

MRS. J. BIRD - Mrs. Bird, who lives in the neighborhood adjacent to the proposed development, commented that the proposed development does not blend with and will not enhance the existing neighborhood. She noted the small lots, cutting of vegetation for driveways, potential for on-street parking on a narrow road increasing potential traffic and pedestrian hazards, etc. She suggested that few residents would support the purchase of a historical property in the midst of private homes; the historical significance would be lost entirely. She asked Town Council to reject the proposal and not to denude the community of its historical significance.

MR. BRIAN LUGAR (25 Wardour Street) - Mr. Lugar noted that he is involved in real estate development as a profession. As a resident living in the neighborhood, he noted several concerns with the contract development agreement including the fact that the small lot development would be precedent setting and would encourage other individuals to request contracts so that they could subdivide their lots; and that the existing neighborhood is comprised of single-family units on larger than average sized lots and the small lots will threaten the stability of the existing neighborhood. He also noted that the price range of the smaller lots and multiple-family units will appeal to a different type of person which will change the "flavor" of the neighborhood.

Mr. Lugar suggested that Town Council should have purchased the property earlier when they had the opportunity.

MR. TONY EDWARDS (Chairman, Heritage Advisory Committee) - Although Mr. Edwards began his presentation focusing on the application for municipal heritage deregistration, he continued by reviewing the comments of the Heritage Advisory Committee which were submitted to Bedford Planning Advisory Committee including concern over the under-sized lots; the fact that the proposed fort site park would become little more than a neighborhood park; disappointment with the location of the apartment building behind the manor house; the architecture of the proposed buildings does not reflect the historical style of the manor house; the lack of buffering; the single-family units crowd both visually and physically the manor house and the fort site. Mr. Edwards suggested that the property owners begin development with the proposed Phase 4 area as-of-right; this would not affect the historically significant site.

Mr. Edwards also reviewed the Heritage Advisory Committee's motion recommending that if Town Council approved the development contract that it be conditional on the municipal heritage designation remaining; performance of an archaeological survey in advance of development and that the survey be monitored. Mr. Edwards suggested that there are still many creative options remaining.

MS. E. PACEY (President, Heritage Trust of Nova Scotia) - Ms. Pacey's presentation noted an analogy between semi-precious to rare gemstones and local to provincial heritage properties and suggested that it is a question of recognition and rarity. She emphasized

the rarity of the manor house and feels that the property should not be 'cut up'. She reported that once again she has applied to the National Historical Sites and Monuments Board for recognition of the manor house and that today she received word that the property will be placed on their upcoming agenda (copy of letter circulated). She emphasized that the 'context' of the manor house will play an important part in their decision.

Ms. Pacey also suggested that Town Council take a little more time for continued negotiations and feels that the time would be well worth it. She noted her concern that there is no provision in the development agreement for allocation of funds for restoration of the manor house; she felt that this was essential. She offered her assistance to the Town with regard to ongoing negotiations.

MRS. A. MACCORMICK - Although Mrs. MacCormick inquired whether the Town had re-initiated discussions with the Tolson family regarding purchase of the manor house property, Mayor Christie reminded her that the purpose of the public hearing was to hear comments on the proposed development agreement contract.

Mrs. MacCormick noted her objection to the development proposal for the following reasons: increased density on smaller lots; increased traffic in the proximity of the school; tree removal will lower water table and impact on remaining trees; proposed small single-family homes; cluster development such as this not compatible with existing neighborhood; need to establish recreational and cultural places in Bedford. She asked Town Council to deny the application and to enter into negotiations to purchase the property.

MR. CHUCK CARTMILL (President, Eaglewood Residents Association) - Mr. Cartmill noted that the Executive had met recently and his views expressed this evening were on their behalf. Mr. Cartmill asked Town Council to reject the development application and reactivate the negotiations to purchase the property. Possible funding sources considered might be the sale of other Town owned property.

Mr. Cartmill suggested that the Town should be taking a broader view of planning and providing future opportunities/strategies for tourism development within the Town. He also noted that the current problems with sewage treatment plant capacity and over crowded schools within Bedford should be addressed prior to approving further residential development.

MARY PATTERSON (Brook Street) - Ms. Patterson noted that she purchased property in Bedford because of its community spirit. She asked Town Council to 'listen to planning staff' and to ensure some stability in the existing neighborhood by rejecting the proposal and maintaining the single-family unit zoning.

MR. CHRIS NOLAN - As a past member of Council, Mr. Nolan reminded Town Council and residents that initially all vacant land in Bedford was zoned single-family because it had to be zoned something.

Mr. Nolan reported that he was neither for or against the development proposal but asked Town Council to consider several issues including the fact that the mature trees on the property are nearing the end of their life expectancy; cluster development is not a new phenomena but very common in Europe and some other areas of Nova Scotia; the need to provide alternatives for housing; and opportunities for imaginative development should not be easily dismissed.

MS. BETSY VAN HELVOORT (*Chair, Sandy Lake Area Residents Association*) - Although the association did not hold a special meeting on this issue, Ms. Van Helvoort noted that the Executive had discussed the proposal and her views tonight were representative of their concerns. She asked Town Council to reject the proposal and consider the tourism and educational potential of this unique historical property.

MR. D. HOWELL - Mr. Howell noted that he was against the proposed development; although he does not disagree with the concept of cluster housing. He suggested that the proposal is not the 'best use' of the property and asked Town Council to visualize (dream) as to how it could be developed perhaps with the assistance of corporate sponsors. He suggested that Town Council hold a referendum on the issue at the time of the next general election.

MR. FRANK MAYO - Mr. Mayo asked Town Council to preserve and maintain the property as a park and historical site; to maintain its special sense of 'place' which the proposal will destroy.

MR. JOHN TOLSON - Mr. Tolson addressed several issues in support of his proposal including the fact that in Phase I only 4 (of 10) lots are undersized; development agreement provides for clear covenants establishing maximum 25% lot coverage; any developer has the right to apply for contract development agreement for the construction of multiple units in a single-family unit zone; provided photograph of proposed cape cod house which he did not feel would 'devalue' properties in the existing neighborhood; on-street parking on Fort Sackville would not be permitted; undersized R-1 lots were suggested by staff [as an alternative to the previously proposed multiple-unit blocks]; staff suggested that the internal streets could be private roads rather than public to keep maintenance costs lower; doesn't want to save alders but trees of a similar calliper as specified in other Town development agreements; slab on grade construction will not damage tree root structures; the parkland dedication is far greater than the required 5%.

Mr. Tolson further noted that he and his family are not willing to negotiate or "compromise" any further.

Mr. Tolson also suggested that Mr. Lugar (a previous speaker) should have declared a conflict of interest as Mr. Lugar is a member of the Board of Directors of the Bedford Waterfront Corporation which is in direct competition to the proposed development.

MRS. SHIRLEY TOWILL - Mrs. Towill noted her opposition to the proposed development agreement and noted that it is incompatible with the existing neighborhood due to the small lots.

MR. HAYMAN (on behalf of Mr. C. Porter, Shore Drive) - Mr. Hayman noted that Mr. Porter rejects the current proposal and suggests that it be developed as single-family units; and if any variation in lot size is to be considered, it should not be on those lots adjacent to the existing neighborhood but further towards the railroad (or the center of the development).

Mr. Hayman also commented that although Mr. Miller and Mr. Tolson say that there is "no room for compromise", there is always room for more compromise.

Mr. Hayman noted that during earlier discussions on a proposed Tolson development for this property, Mr. Hayman raised the issue as to who were the actual 'players' in this game; i.e. he questioned whether, once a development agreement was in place, the Tolson's would sell the property to a developer waiting in the wings.

MR. MARCUS WIDE - Mr. Wide asked Town Council to reject the proposal and he noted his concerns regarding increased density. He also noted that the worse thing for the property would be to have it developed single-family along with the accompanying servicing standards. Mr. Wide asked Town Council to make a serious effort to maintain the present character of the neighborhood.

MR. GORDON LOOMIS (12 Perth Street) - Mr. Loomis noted that he is not in favor of this particular project. He suggested that it is a game of 'compromise'. Mr. Loomis expressed concerns about the density; noting (in reference to cluster development) that we are not in Europe and are not massively overcrowded.

Mr. Loomis also referred to a recent Chatelaine article in which Bedford was nominated one of the top ten places to live in Canada. One of the reasons Bedford rated so high was due to its high ratio of open space and that Town Council should attempt to maintain this image.

MS. JUDY NAPIER (Wardour Street) - Ms. Napier expressed her wish that the property be maintained as single-family. She suggested that once the single-family zone is lifted, the Town has lost control over what is developed. She also noted a concern regarding increased traffic levels.

MR. BOYD - Mr. Boyd expressed his concern that the proposed development "was not good enough for Bedford" and therefore Town Council should reject the application.

MR. GARTH MCADAM - Mr. McAdam noted that the heritage value of the property is not enhanced through this development proposal. He was against the proposal due to the fact that the proposed small lots detract from the existing neighborhood. He also suggested that what is proposed is not what will actually happen.

MS. SARAH TOLSON - Ms. Tolson, as a member of the family who owns the property, commented that the smaller lots will make the homes more affordable for a younger generation. She noted that although Bedford was chosen one of the top ten communities to live in Canada, she suggested that it is probably also one of the most expensive. Mrs. Tolson suggested the residents who say they don't like the proposal have not given concrete ideas as to what should happen to it.

MR. D. HOWELL - In response to Ms. Tolson's comment about what should be done with the property, Mr. Howell clearly indicated his opinion to Town Council that "the Town should buy it".

MR. ROBERT SHORT (Shore Drive) - As a member of a previous Town Council, Mr. Short commented on the process the Town went through during earlier negotiations regarding this property including assessments. He asked Town Council to make public the historical facts relating to earlier negotiations for the benefit of the new members of the community.

There were no further speakers after three calls from Mayor Christie and the public hearing was adjourned at 10:30 p.m. Mayor Christie noted that Town Council would deal with the development application at its regular Council Meeting in mid-April.



MAYOR

DIRECTOR OF PLANNING & DEVELOPMENT

TOWN OF BEDFORD

Reconvened Regular Session

Thursday, April 4, 1991

A Reconvened Regular Session for March 26, 1991, of the Town Council of the Town of Bedford took place on Thursday, April 4, 1991, at 7:00 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia; Mayor Peter Christie presiding.

Attendance: Deputy Mayor Huntington and Councillors Peter Kelly and Grant Walker were present at the commencement of the meeting. Councillor Draper arrived at approximately 7:30 p.m.

Staff members in attendance included Chief Administrative Officer, Dan English; and Director of Engineering and Works, Rick Paynter.

9. MOTIONS - Nil

10. NEW BUSINESS

10.1 Report #1 - 1991 General Election

By memorandum of March 19, 1991 Mr. English noted the upcoming Municipal Election and the necessity for Town Council to appoint a Returning Officer. The memorandum also outlined the general duties of the Returning Officer and the immediate duties.

ON MOTION of Councillor Kelly and Councillor Walker, it was moved that under Section 3(1) of the Municipal Elections Act (1988), Mr. Dan English be appointed as the Returning Officer for the Town of Bedford for the upcoming 1991 municipal election. The motion was unanimously approved.

ON MOTION of Councillor Kelly and Deputy Mayor Huntington, it was moved that Town Council direct that the Returning Officer operate a minimum of two polling stations within the Town; and further that these two polling stations be the Lions Den and either the Legion or Bedford Junior High School. The motion was unanimously approved.

Mr. English agreed that the process for the upcoming election requires examination and he will present a plan for this process to Town Council for their consideration.

10.2 Report - UNSM - Municipal Campaign Expenses

By memorandum from Mr. Ken Simpson, Executive Director, UNSM, a report for discussion was circulated regarding municipal election campaign expenses. Councillors agreed that the proposed ceilings for campaign expenses were generous and that there was no need for Bedford to make a formal comment.

ON MOTION of Deputy Mayor Huntington and Councillor Walker, it was moved to table the March 1989 report on Municipal Election Campaign Expenses from the Policy Development and Research Department of Municipal Affairs as circulated by the Union of Nova Scotia Municipalities. The motion was unanimously approved.

11. REPORTS

11.1 BOARDS/COMMITTEES/COMMISSIONS

11.1.1 Waters Advisory Committee Minutes - Feb. 27/91

The February 27, 1991 minutes of the Bedford Waters Advisory Committee were circulated to Town Council for information.

ON MOTION of Councillor Walker and Councillor Kelly, it was moved to accept the February 27, 1991 minutes of the Bedford Waters Advisory Committee for information. The motion was unanimously approved.

11.1.2 Heritage Advisory Committee - Substantial Alteration Definition

By memorandum of March 14, 1991, Mr. Edwards (Committee Chair) recommended that Town Council adopt the Province of Nova Scotia's definition for substantial alteration. A copy of the Province's Guidelines for Determining Substantial Alterations of Provincial Heritage Properties was included for review.

ON MOTION of Councillor Kelly and Councillor Walker, it was moved to adopt the Provincial definition for, "substantial alteration," as outlined in the province's Guidelines for Determining Substantial Alterations of Provincial Heritage Properties and that in Bedford this definition shall be known as "Rules for Determining Substantial Alterations for Town of Bedford Heritage Properties".

In discussion of the MOTION, it was agreed that further input from the Heritage Advisory Committee was required.

ON MOTION of Deputy Mayor Huntington and Councillor Walker, it was moved to **SUSPEND** the **RULES OF ORDER** to permit Mr. Edwards, Chairman, Heritage Advisory Committee, to address Town Council on the proposed definition for substantial alteration. **The motion was unanimously approved.**

Mr. Edwards reviewed the motion from Heritage Advisory Committee recommending the adoption of this definition as staff had pointed out to the Committee that the Town lacked a municipal definition for, "substantial alteration."

The **RULES OF ORDER** resumed.

ON MOTION of Councillor Walker and Deputy Mayor Huntington, it was moved to **AMEND** the **MAIN MOTION** such that clause a) of the Rules shall read: "any addition visible from the street address of an adjoining or adjacent street or road;". **The MOTION TO AMEND was approved unanimously.**

Councillor Walker noted that he had several other comments on the proposed rules and he expressed his concern that the "Rules" required further definition and further detail by the committee. Areas of concern expressed included:

- Clause b) could the replacement windows be of a different material
- Clause d) Councillor Walker suggested 20 ft. be stated as "immediate" surroundings.

ON MOTION of Councillor Kelly and Deputy Mayor Huntington, it was moved to **REFER** the proposed Rules for Determining Substantial Alterations for Town of Bedford Heritage Properties back to the Heritage Advisory Committee for further study and clarification. **The motion was unanimously approved.**

11.1.3 Tree Committee - 1991/92 Funding Allocation

By memorandum of March 13, 1991, Mr. Wayne Legere, Operations Manager, provided Town Council with copies of minutes of the Tree Advisory Committee and their February 20, 1991 motion requesting increased budget allocation for Tree Maintenance.

"ON MOTION of Len Goucher and seconded by Grant Walker, it was moved that the Tree Committee request Town Council to give consideration during

Budget discussions for a review of the funding allocation to the Tree Maintenance account and that consideration be given to a minimum allocation of \$15,000 for the 1991/92 (12 month) Budget. Motion approved unanimously."

During discussion, it was noted that the request is for an additional \$4,500 with the expectation that the Tree Committee hopes to focus more heavily in commercial areas.

ON MOTION of Councillor Walker and Councillor Kelly, it was moved to support the Tree Committee's February 20, 1991 motion requesting an additional \$4,500 for Tree Maintenance. **The motion was unanimously approved.**

The Director of the Economic Development Commission was requested to report on those expressions of interest by firms in the industrial parks relative to the Tree Program.

11.1.4 Transit Advisory Committee

Councillor Walker circulated a copy of the draft minutes of the March 21, 1991 Transit Advisory Committee meeting which included the committee's recommendation to have Town Council request the Metropolitan Authority to review the current level of service for routes 86, 85 and 82 with the goal of affecting financial economies.

ON MOTION of Deputy Mayor Huntington and Councillor Walker, it was moved to table the minutes of the Transit Advisory Committee; and further that Town Council agrees to the Committee recommendation that Town Council request Metro Transit to review the current level of service for routes 86, 85 and 82 as they pass through Bedford with the goal of affecting financial economies through route review. **The motion was unanimously approved.**

11.2 DEPARTMENTAL

11.2.1 Building Inspector's Monthly Report - February 1991

Councillor Walker commented that he had expected the Planning Department to provide a more detailed analysis. However, Mr. English noted that Mr. Zwicker would be providing a comprehensive review regarding building permits during the budget discussions.

ON MOTION of Councillor Walker and Councillor Draper, it was moved to receive the February 1991 Building Inspectors Report as circulated. The motion was unanimously approved.

11.2.2 Fire Department's Monthly Report - February 1991

ON MOTION of Councillor Walker and Deputy Mayor Huntington, it was moved to receive the February 1991 report from the Fire Chief. The motion was unanimously approved.

12. CORRESPONDENCE

12.1 Neptune Theatre - Request for Funding

A March 7, 1991 request from Neptune Theatre for financial support was tabled for discussion. It was noted that this request of \$5,000 had not gone to Grants Advisory Committee.

Councillor Draper indicated that the Grants Advisory Committee would like the opportunity to consider this request, along with other applications, for financial assistance from the 1991/92 fiscal budget.

ON MOTION of Councillor Draper and Deputy Mayor Huntington, it was moved to REFER the March 7, 1991 Neptune Theatre request for financial assistance to the Grants Advisory Committee for recommendation. The motion was unanimously approved.

In discussion of the MOTION, Councillor Walker noted that the amount requested from the Town of Bedford and the County of Halifax were equal. He suggested that the request be considered in proportion to a population basis.

13. MOTIONS OF RECONSIDERATION - Nil

14. MOTIONS OF RESCISSION - Nil

15. NOTICES OF MOTION - Nil

16. **QUESTIONS**

16.1 **Status Sheet**

With respect to the Trade & Licensing By-law, Councillor Walker suggested that in the preparation of the proposed revised by-law that staff consider including the licensing of transient traders, in particular the recent phenomena with books. Mr. Singer replied that Town Council will be presented with a detailed report for the upcoming Regular Session.

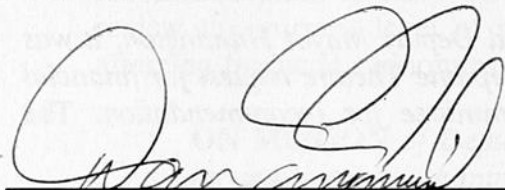
17. **OTHER** - Nil

18. **ADJOURNMENT**

ON MOTION of Councillor Draper, it was moved to adjourn the Reconvened Regular Session (Meeting 96) of Bedford Town Council at approximately 7:45 p.m.



MAYOR



CHIEF ADMINISTRATIVE OFFICER

/dl

TOWN OF BEDFORD

Special Session

Thursday, April 4, 1991

A Special Session of the Town Council of the Town of Bedford took place on Thursday, April 4, 1991, following the Reconvened Regular Session in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia; Mayor Peter Christie presiding.

1. **LORDS PRAYER**

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

2. **ATTENDANCE**

Deputy Mayor Huntington and Councillors Peter Kelly, Peggy Draper and Grant Walker were present at the commencement of the meeting. Councillor Cosgrove arrived at approximately 9:50 p.m.

Staff members in attendance included Chief Administrative Officer, Dan English; Director of Planning and Development, Barry Zwicker; Director of Finance, Ron Singer; Director of Engineering and Works, Rick Paynter; Director of Recreation, Bob Nauss; Acting Police Chief, Greg Murray; and Fire Chief, Peter Dickinson.

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

There were no additions/deletions to the Order of Business.

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

ON MOTION of Deputy Mayor Huntington and Councillor Walker, it was moved to approve the Order of Business as circulated. The motion was **unanimously approved.**

5. CONTINUATION OF DISCUSSIONS 1991/92 OPERATING BUDGET**5.1 Engineering and Works Department (Transportation & Environmental Services)**

By memorandum of February 22, 1991 and with the aid of overheads, Mr. Paynter outlined his concerns regarding road maintenance, drainage maintenance, sidewalk/walkway maintenance and loss of capital fund.

Mr. Paynter reported that although street mileage has increased in the Town during the last year, the amount allocated per mile of street in the 1991/92 budget has actually decreased by 24%.

With respect to sidewalk/walkway maintenance, Mr. Paynter noted it is proposed that this year grass mowing be done in-house. In response to Councillor Walker's question, Mr. Paynter reported that he will be presenting a detailed analysis and revision of all servicing standards for the Town some time during the summer.

There was some discussion regarding the guarantee and life expectancy of various sidewalk materials. It was noted that the exposed aggregate is 2-3 times more expensive than traditional materials and it may be more susceptible to breakdown. Mr. Paynter was requested to seek input from the Mainstreet Committee to see if funds may be available for repair of Mainstreet sidewalks. Mr. English noted that the Mainstreet Program did not provide funding for maintenance requirements.

Regarding the elimination of a capital fund for Engineering and Works, Mr. Paynter outlined seven projects including some projects that were deferred from 1990. There was some discussion re the necessity for a parts inventory. There was also some discussion re the policy of providing contractors with snow clearing blades and Councillor Kelly requested that the Director investigate and report back to Town Council on the frequency and necessity of the contractors receiving blades from the Town.

With regards to grass cutting, Councillor Walker requested that the Engineering Department and Recreation Department investigate possibilities of combining services. Mr. English reported that this can be re-examined again; although the requirements for each department are very different.

Mr. Paynter commented on five long range planning projects which would save the Town funds including bulk fuel facility; purchase of N.S. power street lights; increased user fees; contracted services; and bulk purchasing of items common to all departments.

In response to Councillor Walker, several issues were addressed including inventory of crosswalk signs, performance of street light poles along Bedford

Highway, cost of repairing curbs damaged by snow removal; increased costs for telephone and communications relating to new system; private vehicle allowance and increased employee benefits.

It was noted, in response to Councillor Kelly, that upgrading of the Hammonds Plains/Bedford Highway intersection will include a left turning arrow into Sobeyes.

Mr. Paynter noted that should there be public inquiries to his office regarding the level of service of road maintenance, the public will be assured that the performance of the road maintenance is to the full extent of the approved budget levels.

5.2 Legislative and Administration

Through his memorandum of February 28, 1991, Mr. Singer commented on the General Administration Budget 1991/92. In response to Councillor Walker's concern regarding increased rent, Mr. English noted that he would provide an analysis of the increase separating the annual square foot charge increase as well as the increase proportionate to the additional space and leasehold improvements.

5.3 Social Services

Mr. Singer commented that this is one area i.e. the cost sharing formula (revenue) which causes serious problems for the Town. The impact of the capping limit over a 15 month period was noted to have a serious negative effect on the 1991/92 budget and the Mayor reported that there is no indication the capping will be removed.

There was further discussion on the provincial government's philosophy regarding cost sharing, i.e. people versus property services. Mr. English suggested that Town Council might benefit from an information session with Mr. Mason of Community Services.

ON MOTION of Councillor Cosgrove and Councillor Kelly, it was moved that Town Council request the Mayor and Chief Administrative Officer to invite Mr. Mason of Community Services to address Town Council in the near future. The motion was unanimously approved.

5.4 Fiscal Services

Mr. English and Mr. Singer reviewed this section of the 1991/92 budget with Town Council. Mr. English noted the impact of the carry over of the 1990 capital borrowing.

With the aid of overheads and graphs, Mr. Singer highlighted the depleting reserves balance and suggested that Town Council consider a "pay as you go" policy.

Councillor Walker requested and received clarification on account 28222 and for a breakdown of contingencies (28214).

5.5 Revenues

In discussion of the revenue portion of the draft 1991/92 budget, clarification was provided on deed transfer amounts, user fees for tax certificates, and interest on tax arrears.

5.6 General

In discussion of draft 1991/92 budget, Councillor Draper addressed her concerns for the school board's request for supplementary funding.

ON MOTION of Councillor Draper and Councillor Walker, it was moved that Town Council approve the requested supplementary funding to the Halifax County - Bedford District School Board for a total supplementary funding equal to \$108,066 over 15 months.

ON MOTION of Councillor Kelly and Councillor Cosgrove, it was moved to DEFER the approval of the supplementary funding pending receipt of the approved 1991/92 Halifax County-Bedford District School Board budget.

The motion to DEFER was DEFEATED (Deputy Mayor Huntington, Councillor Walker and Councillor Draper voted in opposition; Mayor Christie, Councillor Kelly and Councillor Cosgrove voted in favour).

In discussion of the MOTION, it was noted that for any \$100,000 increase in the budget, the tax rate will have to be increased 1% to offset that expenditure.

Councillor Kelly continued to request that Town Council postpone their decision regarding supplementary funding until such time as Town Council has the opportunity to review and receive a detailed analysis on the approved school board budget.

Mr. English noted that if Council approves the supplementary funding, education expenditures will have increased approximately 13%; while Town departments have been asked to substantially cut expenditures for the 1991/92 budget. He noted that he would have problems going back to staff for further budget cuts if Town Council wished to have a tax rate below 6.5%.

ON MOTION of Councillor Walker and Councillor Draper, it was moved to extend the meeting until 11:00 p.m. The motion was **CARRIED** (Councillors Cosgrove and Kelly opposed).

Councillor Cosgrove suggested that the School Board's budget should be audited and that the School Board should be addressing possible cuts in its administrative staff. Deputy Mayor Huntington noted the impact of teachers salaries and that these are under the control of the Province; not the School Board.

In discussion of the position of the Municipality of the County of Halifax regarding supplementary funding, there was some confusion regarding a requirement for a Joint Council Meeting (Bedford & Municipality of the County of Halifax) to approve/disapprove supplementary funding by a 80% vote. It was noted however that should the Joint Council turn down the request for supplementary funding, Bedford, on its own behalf, may opt to approve the request for supplementary funding. Mr. English suggested that in any event a Joint Meeting would be required under the Terms of Agreement.

ON MOTION of Councillor Kelly and Councillor Cosgrove, it was moved to defer the decision regarding Halifax County-Bedford District School Board's request for supplementary funding until after the required Joint Council session. The motion was **CARRIED** (Councillor Kelly, Councillor Cosgrove and Deputy Mayor Huntington voted in favour; Councillor Draper and Councillor Walker voted in opposition).

ON MOTION of Deputy Mayor Huntington and Councillor Walker, it was moved to **AMEND** Draft #2 1991/92 Budget such that the expenditure for the Economic Development Commission be increased by \$6,000 in promotions, by \$1,900 in expenses, by \$900 in telephone and by \$15,000 in capital for a total increase of \$23,800.

In discussion of the MOTION, Councillor Kelly requested a breakdown for the proposed \$15,000 capital expenditure and Deputy Mayor Huntington noted that increased signage with proposed cost sharing with local businesses was the main focus for this amount.

ON MOTION of Councillor Cosgrove and Councillor Kelly, it was moved to **DEFER** consideration of the amendment regarding Economic Development Commission so that Town Council could analyze the impact of this increase. The Motion to **DEFER** was **DEFEATED** (Deputy Mayor Huntington and Councillor Draper and Councillor Walker voted against the deferral).

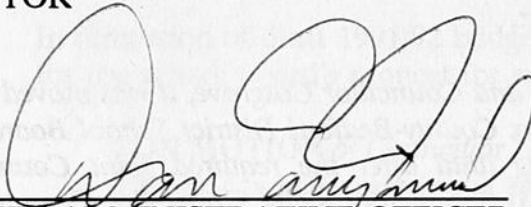
The original MOTION was put to the meeting and **CARRIED** (Councillor Cosgrove and Councillor Kelly voted against the motion).

Councillor Kelly requested that Economic Development Commission work in conjunction with the Department of Transportation for increased signage regarding the Town of Bedford.

ON MOTION of Councillor Walker and Councillor Draper, it was moved to extend the meeting until 11:30 p.m. **The MOTION was DEFEATED** (Mayor Christie, Councillor Kelly and Councillor Cosgrove voted against the motion).

ON MOTION of Councillor Kelly, it was moved to adjourn the Special Meeting (#99) of the Town Council of the Town of Bedford at approximately 11:05 p.m.

MAYOR



CHIEF ADMINISTRATIVE OFFICER

/dl

TOWN OF BEDFORD

Special Session

Monday, April 8, 1991

A Special Session of the Town Council of the Town of Bedford took place on Monday, April 8, 1991, at 7:30 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia; Mayor Peter Christie presiding.

1. **LORDS PRAYER**

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

2. **ATTENDANCE**

Deputy Mayor Huntington and Councillors Peggy Draper, Anne Cosgrove, Len Goucher and Grant Walker were present at the commencement of the meeting. Councillor Kelly arrived at approximately 9:35 p.m.

Staff members in attendance included Barry Zwicker, Acting Chief Administrative Officer; Steve Moir, Senior Planner; Donna Davis-Lohnes, Planner.

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

There were no additions/deletions to the Order of Business.

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

ON MOTION of Deputy Mayor Huntington and Councillor Walker, it was moved to approve the Order of Business as circulated. The motion was unanimously approved.

5. **CONTINUATION OF REVIEW AND DISCUSSION - Proposed Municipal Planning Strategy**

Circulated with the agenda package was an April 4, 1991 memorandum from

Donna Davis-Lohnes regarding Senior Citizen Housing; an April 4, 1991 memorandum from Barry Zwicker re commercial designation; and a January 30, 1991 (revised April 5, 1991) memorandum from Mr. Zwicker regarding MPS items referred to staff. Also included in the package was a copy of Mr. S. Oickle's presentation to Town Council regarding day care facilities and Town Council minutes of February 5, 1991.

Circulated at the meeting was Mr. Zwicker's April 8, 1991 memorandum regarding Policy R-15.

Mayor Christie noted that the format of this meeting would be to review those revised items on the January 30, 1991 (revised April 5, 1991) memorandum.

POLICY R-22

The minutes of February 5, 1991 indicated that Town Council was prepared to leave the General Provision dealing with daycares within the Land Use Bylaw (LUB). The current MOTION on this topic from an earlier meeting indicated that a development agreement is required to operate daycares in residential areas. Subsequently, Town Council received a presentation from Mr. Oickle requesting Town Council consider changing the regulation that daycares in residential zones not be limited to a maximum of fourteen children. Planning staff, via memorandum, was seeking clarification.

Councillor Cosgrove expressed her concern that she felt that Mr. Oickle, as a member of a Town Advisory Committee, was in a possible conflict of interest situation in making his presentation to Town Council. Mayor Christie noted that if Mr. Oickle had been a voting member of a committee which made a decision regarding the MPS, then perhaps he may have been in a conflict of interest situation; however, the Advisory Committee on which he is a member does not directly make decisions regarding the MPS.

Councillor Draper asked Town Council to note that a change will be made to the circulated minutes of the Recreation Advisory Committee indicating that Mr. Oickle's comments regarding costs were made off-the-record.

At the request of Council, planning staff noted that their recommendations to limit the number of children permitted in daycares operating in residential zones is related to a land use compatibility issue and not the operation of the daycare. An analogy was drawn to the proposed home occupation limitation to 750 sq. ft. which is an attempt to keep the commercial use in scale to the neighborhood.

There was clarification from staff that there have been very few actual complaints from neighboring residents regarding the operation of daycares in residential

zones; those complaints noted were on two separate occasions related to parking concerns.

Councillor Goucher raised the issue of the need for daycare within the Town and the possible impact of placing restrictions upon their operation. However, planning staff noted that when operated in commercial zones, the daycares have fewer Town regulations.

Councillor Walker suggested that Town Council adopt performance standards for daycare operation such as those used by Halifax and Dartmouth.

ON MOTION of Councillor Walker, it was moved to AMEND the April 17, 1990 draft of the Municipal Planning Strategy such that Policy R-22 reflect the intentions of Town Council to have performance standards based on the requirements of Nova Scotia Department of Social Services, local fire officials and health officials to determine the appropriate number of students for daycares operating in residential zones.

In discussion of the MOTION, Mayor Christie noted that he could not accept this MOTION prior to a motion to rescind the January 1991 motion requiring daycares operating in residential zones to make application for a development agreement.

Councillor Walker agreed to WITHDRAW his motion.

ON MOTION of Councillor Walker and Deputy Mayor Huntington, it was moved that Town Council ratifies their intent to regulate the operation of daycares in residential zones as provided for in the April 17, 1990 POLICY R-22 and the general provisions in the Land Use Bylaw, Section 9, page 29.

ON MOTION of Councillor Walker, it was moved to AMEND the above AMENDMENT such that Section 9, page 29, of the LUB, subsection a) shall reflect the intent that the maximum number of children in each facility shall be determined by Nova Scotia Department of Social Services, local fire officials and the Board of Health. The MOTION TO AMEND was LOST, there was no seconder for the motion to amend after three calls from the Mayor.

In discussion of the MOTION, Councillor Draper noted that residents have expressed their concern regarding increased traffic should the ceiling for students be removed. She suggested that the ceiling for students in the 'after school program' could be amended as there is less associated traffic.

The MOTION was put to the meeting and UNANIMOUSLY APPROVED.

POLICY R-27

The staff recommendation was for Town Council to permit, by development agreement, issuance of permits to allow construction of dwellings on existing, vacant lots which do not have frontage on a public street and that these development agreements will be subject to a number of suggested requirements.

ON MOTION of Deputy Mayor Huntington and Councillor Walker, it was moved to **AMEND** the April 17, 1990 draft of the Municipal Planning Strategy such that the recommendations prepared by Town Planning Staff in the revised April 5, 1991 memorandum regarding Policy R-27, R-26 and the LUB provisions regarding flag lots be adopted. **The motion was unanimously approved.**

COMMERCIAL DESIGNATION

The April 8, 1991 memorandum from B. Zwicker was the focus for discussion of possible amendment to the proposed commercial designation. As a result of Town Council's previous discussions on commercial designation, staff reviewed the totality of the proposed commercial designation and recommended that the level of commercial designation be held at its 1982 level and that Town staff prepare a study. There was some discussion of the proposed Economic Development strategy which will be coming forward from the Economic Development Commission.

With the aid of colored overheads, Planning Staff outlined the current levels of commercial designation and the 1982 level of designation. It was noted that through **AMENDMENTS** to the April 17, 1990 draft of the Municipal Planning Strategy Town Council had increased substantially the level of commercial designation.

ON MOTION of Councillor Walker, it was moved to **AMEND** the April 17, 1990 draft of the Municipal Planning Strategy such that the proposed commercial designation for the lands off Rocky Lake Drive be removed. **The MOTION was LOST**, there being no seconder after three calls from the Mayor.

Mr. Zwicker commented that the effect of Town Council's amendments have been to designate all, except for a very small portion, of the lands on both sides of the Bedford Highway as commercial.

There was consensus among Council that there be no change to their current position regarding commercial designation.

POLICY S-7

Councillor Walker suggested that the issue of buffers and screening had not be dealt with adequately in the proposed policy and that a 300-500 ft. natural vegetation area between the highway and the development be required. Deputy Mayor Huntington noted that the Department of Correctional Services has specific requirements regarding the placement of correctional facilities and the Town's requirement for a buffer may be in opposition to their regulations.

ON MOTION of Councillor Walker, it was moved to **AMEND** the April 17, 1990 draft of the Municipal Planning Strategy such that proposed Policy S-7 (April 5, 1991) be adopted and that the proposed policy include an additional clause requiring adequate screening from arterial and collector roads so as to obstruct the general vision of the facility. **The MOTION was LOST**, there being no seconder after three calls from the Mayor.

ENVIRONMENTAL

Staff recommended that Town Council change its position regarding proposed Policies E-4 to E-6 indicating that concerns about the placement of structures as they affect surface runoff, erosion, siltation and environmental degradation apply equally to fresh and salt waterbodies.

Councillor Walker gave **NOTICE OF A MOTION OF RECONSIDERATION** regarding the proposed Policies E-4 to E-6.

ON MOTION of Councillor Draper and Deputy Mayor Huntington, it was moved to **SUSPEND THE RULES OF ORDER** to deal with the notice of reconsideration immediately; not waiting the required seven days. **The motion was unanimously approved.**

ON MOTION of Councillor Walker, it was moved to **RECONSIDER** the previous Policies E-4 to E-6 due to the concerns that the previously approved policies by Town Council were in conflict with recommendations from Bedford Waters Advisory Committee and Bedford Planning Advisory Committee; and further that the Town Council re-instate the originally drafted policies E-4 to E-6. **The MOTION was LOST**, there being no seconder after three calls from the Mayor.

ON MOTION of Councillor Goucher and Councillor Draper, it was moved to **AMEND** the April 17, 1990 draft of the Municipal Planning Strategy such that **POLICY 13a** as suggested in the staff memorandum of April 5, 1991 be approved (to undertake a study to identify environmentally sensitive areas outside of the Residential Development Boundary). **The motion was unanimously approved.**

ON MOTION of Councillor Walker and Councillor Goucher, it was moved to **AMEND** the April 17, 1990 draft of the Municipal Planning Strategy such that the staff recommendations contained in the April 5, 1991 memorandum on **POLICIES 15,16, and 17** be adopted. **The MOTION was DEFEATED** (Councillor Goucher, Deputy Mayor Huntington and Mayor Christie voted against the MOTION; Councillor Draper abstained).

In discussion of the MOTION regarding the staff recommendations for policies 15,16, and 17, clarification was provided regarding the intent of the staff recommendation, i.e. that property owner would be permitted to build a retaining wall at the high water mark (as of right) and further that all property owners would require a development agreement for any infilling.

POLICY E-35

Staff recommended a wording change to the policy to reflect the current situation, i.e. that a study has been commissioned to determine the capacity of the current sewage treatment facility. Councillor Walker noted that the proposed policy suggests that Town Council is supporting connection to the regional sewage treatment facility. However, it was noted that "additional sewage treatment" may include several options, one of which may be the regional system.

ON MOTION of Councillor Cosgrove and Deputy Mayor Huntington, it was moved to **AMEND** the April 17, 1990 draft of the Municipal Planning Strategy such that Policy E-35 reflect the wording proposed by staff in their memorandum of April 5, 1991 (to carry out a study to determine possible means to provide for additional sewage treatment capacity for both municipalities). **The motion was unanimously approved.**

PARKS AND RECREATION

Staff recommended the insertion of two policies (one dealing with the designation of parkland as identified in the "Jack Lake Environmental Evaluation" and the other to update the pool feasibility study).

ON MOTION of Deputy Mayor Huntington and Councillor Goucher, it was moved to **AMEND** the April 17, 1990 draft of the Municipal Planning Strategy such that Policies P-6B and P-9A as recommended in the staff memorandum of April 5, 1991 be adopted. **The motion was unanimously approved.**

IMPLEMENTATION

POLICY Z-12a

ON MOTION of Deputy Mayor Huntington and Councillor Walker, it was moved to AMEND the April 17, 1990 draft of the Municipal Planning Strategy such that Policy Z-12a as recommended in the staff memorandum of April 5, 1991 be adopted. The motion was unanimously approved.

POLICY Z-14a

ON MOTION of Deputy Mayor Huntington and Councillor Walker, it was moved to AMEND the April 17, 1990 draft of the Municipal Planning Strategy such that Policy Z-14a as recommended in the staff memorandum of April 5, 1991 be adopted; and further that item #4 (non-conforming uses) be moved forward as the first study to be completed by Town staff.

In discussion of the MOTION, Deputy Mayor asked that staff complete this small study first; he emphasized that it was no more important than the other studies but it should take considerably less time.

The MOTION was put to the meeting and UNANIMOUSLY APPROVED.

Councillor Draper expressed her concern for the actual completion of the pool study. At the suggestion of Councillor Walker, staff agreed to report back to Town Council with estimated dates for completion of the proposed studies.

POLICY Z-14b

Staff recommended a policy to develop written procedures regarding the conduct of public hearings and information meetings.

ON MOTION of Deputy Mayor Huntington and Councillor Goucher, it was moved to AMEND the April 17, 1990 draft of the Municipal Planning Strategy such that Policy Z-14b as recommended in staff memorandum of April 5, 1991 be adopted.

ON MOTION of Councillor Goucher and Councillor Walker, it was MOVED TO AMEND THE AMENDMENT of the April 17, 1990 draft such that Policy Z-14b read: ...to develop written procedures regarding the notification and the conduct of The motion was unanimously approved.

The AMENDED MOTION TO AMEND was put to the meeting and UNANIMOUSLY APPROVED.

POLICY C-35 and C-36

Councillor Cosgrove declared a possible conflict of interest.

ON MOTION of Councillor Walker and Deputy Mayor Huntington, it was moved to AMEND the April 17, 1990 draft of the Municipal Planning Strategy such that Policies C-35 and C-36 as recommended in the staff memorandum of April 5, 1991 be adopted with the amendment that the policies include the intent to report within two years. The motion was unanimously approved.

LAND USE BYLAW

Buffer

At the request of Council, staff investigated the feasibility of a sliding scale buffer for industrial lands where they abut residential lands but were advised against it because this degree of discretion can not be incorporated into a Land Use Bylaw.

Councillor Kelly expressed his concern that the proposed height (5 ft.) was not suitable and he proposed trees of six feet.

ON MOTION of Councillor Kelly and Councillor Goucher, it was moved to AMEND the April 17, 1990 draft of the Land Use Bylaw such that the definition for BUFFER as recommended in the staff memorandum of April 5, 1991 be adopted with the amendment that the newly planted trees are a minimum of 6 feet high. The motion was unanimously approved.

Recycling Depot

In discussion of the staff recommended definition, Councillor Cosgrove expressed her concern that the proposed definition was too restrictive and should address the communities needs in the future. There was clarification that the LUB defined MRF's (municipal recycling facilities) which were indeed larger operations with the zoning ability to process. It was also clarified that the definition for 'compaction' was "to make compact; to closely pack together" and that the intent of the staff recommendation was not to permit the operation of compacting machinery such as balers.

ON MOTION of Councillor Goucher and Councillor Kelly, it was moved to AMEND the April 17, 1990 draft of the Land Use Bylaw such that the definition for RECYCLING DEPOT as recommended in the staff memorandum of April 5, 1991 be adopted with the intent that recycling depots do not permit the operation of machinery (i.e. balers) to compact materials.

The MOTION was CARRIED (Deputy Mayor Huntington and Councillor Walker opposed the motion).

In discussion of the MOTION, the availability of non-obnoxious equipment to crush glass, i.e. such as the one located at Penhorn Mall depot, was noted.

RSU Zone

Staff recommended that a number of two-family dwellings in Peerless Subdivision and along the Hammonds Plains Road retain the RSU Zone but be listed as permitted uses in an appendix to the LUB. Councillor Walker noted his objection to non-conforming as it affects re-sale value; he recommended that they be re-zoned.

ON MOTION of Councillor Kelly and Councillor Goucher, it was moved to AMEND the April 17, 1990 draft of the Land Use Bylaw such that staff identify and establish a list of permitted two family residences within the RSU Zone and list them in an appendix. The MOTION was CARRIED (Councillor Walker and Mayor Christie voting against the motion).

CGB Zone

Staff recommended that Town Council alter the maximum height provision to 3 floors above established grade, the same as for the Mainstreet Commercial Zone.

ON MOTION of Councillor Goucher and Deputy Mayor Huntington, it was moved to AMEND the April 17, 1990 draft of the Land Use Bylaw such that the maximum height provision be altered to 3 floors above established grade in the CGB Zone. The motion was unanimously approved.

Industrial Zones

Staff recommended changes to the light industrial, harbour oriented and heavy industrial zones to refer to a 40 ft. rear and/or side yard and a Special requirement b) to refer to a 40 ft. buffer.

ON MOTION of Deputy Mayor Huntington and Councillor Goucher, it was moved to AMEND the April 17, 1990 draft of the Land Use Bylaw such that the recommendation in the April 5, 1991 staff memorandum regarding Industrial Zones be adopted such that the rear and/or side yard as well as buffer requirement is 40 ft. The motion was unanimously approved.

POLICY R-15

Both Mayor Christie and Councillor Kelly declared possible conflict of interests and left the Council Chambers. Deputy Mayor Huntington assumed the Chair.

ON MOTION of Councillor Draper and Councillor Cosgrove, it was moved to extend the adjournment hour until 11:00 p.m. The motion was unanimously approved.

The Town Council minutes of February 5, 1991 (page 6) indicate the parliamentary history regarding the Parkland Open Space (POS) designation and the Residential Comprehensive Development District (RCDD). In summary, a motion to rescind the POS designation is currently on the floor following the fulfilment of a motion to defer until the holding of a Joint Public Information Meeting on the petroglyphs.

ON MOTION of Councillor Walker and Councillor Draper, it was MOVED to RESCIND the November 6, 1990 motion designating the Union Street/Barrens area as Parkland Open Space (POS) On the GFLUM Map; and that this redesignation to POS does not include a parcel of land behind Nottingham Street which is currently surrounded by residential development.

In discussion of the MOTION TO RESCIND, staff noted that in absence of a final report from BPAC and any decision of Council related to that recommendation Town Council consider designation of either all POS or all RCDD. There is not enough detailed information at this time to determine what size is the most appropriate, acceptable in terms of protection of the Petroglyphs. Councillor Goucher asked for a delay of several weeks pending the receipt of the final report from Petroglyphs Advisory Committee.

ON MOTION of Councillor Goucher and Councillor Cosgrove, it was MOVED to DEFER the motion to rescind until mid-May pending receipt of the Petroglyphs Advisory Committee's final recommendations to Town Council.

In speaking to the MOTION TO DEFER, Councillor Draper clearly indicated the sufficient delay would be awarded for the Petroglyph Advisory Committee's recommendations due to time factors related to approval of the draft MPS and due to the nature of an application under the RCDD requirements. Councillor Draper also indicated that she wished to ensure protection of the petroglyphs through the timely approval of the MPS; it was noted that further delays in going to public hearing on the MPS might allow time for as-of-right development. However, once the MPS public hearings are announced, the development is frozen until Ministerial approval.