

Members of Town Council are involved in a number of meetings which are conducted during normal business hours but most meetings are held outside regular business hours and, consequently, there is little, if any, direct loss of income due to attendance at these meetings. Some Council Members, through self-employment, are able to readily control their work schedules to be available for those meetings conducted during normal working hours while other Members of Council are able to make arrangements with their employers to have the time off without any direct loss in remuneration. Consequently, there is no compelling need for stipends to include any formal provision for direct losses of employment income.

The duties of the Mayor, and the Deputy Mayor occasionally, are considerably different than those of Council Members. The Mayor, and Deputy, in addition to their regular duties requiring attendance at Council meetings, Boards and Commissions and responding to citizens' complaints and enquiries, involve administrative and other duties with the Town. The Mayor must sign all cheques, contracts, agreements and legal documents issued by the Town. The Mayor meets, on a frequent but irregular basis, with members of the other two levels of Government, private development officials and potential industrial clients as the need occurs. Most of these meetings are conducted during normal business hours and many of them are held outside the Town boundaries. The Mayor is also involved in meetings and consultations with the staff of the Town on a regular basis. The stipends paid to the Mayor and Deputy Mayor should reflect these added duties.

The ceremonial and social functions of the Mayor's Office also involve a considerable amount of the Mayor's free time. While the schedule of events that the Mayor is expected to attend might be quite onerous, these functions also serve as their own reward. As the Deputy Mayor stated, these functions provide an opportunity for Town officials to meet people and attend events that they would not otherwise have the opportunity to do. It appears that there is wide recognition that attendance at these ceremonial and social functions is both a duty and a reward for holding public office.

Included in the terms of reference of the Stipends Committee, was a mandate to compare the compensation received by the Council Members with other elected officials in the Metropolitan areas and similar towns within the Province of Nova Scotia. Presumably, similar towns means similar-sized towns in Nova Scotia. This is a difficult comparison to make because there is not another town in the Province which is experiencing the volume and variety of growth that the Town of Bedford is experiencing at the present time.

As a result of this growth, Bedford Town Council is being called upon to make decisions which will have a more severe long-term impact than is being made by Council Members in towns where this dynamic growth is not occurring. Consequently, the responsibility for making decisions is heavier on Bedford Town Council Members than in most towns of a similar size in the Province.

Comparing the stipends paid to Members of the Town Council of Bedford with the stipends paid to Council Members in the City of Halifax, City of Dartmouth and the County of Halifax cannot be done, on a realistic basis, without taking into account the differences in sizes of the budgets of these Municipal Units, nor of the size of the constituency that these Members of Council represent. Council Members in the other Municipal Units in the Metropolitan area represent, on a per capita basis, from five to ten times more tax payers than Council Members in Bedford do. However, some comparison of the stipends paid in the Metropolitan area is inevitable.

For those Members of Bedford Town Council who serve on Metropolitan Boards and Commissions, there is always some comparison with the remuneration received by their counterparts from the other jurisdictions. These comparisons are important not only to the Members of Bedford Town Council but also influence the manner in which the other Municipalities in the Metropolitan area perceive the status and stature of the Town of Bedford and its place in decision-making in the Metropolitan area. This is particularly relevant to the Office of the Mayor of Bedford, who is the most visible representative of the Town on Metropolitan Boards and Commissions.

The Mayor of the Town of Bedford receives a lesser stipend than ordinary Council Members in Halifax, Dartmouth and, when meeting fees are taken into account, Halifax County. This situation would have some influence on the ability of the Mayor to influence decisions made by regional bodies; however, it is impossible to measure, or even estimate, the impact of this situation on the regional decision-making process.

While it is not within the Stipends Committee's mandate to become involved in any political considerations when assessing the present and potential stipends of elected officials, the Committee would be extremely naive to attempt to recommend stipends without considering the public perception of the remuneration of public officials.

While the Committee may accept, as has been stated earlier in this report, that the stipends paid to Council Members does not represent the value of their work nor does it fully compensate them for the time spent in Council business, the Committee realizes that there are limits to Council Members' stipends beyond which the public would find unacceptable. The standards chosen by any Stipends Committee upon which any recommendations were to be based, must not only be fair and reasonable, but must also be seen by the public to be fair and reasonable.

In choosing standards for the stipends of the Members of the Bedford Town Council, the Committee is of the opinion that the stipend of Members of Town Council should be greater than that of similar-size towns, but less than that of the larger communities in the Metropolitan area.

In the three other Municipal Units in this area, the added remuneration for Deputy Mayor or Deputy Warden, as the case may be, is approximately 20% more than that received by regular Council Members and this appears to be an appropriate standard for Bedford.

Setting a standard for the Mayor's Office is a somewhat more difficult task. As stated earlier, the present stipend of the Mayor of Bedford is less than that of regular Council Members in the other three Municipalities. This, the Committee believes, is an unacceptable situation, both in terms of the duties of the Office of Mayor and also the stature of the Office of Mayor. Simply raising the Mayor's salary to the level of that of regular Council Members in the other Municipalities would not be sufficient to correct the situation which presently exists. A more appropriate comparison to use would be that of the Deputy Mayor's or Deputy Warden, as the case may be, of the three Metropolitan Municipal Units.

Once an appropriate level of remuneration has been established for Council Members, it becomes necessary to establish a mechanism which will prevent the erosion of that level by inflation.

The actual, and projected, rise in the Consumer Price Index (CPI) for the three-year period, 1983 - 1985, has been nearly 15%; 1983 = 5.8%, 1984 = 4.4% and 1985 = 4.1% (projected). Indications are that the present rate of increase in the CPI (4.1% approximately) will continue for the foreseeable future.

The Committee believes that the recommended stipends should be shielded from this loss of purchasing power through annual increases which reflect the rise in the Consumer Price Index and our recommendation for the three-year period reflect this concept.

Meeting Fees:

The previous Stipends Committee had recommended the abolition of the original practice of paying Council Members, in addition to the annual stipend, a meeting fee for each meeting attended. That Committee's recommendation, which was followed by Town Council, was based on two main considerations: the first, involved the mix of Town Council Members and community volunteers on many of the Boards and Commissions in the Town and it was felt that it would be unfair to have citizens volunteering of their services to sit on these Boards and Commissions while Members of Town Council were being paid. The continuance of this practice could lead to private citizens being less willing to volunteer their time.

Secondly, it was felt that potential Council Members, and the tax paying public, should be aware immediately what the total remuneration was for service on Town Council. The mixture of an annual stipend and committee fees tends to lead to uncertainties as to the actual income of Council Members.

Recommendations:

1. Meeting Fees:

The Committee recommends the continuance of the present practice of an annual stipend without any additional fee for meetings attended. For those other organizations, which are not under Town control and which serve a wider area than the Town itself, such as the Metropolitan Authority, Metro Area Planning Commission and other similar organizations, we would not attempt to interfere in their practices.

2. Stipends:

The Committee recommends that the following adjustments and increases be implemented for the Mayor, Deputy Mayor and Members of Town Council:

	<u>Present</u>	<u>Adjustment</u>	<u>1986</u>	<u>Recommended</u> <u>1987</u>	<u>1988</u>
Mayor	13,200	5,160*	19,094	19,858	20,653
Deputy Mayor	7,200	300*	7,800	8,112	8,436
Council Member	6,200		6,448	6,706	6,974
TOTALS	51,400	5,460	65,582	68,206	70,933
Annual Increases			4%	4%	4%

* Effective January 1, 1986

The continuation of the present practice of remunerating Council Members on the basis of 2/3 of the amounts indicated above as salary and 1/3 as an expense allowance is recommended by the Committee.

3. District School Board Member:

Although the Committee was not specifically directed to review the stipend paid to the Member of Bedford Town Council who represents the Town on the School Board, the Committee also considered this matter because the previous Committee had been requested to so do. If Town Council is looking for a recommendation in this area, the Committee would recommend that the present stipend of \$3,600 per year, of which 1/3 is an expense allowance, be increased by 4% in each of the years 1986, 1987 and 1988, effective January 1 of each year.

4. Stipends Committee:


The Committee recommends the continuation of the practice of appointing an independent Committee to research and recommend to Council the level of remuneration paid to Council Members. The Committee reiterates the recommendation by the previous Stipends Committee that the Committee be activated early in each election year to report to the outgoing Council prior to the Municipal Elections. The Committee would recommend that the Stipends Committee be activated at an earlier date than the present Committee was appointed.

Acknowledgements:

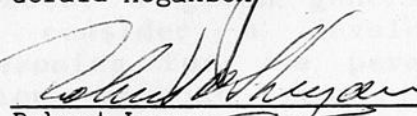
The Committee is grateful for the cheerful co-operation of the Department of Municipal Affairs, the Union of Nova Scotia Municipalities, the staff of the Cities of Halifax and Dartmouth, the County of Halifax, the Town of Bedford and to the present Mayor, Deputy Mayor, Council Members and ex-Mayor Ms. F. Cosman, for the provision of information and opinions in assisting the Committee to carry out its mandate.

Service on the Committee has proved to be a pleasant and satisfying experience for Members of the Committee and we appreciate the opportunity, given to us by Town Council, to be of service to the Community.

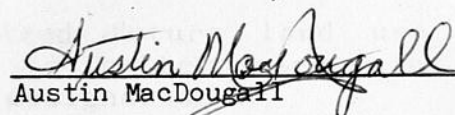
Respectfully submitted,



Gerald Hoganson

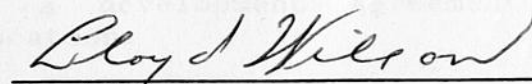


Robert Lugar



Austin MacDougall

Glenn Williams



Lloyd Wilson

Members, Town of Bedford
Stipends Committee

MINUTES OF THE TWENTY-SECOND SESSION
OF THE THIRD YEAR'S MEETING OF THE SECOND COUNCIL
OF THE TOWN OF BEDFORD

PUBLIC HEARING - OCTOBER 10, 1985

A Public Hearing was held by the Town Council of the Town of Bedford on Thursday, October 10, 1985, 7:30 p.m. in the Bedford Fire Hall, 1247 Bedford Highway, Bedford, Nova Scotia, Mayor Keith Roberts presiding.

ATTENDANCE

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

Staff members in attendance included Dan R. English, Chief Administrative Officer, Joan Fryde, Deputy Clerk, Barry Zwicker, Director of Planning and Development, John Malcolm, Planner and Kenneth MacInnis, Town Solicitor.

Approximately seventy-five members of the general public were in attendance during the period of this Hearing.

PURPOSE OF THE PUBLIC HEARING

Mayor Roberts advised that the purpose of the Public Hearing was to receive and consider submissions concerning three proposed amendments to the Municipal Development Plan as follows:

1. An addition to Policy Z-2 of the Municipal Development Plan that would have the effect of permitting Council in an area immediately adjacent a given generalized land use designation, to consider a development agreement as well as a rezoning for use permitted in the adjacent designation without requiring a plan amendment.
2. Replacement of the generalized future land use map with a more detailed map to better ascertain the location of certain land use designations.
3. Consideration of a change in the generalized future land use designation of civic number 51 Rocky Lake Drive from Institutional to Commercial in order that Council may consider a development agreement for a funeral home at this location.

CONSIDERATION OF PROPOSED AMENDMENT NUMBER 1 - ADDITION TO POLICY Z-2 OF THE MUNICIPAL DEVELOPMENT PLAN

In reviewing the details of this Proposed Amendment to the Municipal Plan, Barry Zwicker, Director of

Planning and Development noted that the Proposed Amendment would allow Council to have a greater element of control when approving new projects in that such projects could be approved through a contract development agreement rather than through a zoning change.

In response to an enquiry from Council, Mr. Zwicker advised that the procedure for ultimate approval of a development through a contract development agreement, or through a zoning change, is the same.

In response to another enquiry from Council as to how the provisions of the Planning Act re public participation were effected, Mr. Zwicker reviewed these requirements and advised that they have been fulfilled. He noted, in particular, that a Special Public Meeting was called by the Bedford Planning Advisory Committee after appropriate advertising at which meeting approximately thirty-five members of the general public were in attendance as well as a quorum of the Bedford Planning Advisory Committee.

SUBMISSIONS FROM THE GENERAL PUBLIC

It was agreed to open the Hearing to submissions from the general public.

MR. JOSEPH FOY

Mr. Foy spoke at length to Council expressing concern with regard to the timing of the proposed amendment and the future implications if approved.

Elaborating on his point, Mr. Foy expressed the opinion that the amendment is being pushed through with indecent haste in the minimum possible legal time in order to please one developer in one part of Town. He also expressed the opinion that the proposed amendment will make it much easier for Council to change the boundaries between residential and commercial areas.

Mr. Foy continued his remarks by providing for Council's benefit an example of what he felt could happen in the future if the amendment was approved, and concluded his remarks by suggesting that the amendment would cause many future problems and should be rejected.

In response to a question from Councillor Tolson, Mr. MacInnis stated he felt Mr. Foy's presentation was an accurate statement of the effect of the proposed amendment.

In responding to Mr. MacInnis's opinion, Barry Zwicker

stated that Mr. Foy's presentation had a number of incorrect statements and as such did not accurately reflect the net effect of the amendment.

MR. DAVID PEMBER

Mr. David Pember requested information with regard to the reason for the current need of the proposed amendment. He was advised that this amendment is required if the Nelson's Landing Development proposal is to proceed.

MRS. FRANCENE COSMAN

Mrs. Francene Cosman spoke briefly to the meeting. She expressed the opinion that the current Council should not be holding this particular Hearing and the matter should be deferred pending the upcoming election. She also requested information as to whether there has been a detailed planning study prior to the decision to propose the amendments. She further stated that she very strongly opposed the amending of the Municipal Development Plan at this time for any reason - suggesting that amending the Municipal Development Plan in a piece-meal fashion was wrong, and that amendments should only be proposed following an indepth detailed study of the whole plan.

In response, it was noted by Council that the possibility of various amendments have occurred from time to time in the past but had been deferred until such time as there is a review and study of the complete Municipal Development Plan. However, it was felt by the Bedford Planning Advisory Committee and Town Council that this amendment should be considered at this particular time.

MR. ROBERT HOLLIGUM

Mr. Robert Holligum spoke briefly to Council, advising that he was in favour of the amendment and that, like everything else in life, the plan is not perfect and sometimes will require amendments.

MRS. HELEN BEAVER

Mrs. Helen Beaver spoke briefly to Council advising that she is of the opinion that the amendment should be approved and that staff is correct in recommending same. Mrs. Beaver also expressed concern that, in her opinion, Mr. Foy seems to have continually opposed development.

MR. JOSEPH FOY

Mr. Foy addressed Council for a second time advising that he has never spoken against a particular development and, at this time, is speaking against the proposed amendment.

MR. AZIZ MEHDI

Mr. Aziz Mehdi spoke to Council advising that, in his opinion, the proposed amendment is a very positive change and will give Council far more rather than less, control over future developments.

MR. LLOYD MITCHELL

Mr. Lloyd Mitchell spoke to Council advising that he wished to go on record as not opposing development in Bedford, but as being troubled with the process which is now occurring. He expressed the opinion that the Municipal Development Plan should not be changed without adequate study and input from the community. He also expressed the opinion that there are unanswered questions because Town Staff has not done its homework.

In response Deputy Mayor Bill Roy, Chairman of the Bedford Planning Advisory Committee, expressed the opinion that staff has done what Council has requested of it.

Mr. Mitchell further requested that the decision be deferred pending study of the possible future impact.

In response to an enquiry from Council as to Mr. Mitchell's opinion of an adequate time frame, Mr. Mitchell noted that the people who originally worked on the Municipal Development Plan agreed that it should not be amended piece-meal but only after a thorough review of the whole plan.

In response to an enquiry from Council as to whether the Minister of Municipal Affairs will support the amendment without some supporting documentation that Town Council has considered the future impact on other portions of the plan, the Town Solicitor responded by quoting pertinent sections of the Planning Act.

MR. GERALD HOGANSON

Mr. Gerald Hoganson spoke to Council expressing the opinion that he does not think what is being done is fair to the incoming Council. He asked that the decision be deferred until the new Council is elected.

CLOSE OF PUBLIC HEARING

There being no further submissions it was agreed that the Public Hearing for Amendment No. 1 be closed.

AMENDMENT NO. 2 - REPLACEMENT OF THE GENERALIZED FUTURE LAND USE MAP WITH A MORE DETAILED MAP TO BETTER ASCERTAIN THE LOCATION OF CERTAIN LAND USE DESIGNATIONSSTAFF REPORT

Barry Zwicker, Director of Planning and Development, reviewed the history of the Land Use Map which is currently included in the Municipal Development Plan, and why a more accurate map is required. He advised that no attempt has been made to make changes in the new map but there is a refinement with regard to some of the details. He further stated that the proposed map will provide a greater level of clarity and detail for staff, Council and the general public.

In response to an enquiry from Council as to why this amendment is being proposed at the present time, Mr. Zwicker advised that problems currently exist in determining the exact boundary lines in the area proposed for the Nelson's Landing Development and also in areas adjacent to Rocky Lake Drive and the Admiral's Cove Regional Park.

A general discussion ensued between Council and staff with regard to whether or not an appropriate amount of public input has been encouraged respecting this proposed amendment, and it was noted that a large map showing the areas in question has been on display in the Town Office for the benefit of the general public. Council was also advised that no residents have come to view this map but several enquiries have been received by telephone.

In response to an enquiry from Councillor Tolson as to whether all requirements for the current Public Hearing were effected in order that the Hearing can be considered legal, Deputy Mayor Roy reviewed details of the process followed by members of Council and staff to ensure that all legal requirements were fulfilled.

In response to a request from Council, Barry Zwicker

reviewed for the benefit of the meeting details of the refinements which have been made possible by the development of the new map.

A general discussion ensued as to whether the proposed amendment could be described as, "Piece-meal," and it was noted by Mr. Zwicker that, in his opinion, this amendment was long overdue - the Town will have a proper map. It was also noted that it is important for Council, staff and the general public to be able to determine where lines are when an area is being considered for development.

MR. DAVID PEMBER

In response to an enquiry from David Pember as to what has been done to advise the Minister of Municipal Affairs and adjacent Municipalities of the proposed amendment, Mr. Zwicker advised that all required circulation of information has been effected.

CLOSE OF PUBLIC HEARING

There being no further submissions or enquiries from the general public it was agreed the Public Hearing for this amendment be closed.

AMENDMENT NO. 3 - CONSIDERATION OF A CHANGE IN THE GENERALIZED FUTURE LAND USE DESIGNATION OF CIVIC NO. 51 ROCKY LAKE DRIVE FROM INSTITUTIONAL TO COMMERCIAL IN ORDER THAT COUNCIL MAY CONSIDER A DEVELOPMENT AGREEMENT FOR A FUNERAL HOME AT THIS LOCATION

STAFF REPORT

In response to a request from Mayor Roberts, Barry Zwicker, Director of Planning & Development reviewed details of the proposed amendment to the Municipal Development Plan and the implications/reasoning for the request.

In response to an enquiry from Council as to whether the request for the approval of a Contract Development Permit for the application of a funeral home at No. 51 Rocky Lake Drive was the only reason for this proposed amendment, Mr. Zwicker answered in the affirmative.

In response to an enquiry from Council, Mr. Zwicker provided further information with regard to the meaning of various planning terms, i.e Generalized Future Land Use Map, Zoning Map, Contract Development Agreement.

In response to a concern expressed by Council that great care should be taken when considering a commercial designation, it was noted by Mr. Zwicker that, since the application was for permission to locate a funeral home on the property in question, the only way this could be effected would be to approve a change in the Land Use Designation from Institutional to Commercial.

It was agreed that the meeting should be opened to submissions from the public.

MR. JOHN THOMPSON

Mr. John Thompson spoke to Council expressing concern that any consideration was being given for commercial designation of this property when it is located within a residential neighborhood. He further expressed great concern with regard to potential traffic problems and the safety of children. He noted that the area is located within a very confusing intersection and that there is already a high volume of traffic on several streets within the area.

MR. TIM BARNARD AND MR. KEN BARNARD

Mr. Tim Barnard and Mr. Ken Barnard spoke to Council outlining details of the proposed plan to establish a funeral parlour at 51 Rocky Lake Drive and expressing the opinion that such a development would greatly increase the attractiveness of the neighbourhood and would not pose traffic problems as suggested by Mr. Thompson. They also expressed the opinion that neighborhood property values would not decrease but, in contrast, would escalate.

MRS. DIANE COVEY

Mrs. Covey spoke at length to Council expressing the opinion that the matter of the establishment of a funeral home should not be considered at this particular Hearing but only the question of a change in the generalized future land use designation. She further expressed the opinion that such a change would leave the property wide open to many commercial choices, many of which would not be desirable. She expressed the opinion that this particular piece of land should, if anything, revert to a residential land use.

Mrs. Covey also presented a petition signed by residents of the area and expressing opposition to the proposed amendment.

MR. NORMAN FENERTY

Following an enquiry from Mr. Fenerty, Mr. Zwicker reviewed the relationship of the generalized future land use designations and the zoning designations to the Municipal Development Plan.

Following this review, Mr. Fenerty advised Council that, while he is in favour of a proposal to establish a funeral home on this property, he is concerned that it be achieved without running the risk of other types of commercial ventures being established on the property in the future.

MRS. SONJA VERABIOFF

Mrs. Sonja Verabioff spoke to Council, noting that she was representing the Oakmount Homeowners' Association and wished to advise that the Association is in opposition to the proposed amendment. She further noted, that, in the opinion of the Homeowners' Association, the establishment of a funeral parlour would cause an increase in existing traffic, a change in traffic patterns, and danger to the safety of children in relation to the parking and traffic which would be generated.

OTHER RESIDENTS

Two other residents of the Oakmount Subdivision spoke to Council and expressed their opposition to the proposed amendment.

CHARACTER REFERENCE

A United Church Minister spoke to Council advising that he had known and worked with Mr. Ken Barnard for many years and wished to testify with regard to his character and performance. He expressed the opinion that Mr. Barnard would co-operate in every way possible with the community at large and his business would be an asset, not a detriment, to the neighborhood.

MR. ARTHUR HARDSTAFF

Mr. Arthur Hardstaff spoke to Council and expressed the opinion that the suggestion from Mr. Barnard that the funeral home will average one funeral per week is not realistic. Such a level of activity would not be able to support the capital and operating costs involved. He further expressed the opinion that the property in question should, if anything, be re-designated as residential.

MR. GERALD HOGANSON

Mr. Gerald Hoganson spoke to Council expressing the opinion that the parking facilities of the property in question would not be adequate for the operation of a funeral home. He also suggested that the proposal is in essence the same as spot rezoning which in his opinion is, at the least, poor planning, and at the most, no planning at all. He suggested that Mr. Barnard should be encouraged to locate his funeral home on land currently zoned commercial.

OTHER RESIDENTS

Several residents of the Oakmount Subdivision and other areas of the Town spoke to Council expressing the opinion that the proposed amendment should be defeated. It was also noted by some residents that while they have no objection to the establishment of a funeral home they are concerned that the proposed amendment might in the future allow other commercial ventures to locate on this property.

MR. NEIL BOUTILIER

Mr. Neil Boutilier spoke at length to Council and expressed the opinion that the amendment should be approved in order that a funeral home could be established on this property. He expressed the opinion that a funeral home was needed in the Town of Bedford and that it would not detract from desired residential qualities in the area.

MRS. S. BARNARD

Mrs. S. Barnard spoke to Council advising that she had among her friends residents of the Valleyview area and that they have expressed themselves as being in favour of the establishment of a funeral home in the Town of Bedford and located at the property in question, namely, No. 51 Rocky Lake Drive. She further expressed the opinion that the proposed development would be an asset to the neighborhood.

ENQUIRY

The question was raised as to whether or not a crematorium could possibly be established in conjunction with the proposed funeral home. The opinion was expressed by staff that the contract could be worded in such a way that this would not be possible.

OF THE THIRD YEAR'S MEETING OF THE SECOND COUNCIL OF THE TOWN OF BEDFORD

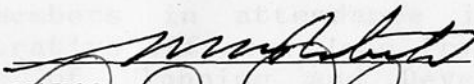
PUBLIC HEARING - OCTOBER 10, 1985

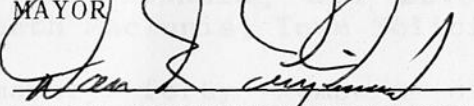
CLOSE OF PUBLIC HEARING

There being no further submissions from the general public it was agreed that the Public Hearing should be closed.

ADJOURNMENT

ON MOTION of Councillor Tolson and Councillor Lugar it was moved that the meeting adjourn at approximately 11:30 p.m. Motion carried unanimously.


MAYOR


CHIEF ADMINISTRATIVE OFFICER

PURPOSE OF THE PUBLIC HEARING

Mayor Roberts advised that the purpose of the Public Hearing was to receive and consider submissions concerning an application for a proposed Contract Development Agreement for a 23 acre site located between Civic No. 372 and Civic No. 310 Bedford Highway. The proposed Development Agreement is to allow for the development of three phase project consisting of:
PHASE 1: 130 Condominiums
PHASE 2: 120 Room Hotel
PHASE 3: 137 Town Houses
and some commercial uses.

STAFF REPORT

Barry Zwicker, Director of Planning and Development reviewed details of the development proposal including particulars with regard to Phases 1-3 and plans for the discharge of storm water and transportation requirements.
Mr. Zwicker further noted that the proposal has been presented to Town Council at a previous date and has not changed in terms of land use, etc. but some of the terms of the contract have been revised to be more specific. He also noted that approval of the contract is subject to the Town's approval of the first amendment to the Municipal Development Plan which was considered at the previous Public Hearing.

MINUTES OF THE TWENTY-THIRD SESSION
OF THE THIRD YEAR'S MEETING OF THE SECOND COUNCIL
OF THE TOWN OF BEDFORD

PUBLIC HEARING - OCTOBER 10, 1985

A Public Hearing was held by the Town Council of the Town of Bedford on Thursday, October 10, 1985, 11:40 p.m. in the Bedford Fire Hall, 1247 Bedford Highway, Bedford, Nova Scotia, Mayor Keith Roberts presiding.

ATTENDANCE

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

Staff members in attendance included Dan R. English, Chief Administrative Officer, Joan Pryde, Deputy Clerk, Barry Zwicker, Director of Planning and Development, John Malcolm, Planner and Kenneth MacInnis, Town Solicitor.

Approximately forty members of the general public were in attendance during the period of this Hearing.

PURPOSE OF THE PUBLIC HEARING

Mayor Roberts advised that the purpose of the Public Hearing was to receive and consider submissions concerning an application for a proposed Contract Development Agreement for a 28 acre site located between Civic No. 872 and Civic No. 910 Bedford Highway. The proposed Development Agreement is to allow for the development of three phase project consisting of:

PHASE 1: 156 Condominiums

PHASE 2: 188 Room Hotel

PHASE 3: 137 Town Houses

and some commercial uses.

STAFF REPORT

Barry Zwicker, Director of Planning and Development reviewed details of the development proposal including particulars with regard to Phases 1-3 and plans for the discharge of storm water and transportation requirements.

Mr. Zwicker further noted that the proposal has been presented to Town Council at a previous date and has not changed in terms of land use, etc. but some of the terms of the contract have been revised to be more specific. He also noted that approval of the contract is subject to the Town's approval of the first amendment to the Municipal Development Plan which was considered at the previous Public Hearing.

Keith Roberts

Barry Zwicker

MAYOR

CHIEF ADMINISTRATIVE OFFICER

QUESTIONS FROM COUNCIL

In response to an enquiry from Council as to whether all requirements of the Planning Act have been carried out correctly, Council was informed that a problem did arise with the advertising. The initial advertisement placed in the newspaper indicated an incorrect address for the Hearing. The advertisements were subsequently corrected and reprinted but it was noted that the second advertisement was not placed in time to fulfill the three week requirement between the time of the initial advertising and the date of the Public Hearing.

It was also noted that a staff member has remained at the address indicated in the first advertisement to advise persons that the meeting is being held at the Fire Hall.

In response to an enquiry from Council as to the legality of the current Hearing, Kenneth MacInnis, Town Solicitor expressed the opinion that, "actual notice," to the public at large has been properly served but he is still of the opinion that there has not been compliance with the strict provisions of the Planning Act.

Mrs. Francene Cosman and Mr. Aziz Medhi both requested permission to speak to Council on points of order. Permission was granted to both.

Mrs. Cosman spoke to Council and advised that in her opinion the Public Hearing should not be held until there was strict compliance with the advertising requirements of the Planning Act.

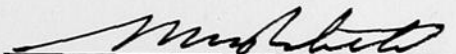
Mr. Medhi spoke to Council and asked that, if there is some doubt as to the legality of the meeting, Council should give the benefit of the doubt to the developer. He further emphasized that it was the developer who would be taking the greatest risk if the contract was to be appealed.

In response to an enquiry from Council as to the ramifications if Council goes ahead and holds a Public Hearing, the Town Solicitor advised that the results might be open to appeal or to being declared void in the courts.

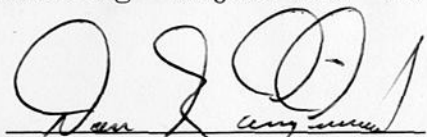
Mayor Roberts requested an opinion from Council as to whether or not the Public Hearing should continue.

The Council unanimously agreed that the Public Hearing should be cancelled and re-scheduled.

There being no further business the meeting adjourned at approximately 11:50 p.m.



MAYOR



CHIEF ADMINISTRATIVE OFFICER

MINUTES OF THE TWENTY-FOURTH SESSION
OF THE THIRD YEAR'S MEETING OF THE SECOND COUNCIL
OF THE TOWN OF BEDFORD

SPECIAL SESSION - OCTOBER 10, 1985

A Special Session of the Town Council of the Town of Bedford was held on Thursday, October 10, 1985, 11:55 p.m. in the Bedford Fire Hall, 1247 Bedford Highway, Bedford, Nova Scotia, Mayor Keith Roberts presiding.

1. LORD'S PRAYER

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

2. ATTENDANCE

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

Staff members in attendance included Dan R. English, Chief Administrative Officer, Joan Pryde, Deputy Clerk, Barry Zwicker, Director of Planning and Development, John Malcolm, Planner and Kenneth MacInnis, Town Solicitor.

3. CONSIDERATION OF APPROVAL - PROPOSED AMENDMENTS TO MUNICIPAL DEVELOPMENT PLAN (AS CONSIDERED AT A PUBLIC HEARING OCTOBER 10, 1985)

3.1 PROPOSED AMENDMENT NO. 1 - ADDITION TO POLICY Z-2 OF THE MUNICIPAL DEVELOPMENT PLAN

Councillor Loncarevic expressed the opinion that Council had previously agreed that decisions subsequent to a Public Hearing should not be made on the same evening as the Hearing itself. In response Mayor Roberts advised that, while some discussion may have taken place on this subject, no policy decision has been made to this effect.

In response to an enquiry from the Chief Administrative Officer as to whether or not Council agreed with the decision of the Mayor, Councillor Short and Councillor Loncarevic expressed the opinion that a decision should not be made at this meeting.

Mayor Roberts, Deputy Mayor Roy and Councillor Tolson voted in favor of continuing with the Special Session,

ON MOTION of Deputy Mayor Roy and Councillor Lugar it was moved that the Town Council of the Town of Bedford approve an amendment to the Municipal Develop-

Development Plan that would have the effect of permitting Council in an area immediately adjacent a given generalized land use designation, to consider a development agreement as well as a rezoning for uses permitted in the adjacent designation without requiring a plan amendment.

In response to a request from Deputy Mayor Roy, Mr. Zwicker reviewed for the benefit of Council the process of steps that are currently required for the approval of development proposals and what will be required in the future if this amendment is accepted.

Councillor Loncarevic advised Council that he will vote against passing the Motion because of the process which was followed and because of the future impact of the proposed amendment. He expressed the opinion that the Town did recognize that, when the Municipal Development Plan was approved, it would require review and changes on a systematic and regular basis. However, he felt that this particular amendment was being considered in isolation and also that the amendment itself indicates a basic change in the phylosphy of the Development Plan.

Councillor Tolson expressed the opinion that the amendment was long overdue and would encourage development through the Contract Development Agreements.

The motion was put to the meeting and carried by a 4 to 2 vote with Councillor Loncarevic and Councillor Short voting against the motion.

3.2 PROPOSED AMENDMENT NO. 2 - REPLACEMENT OF THE GENERALIZED FUTURE LAND USE MAP WITH A MORE DETAILED MAP TO BETTER ASCERTAIN THE LOCATION OF CERTAIN LAND USE DESIGNATIONS

ON MOTION of Deputy Mayor Roy and Councillor Tolson it was moved that Town Council of the Town of Bedford approve an proposed amendment to the Municipal Development Plan in that Map 7 entitled "Generalized Future Land Use," be deleted and replaced by a new Map 7, to be entitled, "Generalized Future Land Use, dated September 17, 1985," and that Policy R-1 be amended by removing the reference to Map 1 and replacing it with Map 7.

Councillor Loncarevic expressed concern that, in his opinion, there has been little or no public

participation in the proposed amendment. He further expressed the opinion that the people of Bedford will find some differences because they are drawn on a different scale and that there have been no studies or no supporting documents relative to this proposed amendment. He further expressed the opinion that there will be an Appeal to the Municipal Board if this amendment is approved.

Deputy Mayor Roy spoke to Council expressing the opinion that there has been no unseemly rush to have this amendment approved and, for that matter, people have expressed their opinion to the opposite, that Council is not moving fast enough. Secondly, he suggested that the boundaries are unchanged except for moving them to fit property lines. Thirdly, he reminded the Council that there has been opportunity for public participation.

Councillor Tolson suggested that there had been a great deal of public participation in 1981 and 1982 when the Municipal Development Plan was under preparation. In his opinion the approval of the new map is simply a forward movement and should not be considered a major amendment.

Councillor Lugar advised Council that he saw this amendment as a continuing movement to give people of Bedford and the staff clear and accurate mapping.

The motion was put to the meeting and passed by a 4 to 2 vote with Councillor Loncarevic and Councillor Short voting against the motion.

3.3 PROPOSED AMENDMENT NO 3- CONSIDERATION OF A CHANGE IN THE GENERALIZED FUTURE LAND USE DESIGNATION OF CIVIC NO. 51 ROCKY LAKE DRIVE FROM INSTITUTIONAL TO COMMERCIAL IN ORDER THAT COUNCIL MAY CONSIDER A DEVELOPMENT AGREEMENT FOR A FUNERAL HOME AT THIS LOCATION

ON MOTION of Councillor Tolson and Deputy Mayor Roy it was moved that Town Council not approve an amendment to the Municipal Development Plan changing the generalized land use designation for property located at 51 Rocky Lake Drive from Institutional to Commercial.

During discussion of the motion Deputy Mayor Roy, Councillor Tolson and Councillor Lugar expressed concern with regard to the problems that may be encountered with parking if a Funeral Parlour is permitted to operate on the property in question.

Councillor Loncarevic noted that the zoning currently enables a church to be operated and cautioned Council that almost any group that wished could describe itself as a church and legally occupy the premises.

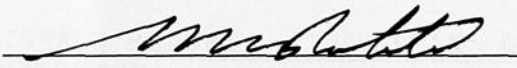
It was suggested by Councillor Lugar that it might have been a wise move if staff had recommended that the land be re-designated as Residential.

The motion was put to the meeting and was approved. Deputy Mayor Roy, Councillors Toslon, Lugar and Short voted for the motion. Councillor Loncarevic abstained from voting.

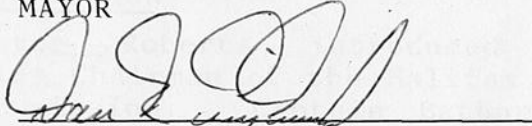
6.

ADJOURNMENT

ON MOTION of Councillor Lugar and Councillor Tolson it was moved that the meeting adjourn at approximately 1:10 a.m.



MAYOR



CHIEF ADMINISTRATIVE OFFICER

BEDFORD VOLUNTARY FIRE DEPARTMENT

ELECTION OF OFFICERS

The Chief Administrative Officer reviewed the benefits of Council a report from the Bedford Volunteer Fire Department outlining the list of officers for the year 1985/86 as elected at their recent annual meeting.

3.5

MINUTES OF THE TWENTY-FIFTH SESSION
OF THE THIRD YEAR'S MEETING OF THE SECOND COUNCIL
OF THE TOWN OF BEDFORD

SPECIAL SESSION - OCTOBER 15, 1985

A Special Session of the Town Council of the Town of Bedford took place on Tuesday, October 15, 1985, 7:30 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, N.S., Mayor Keith Roberts presiding.

1. LORD'S PRAYER

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

2. ATTENDANCE

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

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

3. ANNUAL REPORT - HALIFAX DARTMOUTH PORT DEVELOPMENT COMMISSION

Mayor Roberts introduced Captain Jack Bathurst, Vice Chairman of the Halifax Dartmouth Port Development Commission. Captain Bathurst noted that the Annual Reports were forwarded to individual Councillors some time ago and he was in attendance to answer any questions that Council may have with the Report.

A brief discussion was held about the activities of the Port of Halifax and Captain Bathurst informed Council that he is again fortunate in being elected vice chairman of the Commission. On behalf of Town Council, the Mayor thanked Captain Bathurst for his work on the Commission as a representative from the Town of Bedford.

4. BEDFORD VOLUNTEER FIRE DEPARTMENT
ELECTION OF OFFICERS

The Chief Administrative Officer reviewed for the benefit of Council, a report from the Bedford Volunteer Fire Department outlining the list of officers for the year 1985/86 as elected at their recent Annual Meeting.

ON MOTION of Councillor Loncarevic and Councillor Tolson, it was moved that Town Council confirm and ratify the election of officers for the year 1985/86 of the Bedford Volunteer Fire Department, Motion carried unanimously.

5. PROPOSED CONTRACT DEVELOPMENT AGREEMENT - CHS
(Councillors Lugar & Loncarevic withdrew from Council Table)
Mayor Roberts briefly reviewed the matter of the proposed Contract Development Agreement between the Town of Bedford and CHS for development of Blocks D & E between Rutledge Street and Meadowbrook Drive. The Mayor requested that the Director of Planning & Development, Barry Zwicker, review the various changes which have taken place as a result of the last discussion which took place at the Public Hearing held on September 25, 1985.

Reviewing the various changes, Mr. Zwicker noted that most of the concern raised at the Public Hearing related to matters of access to the buildings, parking, and parkland. It was noted that a letter has been received late this afternoon from CHS Development Limited addressing these as well as some other more minor concerns as raised at the Public Hearing. A lengthy discussion ensued amongst Council regarding various matters such as the snow clearing of the property, the retention pond included in the Storm Water Management System, and required fencing. Deputy Mayor Roy noted during the discussion that some of the problems which were raised at the Public Hearing were not particular problems of the developer, such as the lack of parking at an existing building in the area, the conditions of Rutledge Street, etc.

ON MOTION of Deputy Mayor Roy and Councillor Tolson it was moved that the Mayor and the Chief Administrative Officer be authorized, on behalf of the Town, to enter into the Contract Development with CHS Development Limited regarding the Blocks D & E located between Rutledge Street and Meadowbrook Drive as submitted and amended as follows:

- (a) Schedule B as submitted amended to read B1;
- (b) Schedule B2 regarding conceptual design of buildings added as Addendum to contract;
- (c) Schedule B1 amended to reflect construction of chain link fence at the north eastern perimeter of property from Rutledge Street to the parkland area which is to be deeded to Town;

- (d) Section 10 amended to delay commencement of Townhouse construction until such time as occupancy permits granted for apartments.
- (e) Section 11 amended to include a clause to prohibit parking on private driveways;
- (f) Schedule C amended to reflect the height of the fence surrounding the detention pond as six feet;
- (g) The agreement will contain a provision for motorized vehicles to access through the development to the parkland area for construction and maintenance purposes;
- (h) Signing of the Agreement will be subject to title being determined on the parkland transfer as well as the easement corridor.

Motion carried unanimously.

Councillors Lugar and Loncarevic resumed their seats at the Council Table.

ON MOTION of Councillor Short and Deputy Mayor Roy it was moved that the Engineering Department be requested to immediately commence a study to indicate the long term effect of the CHS Development, particularly on the Rutledge Street area, with reference to traffic, pedestrian safety, storm water drainage and any other matters that the Department feels should be reported to Council, in order that Council may have a plan for the phasing in of required remedial action as the Development itself progresses; further that this report be prepared within a two to three month period.

During discussion of the motion some concern was expressed that the Street Paving Policy may require amendment. It was agreed that this question could be addressed within the requested report. The motion was put to the meeting and passed unanimously.

6. NELSONS LANDING - CONTRACT DEVELOPMENT AGREEMENT
-AUTHORIZATION TO SET DATE FOR PUBLIC HEARING

ON MOTION of Councillor Tolson and Deputy Mayor Roy it was moved that the Chief Administrative Officer be authorized to set a date for a Public Hearing to give consideration to a Proposed Contract Development Agreement for a 28 acre site located between Civic No. 872 and Civic No. 910 Bedford Highway and commonly known as Nelsons Landing; further that this Public Hearing be held on or about November 18, 1985 and be located at the Bedford Fire Hall. Motion carried unanimously.

MOTION TO AMEND RULES OF ORDER

ON MOTION of Councillor Tolson and Deputy Mayor Roy it was moved that the Agenda be amended in order that Items 8, 12 and 13 be considered, with other items deferred to a future meeting. Motion carried unanimously.

8. EMO METRO MUTUAL AID AGREEMENT

By memorandum, Rick Paynter, Director of Engineering & Works circulated copies of a draft, "Mutual Aid Agreement," and advised Council that the Draft Agreement is being circulated to the four Metro Area Municipal Councils for review, comments and hopefully, general acceptance. He further advised that the concept of Metro Mutual Aid has received general support from the City of Dartmouth and was received favourably by the City of Halifax and the Warden of the Municipality of the County of Halifax.

Notice of Motion was served by Councillor Loncarevic of the intent of the Town of Bedford to enter into an Agreement with regard to Metro Mutual Aid.

12. PUBLIC STREET CLOSURES

(a) DARTMOOR CRESCENT - UPPER ACCESS TO DARTMOUTH RD.

(b) OLD HAMMONDS PLAINS RD-INTERSECTION BEDFORD HIGHWAY

By memorandum, Rick Paynter, Director of Engineering & Works, requested Council's direction respecting the proposed intention to close the Upper Access onto Dartmouth Road of Dartmoor Crescent and the Old Hammonds Plains Road (intersection Bedford Highway).

It was noted by Mr. Paynter that the procedure to be followed includes a Public Hearing, following which the Council may, by bylaw, approve the Street Closures. This bylaw must then be submitted to the Minister of Transportation as well as the Minister of Municipal Affairs for their approval. Mr. Paynter requested Council's direction respecting this request on behalf of the Engineering & Works Department.

ON MOTION of Deputy Mayor Roy and Councillor Tolson it was moved that Town Council authorize the Chief Administrative Officer to set a date and place for the holding of a Public Hearing to consider the closure of Dartmoor Crescent (upper access to Dartmouth Road) and the Old Hammonds Plains Road (intersection Bedford Highway); further that a detailed report from the Engineering Department be available for distribution to Council and to the public no less than 10 days prior to the Hearing. Motion carried unanimously.

13. OTHER

Deputy Mayor Roy requested consent to place the matter of the status of the Bedford Village North Storm Sewer on the Agenda. In response to an inquiry from Mayor Roberts unanimous consent was given for a five minute discussion period.

In response to a request from Council the Director of Engineering & Works reviewed the original proposal for the installation of a Storm Water System along with the other two alternatives which were originally considered and the implications of same. He also referred to a submission by Mr. Will Apold advising that he has read same but has not yet developed his own personal opinion of this latter submission.

In response to an inquiry from Council as to whether or not expertise is available to provide a recommendation to Council with regard to the proposed system, the Director of Engineering & Works responded that he will be consulting Mr. John Underwood who is an acknowledged expert in such matters.

Following a general discussion the opinion was expressed by Councillor Short that Council should perhaps be considering an upgrading of the Storm Water Drainage System on the Hammonds Plains Road which would service a much broader area than that under consideration at the present time.

ON MOTION of Deputy Mayor Roy and Councillor Tolson it was moved that Town Council go on record as disapproving the extension of the Storm Water System pipe across the Hammonds Plains Road until the question is resolved. Motion carried unanimously.

It was also suggested by the Director of Planning & Development that a study and examination of the Storm Water situation with regard to the whole of the watershed of Paper Mill Lake is needed.

13.2 DATE OF COUNCIL SESSION

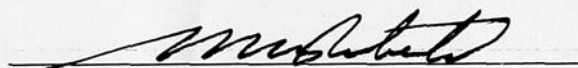
It was agreed that the next meeting of Town Council would be held on October 30, 1985 at which time members of the new Council would be sworn.

13.3 MAYOR'S REMARKS

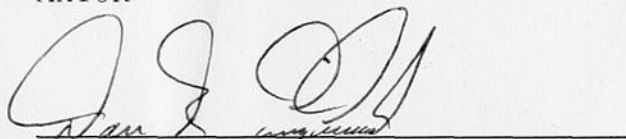
Mayor Roberts noted that this Session was the last Session of the Second Council of the Town of Bedford. He expressed his thanks to the members of Council for their work during the past three years noting in particular some of the achievements which have been accomplished. He also expressed particular thanks to the two retiring members of Town Council who are not re-offering for a further term, namely Councillor Phyllis Doyle and Councillor Bosko Loncarevic.

14. ADJOURNMENT

ON MOTION of Councillor Doyle and Councillor Tolson it was moved that the meeting adjourn at approximately 10:00 p.m. Motion carried unanimously.



MAYOR



CHIEF ADMINISTRATIVE OFFICER