

9.1 NELSON'S LANDING - CONTRACT DEVELOPMENT (Cont'd)

In response to an inquiry from Council, Kenneth MacInnis Solicitor, and Mr. Zwicker reviewed further details of why the two aforementioned problems have arisen at the present time.

ON MOTION of Councillor Lugar and Deputy Mayor Roy, it was moved that the matter of Nelsons Landing - Contract Development be deferred pending the availability of further information and the scheduling of a further Council Session. Motion carried. Councillor Loncarevic abstained from voting.

10. PETITIONS, DELEGATIONS, CORRESPONDENCE

10.1 PETITIONS

Nil

10.2 DELEGATIONS

Nil

10.3 CORRESPONDENCE

10.3.1 SEWER DEVELOPMENT CHARGES - MR. JOSEPH FOY

Correspondence from Mr. Joseph Foy was received by Council in which Mr. Foy recommended that Council consider the possibility of levying a sewer development charge on all new development. It was noted by Mr. Foy that these monies could be put into a reserve fund and left to accrue until substantial new sewer development is required as a result of new development.

During discussion of this suggestion, it was noted by the Chief Administrative Officer that an inquiry has been made to the Department of Municipal Affairs to determine whether such a charge may be considered and levied under the Town's Act. He further suggested that available material on this subject could be circulated to members of Council, while the Town is awaiting a response from the Department.

10.3.2 ELECTION - PRESIDENT, CANADIAN INSTITUTE OF PLANNERS

Copies of correspondence from the Chief Administrative Officer to Mr. Barry Zwicker, Director of Planning and Development, were circulated to members of Council, in which Mr. English extended congratulations to Mr. Zwicker upon his election as President of the Canadian Institute of Planners.

ON MOTION of Councillor Doyle and Councillor Lugar, it was moved that Town Council express it's pleasure at the election of Mr. Zwicker as President of the Canadian Institute of Planners. Motion carried unanimously.

10.3.3 EMERGENCY MEASURES ORGANIZATION - FUNDING FOR EMERGENCY VEHICLE - JEPP PROGRAM

Correspondence from Mr. Dan R. English, Chief Administrative Officer, to the Province of Nova Scotia, Emergency Measures Organization, were circulated to members of Council, in which it was noted that cost sharing in the amount of \$34,757.40 will be forthcoming from the Federal Government with respect to the Emergency Vehicle recently purchased for the Fire Department. Appreciation was expressed on behalf of the Town and the Bedford Fire Department for this contribution from the Government of Canada.

10.3.4 PORT OF HALIFAX - RE EXPIRY OF APPOINTMENT - CAPTAIN JACK BATHURST TO THE HALIFAX DARTMOUTH PORT DEVELOPMENT COMMISSION

Copies of correspondence from James D. Frost, Executive Director, (Acting), Halifax Dartmouth Port Development Commission, were circulated to members in which Council was advised that Captain Jack Bathurst's appointment to the Port Development Commission would expire on October 2, 1985.

ON MOTION of Councillor Doyle and Councillor Short it was moved that Captain Jack Bathurst be nominated by the Town Council of the Town of Bedford for appointment to the Halifax Dartmouth Port Development Commission, effective October 2, 1985, subject to his acceptance.

Motion carried unanimously.

11. STANDING COMMITTEE REPORTS

11.1 BIDC - MAINSTREET COMMITTEE

By memorandum, J.M. Towner, Mainstreet Coordinator, reported on the progress of the Mainstreet Program. It was noted that the highway improvement project, initiated in 1984, is now complete and the preliminary layout of the construction projects, scheduled for 1985 from Dartmouth Road to Bedford Mall West Entrance were initiated on Monday, July 15, 1985, with active construction following immediately thereafter.

It was noted by Mr. Towner that the project known as "Underground Conduit Extension - Sackville River, previously approved by Council Resolution dated June 24, 1985, in an amount of \$34,500 will require additional gross funding of \$7,000. This additional cost is the result of Maritime Tel & Tel requesting that a manhole be added to the conduit system which is necessary for the purpose of adhering to proper engineering specifications and ease of future maintenance. It was recommended by Mr. Towner that Council approve the amended figure of \$41,500 which will enable the Mainstreet Committee to complete the project, as proposed, in an effective manner.

11.1 BIDC - MAINSTREET COMMITTEE (Cont'd)

ON MOTION of Councillor Short and Councillor Roy it was moved that Town Council approve an additional expenditure of \$7,000 (total \$41,500) for the project known as "Underground Conduit Extension - Sackville River" and included as a portion of the Mainstreet Program for 1985/86. Motion carried unanimously.

In response to a request by Deputy Mayor Roy, it was agreed that Council would be provided with design specifications for both crosswalk signs and bus shelters prior to any commitments being made by the Mainstreet Committee.

11.2 RECREATION COMMISSION

Councillor Loncarevic presented a verbal report on behalf of the Recreation Commission and advised that at a recent meeting, the following motion was passed.

"Bedford Recreation Commission recommends to the Town Council to amend the Municipal Planning Strategy to include a new Park Category called "Green Belts" or "Buffer Zones." In formulating this policy the Council should consider the specifications for green belts (for example, width, topography, tree cover), ownership (town, neighbourhood assoc., or adjacent homeowners), maintenance, fire and police protection and the relation of green belt areas to the 5% dedication of parkland required in every subdivision."

ON MOTION of Councillor Loncarevic and Councillor Short, it was moved that the Motion as passed by the Recreation Commission be forwarded to the Bedford Planning Advisory Committee for consideration. Motion carried unanimously.

12. OTHER REPORTS12.1 BUILDING INSPECTOR'S MONTHLY REPORT - JUNE 198512.2 SOCIAL SERVICES MONTHLY REPORT - MAY 1985

The Building Inspector's Monthly Report for June 1985, and the Social Services Report for May 1985, were received for information.

12.3 REPORT - PUBLIC INFORMATION SESSION - JUNE 19, 1985

It was agreed by Council that a report prepared subsequent to the Semi Annual Public Information Session, noting specific concerns and departmental response, should be published in the next edition of the Bedford Blueprint.

12.4 REPORT - TREE COMMITTEE

It was agreed that the report from the Tree Committee should be considered in conjunction with Item 14.2, "Proposed Municipal Servicing Specifications."

12.5 REPORT - AD HOC SCHOOL BUDGET COMMITTEE

Deputy Mayor William Roy reported verbally with regard to activities of the School Budget Committee. He noted that the Committee has held its initial meetings in order to determine the District's responsibilities, and has also had a meeting with Dr. Lorne Verabioff, Chairman of the Halifax County Bedford District School Board. It is the hope of the Committee to report back to Council in August or September of this year.

The Chief Administrative Officer also advised that he and Mr. Ken Meech, Chief Administrative Officer of the Municipality of the County of Halifax, are working on a report to be forwarded to the Ad Hoc School Budget Committee.

12.6 EAGLEWOOD DRIVE EXTENSION

By memorandum, Mr. Rick Paynter, Director of Engineering and Works, circulated an Information Report with regard to progress on the Eaglewood Drive Extension.

In speaking to his report, Mr. Paynter advised that since the preparation of this report, various problems have been solved, and it is now expected that all work may be completed within the next couple of weeks.

13. MOTIONS

Nil

14. NEW BUSINESS

14.1 1985 GENERAL BORROWING RESOLUTION

By memorandum, Mr. Dan English, advised that Section 118 of the Town's Act provides enabling legislation for Town Councils to authorize temporary borrowings with the purpose of defraying annual current expenditures. He further noted that the authority is only used if and when required to defray current operating costs of the Town and, to date, the Town has not been required to utilize any portion of the past General Borrowing Resolutions. He recommended that Town Council approve the attached 1985 General Borrowing Resolution and noted that the Resolution did not require Ministerial approval from Municipal Affairs.

14.1 1985 GENERAL BORROWING RESOLUTION (Cont'd)

ON MOTION of Councillor Short and Deputy Mayor Roy, it was moved that Town Council approve the 1985 General Borrowing Resolution as circulated and in an amount not to exceed \$2,425,137 from the Royal Bank of Canada, to meet the current expenditures of the corporation until such time as the taxes to be levied therefore can be collected. Motion carried unanimously.

14.2 PROPOSED MUNICIPAL SERVICING SPECIFICATIONS12.4 REPORT - TREE COMMITTEE

By memorandum, Mr. Rick Paynter, Director of Engineering and Works circulated copies of the proposed Municipal Servicing Specifications for the Town of Bedford. He noted that these specifications have been discussed at a meeting of the Bedford Planning Advisory Committee, and that a Motion was passed that the document be presented to Town Council following revisions as suggested at the BPAC meeting held on July 3, 1985.

By memorandum, Hillary Grant, Chairperson, Bedford Tree Committee, advised of two motions passed by the Tree Committee for Council's consideration in the formulation of the Subdivision Bylaw and Servicing Specifications. These motions were as follows:

1. It was moved that during the clearing of the street right-of-way, developers should make every effort to retain specimen trees with a calipre of three inches and above, which are located within that portion of the right-of-way, outside of the proposed travelled way.

2. It was moved that upon acceptance of a new street, that a \$2.00 per foot of frontage charge be obtained from the developer(s) and held in trust by the Town until substantial completion of the residential construction, whereupon this money could then be used to plant new trees along the street right-of-way.

During the ensuing discussion it was noted by Mr. Paynter, that it was his hope that the Servicing Specifications would be formally adopted by Council as early as possible so that printing and availability could be achieved.

ON MOTION of Councillor Lugar and Councillor Doyle it was moved that the Municipal Servicing Specifications, as presented, be adopted.

During the ensuing discussion, some concern was raised by the Town Solicitor, Mr. Kenneth MacInnis, as to whether the intention of Town Council was to approve a policy / document

14.2 MUNICIPAL SERVICING SPECIFICATIONS (Cont'd)

procedure, or whether the Servicing Specifications would actually form part of the future Subdivision Bylaw. He noted that, in order for the Specifications to have the power of law, they must be passed under enabling legislation; otherwise, the requirements would not be enforceable.

In response to some concerns expressed by Council, it was noted by Mr. Paynter that these specifications would, no doubt, change from time to time in the future, in response to the development of new techniques, etc.

During discussion of the first Motion recommended by the Tree Committee, it was agreed that Clause 2.3 of the Servicing Specifications should be re-addressed by the Engineering Department, in order that the likelihood of saving specimen trees would be increased.

Further discussion also took place with regard to Clause 2.3 concerning the maximum and minimum allowable grade within a street. Again, it was noted that the Director of Engineering would have discretionary decision making ability in this matter.

ON MOTION of Councillor Loncarevic and Councillor Short, it was moved that the Motion be amended by the deletion of the words "unless otherwise approved by the Town Engineer," from Clause 2.12.

THE AMENDMENT was put to the meeting and passed. Councillor Tolson voted against the amendment.

ON MOTION of Deputy Mayor Roy and Councillor Lugar it was moved that the Motion be amended by the addition of the words, "as Town Policy with the intent of being appended to the Town's Subdivision Bylaw."

THE AMENDMENT was put to the meeting and passed unanimously.

THE AMENDED MOTION was put to the meeting and passed unanimously.

14.3 PROPOSED COORDINATION/MANAGEMENT - BBIC, BIDC, BIC

By memorandum, the Chief Administrative Officer circulated a report which he had prepared, and which report was originally discussed at a meeting of the Bedford Business Improvement Corporation (BBIC), the Bedford Improvement District Committee (BIDC), and the Bedford Industrial Commission (BIC). The report was essentially a proposal to combine the coordination and management of these three organizations.

14.3 PROPOSED COORDINATION/MANAGEMENT BBIC, BIDC, BIC (Cont'd)

It was recommended by the Chief Administrative Officer that Council approve the proposal as outlined in the report and further recommended that the proposed Executive Committee consisting of the Chairman/President of the three groups, along with the Chief Administrative Officer negotiate contracts with the individuals involved. It was further noted by the Chief Administrative Officer that it is intended that the Executive Director would enter into a contract with the Town, while the Promotions Assistant would enter into a contract with the Corporation. Subject to approval of the above, it was further recommended that same be implemented effective August 1st, 1985, with an evaluation to take place prior to March 31, 1986.

ON MOTION of Councillor Short and Deputy Mayor Roy, it was moved that the proposal for the coordination/management of BBIC, BIDC and BIC, as presented by the Chief Administrative Officer, be approved. Motion carried unanimously.

14.4 PROPOSED PURCHASE - LANDS AT ADMIRAL COVE PARK AND SANDY LAKE

By memorandum, the Chief Administrative Officer reviewed details of the current status of the proposed purchase of parklands at Admiral Cove and Sandy Lake.

Council was advised that the Province, in consultation with the Town of Bedford, has entered into an Agreement of Purchase and Sale between the Province and MacCulloch and Company Limited, at a total cost of \$700,000 to be cost shared on a 50/50 basis between the Province and the Town.

The Chief Administrative Officer advised that, although Town Council, during confidential negotiations, provided concurrence on its share of the purchase price, a formal resolution is now required.

ON MOTION of Councillor Lugar and Councillor Short, it was moved as follows:

BE IT RESOLVED that the Town of Bedford approve the purchase from the Province of Nova Scotia, of parkland consisting of approximately 61 acres in the Admiral Cove area, and 236 acres at Sandy Lake, such parcels as identified in the Agreement of Purchase and Sale, entered into between the Province and MacCulloch and Company Limited, dated July 2, 1985.

BE IT FURTHER RESOLVED that approval be given to the payment in the amount of \$350,000 upon receipt of the Deed from the Province, transferring title of said lands to the Town of Bedford.

14.4 PROPOSED PURCHASE - LANDS AT ADMIRAL COVE AND SANDY LAKE (Cont'd)

BE IT FURTHER RESOLVED that the Department of Municipal Affairs be requested to provide the necessary Borrowing Resolution which will be required for financing of this purchase preceding issuance of a Debenture through the Municipal Finance Corporation.

Motion carried unanimously.

14.5 PROPOSED AMENDMENTS, ADDITIONS/DELETIONS - TOWN POLICIES

Copies of proposed amendments, additions/deletions to Town Policies were circulated to members of Council. Following a brief discussion, it was agreed that further consideration of these proposed amendments to Town Policies should be deferred pending an opportunity for Town Council to review same in depth.

It was suggested by Mayor Roberts that it might be helpful if members of Town Council were provided with their individual copies of consolidated Town Policies and Town Bylaws. It was also suggested that a listing of the various policies which have been approved by Town Council might be included in a future issue of the Blueprint.

14.6 RATIFICATION - AWARD OF TENDER - ENGINEERING AND WORKS VEHICLE

By memorandum, Mr. Rick Paynter, Director of Engineering and Works advised Council of the response to Tender Call 85-06 for one 1985 dual wheel, four wheel drive truck, which was to replace the present 1982 three-quarter ton Ford maintenance vehicle. The lowest tender was received from Forbes Chev Olds Limited in the amount of \$21,211. It was recommended by Mr. Paynter that the tender submitted by Forbes Chev Olds Limited be accepted, and that the 1982 three-quarter ton Ford vehicle be transferred to the Recreation Department for its use, including the snow plow blade and hydraulic dump body.

During the ensuing discussion some concern was expressed with regard to the advisability of transferring the 1982 truck to the Recreation Department. It was subsequently agreed that such a decision could be made following the arrival of the new truck.

ON MOTION of Councillor Roy and Councillor Doyle it was moved that Tender 85-06 for the provision of a 1985 dual-wheel, four wheel drive truck, be awarded to Forbes Chev Olds Limited in an amount not to exceed \$21,211; further, that the funding for this purchase be obtained through a withdrawal from the Equipment Reserve Fund. Motion carried. Councillor Tolson and Councillor Loncarevic voted against the Motion.

14.7 APPOINTMENT OF VOTING DELEGATES - UNSM ANNUAL CONFERENCE
SEPTEMBER 11 - 14, 1985

In response to an inquiry from the Chief Administrative Officer as to the appointment of the five official voting delegates to the UNSM Annual Conference, it was agreed that Mayor Roberts, Deputy Mayor Roy, Councillor Lugar, Councillor Short, and Councillor Doyle would be the five voting delegates.

15. QUESTIONS

15.1 ACTION SHEET

The Action Sheet was received for information.

16. NOTICES OF MOTION

16.1 NUISANCE BYLAW RE NOISE POLLUTION

Deputy Mayor Roy served Notice of Motion to amend the Municipal Bylaw re Noise Pollution at the next Regular Session of Town Council.

17. ADDED ITEMS

17.1 GENERAL LIABILITY

In response to an inquiry from Councillor Loncarevic re possible liability by the Town of Bedford in the case of accidents occurring on Town owned parkland, it was agreed that a formal inquiry should be directed to the Town Solicitor on this matter.

17.2 1985 CAPITAL CONSULTANT PROJECTS

By memorandum, the Director of Engineering and Works outlined the specifics of two of the 1985 Capital Consultant Projects; namely, the Shore Drive Bridge Design, and the Pavement Evaluation Program.

With regard to the Shore Drive Bridge Design, he recommended that the Engineering Firm of O'Halloran, Campbell Consultants be engaged to undertake the necessary design and preparation of contract drawings and specifications for a price of \$7,400.

In response to a concern expressed by Council that no decision has yet been made on the type of bridge to be constructed, it was agreed that this matter would be placed on the agenda for the next meeting of Council.

17.2 1985 CAPITAL CONSULTANT PROJECTS (Cont'd)

With regard to the Pavement Evaluation Program, it was recommended by the Engineering Department that a proposal from Jacques Whitford & Associates Limited for a Street Evaluation Program, at a cost of approximately \$12,000 be approved.

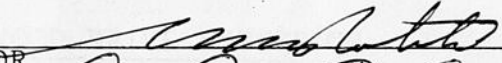
ON MOTION of Deputy Mayor Roy and Councillor Short it was moved that the Mayor and Chief Administrative Officer be authorized to enter into an Agreement with Jacques Whitford & Associates Limited, to conduct a Street Evaluation Program, at a cost of approximately \$12,000. Motion carried unanimously.

18. OTHER


Nil

19. ADJOURNMENT

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



 MAYOR



 CHIEF ADMINISTRATIVE OFFICER

In response to an inquiry from Mrs. [Name] on behalf of the Eaglewood Residents Association, the following information is provided:

It is noted that the project should be completed by next Friday, providing cooperation is received from the developer and the weather elements.

(6) MR. DAVID GUNDELING - AREA RESIDENT

Mr. David Gundeling spoke to Council regarding the area surrounding Eaglewood Drive. He stated that some proceeds of the pit area are yet to receive approval. He requested information as to whether it is planned to develop the remaining area. The Town Engineer advised that he will consult with the Urban Group to see what the current conditions are.

MINUTES OF THE SIXTEENTH SESSION
OF THE THIRD YEAR'S MEETINGS OF THE SECOND COUNCIL
OF THE TOWN OF BEDFORD

SPECIAL SESSION - JULY 29, 1985

A Special Session of the Town Council of the Town of Bedford was held on Monday, July 29, 1985, at 7:30 p.m., in Suite 400, Bedford Tower, Bedford, Nova Scotia, Mayor Keith Roberts presiding.

1. LORD'S PRAYER

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

2. ATTENDANCE

Councillors Bosko Loncarevic, David Lugar, Robert Short and John Tolson were in attendance at the commencement of the Session.

Staff members in attendance at this session included Barry Zwicker, Acting Chief Administrative Officer; Joan Pryde, Deputy Clerk; Rick Paynter, Director of Engineering and Works; John Robertson, Chief Building Inspector. Mr. David Selig, Fire Chief and Mr. Kenneth A. MacInnis, Legal Counsel, were also in attendance at the session.

3. EAGLEWOOD DRIVE EXTENSION

(a) DELEGATION - EAGLEWOOD RESIDENTS ASSOCIATION

In response to an inquiry from Mayor Roberts, Mr. Rick Paynter, Director of Engineering and Works, advised that curbing on the Eaglewood Drive Extension project has been completed and that asphaltting should start within the next couple days.

In response to an inquiry from Mrs. Carol Morrison, on behalf of the Eaglewood Residents Association, Mr. Paynter expressed the opinion that the project should be fully completed by next Friday, providing cooperation is received from the developer and the weather elements.

(b) MR. DAVID GORSELINE - AREA RESIDENT

Mr. David Gorsline spoke to Council, noting that, while some areas surrounding Eaglewood Drive Extension have been hydroseeded, the pit area has yet to receive attention. He requested information as to whether it is planned to hydroseed the remaining area. The Town Engineer advised that he would consult with the Armoyan Group to see what the current intentions are.

3 (b) MR. DAVID GORSLINE - AREA RESIDENT (Cont'd)

Mr. Gorsline also expressed concern that it has taken five years for one comparatively small project to be completed, namely, the Eaglewood Drive Extension, and questioned as to whether such delays are going to be symbolic of future Town activities. He suggested that a mechanism be put in place to ensure that this type of delay does not occur again.

Mayor Roberts thanked Mr. Gorsline, and advised that his comments will be well taken.

In response to an inquiry from Council as to what has been decided with regard to traffic at the intersection of Eaglewood Drive and Golf Links Road, the Director of Engineering and Works advised that a "stop" sign is to be placed on Golf Links Road at this intersection on a trial basis. If, after a reasonable trial period, it is determined that this is not satisfactory, it may be necessary to place another "stop" sign on Eaglewood Drive.

4. TENDERS - ENGINEERING AND WORKS DEPARTMENT

(a) PANORAMA LANE - PAVING AND CURBING - TENDER 85-07

By memorandum, the Director of Engineering and Works advised of the results of Tender Call 85-07, Paving and Curbing of Panorama Lane, noting that three bids were received, and the lowest was in the amount of \$33,704.40 from Municipal Contracting Limited. Mr. Paynter recommended the approval of Town Council of this low bid. It was noted the Capital Budget included an amount of \$45,600 for this project.

ON MOTION of Councillor Short and Councillor Lugar, it was moved that the Town of Bedford enter into a contract with Municipal Contracting Limited for the paving and curbing of Panorama Lane in an amount not to exceed \$33,704.40 Motion carried unanimously.

(b) CHIP SEALING PROJECT - TENDER 85-08

By memorandum, Mr. Rick Paynter, Director of Engineering and Works, advised of the results of Tender 85-08, 1985 Chip Sealing Project. He noted that three tenders were received, of which the lowest was submitted by Municipal Contracting Limited in an amount of \$15,523.35. and recommended approval of same. (Capital Budget - \$20,000).

ON MOTION of Councillor Loncarevic and Councillor Lugar, it was moved that the Town of Bedford enter into a contract with Municipal Contracting Limited for the 1985 Chip Sealing Program in an amount not to exceed \$15,523.35. Motion carried. Councillor Tolson voted against the Motion.

4. (c) MEADOWBROOK DRIVE / BEDFORD HIGHWAY INTERSECTION ANALYSIS

By memorandum, the Director of Engineering and Works advised that he has received a response from three consulting engineering firms to an invitation for proposals, to undertake the Meadowbrook Drive / Bedford Highway Intersection Analysis. He noted that the lowest proposal was received from Porter-Dillon Limited, in an amount of \$13,200. He also advised Council that the analysis costs, as tendered by each of the engineering firms, is for the analysis and recommendations portion only; the consultants cannot quote or provide an estimate on design costs until it is known what the particulars of the design are to be.

Mr. Paynter recommended that the Intersection Analysis Proposal, as submitted by Porter-Dillon Limited, be accepted for the quoted price of \$13,200.

A lengthy discussion ensued during which some members of Council expressed the opinion that this study was, to some degree, a duplication of the information provided in the ISDS Study. The opinion was also expressed that the Town would be better served if Council would determine how much it was willing to spend on improvements to the intersection and then request information from Consultants as to what could be done with the determined amount of money.

Mr. Paynter advised Council that one of the main functions of the study will be to determine whether or not the Town requires signalization at this intersection, and, if not, what could be done to encourage the proper movement of traffic.

ON MOTION of Councillor Lugar and Councillor Short, it was moved that Town Council enter into a contract with Porter-Dillon Limited to undertake an Intersection Analysis for the Meadowbrook Drive/Bedford Highway Intersection, at a cost not to exceed \$13,200. Motion carried. Councillor Tolson and Councillor Loncarevic voted against the Motion.

In response to an inquiry from Councillor Loncarevic as to when the Study would be completed, and whether or not the decision re CHS Developments Application would be delayed prior to the completion of the Study, the Director of Engineering and Works advised that the Study should be completed within two months. Insofar as the CHS Developments Proposal is concerned, Council was advised that CHS has been told that its development will not be approved unless an answer is forthcoming to ensure that the stormwater runoff will not increase over what is already in existence. The developers are already working on a plan to achieve this goal.

5. SUBDIVISION BYLAW - DATE FOR PUBLIC HEARING

ON MOTION of Councillor Lugar and Councillor Short it was moved that the Chief Administrative Officer be authorized to set a date place and time, and place the necessary advertising for a Public Hearing, indicating the intention of Town Council to consider enactment of a Subdivision Bylaw. Motion carried unanimously.

It was agreed that this Public Hearing should not take place until September, 1985.

In response to an inquiry from the Director of Engineering and Works, it was agreed that the Servicing Specifications, which have already been approved, should be printed and distributed to developers, etc.

6. NELSONS LANDING - CONTRACT DEVELOPMENT AGREEMENT

It was agreed that this item should be deferred to a future meeting of Town Council.

7. OTHER

7.1 PARKERS BROOK BRIDGE

Some discussion took place with regard to design possibilities for the Parkers Brook Bridge and it was emphasized by some members of Council that this bridge is often used as a "lookout" by many residents of Bedford, and that this fact should be kept in mind when the design is considered. This item will be brought back to a future meeting of Council.

8. ADJOURNMENT

ON MOTION of Councillor Tolson and Councillor Lugar it was moved that the meeting adjourn at approximately 9:00 p.m.


MAYOR


ACTING CHIEF ADMINISTRATIVE OFFICER

Town Council - Regular Session - August 26, 1985

ADDITIONS

MINUTES OF THE SEVENTEENTH SESSION
OF THE THIRD YEAR'S MEETINGS OF THE SECOND COUNCIL
OF THE TOWN OF BEDFORD

REGULAR SESSION - AUGUST 26, 1985

A Regular Session of the Town Council of the Town of Bedford took place on Monday, August 26, 1985, 7:30 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia, Mayor Keith Roberts presiding.

1. LORD'S PRAYER

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

2. ATTENDANCE

Deputy Mayor William Roy and Councillors Phyllis Doyle, Bosko Loncarevic, David Lugar and Robert Short were in attendance at the commencement of the Session.

3. APPROVAL OF MINUTES

3.1 REGULAR SESSION /RECONVENED SESSION JUNE 24/25/1985.

3.2 PUBLIC HEARING - JULY 15, 1985

3.3 REGULAR SESSION - JULY 22, 1985

3.4 SPECIAL SESSION - JULY 29, 1985

ON MOTION of Deputy Mayor Roy and Councillor Short, it was moved that the Minutes of the Regular Session/Reconvened Session June 24/25, 1985, Public Hearing - July 15, 1985, Regular Session - July 22, 1985 and Special Session - July 29, 1985 be approved. Motion carried unanimously.

4. ADDITIONS/DELETIONS TO ORDER OF BUSINESS

On request of Deputy Mayor Roy it was agreed that an item, "Real Estate Signs on Public Property" should be added to the agenda as item no. 14.6.

On the suggestion of the Chief Administrative Officer, it was agreed that items, nos. 7.1, 7.2 and 7.3, should be considered following item no. 14.6.

ON MOTION of Councillor Short and Lugar, it was moved that a delegation from Golf Links Road should be included on the agenda as item no. 10.3.4. Motion carried unanimously.

Town Council - Regular Session - August 26, 1985

4. ADDITIONS/DELETIONS TO ORDER OF BUSINESS (Cont'd)

ON MOTION of Councillor Short and Councillor Loncarevic, it was moved that consideration of item no. 9.1 should be deferred pending an opportunity for members of Council to consider legal advice from the Town Solicitor concerning this matter. Motion defeated. Councillor Lugar, Councillor Doyle, Deputy Mayor Roy and Mayor Roberts voted against the motion.

5. APPROVAL OF ORDER OF BUSINESS

ON MOTION of Deputy Mayor Roy and Councillor Lugar it was moved that the Order of Business, as amended, be approved. Motion carried unanimously.

6. MOTIONS OF RECONSIDERATION (Nil)

7. DEFERRED BUSINESS ARISING FROM THE MINUTES (See pg. 12)

8. MOTIONS OF RESCISSION

NIL

9. PUBLIC HEARINGS AND MOTIONS ARISING THEREFROM

9.1 NELSONS LANDING - PROPOSED CONTRACT DEVELOPMENT AGREEMENT

Mr. Barry Zwicker, Director of Planning and Development, addressed Council with regard to the proposed Contract Development Agreement for Nelsons Landing. He advised Council respecting the details of significant changes which have been made to the Contract subsequent to the Public Hearing held on July 15, 1985. It was noted that the changes were as a result of agreement with legal advice that the Town of Bedford does not have the ability to contract for the commercial development in Phase 2 and Phase 3 of the Contract because of a conflict with Policy Z-2 of the M.D.P. Such development would in all likelihood have to be handled through a re-zoning agreement process.

Mr. Zwicker also noted that the Town Solicitor has questioned the ability of the Town to contract for off-site development costs. He noted that there appears to be a difference of opinion between four different solicitors due to the fact that there is no precedent in the courts with reference to the new Nova Scotia Planning Act in this matter.

Mr. Zwicker advised Council that, in respect to this question, it is now the recommendation of his Department that the amended Contract Agreement be further amended by the addition

Town Council - Regular Session - August 26, 1985

9.1 NELSONS LANDING- PROPOSED CONTRACT DEVELOPMENT AGREEMENT(Cont'd)

of the following paragraph, "The Developer shall be estopped from arguing in any subsequent litigation the authority of the Town to enter into and to subscribe to any of the covenants of this agreement."

Mr. Zwicker further advised that it is the opinion of his Department that it is not correct to infer that the proposed amended contract does not give any control over the commercial components of the development. It is his department's belief that there are stringent requirements contained in the C-4 zone; further, this is the zone that will be necessary to accommodate the proposed hotel. He noted that although the level of control is not that to which a contract development agreement can be taken, the individual zoning controls and general provisions will apply on these uses.

Mr. Zwicker concluded his statement by advising that it is the recommendation of his Department that the Mayor and Chief Administrative Officer be authorized to enter into a Contract Development Agreement on behalf of the Town with 138419 Canada Inc. for the construction of a three phase development on the Sheffman Lands in the Mill Cove area of Bedford and known as Nelsons Landing.

ON MOTION of Councillor Lugar and Deputy Mayor Roy it was moved that the Mayor and Chief Administrative Officer be authorized to enter into the Contract Development Agreement, which was circulated on August 23, 1985, on behalf of the Town with 138419 Canada Inc. for the construction of a three phase development on the Sheffman Lands in the Mill Cove area of Bedford, Nova Scotia, and known as Nelsons Landing.

Councillor Lugar also requested information as to the authority for senior staff to consult with lawyers other than the Town's Solicitor in this matter. In response Councillor Lugar was advised that the solicitors involved included the solicitors for the 138419 Canada Inc. and solicitors with the Department of Municipal Affairs. The opinion was expressed by the Chief Administrative Officer that consultation with the solicitors of the Department of Municipal Affairs was a fairly normal procedure and in fact Mr. MacInnis had suggested in correspondence dealing with this matter that staff should ensure the Town has necessary enabling statutory authority.

In response to an inquiry from Council, Kenneth MacInnis expressed the opinion that the suggested additional clause should be revised to read as follows:

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9.1 NELSONS LANDING PROPOSED CONTRACT DEVELOPMENT AGREEMENT (Cont'd)

"In consideration of the sum of \$10.00, the receipt and sufficiency of which is hereby acknowledged, the developer acknowledges and accepts its obligations under Clause 11 of this Agreement, notwithstanding any provisions of the Planning Act.

The developer confirms and agrees that the execution of this Development Agreement by the Town of Bedford was not contingent upon the developer agreeing to the provisions of Clause 11 of this Agreement."

Mr. MacInnis also suggested that this clause might be considered for inclusion in the proposed Contract Development Agreement with C.H.S. Developments.

In speaking to the motion, Councillor Short expressed concern that Council was still considering this matter at this point in time as, in his opinion, the proposed contract was now significantly different than that which was considered at the Public Hearing; thus a new Public Hearing should be held. He further expressed the opinion that the Contract Development Agreement application should be referred back to the Planning Department and the Town Solicitor.

Councillor Loncarevic spoke at length expressing his concern with the magnitude of the agreement and in particular the financial and social impact to the future of the Town of Bedford. In particular, he expressed the opinion that the present rate of residential growth will erode the quality that made Bedford so attractive in the first place and will add to the cost that must be borne by the other residents. He asked Council to vote against the project at the present time.

Deputy Mayor Roy advised Council that, in his opinion, the project must be a package development that includes both commercial and residential segments and that he cannot support the current contract because it does not, at the moment, include both segments. However, he expressed the opinion that Council should make an effort to try and work out an acceptable contract rather than concentrating on what is wrong with the development. He asked that the Council sit down as soon as possible and make a strong effort to work out an acceptable contract noting that the public does appear to want the development. He further noted that the answer may be to amend the Municipal Planning Strategy.

9.1 NELSONS LANDING PROPOSED CONTRACT DEVELOPMENT AGREEMENT (Cont'd)

Councillor Lugar expressed the opinion that the project was a good one and that the commercial content will go ahead following further public hearings.

The motion was put to the meeting and was defeated. Deputy Mayor Roy and Councillors Doyle, Loncarevic and Short voted against the motion.

Deputy Mayor Roy further emphasized his opinion that Council must sit down and address the problems that currently may exist with the Municipal Planning Strategy.

10. PETITIONS DELEGATIONS CORRESPONDENCE

10.1 PETITIONS

NIL

10.2 DELEGATIONS

NIL

10.3 CORRESPONDENCE

10.3.1 SUE BUXTON - BEDFORD STREET - TREE LIMBING

Copies of correspondence from Sue Buxton and signed by other residents of the Bedford Street area were circulated to members of Council, in which Mrs. Buxton expressed concern with regard to, "indiscriminate" tree limbing projects," in the Bedford Street neighbourhood.

Copies of a memorandum from Rick Paynter, Director of Engineering and Works were circulated to members of Council in which Mr. Paynter outlined the reasons for the tree limbing that took place on Bedford Street, noting that there are currently problems with regard to large trees blocking street signs and street lights.

ON MOTION of Councillor Loncarevic and Councillor Lugar it was moved that the correspondence be referred to the Tree Committee for consideration and recommendation. Motion carried unanimously.

10.3.2 DAVID PEMBER - BEDFORD VILLAGE RESIDENTS ASSOCIATION

Copies of correspondence between David L. Pember, Bedford Village Residents Association and Town of Bedford were circulated to members of Council. The correspondence concerned a petition from the residents of Bedford Village requesting that the Town acquire the green belt area remaining behind homes located on Bedford Hills Road.

10.3.2 DAVID PEMBER- BEDFORD VILLAGE RESIDENTS ASSOCIATION (Cont'd)

In response to an invitation from Mayor Roberts, Mrs. Ann Pember addressed Council on behalf of her husband and requested a decision from Council as to whether or not the Town would accept the gift of the green belt area in question from the developer.

In response to an inquiry from Mayor Roberts, Barry Zwicker, Director of Planning and Development reviewed the negotiations which have taken place to date concerning this matter noting that there appears to be some confusion as to whether or not the residents wish the area concerned to be subdivided and added to the various adjacent properties. The land, if so added, would have restrictive covenants to "insure that it remains a green area."

Mrs. Pember advised Council that, insofar as the Bedford Village Residents Association, is concerned the request is for the Town to accept the gift of the parcel of land as a green area. She further advised Council that the residents want the land in order that everyone in the Town, including those in the Bedford Village area, may enjoy and use same.

ON MOTION of Councillor Lugar and Councillor Short it was moved that, the Town of Bedford accept, as a gift from the Developer, the greenbelt area adjacent to properties on Bedford Hills Road, between Bedford Village and construction currently underway in this area.

During discussion of the motion, Deputy Mayor Roy expressed some concern with regard to the question of control of such areas. The opinion was expressed by other members of Council that there will always be some problems with regard to control of undeveloped green areas and that this area will be controlled just as well as other similar areas.

The motion was put to the meeting and passed unanimously.

10.3.3 BEDFORD BOARD OF TRADE/HALIFAX BOARD OF TRADE RE METRO TRANSPORTATION PLANNING CONFERENCE

Copies of correspondence were circulated to members of Council from Eileen Pease, Chairman of the Metro Transportation Planning Conference, in which it was noted that the Planning Conference will be held October 9, 1985 sponsored by the Halifax/Dartmouth Metro Area Boards of Trade and Chambers of Commerce.

It was agreed that some members of staff and, hopefully, some members of Council will attend this Conference.

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10.3.4 DELEGATION - GOLF LINKS ROAD INTERSECTION WITH EAGLEWOOD DRIVE

In response from an invitation from Mayor Roberts, Mr. Richard O'Brien spoke at length to Council outlining the concerns of the residents of Golf Links Road with regard to traffic entering and exiting Eaglewood Drive. He expressed the opinion that residents are not satisfied with the actions to date to alleviate this problem and asked that a stop sign be placed on the east side of Eaglewood Drive at the intersection of Golf Links Road, and that the, "no parking signs," be removed from Golf Links Road.

In response to an invitation from Mayor Roberts, Mr. Rick Paynter, Director of Engineering & Works and Sgt. George Meisner, Bedford Police Department, both reviewed the situation indicating what, in their opinion, is causing the problems and, the reasons for the various actions taken to date.

During a general discussion it was noted by some members of Council that, while the actions taken to date may be proper from an engineering and technical point of view, they obviously have not satisfied the residents of the area who are living with the problem.

Council agreed with the suggestion that the Traffic Management Group be asked to review the situation again and to take into consideration what has been expressed by the residents of the area at its meeting with Town Council. It was further requested that the Traffic Management Group once again consider this matter.

11. STANDING COMMITTEE REPORTS

11.a CHS DEVELOPMENTS LIMITED - CONTRACT DEVELOPMENT AGREEMENT

By memorandum the Director of Planning and Development advised that, at a meeting of the Bedford Planning Advisory Committee held on August, 22, 1985, a motion was approved that the Planning Advisory Committee recommend that the Town Solicitor, in conjunction with the Planning staff and representatives of CHS, finalize the Contract Development Agreement to cover all aspects of the proposal before Town Council considers setting a date for a Public Hearing.

Mr. Zwicker further advised that meetings have been held and that the results of the meetings have been circulated to members of Council in the form of a proposed Contract Development Agreement for consideration by Town Council

11.1(a) CHS DEVELOPMENTS LIMITED (Cont'd)

and CHS Developments Limited. He recommended that Town Council authorize the setting of a date for a Public Hearing and that the appropriate advertising be placed indicating Council's intent to consider entering into said agreement.

ON MOTION of Deputy Mayor Roy and Councillor Doyle, it was moved that the Chief Administrative Officer be authorized to set the date and place for a Public Hearing to consider a Contract Development Agreement between CHS Developments Limited and the Town of Bedford for a development to be located between Rutledge Street and Meadowbrook Drive, Bedford and to include two apartment buildings and forty Town House units. Motion carried unanimously.

11.1(b) BEDFORD VILLAGE NORTH - PROPOSED REZONING

By memorandum, Barry Zwicker, Director of Planning and Development advised Council that at a meeting of the Planning Advisory Committee held on Thursday, August 22, 1985, a motion was passed that the Committee endorse the rezoning application by Tri Arm Developments Limited for the lands known as Bedford Village North and recommend that the Town Council set a date for a Public Hearing. In addition, it was approved that the four (4) R-1 lots adjacent proposed parkland and the rink site be rezoned from R-1 to Park.

In speaking to the proposal to rezone four of the lots, owned by Tri Arm Developments Limited, to "park" Mr. Zwicker informed Council of provisions under the Planning Act whereby the Town would be required to initiate necessary procedures to eventually purchase said lots in the future.

ON MOTION of Councillor Lugar and Deputy Mayor Roy it was moved that the Chief Administrative Officer be authorized to set a date for a Public Hearing to consider the rezoning of the lands known as Bedford Village North from R-1 to R-2 and R-3 and of the four R-1 lots, adjacent proposed parkland and the rink site, from R-1 to Park.

In discussing the motion it was noted by Council that before the Public Hearing, information should be available regarding the possible necessity for a future school site and the location of same; also, information should be available regarding the location of the proposed collector road.

The motion was put to the meeting and passed unanimously.

12. OTHER REPORTS
- 12.1(a) FIRE CHIEF'S MONTHLY REPORT - JUNE 1985
- 12.1(b) FIRE CHIEF'S MONTHLY REPORT - JULY 1985
- 12.2 TAX COLLECTIONS REPORT TO 31, JULY 1985
- 12.3 SOCIAL SERVICES REPORT - JUNE 1985
(HOMES FOR SPECIAL CARE)
- 12.4 ENGINEERING & WORKS DEPT UPDATE NO. 4
- 12.5 BUILDING INSPECTORS MONTHLY REPORT JULY 1985

ON MOTION of Deputy Mayor Roy and Councillor Lugar it was moved that the reports, as circulated, be approved.

During discussion of the report, an inquiry was directed to the Director of Engineering & Works with regard to the Chip Sealing Program, and whether or not his Department is of the opinion that this program is cost effective. Mr. Paynter, Director of Engineering & Works responded in the affirmative.

In response to an inquiry from Council, Mr. Paynter also reviewed details of a proposal that Council might, at a future date, wish to consider as a revision to the Municipal Servicing Specifications. This proposal would permit the introduction of the straight stand-up concrete curb as opposed to the present curb and gutter section required. He noted that the straight curb section is three to four dollars less expensive per linear foot and, therefore, would be a financial benefit to developers. A further report will be presented to Council at a later date.

During discussion of the Parkers Brook Bridge Design, it was agreed by Council that the Director of Engineering and Works should obtain the cost of two types of railing prior to bringing the proposal back to Council.

THE MOTION was put to the meeting and passed unanimously.

EXTENSION OF TIME OF MEETING

ON MOTION of Councillor Lugar and Deputy Mayor Roy it was moved that the meeting be extended to 11:00 p.m. Motion carried unanimously.

13. MOTIONS

AMENDMENTS TO BYLAW RESPECTING TRADE AND LICENSING
(THIRD READING)

13.1 AMENDMENTS TO BYLAW RESPECTING TRADE AND LICENSING

(THIRD READING)

(Notice of Motion served by Deputy Mayor William Roy - June 25, 1985)

ON MOTION of Deputy Mayor Roy and Councillor Lugar, it was moved that the Bylaw Respecting Trade and Licensing be amended by the deletion of the words "laundry machines," from Section 9 (2), subject to the approval of the Minister of Municipal Affairs. Motion carried unanimously.

14. NEW BUSINESS

14.1 RATIFICATION - SUPPLY OF LIGHTING FIXTURES, ETC. MAINSTREET PROGRAM

By memorandum the Chief Administrative Officer requested ratification of the awarding of a tender to Harris & Roome Supply Ltd. for the supply of twenty-two light fixtures at a cost not to exceed \$22,000.

ON MOTION of Councillor Short and Deputy Mayor Roy, it was moved that the Mayor and Chief Administrative Officer be authorized to enter into a contract with Harris & Roome Supply Ltd. for the supplying of twenty-two light fixtures and poles at a cost not to exceed \$22,000. Motion carried unanimously.

14.2 RATIFICATION - PURCHASE OF NEW POLICE VEHICLE

By memorandum the Chief Administrative Officer requested the ratification of the awarding of the contract to Harbour Plymouth Chrysler Ltd. Dartmouth for the supply of a 1986 Plymouth Caravelle Police Package at a cost not to exceed \$12,518 with funding to come from the Town's Equipment Reserve Fund.

ON MOTION of Councillor Lugar and Councillor Doyle, it was moved that Town Council approve the awarding of the contract to Harbour Plymouth Chrysler Ltd. Dartmouth for the supply of a 1986 Plymouth Caravelle Police Package at a cost not to exceed \$12,518 with funding to come from the Town's Equipment Reserve Fund. Motion carried unanimously.

14.3 PROPOSED AMENDMENTS - POLICE PERSONNEL POLICY

By memorandum, the Chief Administrative Officer reviewed details of recommendations for amendments to the existing Police Personnel Policy which were approved by the Bedford Board of Police Commissioners.

ON MOTION of Deputy Mayor Roy and Councillor Lugar, it was moved that Town Council adopt the amendments to Articles 9,12 and 20 of the Police Personnel Policy as recommended and that new articles concerning Special Leave - Family Illness and Pre-Retirement Leave as submitted be approved. Motion carried unanimously.

14.4 TENDERS - CONSTRUCTION OF WALKWAYS (Tender 85-10)

By memorandum, Rick Paynter, Director of Engineering & Works advised Council of the results of Tender Call 85-10 for Walkway Construction. Quotations were received from two companies, namely Municipal Contracting Ltd. and Standard Paving Maritime Ltd. It was noted by Mr. Paynter that, while quotations were requested for three walkways, the resulting tender prices would indicate that only two walkways are possible for construction this year due to the cost involved. It was recommended by his Department that Council approve the awarding of this tender to Standard Paving Maritime Ltd. for construction of walkways from Eaglewood Drive to Golf Links Park and Panorama Lane to High Street, at a total cost not to exceed \$13,000.

ON MOTION of Councillor Loncarevic and Councillor Short, it was moved that Tender 85-10 be awarded to Standard Paving Maritime Ltd. for the construction of walkways from Eaglewood Drive to Golf Links Park and from Panorama Lane to High Street at a cost not to exceed \$13,000. Motion carried unanimously.

14.5 JOSEPH HOWE SOCIETY - PROPOSAL - METRO AREA FESTIVALS

Copies of a proposal concerning the Joseph Howe Society and the Metro Area Festivals Organization were circulated to members of Council.

ON MOTION of Deputy Mayor Roy and Councillor Doyle it was moved that the report should be forwarded to the Recreation Commission for consideration and recommendation. Motion carried unanimously.

14.6 REAL ESTATE SIGNS ON PUBLIC PROPERTY

Deputy Mayor Roy requested that Town Staff ensure that Real Estate Companies operating within the Town of Bedford are aware of the existing bylaw regarding the placement of advertising signs on Town-owned property.

7. DEFERRED BUSINESS/BUSINESS ARISING FROM THE MINUTES

7.2 PROPOSED AMENDMENTS - BYLAW RESPECTING NUISANCE RE NOISE POLLUTION (Second Reading)

During second reading of a proposed amendment to the Bylaw Respecting Nuisance, and concerning Noise Pollution, members of Council enquired as to who and what is included in the term, "noise pollution". It was noted that, in the existing bylaw, the ringing of Church Bells is exempt. It was agreed that a legal opinion should be sought as to whether this exemption is strictly one that is included in the Town Bylaw or whether there is an exemption provided under any other legislation.

Mrs. Towill of Union Street spoke briefly to Council requesting consideration of Council to expanding the scope of the Bylaw Respecting Nuisance to include noise pollution caused by machinery, etc. operating during the night time hours. She noted, particularly, the noise which is caused by garbage disposal and snow plowing operations at the Bedford Place Shopping Mall.

It was agreed by Council that these various areas of concerns should be addressed by Staff and a report submitted to Town Council.

15. QUESTIONS

15.1 ACTION SHEET

NIL

16. NOTICES OF MOTION

16.1 BYLAW RESPECTING MINIMUM STANDARDS

Notice of Motion was served by Deputy Mayor Roy to adopt a Bylaw Respecting Minimum Standards. (First Reading)

MINUTES OF THE EIGHTEENTH SESSION
OF THE THIRD YEAR'S MEETINGS OF THE SECOND COUNCIL
OF THE TOWN OF BEDFORD

17. ADDED ITEMS

NIL

18. OTHER

NIL

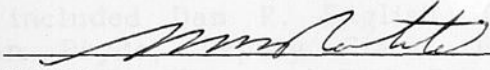
19. ADJOURNMENT

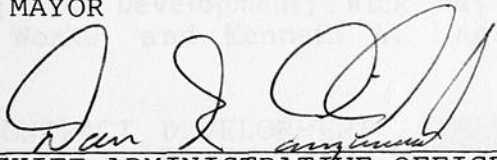
ON MOTION of Councillor Lugar and Councillor Doyle, it was moved that the meeting adjourn at approximately 11:10 p.m.

ATTENDANCE

Deputy Mayor William Roy and Councillors David Lugar, Bosko Loncarevic and Robert Short were in attendance at the commencement of the Session.

Staff members in attendance included the Administrative Officers: Barry Zwicker, Director of Planning and Development, and Town Solicitor.


MAYOR


CHIEF ADMINISTRATIVE OFFICER

CONSIDERATION - PROPOSED
NELSONS LANDING PROJECT

By memorandum, Barry Zwicker, Director of Planning and Development, advised that under the direction of the Mayor and the Deputy Mayor the Town Solicitor and the Town's Planning and Development Department have been working in close contact with representatives of the Nelsons Landing Project, and have re-drafted a proposed Contract Development Agreement for the development known as Nelsons Landing. It does, however, reflect the necessity for an MDP amendment to enable Council to enter into a contract development agreement for the commercial component which subsequently will allow the total project to be controlled through one development agreement.

Mr. Zwicker also advised that the solicitor of the Department of Municipal Affairs has advised that Town Council should give consideration and approval to the necessary MDP amendments before considering approval of the Nelsons Landing Contract; further, the Town should hold a Public Hearing on the revised draft contract. This Public Hearing could be advertised and held at the same place and date as the hearing for the plan amendment.

*circulated
Sept 20/85*

MINUTES OF THE EIGHTEENTH SESSION
OF THE THIRD YEAR'S MEETINGS OF THE SECOND COUNCIL
OF THE TOWN OF BEDFORD

SPECIAL SESSION - SEPTEMBER 10, 1985

A Special Session of the Town Council of the Town of Bedford was held on Tuesday, September 10, 1985, at 7:30 p.m. in the Town Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia, Mayor Keith Roberts presiding.

1. LORD'S PRAYER

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

2. ATTENDANCE

Deputy Mayor William Roy and Councillor David Lugar, Bosko Loncarevic and Robert Short were in attendance at the commencement of the Session.

Staff members in attendance included Dan R. English, Chief Administrative Officer; Joan Pryde, Deputy Clerk; Barry Zwicker, Director of Planning and Development; Rick Paynter, Director of Engineering and Works; and Kenneth A. MacInnis Town Solicitor.

3. CONSIDERATION - PROPOSED CONTRACT DEVELOPMENT AGREEMENT
NELSONS LANDING PROJECT

By memorandum, Barry Zwicker, Director of Planning and Development, advised that under the direction of the Mayor and the Deputy Mayor; the Town Solicitor and the Town's Planning and Development Department have been working in close contact with representatives of the Nelsons Landing Project, and have re-drafted a proposed Contract Development Agreement for the Development known as Nelsons Landing. It does, however, reflect the necessity for an MDP amendment to enable Council to enter into a contract development agreement for the commercial component which subsequently will allow the total project to be controlled through one development agreement.

Mr. Zwicker also advised that the solicitor of the Department of Municipal Affairs has advised that Town Council should give consideration and approval to the necessary MDP amendments before considering approval of the Nelsons Landing Contract; further, the Town should hold a Public Hearing on the revised draft contract. This Public Hearing could be advertised and held at the same place and date as the hearing for the plan amendment.

3. CONSIDERATION - PROPOSED CONTRACT DEVELOPMENT AGREEMENT
NELSONS LANDING PROJECT (Cont'd)

ON MOTION of Deputy Mayor Roy and Councillor Lugar, it was moved that the Chief Administrative Officer be authorized to set a date and time, and place the necessary advertising for a Public Hearing to consider a proposed contract development agreement for the development of the twenty-eight acre parcel of land on the Bedford Highway, known as Nelsons Landing.

During discussion of the Motion some concern was expressed that Council appeared to be assuming, before the Public Hearing, that the citizens of Bedford would support the proposed amendments to the Municipal Development Plan.

ON MOTION of Councillor Loncarevic and Councillor Short it was moved that further consideration of the Motion be deferred pending the consideration of Item 4(a) of the Agenda.

The Motion was put to the meeting and carried. Mayor Roberts voted against the Motion. Deputy Mayor Roy and Councillor Lugar abstained from voting.

4 (a) CONSIDERATION - PROPOSED AMENDMENTS TO MDP

By memorandum, Barry Zwicker, Director of Planning and Development advised Council that at a Bedford Planning Advisory Committee meeting held on September 4, 1985, Motions were passed unanimously recommending that Town Council give consideration to amending the Municipal Development Plan as follows:

1. To permit contract development agreements where rezoning amendments may be presently permitted as allowed for in Policy Z-2. In addition, to ensure consistency within this portion of the plan, the section "plan amendments not required", on page 55 of the MDP, would also be modified to include contract development agreements.
2. To amend the MDP by including a more detailed plan which would clearly indicate the boundaries of the generalized land uses, and more accurately delineate the residential development boundary.
3. To amend the MDP in order that property located at number 51 Rocky Lake Drive be designated Commercial rather than Institutional in order that Town Council might consider an application for a contract development agreement for a Funeral Home on this site.

4 (b) PROCEDURE FOR AMENDING THE MDP - NOVA SCOTIA PLANNING ACT

By memorandum Barry Zwicker, Director of Planning and Development, advised Council of the requirement of the Nova Scotia Planning Act, with regard to procedure when initiating/considering an amendment to the MDP. In particular the Town Council must approve of a resolution establishing a Public Participation Program; the normal process is for Council to instruct the Planning Advisory Committee to hold a Special Meeting where the public would be invited to discuss the proposed amendments and, subsequently, report the results of this meeting to a Public Hearing. Both the Special Meeting of the Planning Advisory Committee and the Public Hearing should be advertised, and the advertising should clearly indicate the intent of the plan amendments.

Mr. Zwicker further provided a projected timetable for considering the proposed amendments, which would result in the Special Meeting of BPAC being held on September 17, 1985, and the Public Hearing on October 10, 1985.

ON MOTION of Deputy Mayor Roy and Councillor Lugar it was moved that Town Council hereby instruct the Bedford Planning Advisory Committee to duly advertise and hold a Special Meeting for the purpose of discussing with the General Public the proposed amendments to the MDP.

During the ensuing discussion, strong concern was expressed by some members of Council that the technicalities required by law are being carried out, but that the process is being rushed with the result that meaningful participation by the public will not be permitted. Other members of Council indicated that, in their opinion, the amendments being considered were not significant and that the proposed public participation process was adequate.

The Motion was put to the meeting and passed. Councillor Short and Councillor Loncarevic voted against the Motion.

ON MOTION of Deputy Mayor Roy and Councillor Lugar it was moved that the Chief Administrative Officer be authorized to set a date, and place the necessary advertising for a Public Hearing to consider the intention of Town Council to amend the MDP.

During discussion of this Motion concern was again expressed by some members of Council that the proposed schedule for public participation and public hearings was not adequate for meaningful participation.

THE MOTION was put to the meeting and passed. Councillor Loncarevic and Councillor Short voted against the Motion.