bedford Lions Park".

MOVED by Councillor Goucher, seconded by Councillor Johns that the park be named "Sandy Lake Bedford Lions Park".

Councillor Goucher indicated that over the last few months there have been concerns expressed with regard to the naming of the park. The Bedford Municipal Planning Strategy is specific regarding the naming of streets; however, the important thing with regard to parks is history and historical significance. Sandy Lake maintains historical integrity and the Lions Club has been connected with Bedford for 56 years. The Bedford Lions Club is committed to the project financially, along with the Municipality and the province.

At the request of Community Council, Kevin Conley, Supervisor of Park Planning and Development provided an update on how much of the project has been completed to date.

It was then agreed to hear from George Churney, Bedford Lions Club. With regard to the naming of the park, Mr. Churney advised that the Lions Club wanted the name to be "Bedford Lions Sandy Lake Park" which was completely different. He indicated there was an official account open for donations in the name of "Bedford Lions Sandy Lake Park". He asked that Community Council reconsider the naming.

After discussion regarding historical names and the variation of the name, Mr. Conley advised that the intention was to emphasize Sandy Lake.

Councillor Goucher said there was a situation between the residents of Sandy Lake and the Lions Club; however, he recognized the major commitment of the Lions Club. He referred to the staff report which indicated that failure to include Bedford Lions in the naming of the park could result in withdrawal of their remaining commitment.

Mr. Conley stated it was staff's recommendation that Bedford Lions be included in the naming of the park, which was the most important aspect. Staff did not have a problem with changing the name as requested by Mr. Churney.

With the agreement of the seconder, Councillor Goucher withdrew his motion on the floor.

ORIGINAL MOTION WITHDRAWN.

MOVED by Councillor Goucher, seconded by Councillor Johns that the official name of the park be "Bedford Lions Sandy Lake Park". MOTION PUT AND PASSED.

10.5 **North West Planning Advisory Committee - re Project 00106(c) - Sackville Drive Design Study**

A report dated October 15, 2001 from North West Planning Advisory Committee was before Community Council in which North West Planning Advisory Committee received a letter from the Sackville Drive Design Study Area Advisory Committee with a request but it was forwarded to Community Council without recommendation.

Mr. Gordon Morgan, Chair, Sackville Drive Design Study Area Advisory Committee provided information on the work of the Committee and the request for inclusion of funds in the budget for a detailed engineering design study for Sackville Drive.

MOVED by Councillor Johns, seconded by Councillor Goucher to recommend to Regional Council that it consider the detailed engineering street design study as a Capital budget item for 2002/03. MOTION PUT AND PASSED.

11. **MOTIONS** - None

12. **ADDED ITEMS**

12.1 **Letter of Congratulations re Sackville Rivers Association**

It was agreed to send a letter of congratulations to the Sackville Rivers Association on receiving Recreation Nova Scotia's Bluenose Award for their work in reclaiming and restoring fish habitat on the Sackville Rivers and their environmental awareness and education endeavours in the wider community of Bedford/Sackville.

It was also agreed to send a letter to Walter Regan personally congratulating him on being placed on the Honour Roll of the Salmon Anglers Association of Nova Scotia.

12.2 **Letter to Retiring Members - Bedford Waters Advisory Committee**

MOVED by Councillor Goucher, seconded by Councillor Johns that a letter of thanks be sent to the following retiring members of Bedford Waters Advisory Committee: Elaine Loney, Douglas Murray and Brian Hoyle. MOTION PUT AND PASSED.

13. **NOTICES OF MOTION** - None

14. **PUBLIC PARTICIPATION**

Ms. Shirley MacPhee requested, on behalf of the Sandy Lake Residents Association, that the Heritage Society review the name of the park at Sandy Lake and bring a recommendation forward. There is a policy in the Municipal Planning Strategy.

Councillor Harvey advised that Policy HC-7 which deals with naming of streets and parks has been considered. A motion has already been made to name the park.

Councillor Goucher pointed out there was no official heritage committee for Bedford. He named active committees at this time for Bedford. The important thing was that heritage should be significant to the name which is Sandy Lake.

Mr. Gordon Morgan, as Chair of the Sackville Drive Design Area Advisory Committee commended Thea Langille-Hanna and Andrew Whittemore, Planners who have done an exceptional job in supporting the Area Advisory Committee. He requested that his comments be passed on.

It was agreed that the Minutes will note Mr. Morgan's comments.

15. **MEETING DATES**

It was agreed to meet on Thursday, November 29, 2001 and following that, on January 24, 2001.

16. **ADJOURNMENT**

On a motion from Councillor Goucher, the meeting adjourned at 8:30 p.m.

Sandra M. Shute
Assistant Municipal Clerk