

TOWN OF BEDFORD  
MINUTES  
SPECIAL SESSION - MONDAY, APRIL 14, 1986

A Special Session of the Town Council of the Town of Bedford was held on Monday, April 14, 1986, 5 p.m. in the Town Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia, Mayor Keith Roberts presiding.

Deputy Mayor Chris Nolan and Councillors Peter Christie, Peter Kelly, David Lugar and William Roy were in attendance at the commencement of the Session.

Staff members attending this Session included Dan R. English, Chief Administrative Officer and Joan Pryde, Deputy Clerk.

1. LORD'S PRAYER

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

2. PRESENTATION: HALIFAX COUNTY-BEDFORD DISTRICT SCHOOL BOARD - PROPOSED 1986 OPERATING BUDGET.

Mayor Roberts welcomed Doctor Lorne Verabioff Chairman; Mr. Lloyd Gillis, Chief Education Officer; and Mr. Curtis Langley, Chief Finance Officer of the Halifax County-Bedford District School Board. Other members of the School Board also attended the meeting as observers.

In commencing the School Board's presentation, Dr. Verabioff noted that, during the past few years, there have only been two major additions to the School Program, i.e. the Drug Education Program and the expansion of the Instrumental Music Program. At the same time there has been a reduction in the French Program during the early years and the class sizes have been enlarged.

Dr. Verabioff further noted that this year's budget includes a deficit of almost six hundred thousand dollars (\$600,000) which occurred during 1985 and funding for the purchase of School Buses from Annual Operating Revenues rather than funding same over a period of years.

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Dr. Verabioff concluded his remarks by noting that the proposed Budget provides a level of service which, in the Board's opinion, is desired by the public. He also asked that Council consider the recommendation of the Board that, in future, the matter of excess costs be determined on a per-capita basis rather than on the method currently used, in order that the Board will know in advance what to expect from this source of funding.

Mr. Lloyd Gillis, then addressed Council, reviewing details of the proposed School Board Budget noting, in particular, that the Board has already reduced its initial estimates by approximately one million, seven hundred and fifty thousand dollars (\$1,750,000). The current total estimates amounting to ninety-five million five hundred fifty-four thousand, six hundred and eighty-three dollars (\$95,554,683) will require a Municipal contribution of fifteen million, four hundred and fifty-seven thousand and twenty-eight dollars (\$15,457,028). Bedford's share of this Municipal contribution would be one million four hundred and twenty-one thousand five hundred and sixty-three dollars (\$1,421,563) (mandatory - one million ninety-five thousand thirty-seven dollars (\$1,095,037), excess - three hundred twenty-six thousand five hundred and twenty-six dollars (\$326,526)).

In particular, Mr. Gillis reviewed details of those areas which, in the opinion of the Board, require funding through excess costs. Insofar, as the general formula expenditures are concerned, he noted that the following programs will require such financial assistance if they are to be continued;

General and Instrumental Music  
Physical Education  
French Core Program  
Guidance  
Drug Education.

Mr. Gillis also advised Council that the current level of property service requires additional funding over and above that received from the Province or through the mandatory contributions. However, he expressed the opinion that the level of property maintenance carried out by the Board is far in excess of the average throughout the Province, and is cost effective.

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A change in the provincial formula for determining the eligible grants for pupil transportation has resulted in a situation whereby the Halifax County Bedford District School Board is not receiving the level of funding required to carry out this service.

Special Education also requires additional funding, but it was noted by Mr. Gillis that the contributions from the Province and through the mandatory municipal funding is gradually coming closer to what is required to provide this service.

Mr. Gillis concluded his remarks by noting that, while the Halifax County-Bedford District School Board has by far the largest school population of the three Metropolitan School Boards, its request for excess cost funding per pupil is the lowest of the three Boards, i.e.;

Halifax County - Bedford District  
School Board - \$192/per pupil

Dartmouth School Board - \$516/per  
pupil

Halifax School Board - \$929/per  
pupil

He also expressed the opinion that, to date, the service provided by the Halifax County - Bedford District School Board is very close to that which is being offered by the Dartmouth and Halifax City School Boards, and that is what the residents of the County of Halifax and the Town of Bedford desire.

Following the presentation from the School Board, the officials present answered a variety of questions generated from Town Council in the area of Property Maintenance Policy, Instrumental Music Services, Budget Control and the impact of additional teachers included in the 1986 Budget on future Budgets.

Concluding the discussion period, Mayor Roberts expressed the thanks of Council to Members of the Board for their presentation.

Mr. Main advised that the assistance which was provided by his office on behalf of the Town.

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3. PRESENTATION - HALIFAX COUNTY - PROPOSED  
1986 SOCIAL ASSISTANCE PROGRAM

Mayor Roberts invited Mr. Ed Mason, Director of Social Services, Municipality of the County of Halifax to address Council with regard to the Proposed 1986 Social Assistance Program.

Mr. Mason outlined details of the proposed program estimated to cost seven hundred and forty-six thousand dollars (\$746,000) in 1986 which would, in all likelihood, be cost-shared by the Province of Nova Scotia in a total amount of five hundred twenty-one thousand, three hundred and seventy-two dollars (\$521,372) leaving a net expenditure of two hundred twenty-four thousand, six hundred and twenty-eight dollars (\$224,628).

In detail, it was noted that Administration Costs are currently estimated at sixty-six thousand (\$66,000), General Assistance at three hundred and ninety thousand (\$390,000) and Homes for Special Care at two hundred and ninety thousand (\$290,000).

Mr. Mason emphasized that he felt his estimates for both General Assistance and Homes for Special Care were as realistic as possible, bearing in mind the expenditures to date (April 14, 1986). In particular he noted that General Assistance, to date, in 1986 is much lower than in 1985 and that there has been a significant reduction in the number of persons who are receiving care through "Homes for Special Care."

Mr. Mason also advised Council that a program involving the service of a Homemaker throughout the town is proving most cost effective in that it is enabling persons to remain in their own homes much longer than would otherwise be the situation.

Councillor Short took his place at the meeting at approximately 7:30 p.m.

In response to some inquiries from Council, with regard to the levels of service and policies concerning the Administration of Social Assistance, Mr. Mason advised details of the various forms of assistance which is offered by his Department on behalf of the Town.

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It was also agreed that if it was possible for the Town of Bedford to undertake the accounting procedures for the distribution of cheques and requisition of cost-sharing from the Province, the sixty-six thousand dollar (\$66,000) estimated cost for Administration could be reduced considerably.

ON MOTION of Councillor Roy and Councillor Kelly, it was moved that the Chief Administrative Officer be requested to negotiate with the County of Halifax the possibility of the Town of Bedford assuming the responsibility for all the accounting functions involved with the provision of Social Services. Motion carried unanimously.

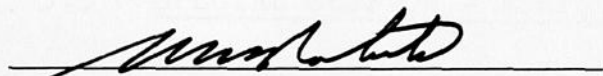
Mayor Roberts thanked Mr. Mason for his time and effort expended in making his presentation and answering questions of Town Council.

4. OTHER

NIL

5. ADJOURNMENT

ON MOTION of Councillor Lugar and Councillor Kelly, it was moved that the meeting adjourn at approximately 7:50 p.m. Motion carried unanimously.



MAYOR KEITH ROBERTS



CHIEF ADMINISTRATIVE OFFICER

TOWN OF BEDFORD

MINUTES

REGULAR SESSION - MONDAY, APRIL 21, 1986

A Regular Session of the Town Council of the Town of Bedford was held on Monday, April 21, 1986, 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 Chris Nolan and Councillors Peter Christie, Peter Kelly, David Lugar, William Roy and Robert Short were in attendance at the commencement of the Session.

Staff members attending this Session included Dan R. English, Chief Administrative Officer; Joan Pryde, Deputy Clerk; Barry Zwicker, Director of Planning and Development, and Kenneth MacInnis Town Solicitor. Rick Paynter, Director of Engineering and Works, attended a portion of the meeting.

3. APPROVAL OF MINUTES

- 3.1 REGULAR SESSION - MARCH 24, 1986 (#16)
- 3.2 SPECIAL SESSION - APRIL 7, 1986 (#17)
- 3.3 SPECIAL SESSION - APRIL 14, 1986 (#18)

ON MOTION OF Councillor Lugar and Councillor Kelly it was moved that the Minutes of the Regular Session of March 24, 1986, the Special Session of April 7, 1986, and the Special Session of April 14, 1986, be approved. Motion carried unanimously.

4. ADDITIONS/DELETIONS TO ORDER OF BUSINESS

It was agreed that the Order of Business should be amended as follows:

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- a. An item, "School Board Funding," be added to the agenda as Item No. 18.1
- b. Item 14.2 (b) be considered immediately following Item No. 9
- c. Item 10.2.1 be considered during consideration of Item 12.4
- d. Item 15.3 be considered during consideration of Item 11.2

5. APPROVAL OF ORDER OF BUSINESS  
 ON MOTION of Councillor Roy and Councillor Christie it was moved that the Order of Business, as amended, be approved. Motion carried unanimously.

6. MOTIONS OF RECONSIDERATION

NIL

7. DEFERRED BUSINESS/BUSINESS ARISING FROM THE MINUTES

NIL

8. MOTIONS OF RECISSION

NIL

9. PUBLIC HEARING AND MOTIONS ARISING THEREFROM

NIL

14. OTHER REPORTS

14.2 PLANNING AND DEVELOPMENT CONTROL

14.2(b)

WESTGATE PARK - LOT J-3 - PROPOSED CONTRACT DEVELOPMENT AGREEMENT

Copies of correspondence from M.A. Eisenhauer, President, Westgate Park Limited, were circulated to Members of Council, in which Mr. Eisenhauer requested that a date be set for a Public Hearing with regard to a Contract Zoning Application for Lot J-3 Westgate Park, with the addition of Lot J-1.

2 (b) WESTGATE PARK (Cont'd)

In speaking to the matter, Mr. Barry Zwicker, Director of Planning and Development, advised Council that staff has been working on the proposal relative to Lot J-3, and a means of access to the subject property. No firm commitment has yet been received from the owners of Bedford Place Mall, but two options are being discussed.

In response to an inquiry from Council as to whether or not the proposed development Lot J-3 could be considered good planning, the Director of Planning and Development advised that, given the situation as it currently exists, and as we inherited it, the development will be a "best fit" effort. When questioned further, Mr. Zwicker stated that his department would not have approved the lots in their present configuration and from that perspective, the existing lot layout is not considered very good planning.

In response to an inquiry as to whether or not a Public Hearing should take place before a definite means of access is determined, Kenneth MacInnic, Town Solicitor, advised that the basis of the Contract should be firmly established before the Hearing is held, including the proposed means of access.

"There was a discussion with regard to a walkway along the riverbank and Mr. Eisenhower indicated that such could be developed on any lands owned by his company and to the Town of Bedford's standards for walkway."

ON MOTION of Councillor Lugar and Councillor Kelly, 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 concerning an Application for Contract Zoning for Lot J-3., Westgate Park.

ON MOTION of Councillor Roy and Councillor Christie, it was moved that the Motion be amended by the inclusion of a provision that the Public Hearing not be scheduled until the exact location of the access road is determined.

The amendment was put to the meeting and passed unanimously.

The amended motion was put to the meeting and passed unanimously.



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14.2(b) WESTGATE PARK (Cont'd)

Mr. Eisenhower requested permission of Mayor Roberts to address Council. Following agreement of Council, he requested that the Public Hearing for Contract Zoning for Lot J-3 be extended to include the addition of Lot J-1.

During a brief discussion it was agreed that, currently, it would not be possible to comply with this request, due to the fact that Lot J-1 has not been processed through BPAC in the normal manner. However, it was noted that, if an Application for Contract Zoning for Lot J-1 is filed as soon as possible, it may be that ultimately the two Public Hearings could be advertised concurrently.

10. PETITIONS AND DELEGATIONS

NIL

11: MOTIONS

11.1 PROPOSED BYLAW RESPECTING SEWER REDEVELOPMENT CHARGE (SECOND READING)

Copies of a proposed Bylaw Respecting A Sewer Redevelopment Charge were circulated to Members of Council for a Second Reading.

By correspondence, Kenneth MacInnis, Town Solicitor, advised Council that some reservations have been expressed by the Department of Municipal Affairs with regard to the fact that the proposed Bylaw does not provide for a tax on commercial property.

During a brief review of the details of the proposed Bylaw, the Chief Administrative Officer noted that there was no other such Bylaw in existence in any Town in Nova Scotia at the present time. He also advised that, in the near future, it would be the intention of staff to propose an amendment to the Bylaw in order to include a Sewer Levy on commercial development.

During discussion of the draft Bylaw, several corrections were made to Section 3 relative to the Sewer Redevelopment Charge payable under the Bylaw.

Councillor Short expressed the opinion

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11.1

PROPOSED BYLAW RESPECTING SEWER REDEVELOPMENT CHARGE

that, in its current form, the proposed bylaw as drafted by the Solicitor was a poorly documented piece of Legislation.

ON MOTION of Deputy Mayor Nolan and Councillor Christie, it was moved that the draft Bylaw Respecting a Sewer Redevelopment Charge be accepted for a Second Reading subject to the discussed amendments. Motion carried. Councillor Short voted against the Motion.

11.2

PROPOSED BYLAW RESPECTING NOISE

15.3

CORRESPONDENCE - MR. D. SARGEANT RE: NOISE BYLAW

Copies of a proposed Bylaw Respecting the Control of Noise were circulated to Members of Council for a Second Reading.

Copies of correspondence from J.D. Sargeant were circulated to Members of Council in which Mr. Sargeant requested that the proposed Noise Bylaw be amended effecting a 50 ft. limit to noise emitted from transmitting devices at all times rather than the current 100 ft.

ON MOTION of Councillor Roy and Councillor Lugar, it was moved that the proposed Bylaw Respecting Noise be accepted for Second Reading with the amendment that Section 3 be revised to prohibit the operation of any public address system so that the sounds transmitted shall be projected beyond the distance of 50 ft. unless a valid license from the Town for that purpose is held. Motion carried unanimously.

12. 11.

NEW BUSINESS

12.1

APPOINTMENT OF FIRE WARDS

By memorandum, Joan Pryde, Deputy Clerk, advised that the annual appointments of Fire Wards by Town Council were currently due and recommended the reappointment of Chief David Selig, Deputy Chief Peter Dickenson, Deputy Chief Don Howard and Captain Eric Sheppard.

ON MOTION of Councillor Lugar and Councillor Roy, it was moved that Chief David Selig, Deputy Chief Peter Dickenson, Deputy Chief Don Howard and Captain Eric Sheppard, be

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12.1 APPOINTMENT OF FIRE WARDS (Cont'd)

appointed Fire Wards for the Town of Bedford for a period of one year. Motion carried unanimously.

12.2 NOVA SCOTIA HOUSING DEPARTMENT - RE: DEMONSTRATION PROJECT

Copies of an information bulletin were circulated to Members of Council concerning the details of a Special Housing Project for the Halifax-Dartmouth metropolitan area.

It was noted that included in this project was the possibility of eight housing units for the Town of Bedford, including four single parent units and four units for family rental housing.

Some concern was expressed by Council with regard to the small portion of the total project which seems to be accruing to the Town of Bedford, but it was agreed that even eight units would be, at the least, a start.

ON MOTION of Councillor Kelly and Deputy Mayor Nolan, it was moved that the information package be referred to staff for further study and recommendation. Motion carried unanimously.

12.3 JACK A. INNES (CHICKENBURGER) VERSUS TOWN OF BEDFORD AND THE ATTORNEY GENERAL OF NOVA SCOTIA (EXPROPRIATION COMPENSATION ACT)

Copies of correspondence were circulated to Members of Council from Douglas A. Caldwell with which was included Notice of Hearing and Statement of Claim in the matter of Jack A. Innes Ltd. vs the Town of Bedford and the Attorney General of Nova Scotia.

ON MOTION of Deputy Mayor Nolan and Councillor Roy, it was moved that this matter be referred to the Town Solicitor for consideration and the preparation of the appropriate legal response. Motion carried unanimously.

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12.4 ADMIRAL COVE ESTATES - 20 FT. RIGHT-OF-WAY  
- GOLF LINKS ROAD

10.2.1 MRS. AILEEN MCCORMICK RE: ADMIRAL COVE  
ESTATES

Copies of the following items of correspondence concerning the Admiral Cove Estates - 20 ft. right-of-way - Golf Links Road - were circulated to Members of Council;

a. from Barry Zwicker, Director of Planning and Development, to Kenneth MacInnis, Town Solicitor, dated March 14, 1986. Following a review of this matter with Council, the Solicitor was requested to take appropriate action to have the right-of-way discharged on the principle that the integrity of the walkway is being upheld by the development of properly constructed walkways, to the Town of Bedford standards to ensure access from Golf Links Road through Reservation "G".

b. from Barry Zwicker, Director of Planning and Development, to Mr. Steve Moir, Alderney Consultants, dated March 17, 1986, advising that Council has requested the construction of three properly built walkways within the subdivision to achieve the desired results.

c. from Dan R. English, Chief Administrative Officer to Tri Arm Developments Ltd., dated April 16, 1986, advising that it is the advice of the Town Solicitor that someone should make an application to a Court of Law for a judicial interpretation of the original deed containing the Trust provisions to finally determine the legal status of the right-of-way; also that the Town, pending the ultimate resolution of this matter, asserts Ownership Rights over the right-of-way and demands all cutting of trees, etc., stopped.

In response to an invitation from Mayor Roberts, Mrs. Aileen McCormick addressed Council regarding the development of the Admiral Cove Estates.

Mrs. McCormick initially expressed concern with the manner in which this development is being allowed to progress. She noted,

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10.2.1

in particular, that on the present plans, still marked as preliminary, the public right-of-way is clearly shown and runs through a cul-de-sac, across the access road and cuts across eight lots. She also noted that, during the past two weeks, cutting has taken place on the right-of-way from Golf Links Road and that the number of proposed lots has increased from forty on the original drawing to forty-six. She further expressed concern that, as recently as the previous week, the Town Engineer has not approved plans for roads, water run-off, sewage disposal, etc. and yet the developer appears to be going ahead with initial work.

Mrs. McCormick advised that at this point, she was speaking on behalf of all the residents affected by developments in Bedford and read a Resolution passed by the Executive of eight Resident Associations held on Sunday April 20, 1986.

Mrs. McCormick also expressed concern with her perception of a singular lack of involvement by the Council in dealing with a matter of concern not only to the residents of the area but to all conservationists. She noted that she has been informed by the Director of Planning and Development that the land donated for all Eaglewood Phases was in excess of the 5% required. She expressed the opinion that Blueberry Hill may have been enough to cover previous Phases of Eaglewood but not enough to cover the total Eaglewood Development and also the Admirals Cove Subdivision. She insisted that Council follow it's policies to the letter.

Mrs. McCormick concluded her remarks with the opinion that the proposed development was not good development, and not a development in keeping with the area surrounding same.

A general discussion ensued amongst Members of Council, members of the general public and staff attending the meeting, in order that the current situation with regard to the proposed development could be clarified.

It was noted that the developer had been told to refrain from cutting any more trees

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10.2.1

on the right-of-way until the legal status of same was determined. It was also noted by staff that, while the minimum requirements for R-1 Development can be enforced, it is not in the mandate of staff or Town Council to actually design subdivisions.

ON MOTION of Councillor Roy and Councillor Christie, it was moved that the Town of Bedford make application to the courts to determine the legal ownership status of the right-of-way from Golf Links Road to Reservation "G" and in doing so, the Town advocate the position that it does own the land. Motion carried unanimously.

Councillor Short expressed concern that Council was not aware of all facets of the progress of this development and indeed had never seen the plans. He expressed his opinion that the proposed development does not meet the criteria of the MDP and the Zoning Bylaw and should be brought before BPAC.

In response, the Director of Planning and Development reviewed what had been discussed between staff and Council in Committee of the Whole during the past month or two and also noted that Council had previously been requested by staff to bring the matter of the ownership of the right-of-way and possible variance of same to a Regular Session of Council.

It was also noted by Deputy Mayor Nolan that during the approval process, the matter of the drainage system for this development will be addressed by the Bedford Waters Advisory Board.

In response to an inquiry from Councillor Roy as to how the Town can ensure that tree cutting on the right-of-way is stopped, Kenneth MacInnis, Town Solicitor, advised that the matter should be investigated and then, if necessary, the Town can take the necessary legal steps to request an injunction providing the cutting continues.

12.5

BLASTING CONTROL (COUNCILLOR WILLIAM ROY)

Councillor Roy advised Council that he

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12.5 BLASTING CONTROLS (Cont'd)

requested the placement of this item on the agenda as a result of his concern regarding blasting, that is and will be required during the construction of the South and North Collector Roads. He noted that he has been advised that the Town has very limited control over the level of blasting which may take place.

Copies of the existing Bylaw Respecting Blasting and Dangerous Material (inherited from the County of Halifax) were circulated to Members of Council for information.

ON MOTION of Councillor Roy and Councillor Christie, it was moved that Town staff be requested to prepare a report which would examine options that are available to the Town with regard to the control of the level of blasting including the possibility of special Legislation. Motion carried unanimously.

12.6 SOUTH COLLECTOR ROAD RE: DRIVEWAY ACCESS:  
L.A. ANDERSON AND J. BIDDLE

Copies of correspondence from Dan R. English, Chief Administrative Officer and addressed to Mr. L.A. Anderson and Mr. John D. Biddle, Hammonds Plain Road, Bedford, Nova Scotia were circulated to Members of Council. The correspondence advised Messrs Anderson and Biddle of the position taken by Town Council with regard to the matter of obtaining driveway access to their respective properties as a result of the construction of the South Collector Road by Tri Arm Developments Ltd. The correspondence was received for information.

12.7 BUS SHELTERS (COUNCILLOR PETER KELLY)

Copies of correspondence from Councillor Peter Kelly to Mr. George Findlay, Mediacom Inc. were circulated to Members of Council. The correspondence addressed the current situation with regard to Bus Shelters located within the Town of Bedford and asked that Mr. Findlay appear before Council to make a brief presentation and answer any questions which may arise with regard to the possibility of Mediacom taking over the ownership of the existing Bus Shelters and, in addition, placing approximately six more shelters

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12.7 BUS SHELTERS (Cont'd)

in the Town of Bedford.

ON MOTION of Councillor Kelly and Councillor Roy, it was moved that the matter of the placement of Bus Shelters be referred back to BPAC to discuss the possibility of a change to the Zoning Bylaw which would be required in order that advertising could be placed on the shelters.

In speaking to the matter, Councillor Roy noted that in his mind the question is, "advertising on Town property," and any change in the existing policy should be properly addressed by BPAC prior to being considered by Town Council.

The Motion was put to the meeting and passed unanimously.

13. STANDING COMMITTEE REPORTS

13.1 BEDFORD PLANNING ADVISORY COMMITTEE

Copies of the minutes of a meeting of the Bedford Planning Advisory Committee which took place on April 2, 1986 were circulated to Members of Council along with a summary of the recommendations of BPAC to Council.

These items were received for information.

In response to an inquiry from Council, it was agreed that signs, still located on property to be developed as Nelsons Landing and advising of an application for a Contract Development Permit should be removed.

13.2 BOARD OF HEALTH

13.2 (a) ANNUAL REPORT

Copies of the annual report for the year ended December 31, 1985, of the Town of Bedford, Board of Health were circulated to Members of Council and were received for information.

13.2(b) 38 SUNNYDALE CRESCENT - UPDATE

Councillor Peter Kelly, Chairman of the Board of Health, advised that the owner of 38 Sunnydale Crescent has been advised to take measures to alleviate an existing



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13.2(b) 38 SUNNYDALE CRESCENT (Cont'd)

sewage disposal problem and has agreed to do so. It was also noted by Councillor Kelly that information has been received that this property is to be sold in the very near future. The above was received for information.

14. OTHER REPORTS

14.1 FIRE CHIEF'S MONTHLY REPORT - MARCH 1986

The Fire Chief's monthly report for March 1986 was circulated to Members of Council and received for information.

14.2 PLANNING AND DEVELOPMENT CONTROL

14.2(a) BUILDING INSPECTOR'S MONTHLY REPORT MARCH 1986

The Building Inspector's monthly report for March 1986, indicating a value of construction of one million, eight hundred and twelve thousand, two hundred dollars (\$1,812,200) with a permit revenue of five thousand four hundred and twenty-nine dollars (\$5,429), was circulated to Members of Council and received for information.

14.3 ENGINEERING AND WORKS - 1986 DEPARTMENTAL REPORT #1

Copies of the 1986 Departmental Report #1 of the Engineering and Works Department were circulated to Members of Council and received for information.

In response to an inquiry from Councillor Roy, Members of Council were advised that plans for the design work of the Hammonds Plains road, Bedford Highway Intersection are now available and will be placed on the Agenda of the next Regular Session of Council.

Council was also advised that the design work for the Meadowbrook Drive - Bedford Highway Intersection improvements, will also be available and will be placed on the next Regular Session of Council.

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14.3 ENGINEERING & WORKS DEPARTMENTAL REPORT #1 (Cont'd)

In response to an inquiry from Councillor Christie concerning the responsibility for the removal of trees from the intersection on Meadowbrook Drive and the Bedford Highway, advice was given that this would be the responsibility of the Town.

EXTENSION OF TIME OF MEETING

ON MOTION of Councillor Roy and Councillor Christie it was moved that the time of the meeting be extended to 10:45 p.m. Motion carried unanimously.

15. CORRESPONDENCE

15.1 UNSM - REGIONAL MEETING - APPOINTMENT OF VOTING DELEGATES

Copies of correspondence from Sherman Zwicker, Executive Director, UNSM, were circulated to Members of Council in which the Council was requested to appoint five voting delegates in preparation for the annual regional meeting.

ON MOTION of Councillor Roy and Councillor Christie it was moved that the Mayor be authorized to appoint five voting delegates in preparation for the regional meeting of the UNSM. Motion carried unanimously.

15.2 UNSM - SOCIAL SERVICES DIALOGUE 1986 - APPOINTMENT OF REPRESENTATIVE

In response to a request for the recommendation of an appointment of a Member of Council to attend the Social Services Dialogue to take place on July 31st and August 1st, it was agreed that this appointment could be recommended during the regional meeting of the UNSM, scheduled to take place in the near future.

16. NOTICE OF MOTION

NIL

REGULAR SESSION - TOWN COUNCIL - APRIL 21, 198617. QUESTIONS17.1 ACTION SHEET

NIL

18. ADDED ITEMS18.1 SCHOOL BOARD FUNDING

Mayor Robert's addressed Council noting, that during the past few weeks, Dr. Lorne Verabioff, Chairman of the Halifax County Bedford District School board, has expressed the opinion that the Municipal Councils of Halifax County and Bedford should set a per capita cost for excess educational costs.

Mayor Roberts reviewed for the benefit of Council a draft proposal which might be presented to the School Board as a suggested formula which could be used annually to determine the total Municipal contribution to the School Board's Annual Budgets. The formula, as proposed, would result in a contribution from the Town of Bedford of one million, three hundred sixty-eight thousand six hundred and thirty-three dollars (\$1,368,633) to the District School Board for 1986, a 9.69 per cent increase over the total Municipal contribution from Bedford in 1985.

Following the review of this proposed formula, some general concern was expressed by Council with regard to the timing of the presentation, if it is to be considered in relation to the 1986 Operating Budget of the School Board.

Councillor Roy also expressed concern that, as the Council representative on the School Board, he has not had a previous opportunity to consider and discuss the proposed formula. He noted that the School Board has already done a thorough job of developing it's proposed Budget and, if this particular

18.1 SCHOOL BOARD FUNDING (Cont'd)

formula is approved, it will mean a reduction in program services for the year 1986.


19. OTHER

Nil

20. ADJOURNMENT

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

  
MAYOR

  
CHIEF ADMINISTRATIVE OFFICER

MEETING 20

TOWN OF BEDFORD

MINUTES

PUBLIC HEARING - THURSDAY, MAY 1, 1986

A Public Hearing was held by the Town Council of the Town of Bedford, on Thursday, May 1, 1986, 7:30 p.m. in the Bedford Fire Hall, Bedford, N.S., Mayor Keith Roberts presiding.

ATTENDANCE

Deputy Mayor Chris Nolan and Councillors Peter Christie, David Lugar, William Roy and Robert Short 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 Rick Paynter, Director of Engineering and Works. Fred Angus, Solicitor, was also in attendance.

Approximately forty (40) members of the General Public attended this meeting.

In opening the Session, Mayor Roberts outlined the procedural order which he proposed to follow for the Public Hearing and noted that, following the presentation of the staff report, the meeting would be opened to submissions from the General Public. Mayor Roberts also noted that correspondence received from various parties concerning the proposed Development Contract has been circulated to Members of Council.

PURPOSE OF PUBLIC HEARING

In response to a request from Mayor Roberts, Barry Zwicker, Director of Planning and Development, advised that the purpose of the Public Hearing was to consider and receive submissions pertaining to an application for a Contract Development Agreement for the development of property located at Civic #26 Union Street. He further advised that, in compliance with the normal requirements of the Nova Scotia Planning Act, advertisements were placed in the Halifax Chronicle Herald, Mail Star and the Daily News advising of the purpose date, time and location of the Public Hearing.

Mr. Zwicker also noted that copies of the Notice of this Hearing were circulated to owners of properties located within 250 ft. of the property affected.

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STAFF REPORT

The Director of Planning and Development reviewed the details of the Contract Development Proposal for the benefit of Council and those in attendance at the meeting. As noted by Mr. Zwicker, the intent is to construct a two and one-half story, professional office building on the site generally known as 26 Union Street. Mr. Zwicker also outlined details of the proposal with respect to the type of construction, parking and sidewalk agreement.

It was also noted that entering into a Contract Development Agreement would not, in itself, change the zoning. It could, however, be expected that, sometime in the future, Council would determine whether the initial Contract should be extended for a further period of time, a new Agreement should be negotiated with the Developer, or whether the initial Agreement should be discharged and the land regulated in accordance with the then existing Policies and Bylaws of the Town.

APPLICANT'S PRESENTATION

MR. GARY RUTTENBURG, J.W. LINDSAY LTD: Mr. Gary Ruttenburg, Design Engineer with J.W. Lindsay Ltd., spoke to the meeting describing in detail the proposed structure, noting its location in relation to Union Street and abutting properties. In particular, he expressed the opinion that the apparent bulk and scale has been reduced from the previous proposal by a change in the design. It was also noted that, while the Proposal includes parking for sixty (60) cars, the space required is divided into two lots at the back of the building to reduce the impact.

MR. JACK INNES, SOLICITOR: Mr. Jack Innes, Solicitor, spoke to the meeting on behalf of the applicant. He noted that the subject property is described as Commercial on the Generalized Future Land Use Map and has, since 1939, been used for various commercial purposes.

In further support of the proposed Contract, he noted that the Director of Planning and Development has expressed the opinion that the Development conforms with the intent of the Municipal Development Plan and also that the Town will be able to control what the Developer can do under such a Contract. He suggested that the original proposal was refused, because it was felt that the proposal did not conform to the intent of the Municipal Development Plan. He suggested that the MDP makes provision the integration of Commercial and Residential Development in a satisfactory manner.

Mr. Innes also asked that Council compare the current proposal with what is presently being accommodated on the property.

In speaking to concerns with regard to the possible traffic

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increase, Mr. Innes expressed the opinion that Council should remember that the current traffic problem on Union Street is already in existence and that any traffic generated by the proposed development will not have significant impact.

Mr. Innes concluded his remarks by expressing the opinion that the Developer was attempting to put a Commercial use on the property which would be economically viable and, at the same time, ensure that it was integrated with the existing neighbourhood in a satisfactory manner.

QUESTIONS FROM COUNCIL

In response to an inquiry from Council as to what the statement means, "the land would eventually be appropriately re-zoned," Council was informed that, while the existing contract could be renewed in future years, in all likelihood the property would be re-zoned in accordance with the current use at that time.

In response to an observation by Council that the Municipal Development Plan was not a regulatory document but is used for policy decision guidance, Mr. Innes expressed agreement.

In response to an inquiry as to whether or not Council could, in the future, continue to exclude unwanted types of business, the opinion was expressed that this desire could be accommodated.

PUBLIC HEARING

Mayor Roberts invited submissions and questions concerning the Proposed Development Agreement from members of the general public.

MR. FRED HALL: Mr. Fred Hall addressed the meeting advising that he was speaking as Chairman of the UNBM Residents Association and that his comments were developed following agreement at a meeting of the Association.

Mr. Hall reviewed the history of the previous application of a Contract Development Agreement for the subject property and noted that, at that time, it was determined that the proposed development was inappropriate and incompatible for the neighbourhood.

Councillor Kelly took his place at the Council Table at 8:35 p.m.

Mr. Hall continued his remarks expressing that in the opinion of the Residents Association, the proposed Contract was incon-

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sistent with existing zoning and use of neighbouring properties, would be setting a precedent which would run the risk of the "domino," effect and would impact negatively on an already existing traffic problem in the area. He asked that council deny this request for Contract Development Agreement and that consideration be given to changing the future land designation to Residential.

Mr. Hall also read a brief prepared by Mr. Collins outlining similar concerns as expressed by the U.N.B.M. Residents Association.

MRS. MARGARET CHAPMAN

Mrs. Margaret Chapman addressed the meeting noting the changes that have taken place during the past 10 to 15 years in the Union Street area. These changes include a great increase in vehicular and pedestrian traffic. She also noted that there is no alternative for children walking to school - they must pass the subject property.

Mrs. Chapman also expressed concern with the potential future development of the area and the traffic problems which would be generated. She expressed the opinion that it would be irresponsible to approve any major development at 26 Union Street until a detailed study has been completed of all the proposed and potential development in the area, and concrete steps taken to prevent an already bad traffic situation from becoming a disaster.

MR. JIM FOWLER: Mr. Jim Fowler addressed Council expressing concern with regard to the current level of traffic on Union Street and noting that, in his opinion, the proposed development would simply escalate this problem. He also questioned the resulting situation when snow removal was required on the subject property noting that there was no room on Union Street for even temporary parking while snow was being cleared from the parking lot.

MRS. SHIRLEY TOWILL: Mrs. Shirley Towill addressed the meeting suggesting that the only difference she could see between the original proposal and the current proposal was that of scale - and that there are still two reasons why the development should not be approved - bulk and use. She noted that, at the Appeal Hearing, Mr. S. Langmaide expressed the opinion that Union Street was not suitable for any Commercial development. She also expressed concern that copies of the proposed Contract have not been made available to the Public.

In response to an inquiry from Mrs. Towill to the Director of Planning and Development as to why, in 1982, staff was



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not in favor of the Commercial land use designation for the subject property, Mr. Zwicker advised that the bulk of the land in the area was Residential and it was felt by staff that 26 Union Street should be included in this same designation. In addressing the same question, Council noted that, at the time of reconsidering the designation, a strong argument had been made by the owner for the future land use designation and Council had agreed.

Mrs. Towill concluded her remarks by expressing the opinion that the proposed development was not good for Bedford and that Council should reflect very carefully on what would be fair and equal for all the residents of Bedford.

MR. JOHN CARNEGAN: Mr. John Carnegan addressed Council on behalf of the Bedford Village Ratepayers Association and expressed the opinion that, while commercial development is a decided asset to the Town of Bedford, it must be consistent with land usage.

He advised that it was the opinion of his Ratepayers Association that, unless the Town envisions Union Street as a future spot for Commercial development, the proposed Contract should be declined and consideration should be given to changing the future land use designation to Residential.

The Association also advised that, in it's opinion, the arguments with regard to the potential increase in traffic flows and the risk this may impose on the young people are valid.

MR. WILLIAM RICHARDS: Mr. William Richards addressed Council noting that the property in question is located in the middle of a Residential neighbourhood and that the proposed development is an intrusion into same. He expressed the opinion that 26 Union Street should never have been designated, "Commercial," on the Future Land Use Map and that safety is an issue which is paramount in the minds of many residents.

He summarized his opposition to the proposed Commercial development with the following reasons:

1. The proposal is not consistent with existing zoning and use of neighbouring properties.
2. It is an example of ad hoc planning where Commercial development would not be buffered from Residential dwellings.
3. The building would set a precedent for Commercial development on the lower end of Union Street.
4. Commercial buildings will aggravate an already contentious traffic problem.

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5. The residents have a legitimate concern for the safety of pedestrians, especially school children.

MR. GRAHAM FRASER: Mr. Graham Fraser addressed Council noting in particular that this proposal reflects a larger building and larger parking area than the previous proposal which was turned down by Council and the Municipal Board.

He suggested that if a previous proposal was turned down, partly because of its bulk and scale, there should be no consideration of a proposal which is of even greater bulk and scale.

He also expressed concern with regard to the use of the building. He suggested that the proposed use of the building is much more vague than that expressed in the previous proposal and the danger is that this may merely lull the residents into a false sense of security.

Mr. Fraser concluded his remarks by expressing the opinion that it is the responsibility of Town Council to ensure that any Contract Development Agreement is appropriate in terms of use, bulk and scale. He submitted that this proposal, in spite of its improved appearance, does not meet that test.

MRS. KATHERINE LEWIS: Mrs. Katherine Lewis addressed Council at length supporting the previous opinions expressed in opposition to the Development with regard to pedestrian safety, traffic, zoning, history of the area and setting a precedent.

She noted that, because the subject property is shown as, "Commercial," on the Town's Generalized Future Land Use Map, this does not, in itself, oblige the Council of the Town to necessarily approve that application.

Mrs. Lewis concluded her remarks by urging Council to repeat its decision of October 24, 1984 and turn down this proposed Contract. She also advised that she would welcome single family housing development on the subject property, which would be compatible with existing construction.

MR. JOE FOY: Mr. Joseph Foy addressed Council advising that he was speaking in favour of the proposed development. He expressed the opinion that forty years of history of the subject property being used for Commercial use was relevant. He also agreed that traffic on Union Street was a problem but cannot be blamed on this particular development. Mr. Foy concluded his remarks by expressing his opinion that the developers have done their best to design a building which would blend in with the surrounding area, and that

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the proposal was a great improvement over the current use of the property.

MR. GORDON BURRIS: Mr. Gordon Burris addressed Council expressing concern that the approval of the proposed Development will set a precedent and in all likelihood will result in a, "domino," effect on that end of Union Street.

MR. ARTHUR WARD: Mr. Arthur Ward addressed Council asking that consideration be given to the many Senior Citizens who live in the area and who already have a difficult time coping with the existing traffic.

MR. AL WALLACE: Mr. Al Wallace addressed Council noting that the proposed building is only 75 ft. wide, a few feet wider than many homes in Bedford. He challenged the opinion previously expressed that the building would be approximately twenty times the size of many houses. Insofar as traffic was concerned, he suggested that the traffic from this building, to the intersection of Union Street and the Bedford Highway, would have very little effect on pedestrian traffic throughout the total road. He also reminded Council that the subject property has been used for various commercial development and fits in with the future land use designation as Commercial.

MRS. AILEEN MCCORMICK: Mrs. McCormick addressed Council suggesting that it would help if a picture or a model of the building could be shown in relation to the already existing houses and buildings in the area.

MR. AL WALLACE: Mr. Al Wallace requested information with regard to how many residents/homeowners were present at the Homeowners meeting of UNBM when it was agreed that the Executive should make a presentation to the Public Meeting expressing opposition to the Development.

In response Council was advised by Mr. Hall that approximately twenty-five persons connected with the Association expressed approval of the resulting procedure.

MR. A. BOUDREAU: Mr. A. Boudreau spoke in favour of the proposal and indicated he was a member of the UNBM Association and questioned the validity of Mr. Hall's statements related to the represented nature of the decisions of the Executive on this issue.

COUNCILLOR ROBERT SHORT: Councillor Short questioned Mr. Hall as to the exact number of residents who attended the meeting where these decisions were made. He was not given a direct answer.

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MR. JIM EDMONDS: Mr. Jim Edmonds of Meadowbrook Dr., spoke supporting Mr. Boudreau and speaking in favour of the proposal. He further questioned the representation of the UNBM brief and indicated he stated his opposition to the position of the Association.

MR. JOHN MUNROE: Mr. John Munroe addressed Council and advised that he personally was in favour of the Development. He suggested that while there is a traffic problem on Union Street, the proposed Development will have little further impact.

MR. V. BANKS: Mr. V. Banks addressed Council expressing the opinion that the future will bring inevitable pressure for Commercial development on Union Street. It is up to Council when and if this pressure should ultimately result in any further Commercial development on the street.

Some discussion ensued between Council and the general public with regard to possible implications to the Union Street area if and when the proposed North Collector Road crosses Union Street.

In response to three calls from Mayor Roberts there were no further members of the general public requesting permission to speak on the development proposal.

ADJOURNMENT

The meeting adjourned at approximately 10:30 p.m.

  
MAYOR

  
CHIEF ADMINISTRATIVE OFFICER

TOWN OF BEDFORD

MINUTES

SPECIAL SESSION - TUESDAY, MAY 6, 1986

A Special Session of the Town Council of the Town of Bedford took place on Tuesday, May 6, 1986, 12:10 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia. Mayor Keith Roberts presiding.

1. LORD'S PRAYER

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

2. ATTENDANCE

Deputy Mayor Chris Nolan and Councillors Peter Kelly, David Lugar, William Roy and Robert Short were in attendance at the commencement of the Session.

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

3. DISCUSSION - PROPOSED SUBDIVISION - ADMIRAL COVE ESTATES - 20 FT. RIGHT-OF-WAY (SO-CALLED)

Mayor Roberts advised the meeting that an application has been made to the Courts to determine the status of the right-of-way from Golf Links Road to Reservation "G". He further advised that the date and time set for this Hearing is July 9, 1986, 11:30 a.m.

Mayor Roberts then requested information from the Director of Planning and Development, Barry Zwicker, with regard to the status of the subdivision approval process for Admiral Cove Estates.

Mr. Zwicker advised Council that in order to consider subdivision approval of this particular development as proposed, staff would require approval from Council with regard to:

a) the construction of a road which would cross or parallel the right-of-way at two different points;

3. PROPOSED SUBDIVISION - ADMIRAL COVE ESTATES  
(Cont'd)

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b) the installation of services which, at two separate locations, would be placed under the right-of-way;

In response to an inquiry from council as to what would be the effect on the overall development of the subdivision if access was not granted to the right-of-way, the Director of Planning and Development advised that this would result in a requirement for a total re-design of the subdivision.

In response to an inquiry from Council as to what would be the effect on the overall development of the subdivision if council would allow pipes to be placed under the right-of-way but not permit permanent roads to be constructed, the Director of Planning and Development advised that this would necessitate a re-design of a portion of the subdivision.

Some discussion ensued with regard to the proposed storm drain system for the whole development and what would be required if the subdivision was developed initially, on a partial basis.

ON MOTION of Councillor Kelly and Councillor Short, it was moved that the Town of Bedford not permit the contractor acting on behalf of the Guernsey Developments Limited to undertake construction activity of any nature above or below the ground within the bounds of the so-called 20 foot right-of-way extending from Golf Links Road to Reservation "G" and as more specifically described in the deed from the Bedford Land Company Limited to the Bedford Fire Commissioners, dated June 1, 1940 until after the July 9, 1986 Court Hearing.

During discussion of the Motion, Councillor Short expressed the opinion that Council should wait until clarification of the Town's legal position, with regard to the right-of-way, is determined before proceeding further in this matter.

Kenneth MacInnis, Legal Counsel, cautioned that the Council's only concern in this matter should be with regard to the use of the right-of-way - to protect same - and not to interfere with the process of the development of the subdivision.

In response to an inquiry from Council with regard to the role of Council in the development of a subdivision, Mr. MacInnis advised, that if the developer meets the requirements of the subdivision

3. PROPOSED SUBDIVISION - ADMIRAL COVE ESTATES  
(Cont'd)

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regulations, he is entitled to receive subdivision approval. There is no role for Council at that point. Council cannot interfere with the decisions of the Development Officer.

The Motion was put to the meeting and carried unanimously.

In response to an inquiry from Council as to when a decision might be forthcoming with regard to the ownership question of this right-of-way, Mr. MacInnis indicated that such decision might be forthcoming on the day of the Hearing or within approximately three weeks.

4. OTHER BUSINESS

4.1 OUTSTANDING APPLICATION FROM THE DEVELOPER TO VARY THE RIGHT-OF-WAY

ON MOTION of Deputy Mayor Nolan and Councillor Kelly, it was moved that Town Council hold a Public Information Meeting concerning the proposal to vary the right-of-way from Golf Links Road to Reservation "G" on Wednesday, May 14, 1986 at the Bedford Fire Hall following an already publicized Public Hearing scheduled for that evening.

During discussion of the Motion, it was agreed that the format of this public session could be determined during the next few days but that departmental input, i.e. Engineering/Planning and Development Control, Recreation, Police and Fire would be required.

The Motion was put to the meeting and passed unanimously.

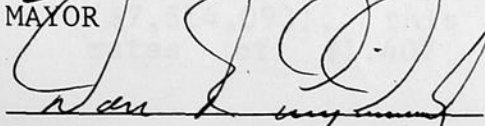
4.2 TABLING OF RESOLUTIONS FROM PUBLIC MEETING

In response to a request from Deputy Mayor Nolan, it was agreed that Resolutions approved at a meeting organized by area residents and held on May 5, 1986 at the Bedford Fire Hall could be tabled at this time.

5. ADJOURNMENT

ON MOTION of Councillor Kelly and Councillor Roy, it was moved that the meeting adjourn at approximately 1:15 p.m. Motion carried unanimously.

  
MAYOR

  
CHIEF ADMINISTRATIVE OFFICER