

4. **PROPOSED CHANGE - TERMS OF REFERENCE - PETROGLYPH ADVISORY COMMITTEE**

By memorandum of May 3, 1991, Councillor Goucher, chairman of Petroglyphs Advisory Committee, requested Town Council to amend the Terms of Reference of the Petroglyphs Advisory Committee to allow for the addition of one new member, a representative from the Micmac community.

ON MOTION of Councillor Goucher and Councillor Kelly, it was moved to amend the Terms of Reference of the Petroglyphs Advisory Committee to allow for the addition of one new member, a representative from the Micmac community.

In speaking to the MOTION, Councillor Goucher reported that the Petroglyphs Advisory Committee (PAC) had received the final report from the consultants and that one of the recommendations had been to amend the membership of the committee to correct the lack of direct native input to committee decisions.

In discussion of the MOTION, it was clarified that there had been difficulty maintaining the original provincial representative to the committee, a Micmac native, due to travelling distance between Cape Breton and Bedford to attend meetings.

The MOTION was put to the meeting and CARRIED unanimously.

5. **CONTINUATION OF REVIEW - PROPOSED MPS (MAY 7, 1991 DRAFT)**

5.1 **Presentation by BWAC Chair, Don Ambler re Intertidal Zone**

Councillor Cosgrove, BWAC member, introduced Chairman Ambler and the reason for his presentation on the intertidal zone. Councillor Cosgrove noted her NOTICE OF RECONSIDERATION at Town Council's meeting on May 7 regarding Council's rejection of BWAC's recommended policies on the intertidal area. It was also noted that area residents, through the Bedford Bay Residents Association, had been invited to the upcoming BWAC meeting on June 29, 1991 to participate in discussions on this topic.

Mr. Ambler commented on the original staff position paper regarding the intertidal area dated September 11/90 noting that pre-confederation waterlots could be infilled by following federal/provincial navigational requirements; that infilling had occurred without federal/provincial approval; and that Bedford should become involved in the preservation of the natural shoreline, improvement of water quality and protection of the intertidal zone habitat.

Further, Mr. Ambler noted that BWAC was fully aware of the public concerns

raised at the public forum conducted on the topic in the fall of 1990 at which residents raised issues regarding their wish to infill to prevent the accumulation of debris, protect their shorelines, expand their beach areas, improve their access to the salt water and to improve the appearance of their shorelines.

As a result of the public concerns, the current May 7, 1991 draft of the MPS allows infilling for 15 ft. past the high water mark by permit; and by development agreement and environmental assessment beyond the 15 ft mark.

Mr. Ambler clarified that the policies recommended by BWAC were based on environmental protection of the shoreline. The April 24, 1991 recommended Policy E-15 (BWAC minutes, page 4) demonstrates BWAC's agreement that the shoreline must be protected and erosion prevented.

BWAC's April 24, 1991 recommended Policy E-16 (BWAC minutes, page 4) provides a process for allowing infilling to ensure that accidental environmental damage does not occur by requiring an environmental assessment and development agreement. Mr. Ambler noted that this process requires the proponent to give special forethought to environmental protection and that a development agreement provides the Town with a legal means of correcting damage should the agreement not be followed. The development agreement also provides adjacent property owners with the knowledge and opportunity to comment on an adjacent infilling.

Mr. Ambler concluded his presentation by noting other members of the BWAC committee who were present including Kay Rhodenizer, Marvin Silver, and Paul Galbraith. Town Council had several questions for Mr. Ambler which resulted in the following information:

- several Councillors expressed concern for regarding the lack of public input into BWAC's current recommendations and it was reported that BWAC had not met recently with the affected property owners (however, as Mr. Paynter noted BWAC members were aware of their concerns as expressed at the public forums and that BWAC had discussed this issue previously with the residents at a BWAC meeting)
- BWAC will consult with area residents at its regular meeting on June 29; an invitation has been extended to the area residents association
- the possibility of creating a 'checklist' for proponents was discussed as a possible means of lessening the expense and time of an environmental assessment; checklist could identify such items as appropriate/inappropriate types of fill material, etc.

- clarification was provided by Mr. Zwicker that although development permits are often issued after the proponent has fulfilled a number of criteria; it is difficult to prosecute violations of these conditions under the permit concept -- however, under a development agreement concept legal recourse is available.

Mayor Christie thanked Mr. Ambler for his presentation.

ON MOTION of Councillor Draper and Councillor Walker, it was moved to SUSPEND the RULES OF ORDER to permit Mr. Gallant to speak on behalf of the Bedford Bay Residents Association on the BWAC recommendations for the intertidal zone. The motion was unanimously approved.

Although the residents association had not recently met on this topic, Mr. Gallant addressed Town Council outlining the background information to the public discussions on the MPS and that residents were in favour of the policies in the May 7, 1991 draft of the MPS regarding the intertidal zone. He noted that public input was lacking from the recent BWAC suggestions and that the residents strongly opposed the policies proposed by BWAC. There being no questions from Town Council, the Rules of Order resumed.

5.2 Motion of Reconsideration - Councillor Cosgrove - Policies E15 and E16

As a result of the defeated MOTIONS from May 7, 1991 Town Council meeting regarding intertidal zone, Councillor Cosgrove gave a notice of reconsideration on May 7, 1991.

Councillor Cosgrove WITHDREW Notice of Reconsideration of the BWAC suggested policies E15 and E16 at this time and suggested that BWAC would bring the matter forward during the public hearings of the draft Municipal Planning Strategy.

Mayor Christie asked Councillor Cosgrove and Mr. Gallant to work through Bedford Waters Advisory Committee regarding a possible compromise on the intertidal zone.

At this time, Deputy Mayor Huntington asked Town Council to extend best wishes to Mr. Jack Gayle who was recently honoured at a President's Dinner at St. Mary's University upon his retirement.

5.3 Proposed Plan Amendment - Crestview Properties

By letter of April 17, 1991, Mr. Douglas Miller requested on behalf of his clients,

Crestview Properties, that Town Council consider amending the May 7, 1991 draft of the Municipal Planning Strategy to allow for the property formerly known as the Piercey property to be a) included in the residential development boundary and to be designated and zoned Residential Comprehensive Development District (RCDD); this pertains for 68 acres; and b) redesignated and rezoned from Commercial General Business to Commercial Comprehensive Development District (9 acres fronting on Bedford Highway).

Mr. Barry Romkey was present and outlined his group's request to Town Council. With regard to the request to designate the area CCDD; Mr. Romkey noted several reasons for the request including that a CCDD designation would allow for a greater range of development proposals than would a commercial general business designation.

Mr. Romkey noted that his group has had several meetings with Town staff and an informal meeting with Town Council. He requests the change in the MPS at this time to permit full public disclosure and a pro-active approach. Should the draft MPS be amended at this time, then the public may discuss these changes at the upcoming public hearings.

With respect to the request to extend the development boundary and designate a 68 acre parcel as RCDD, Mr. Romkey reviewed the reasons as outlined in the April 17, 1991 letter from Mr. Miller noting the advantages to including this parcel of land within the development boundary.

In discussion with Mr. Romkey, Councillor Walker pursued the concept of sewage holding tanks which had been suggested by the proponent as an alternative to connecting directly to the sewage treatment plant. Mayor Christie reminded Council that the discussion should focus on the generalities of amending the MPS rather than specifics which might be included in a development contract.

Town Council had several concerns regarding the implications of extending the development boundary to include the lands of Crestview Properties. Councillor Kelly noted that CMHC had requested that the boundary be extended to include the Jack Lake property and as a result draft Policy R-3 provides for its consideration.

Town Council also had concerns regarding possible legal action from the proponent should Council amend the MPS to include Crestview Properties within the development boundary; and then subsequent to the public hearings, if Council reversed this amendment. This further raised discussions regarding the necessity for holding additional public hearings should there be 'substantial change' to the MPS document. Mr. Zwicker clearly noted that the definition of 'substantial change' rests with Town Council.

Clarification was provided for Council on the actual process of the Municipal Planning Strategy and the timing of amendments to the MPS.

ON MOTION of Deputy Mayor Huntington and Councillor Kelly, it was moved to **AMEND** the May 7, 1991 draft of the Municipal Planning Strategy to extend the residential development boundary southward to include the lands of Crestview Properties; and further to designate and zone Crestview Properties 68 acre parcel as Residential Comprehensive Development District (RCDD).

ON MOTION of Councillor Kelly, it was moved to **AMEND** the above **MOTION** such that this request for extension of the residential development boundary be subject to review and analysis under the current draft policy R-2.

In discussion of the **AMENDMENT** to the **MOTION**, Councillor Kelly expressed his concern that if Council was to consider extending the residential development boundary then Council should analyze the application under it's proposed MPS Policy R-2 which outlines criteria for consideration. However, several other councillors noted that in the development of the MPS, extension of the boundary did not have to be considered under the criteria as outlined in Policy R-2.

The MOTION TO AMEND was LOST; there being no seconder after three calls from the Mayor.

In discussion of the **MOTION** to extend the boundary, Councillor Goucher expressed his concern that approval of this request would leave the door open for an appeal from CMHC regarding the Jacks Lake property. Councillor Cosgrove opposed the motion noting extension of the boundary without review under R-2 was a contradictory process. Councillor Kelly noted that additional information was required and that this could be obtained by following the review process of Policy R-2.

In speaking to the **MOTION**, Councillor Walker urged approval of the request to extend the boundary as significant benefits would be derived. Councillor Draper noted that the RCDD process permits additional public input into the planning process.

The MOTION to extend the residential development boundary and to designate and zone a 68 acre parcel belonging to Crestview Properties as Residential Comprehensive Development District was put to the meeting and CARRIED (Mayor Christie, Deputy Mayor Huntington, Councillor Walker and Councillor Draper voted in favour; Councillors Kelly, Cosgrove and Goucher voted against the motion).

ON MOTION of Councillor Draper and Councillor Walker, it was moved to **AMEND** the May 7, 1991 draft of the Municipal Planning Strategy such that

the request by Crestview Properties to redesignate and rezone 9 acres fronting on Bedford Highway to Commercial Comprehensive Development District be approved. The motion was unanimously approved.

Councillor Kelly gave NOTICE OF RECONSIDERATION of the motion regarding extension of the residential development boundary and designation and zoning to RCDD.

5.4 Other

By memorandum of May 8, 1991, Barry Zwicker outlined policy changes which reflect staff's understanding of Council's intentions as expressed at the Council/MPS meeting on May 7, 1991. Also circulated was a list of concerns from Councillor Walker.

T-9 As a result of a recent meeting with area business owners, Rick Paynter and Francis Mackenzie, Deputy Mayor Huntington gave NOTICE OF MOTION regarding Policy T-9 and a proposal to amend this policy to delete the reference to a lane reduction and to include a suggestion for a boulevard concept. The Deputy Mayor noted that the boulevard concept would be an improved solution. At the request of Council, Mr. Paynter, Director of Engineering and Works, noted this strategy is similar to that currently in existence along mainstreet Dartmouth from the Parclow to Chebucto Ford; and the boulevard concept could solve the speeding problem and improve safety.

At the request of Councillor Walker, Engineering staff will provide a report on the boulevard concept and include comments from the Department of Transportation, as well as specifics (width, number of breaks and location, common driveways, etc).

5.5 Establishment of Dates re MPS

This item was deferred.

6. OTHER

There was no other business.

7. **ADJOURNMENT**

ON MOTION of Councillor Kelly, it was moved to adjourn the May 13, 1991 Special Session (#103) of Bedford Town Council at 10:30 p.m.



MAYOR



CHIEF ADMINISTRATIVE OFFICER

/dl

TOWN OF BEDFORD

Special Session

Tuesday, May 14, 1991

A Special Session of the Town Council of the Town of Bedford took place on Tuesday, May 14, 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.

ATTENDANCE

Deputy Mayor Huntington and Councillors Peggy Draper, Anne Cosgrove, Len Goucher, Peter Kelly and Grant Walker were present at the commencement of the meeting.

Staff members in attendance included Dan English, Chief Administrative Officer; Barry Zwicker, Director of Planning; Rick Paynter, Director of Engineering and Works; Francis Mackenzie, Director of Economic Development Commission; Bob Nauss, Director of Recreation; Ron Singer, Director of Finance; H.A. MacKenzie, Chief of Police; and Peter Dickinson, Fire Chief.

2. **ADDITIONS/DELETIONS TO ORDER OF BUSINESS**

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

3. **APPROVAL OF THE ORDER OF BUSINESS**

ON MOTION of Councillor Goucher and Councillor Draper, it was moved to approve the Order of Business as circulated. The motion was unanimously approved.

4. **1990 AUDITED FINANCIAL STATEMENT - PRESENTATION FROM CASEY MACLEAN, CHARTERED ACCOUNTANTS**

The 1990 Audited Financial Statements were previously circulated. As a result of a May 7, 1991 Town Council MOTION TO DEFER acceptance of the financial statements, Mr. Stuart MacLean of the Accounting Firm Levy Casey MacLean was present to discuss the financial statements with Town Council.

At the request of Council, Mr. Singer reviewed his May 3 and May 9, 1991 memoranda on the financial statements. He noted that the financial statements were presented in two sections; Consolidated and Non-consolidated. Mr. Singer reported that the 1990 operating deficit of \$172,703 would appear as an expense in the 1991/92 budget. Mr. Singer further reviewed the shortfalls in revenue and over expenditures which created the deficit.

Mr. Singer recommended the acceptance of the 1990 financial statements as well as the appointment of Levy Casey MacLean as the Town's registered Municipal Auditors for the year 1991/92. In summary, Mr. Singer noted for Council's attention the status of the various Reserve Funds and that the capital, operating and equipment reserves have significantly declined in the past two years.

Mr. MacLean answered questions from Town Council including clarification that the financial audit conducted for the Town is the most common type of audit and that the auditors review the financial statements provided by the Town's accounting department and verify to their satisfaction that they are correct.

Mr. MacLean did note other types of audits including management and operational audits which deal with organizational structure, procedures and personnel policies. He noted these were much more comprehensive and expensive.

At the request of the Mayor, Mr. MacLean clarified that his firm did not provide written comments as they felt there were no significant long term trends which would negatively impact on the financial status of the Town. Mayor Christie thanked Mr. MacLean for attending the meeting.

ON MOTION of Councillor Goucher and Councillor Cosgrove, it was moved to accept the 1990 audited financial statements for the Town of Bedford as presented. The motion was unanimously approved.

ON MOTION of Deputy Mayor Huntington and Councillor Goucher, it was moved to reappoint Levy Casey MacLean as the Town's registered Municipal Auditors for the year 1991/92. The motion was unanimously approved.

5. **CONTINUATION - REVIEW - PROPOSED 1991/92 OPERATING BUDGET DRAFT #3**

By memorandum of May 3, 1991, Mr. English noted changes in the draft budget resulting from subsequent information received since Draft #2 which was discussed with Town Council on March 26, 1991. With the aid of visual aids, Mr. English reviewed the changes between draft #2 and draft #3.

Mr. English thanked all department heads for their assistance in preparing this budget and complying with the in-house guidelines for zero percent increase in expenditures excluding salaries. He also noted that in preparation of this budget a close examination of level of services and sources of revenue was undertaken and will, by necessity, be on-going. Mr. English noted that he foresees major financial difficulties for the Town looming in 1992/93 if assessment growth does not occur. As a result, the Town may face major tax increases or a severe reduction in the levels of service in an effort to balance future budgets.

In reviewing a summary sheet of major expenditure increases over budget year 1990 and major revenue changes, Mr. English commented on the balances of the various reserve funds and that staff is of the opinion these balances should be increasing rather than declining as has been the case, in order to assist the Town through years of economic decline. Councillor Goucher noted that the Regional Library had not set its budget to-date.

In reviewing changes in revenue, Councillor Walker expressed his concern relative to the recommended increase in tax certificates to \$100 as this may deter development and suggested the possibility of a two-tier process. In response to Councillor Draper's concern that other municipalities do not appear to be increasing user fees to this extent, Mr. English noted that he expects that other municipalities may follow Bedford's lead. Town Council was also reminded that they directed staff to seek alternate sources of revenue (other than taxes) and to investigate the wider use of the user-fee concept.

Mr. English reviewed the 5.3% residential tax rate increase, comparisons to other municipalities and the process by which the tax rate was developed for the 15 month period. It was clarified that the proposed tax rate is 6.7% over the 15 month period but that the effective annual increase is 5.3%.

ON MOTION of Councillor Goucher and Councillor Kelly, it was moved to AMEND Draft #3 of the 1991/92 Budget to add \$6,000 to the Budget for the purpose of continuing the Beach Patrol implemented by Town Council last season for the beach at Lake Drive.

In discussion of the MOTION, it was noted that the funds to cover last year's improvements came from contingency and were not part of the Recreation

Budget. There was some discussion that in consultation with the residents, the hours of operation of the Beach Patrol could be reduced to realize a savings. It was suggested that the Director of Recreation continue the beach supervision and other improvements as he deemed appropriate within the \$6,000 budget limit.

Mr. English cautioned Town Council that any additional expenses would require further adjustments to the current balanced budget.

The MOTION was put to the meeting and CARRIED (Councillor Kelly opposed the motion).

Councillor Walker addressed Town Council on the issue of Community Education and the need for Town Council to establish a position for a Director of Community Education.

ON MOTION of Councillor Walker and Deputy Mayor Huntington, it was moved to AMEND Draft #3 of the 1991/92 budget to add an additional expense of \$40,000 for Community Education staff beginning in August 1991.

In speaking to the MOTION, Councillor Walker recommended that Town Council support the concept of Community Education by creating a position of Community Education Coordinator and support staff. The yearly commitment would be for approximately \$70,000 on a continual basis for three to four years.

In discussion of the MOTION, Councillor Kelly raised several concerns that the expenditure should not be part of the Town's budget but more appropriately under the School Boards' budget; that there was no job description for the position and staff; and that in light of in-house guidelines on freezing of staffing compliment, the Town should not differentiate between its own staff and school board.

Councillor Goucher noted his surprise that such a large expenditure should be introduced to the budget at this late date. He noted that more information was required and agreed with Councillor Kelly's concerns. Councillor Goucher also noted that in light of recent revisions to the composition of school boards, Bedford's representation to the Board may change significantly.

Councillor Cosgrove commented that although she supported the concept of Community Education, she could not support an additional \$40,000 expenditure for the 1991/92 budget in this current climate of economic restraint.

Mr. English noted that although he supported the concept, a definite lack of information existed. He asked for clarification as to whether Town Council intended for these funds to come from other Departments and suggested that approval of this additional expenditure at this time without proper documentation

would be a bad precedent for department heads.

The MOTION to amend Draft #3 of the 1991/92 budget to include an additional expenditure of \$40,000 for Community Education staff was put to the meeting and CARRIED (Mayor Christie, Deputy Mayor Huntington, Councillor Draper and Councillor Walker voted in favour; Councillors Cosgrove, Kelly and Goucher voted against the motion).

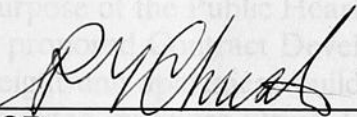
Councillor Kelly gave NOTICE OF RECONSIDERATION on the above motion noting that a funding source had not been identified.

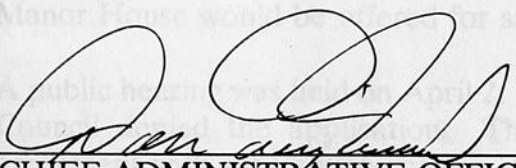
6. **OTHER**

There was no other business.

7. **ADJOURNMENT**

ON MOTION of Councillor Kelly and Councillor Cosgrove, it was moved to adjourn the May 15, 1991 Bedford Town Council Special Session (#105) at approximately 9:30 p.m. The motion was CARRIED (Councillors Walker and Draper voted against the motion).


MAYOR


CHIEF ADMINISTRATIVE OFFICER

/dl
for Christie also noted that Town Council would be following the new Rules of Order for Public Hearings whereby a staff report will be given followed by a presentation by the those in favour and then those in opposition to the development agreement application. The public will be invited to speak each for a period of up to ten minutes.

STAFF REPORT
Through his memorandum of May 17, 1991, Mr. Zwicker outlined the further revisions

TOWN OF BEDFORD

Public Hearing #91-02

Tuesday, May 21, 1991

A Public Hearing of the Town of Bedford took place on Tuesday, May 21, 1991, at 7:30 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia; Mayor Peter Christie presiding.

ATTENDANCE: Deputy Mayor Don Huntington and Councillors Len Goucher, Anne Cosgrove, Grant Walker, Peggy Draper and Peter Kelly.

Staff members in attendance included Barry Zwicker, Director of Planning and Development; Rick Paynter, Director of Engineering and Works.

Approximately 60 residents were also present.

INTRODUCTION

The purpose of the Public Hearing was to receive written and verbal submissions relative to the proposed Contract Development Agreement which would permit construction of three eight-unit apartment buildings and subdivide an additional 31 single-family lots on site bounded by Shore Drive, Fort Sackville Road, Stone Terrace and the railroad. A park land dedication would include the old fort site and property surrounding the historic Manor House would be offered for sale to the Town.

A public hearing was held on April 2, 1991 for the same property and subsequently Town Council denied the application. The proponent has submitted a new development agreement with substantive changes which the Director of Planning outlined.

Mayor Christie also noted that Town Council would be following the new Rules of Order for Public Hearings whereby a staff report will be given followed by a presentation by the those in favour and then those in opposition to the development agreement application. The public will be invited to speak; each for a period of up to ten minutes.

STAFF REPORT

Through his memorandum of May 17, 1991, Mr. Zwicker outlined the further revisions

to the design concept for the property known as Fort Sackville. In summary, the changes to the application included:

1. a reduction in the total number of single family units with a removal of lots from development between the Manor House and Fort Sackville Drive;
2. further controls with regards to site disturbance
3. reduction in the total number of driveways coming out onto Fort Sackville Road
4. removal of the pedestrian footpath from the fort site to Fort Sackville Road behind the Manor House; and
5. increase in lot size of some of the smaller lots.

In summary, Mr. Zwicker reported that the staff recommends that Town Council enter into the development agreement as proposed for this property. Further, Mr. Zwicker noted that the current concept plan addresses those concerns (context, street frontage for manor house; number of driveways on Fort Sackville; site disturbance) which were identified at the previous public hearing and those previously identified by staff.

PROPONENT

Mr. John Tolson's request to defer his comments to later in the public hearing was denied by the Mayor who reiterated the new Rules of Order for Public Hearings. Briefly, Mr. Tolson with the aid of maps outlined the changes in the development agreement which were requested by staff (removal of residential lots from development between manor house and Fort Sackville; decreased number of driveways; changes in pedestrian walk way system; further site disturbance controls).

IN FAVOUR

There were no other speakers in favour of the development agreement, after three calls from the Mayor.

IN OPPOSITION

MRS. J. BIRD: In her address to Town Council, Mrs. Bird noted that she was against this version of the development application for the same reasons that she expressed at the previous public hearing. She felt that the concept plan has not addressed her concerns regarding increased traffic levels, high density, and incompatibility with adjacent neighborhood. Mrs. Bird also suggested that a high density residential development (such

as proposed) would be incompatible with the historical context of the manor house.

Mrs. Bird asked Town Council to defer a decision regarding this development agreement until the national historical agency has made a decision regarding the historical status of the manor house.

MRS. E. PACEY: As president of Heritage Trust of Nova Scotia, Mrs. Pacey explained that her comments were neither for or against the proposed development. She encouraged Town Council to seek as large a 'context' for the manor house as possible. Mrs. Pacey highlighted three points: the current development concept provides minimum context for the manor house; provisions through Revenue Canada which may make it more attractive for the developer to provide additional enhancement for the manor house; and the need for long term preservation of the manor house either through provincial heritage designation or national recognition (these designations would bring monies for either capital or maintenance expenditures). She strongly recommended that should Town Council approve this development agreement then it should be quickly followed by the purchase of the manor house.

MRS. A. MACCORMICK: Mrs. MacCormick noted that this concept plan (#10.1) still raises the same concerns by residents as the first draft plan. Those concerns include density of residential development; increased traffic; safety; crowded schools; undersized lots; sewer capacity; and cost to up-grade roads. Mrs. MacCormick recommended that Town Council request an economic study on the viability of the concept plan. She also raised concerns about the monitoring of the site disturbance lines around individual houses and the construction of individual units. She concluded by noting that this development will have negative impacts on the investments of residents in the neighboring area.

MR. A. EDWARDS: As Chairman of Bedford Heritage Advisory Committee, Mr. Edwards reiterated the committee's concerns as expressed in memorandums of March 14, 1991 to Town Council regarding the archeological assessment and the January 18, 1991 letter to S. Moir. Mr. Edwards also expressed his concern regarding the possibility that once the development agreement is in place, Mr. Tolson may sell the land to a developer and that the development agreement was being used as a tool to increase the property value.

After noting the significantly larger 'context' provided for Uniacke House (which is not as old as the Manor House), Mr. Edwards asked Town Council whether the following had been investigated: possible shared purchase with University of Michigan; interest of foreign investors; correspondence from a prominent Halifax business man regarding this property. Mr. Edwards recommended that Town Council defer a decision regarding the development agreement until the National Monuments Board had made their decision

regarding historical status for the manor house which is expected to take place in June.

MR. FRANK MAYO: Mr. Mayo spoke against the proposed development noting that the development causes the property to lose its 'sense of place' and that it was not a proper setting for such a historical building. He suggested a further reduction in the number of residential units by adding lots 8,9,10 and 11 to the manor house property. Mr. Mayo noted that he was not endorsing the plan but that further modifications could further improve it. He asked Town Council to defer their decision on the development until the national historical body has made their decision with regard to its historical status.

MS. SUSAN BOYD (103 Shore Drive): Although Ms. Boyd was not speaking in favour of the development, she did note that this proposal was "better than the last". She expressed her concerns regarding the development's impact upon traffic and sewage capacity.

MR. D. HOWELL: Mr. Howell asked Town Council to "stop this type of development right here". He suggested that Mr. Tolson donate the manor house and land to the Town and that it would never be a tourist attraction. Mr. Howell commented that during his visits in the neighborhood delivering information regarding the proposal, he met many people who could not attend the public hearing but who voiced strong concerns against the development.

MR. GARTH MACADAM: Mr. MacAdam expressed his concern that the developer was using the issue of the manor house and its setting as a negotiating tool for his development. He voiced his objection to the development for reasons of its high density; its incompatibility with the adjacent neighborhood; and its possible use as a precedent for the further subdivision of land in his neighborhood to accommodate multi-family units. Mr. MacAdam asked Town Council to reject the development agreement unanimously.

MS. JACKIE KIDD (Perth Street): Ms. Kidd noted that she had voiced her objection to the previous development proposal through written submission. She is against this proposal due to concerns regarding increased traffic; increased on-street parking; and sewage capacity.

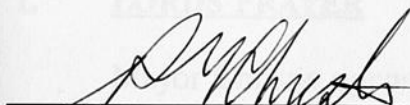
MR. HAYMAN on behalf of C. Potter (Shore Drive): Mr. Hayman suggested, as did Mrs. Bird, and Mr. MacAdam) that the proponent must "play by the same rules" and that the lot size must meet at least the standard R-1 lot size. He noted that should Town Council approve this development agreement they would not be upholding the property values of adjacent residents.

Mr. Hayman noted concerns regarding the private roads and their maintenance; and noted that many of the concerns expressed in the staff report of March 8, 1991 (written by S. Moir) had not been addressed. Mr. Hayman agreed with Mr. MacAdam's observation that the proponent was "wearing down" staff, Planning Advisory Committee and Town Council through repeated applications and negotiations. He urged Town Council to reject the proposal.

DR. LONCAREVIC: Dr. Loncarevic noted that this ongoing debate over various development proposals for the Fort Sackville property was really about the future of the manor house and encouraging the Town to purchase it for a public park. Dr. Loncarevic recommended that the Town clearly specify a long-term plan for the manor house.

Dr. Loncarevic further suggested that the concept plan was a "disaster" and from the heritage point of view, only provided the barest minimum context which should not be acceptable. He also suggested that the phasing of the development could be improved by beginning at the Stone Terrace end of the development rather than at the other end.

There were no further speakers after three calls from the Mayor and the public hearing adjourned at approximately 8:35 p.m.



MAYOR

ATTENDANCE


CHIEF ADMINISTRATIVE OFFICER

/dl
Staff members in attendance included Dan English, Chief Administrative Officer; Barry Zwicker, Director of Planning; Rick Paynter, Director of Engineering; Bob Nance, Director of Recreation; Frank MacKenzie, Director of Building Department Development Commission; Helen Graham-Gronick, Bedford Economic Development Commission; Ron Singer, Director of Police; H.A. MacKenzie, Chief of Police; and Peter Dickinson, Fire Chief.

APPROVAL OF MINUTES
Minutes of Special Session #100 (April 8, 1991), Regular Session #101 (April 16, 1991), Special Session #102 (April 23, 1991), and Special Session #103 (July 7, 1991) were previously circulated.

TOWN OF BEDFORD

Regular Session

Tuesday, May 21, 1991

A Regular Session of the Town Council of the Town of Bedford took place on Tuesday, May 21, 1991, following Public Hearing #91-02 (approximately 9:00 p.m.) in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia; Mayor Peter Christie presiding.

Prior to Public Hearing #91-02, Mayor Christie presented Mrs. Dorothy Bambury with a Certificate of Appreciation in recognition of her twenty years serving Bedford as a school crossing guard. In addition, Councillor Draper, on behalf of the Halifax County Bedford District School Board, presented Mrs. Bambury with a gift and expressed appreciation for her dedication and service to the school children.

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, Peter Kelly and Grant Walker were present at the commencement of the meeting.

Staff members in attendance included Dan English, Chief Administrative Officer; Barry Zwicker, Director of Planning; Rick Paynter, Director of Engineering; Bob Nauss, Director of Recreation; Francis MacKenzie, Director of Bedford Economic Development Commission; Helen Graham-Gromick, Bedford Economic Development Commission; Ron Singer, Director of Finance; H.A. MacKenzie, Chief of Police; and Peter Dickinson, Fire Chief.

3. **APPROVAL OF MINUTES**

Minutes of Special Session #100 (April 8, 1991), Regular Session #101 (April 16, 1991), Special Session #102 (April 25, 1991), and Special Session #103 (May 7, 1991) were previously circulated.

ON MOTION of Councillor Goucher and Councillor Cosgrove, it was moved to approve the minutes of Special Session #100 (April 8, 1991), Regular Session #101 (April 16, 1991), Special Session #102 (April 25, 1991), and Special Session #103 (May 7, 1991) as circulated. The motion was unanimously approved.

4. **ADDITIONS/DELETIONS TO ORDER OF BUSINESS**

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

5. **APPROVAL OF THE ORDER OF BUSINESS**

At the request of Mayor Christie, item 8.1 (Presentation, Porter Dillon and Griffiths Muecke) as well as item 13.1 (Motion of Reconsideration re Community Education Budget) were moved forward to be dealt with immediately prior to Business Arising from the Minutes.

ON MOTION of Councillor Cosgrove and Councillor Draper, it was moved to approve the amended Order of Business. The motion was unanimously approved.

8. **PETITIONS AND DELEGATIONS**

8.1 **Presentation - Porter Dillon and Griffiths Muecke - Metro Authority's Landfill Siting Process**

Copies of the Site Selection Report were circulated to Council members and Mayor Christie welcomed Mr. Isenor, Mr. Hattie and Mr. McEachern. Mr. Hattie reviewed the process by which 19 candidate sites for the new landfill facility had been selected. He noted that selection criteria had been recommended, received public input, reported to a technical advisory committee, revised and then later adopted. These criteria were applied to all of Halifax County (except the four districts in Sackville which the Authority had eliminated; also eliminated were lands due to federal air navigation restrictions).

It was reported that in the first stage of application of the avoidance factors, fifty percent of the land area had been eliminated. The selection committee then applied the requirement for a 200 hectare site and 200 potential sites were identified. When a further condition (proximity to either 100 series highway or rail linkage) was applied the sites were reduced in number to 35. Finally, the committee selected 19 sites on the basis of being within 0 to 5 km of a 100 series highway or rail linkage.

Through questions from Town Council, it was noted that several sites were labelled a and b; this resulted from the fact that the candidate sites were adjacent but perhaps separated by a waterway. It was also clarified that the 200 hectare site should have a life expectancy of 20 years based on the assumption that 31% of the waste stream will be diverted. The relative success or failure of programs such as recycling and composting will affect the land fill site either by extending its life expectancy or by reducing the required size.

The 19 candidate sites were reviewed by name, size, and distance from point of generation. It was reported that information still pending which is to be applied will be archeological resources, rare species and sensitive habitat for fish. Further geotechnical on-site testing will also be done. It was suggested that in the final analysis, economics may be the determining factor for the committee to reduce the candidate sites. Three potential sites are to be recommended to the Metropolitan Authority by late summer. Public meetings on the three sites will be held in the fall.

Mayor Christie thanked the representatives from Porter Dillon and Griffiths Muecke for their presentation and report. It was noted that should Town Council have additional questions, the group would be pleased to return to further discuss the Site Selection Report.

13.0 MOTIONS OF RECONSIDERATION

13.1 Councillor Kelly - Budget Amendment - Community Education Expense

Following approval on May 14, 1991 to amend Draft #3 of the 1991/92 budget to include an additional expenditure of \$40,000 for Community Education staff, Councillor Kelly served Notice of Reconsideration.

In addressing his NOTICE OF RECONSIDERATION, Councillor Kelly repeated his concern that Town Council can not hold its own staff to a zero percentage increase in staff complement and operating budget, when Town Council, through this motion, offers to the Halifax County Bedford District School Board the payment of salaries for additional staff related to the Community Education Program.

ON MOTION of Councillor Kelly and Councillor Goucher, it was moved to RECONSIDER the May 14, 1991 motion amending Draft #3 of the 1991/92 budget for a \$40,000 expense related to Community Education.

The MOTION TO RECONSIDER was unanimously approved.

The motion on the floor, from May 14, 1991:

ON MOTION of Councillor Walker and Deputy Mayor Huntington, it was moved to AMEND Draft #3 of the 1991/92 budget to add an additional expense of \$40,000 for Community Education staff beginning in August 1991.

ON MOTION of Councillor Draper and Councillor Walker, it was moved to AMEND the above motion regarding Community Education such that it is the intention for Town Council to fund a model Community Education initiative for the Town of Bedford in collaboration with the Halifax County Bedford District School Board; and that Town Council wishes to indicate that any financial commitment addressing this initiative during the 1991/92 fiscal budget year will be withdrawn from operating reserve; and further that Town Council, through the Mayor, will request of Mr. Michael, Mr. Gillis, and Mr. Reid of the Halifax County Bedford District School Board to provide the following information, if possible, by the June Regular Council Meeting, in order to achieve an August or September 1991 implementation objective, given Bedford Town Council is in support of the information/recommendations received from the School Board: Terms of Reference, Implementation Program; Goals (Long and Short Term) and Budget Requirements.

In speaking to the MOTION, Councillor Draper expressed her concern that the original motion was not clear in its intent. The amendment removes the reference to amending the operating budget (as funds would come from operating reserve) and the reference to \$40,000.

Councillor Goucher expressed concern that the AMENDMENT still gives the public the impression that although Town Council is seeking further information, it would appear that Town Council will go ahead with this expenditure. Although Councillor Goucher noted his support for Community Education, he felt he could not support funding an additional expenditure from the operating reserves.

Councillor Kelly asked for clarification on several issues related to the AMENDMENT including the fact that the report from the School Board may not contain staff's input. Mayor Christie indicated that Town staff will have the opportunity to comment and provide input. Councillor Kelly also questioned why Bedford would be paying for this expenditure rather than the school board. At the request of Councillor Kelly, Mr. English will research examples of other municipalities paying for employees of separate agencies/boards.

Deputy Mayor Huntington spoke in support of the AMENDMENT and felt that the expenditure would be an investment to assist the unemployed and high school drop outs.

Councillor Walker supported the AMENDMENT indicating that support of the Community Education concept would be a 'vision' that this Town Council could give its residents.

Councillor Cosgrove expressed her concern that although she supported Community Education in principle, she could not support this additional expenditure when there were other departments within the Town which required assistance. She indicated that she would like to see some cost sharing with the School Board.

The MOTION TO AMEND was put to the meeting and CARRIED (Mayor Christie, Deputy Mayor Huntington, Councillor Walker and Councillor Draper voted in favour; Councillors Cosgrove, Goucher and Kelly voted against the motion to amend).

In speaking to the MAIN MOTION AS AMENDED, Councillor Goucher expressed concerns regarding the funding and the timing of the initiative.

At the request of Councillor Kelly, the MAIN MOTION AS AMENDED was re-read for clarification regarding the source of funding, and the additional information requested through the school board. It was agreed that a notation could appear in the Capital budget indicating a possible withdrawal from the operating reserve to fund a Community Education initiative.

The MAIN MOTION AS AMENDED was put to the meeting and CARRIED. (Mayor Christie, Deputy Mayor Huntington, Councillor Walker and Councillor Draper voted in favour; Councillors Cosgrove, Goucher and Kelly voted against the main motion as amended).

6. DEFERRED BUSINESS/BUSINESS ARISING FROM THE MINUTES

6.1 Proposed 1991/92 Operating Budget and Tax Rates

Mr. English circulated budget adjustments to Draft #3 1991/92 Operating Budget as well as a memorandum from Chief Dickinson requesting additional funds in the fire department budget for necessary repairs to Pumper #3. At the request of Council, Chief Dickinson addressed Council and indicated that for safety reasons if the repairs were not done to pumper #3 he would have to consider taking it off the road, leaving the Town to be served by one pumper. The tender response was reviewed and at the request of Councillor Goucher, Chief Dickinson will investigate the possibility of having repairs carried out at a local car dealership.

ON MOTION of Councillor Kelly and Councillor Goucher, it was moved to extend the hour for adjournment until 10:45 p.m. The motion was CARRIED (Deputy Mayor Huntington opposed).

In reviewing the circulated budget adjustments, it was noted that the \$40,000 expenditure for Community Education would be removed as a result of the

MOTION in agenda item 13.1 whereby any initiative would be funded through Operating Reserve, not the Operating Budget. The removal of this expenditure would alter the Net Addition to the budget to \$2,500. Mr. English noted that a \$2,500 addition would not significantly affect the budget.

ON MOTION of Councillor Goucher and Deputy Mayor Huntington, it was moved to accept Draft #3 of the 1991/92 Operating Budget, plus the \$2,500 net additional adjustments; and that the 1991/92 tax rate be set at \$1.707 (residential) and \$3.405 (commercial).

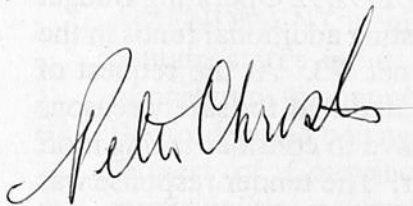
In discussion of the MOTION, Councillor Walker requested an amendment to the MOTION such that the rate for tax certificates be reduced from \$100 to \$40; however, Mayor Christie would not accept the amendment as he deemed it contrary to the intent of Councillor Goucher's motion.

The MOTION was put to the meeting and CARRIED unanimously.

ON MOTION of Councillor Walker and Deputy Mayor Huntington, it was moved that Town Council request staff to work toward reducing the previously approved rate for tax certificates from \$100 to \$40. The MOTION was DEFEATED (Councillor Walker voted in favour; Deputy Mayor Huntington, Councillors Goucher, Draper, Cosgrove and Kelly voted in opposition to the motion).

It was agreed by consensus that the remainder of the agenda would be reconvened on Tuesday, May 28, 1991.

The meeting recessed at approximately 10:45 p.m.

A handwritten signature in cursive script, appearing to read "Peter Christie". The signature is written in dark ink on a light-colored background.

TOWN OF BEDFORD

Special Session

Tuesday, May 28, 1991

A Special Session of the Town Council of the Town of Bedford took place on Tuesday, May 28, 1991, at 7:00 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.

ATTENDANCE

Deputy Mayor Huntington and Councillors Peggy Draper, Anne Cosgrove, Len Goucher, Peter Kelly and Grant Walker were present at the commencement of the meeting.

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

2. **ADDITIONS/DELETIONS TO ORDER OF BUSINESS**

It was agreed by consensus that Council Consideration of the Tolson Development Agreement would be added to Agenda Item #6, Other.

ON MOTION of Councillor Goucher and Deputy Mayor Huntington, it was moved to add item 5.8, Bedford Planning Advisory Motion re MPS Process, to the circulated agenda. The motion was unanimously approved.

3. **APPROVAL OF THE ORDER OF BUSINESS**

ON MOTION of Councillor Goucher and Councillor Cosgrove, it was moved to consider agenda item 5.3, Notice of Reconsideration re Crestview Properties, as the first item under discussion of the MPS Discussion.

After some discussion, the MOTION by Councillors Goucher and Cosgrove was WITHDRAWN.

ON MOTION of Councillor Walker and Councillor Goucher, it was moved to consider agenda item 5.5, Review of Councillor Walker's written comments, as the first item under discussion of the MPS Discussion. The motion was unanimously approved.

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

4. COUNCIL CONSIDERATION - BILL NO. 147 - PROPOSED FULLY ELECTED SCHOOL BOARDS

A May 17, 1991 memorandum from The Union of Nova Scotia Municipalities requesting Council comments on Bill #147 was circulated with the agenda.

ON MOTION of Councillor Walker and Councillor Cosgrove, it was moved to refer agenda item #4, Council Consideration of Bill No. 147, Proposed Fully Elected School Boards, to staff for review and report. The motion was unanimously approved.

5. CONTINUATION OF MPS DISCUSSION

5.5 Review of Councillor Walker's Written Comments - MPS

Previous to the meeting, Councillor Walker circulated two pages of comments regarding issues of concern. These comments were reviewed by staff and the following comments/changes were made by Council:

- | | | |
|------|----|--|
| page | 17 | discussion of Councillor Walker's concern regarding ownership and taxation of commonly held land |
| | 21 | discussion of "affordability" and a definition; B. Zwicker noted that definition is relative, i.e. what is affordable by Bedford standards, metro standards or provincial standards. <i>It was agreed by consensus that an explanation would be placed in the Preamble that 'affordable' would be described as housing available for individuals at a cost based on 30% of average metropolitan household income.</i> |
| | 23 | Completed |

25 Completed

27 POLICY R-26 (Flag Lots)

ON MOTION of Councillor Walker and Deputy Mayor Huntington, it was agreed to AMEND the May 7, 1991 draft of the Municipal Planning Strategy such that Policy R-26 would permit Flag Lots by development agreement and that the May 7, 1991 draft of the Land Use By-law would be amended to specify the criteria for the flag lot development agreement.

The MOTION was CARRIED (Mayor Christie and Councillor Goucher opposed).

33 POLICY T-9 This is being addressed.

44 Completed

45 Addressed

46 It was agreed that this was a provincial matter.

C-14 -- withdrawn.

48 *ON MOTION of Councillor Walker and Councillor Draper, it was moved to AMEND the May 7, 1991 draft of the Municipal Planning Strategy such that Policy C-23 shall be amended by deleting the word "past" from reflect past architectural styles. The MOTION was CARRIED* (Councillors Kelly and Goucher opposed).

ON MOTION of Councillor Walker, it was moved to AMEND the May 7, 1991 draft of the Municipal Planning Strategy such that Policy C-23 shall be amended by using the words "meaningful and economic" as adjectives for architectural styles. The MOTION was WITHDRAWN.

In discussion of possible amendments to this Policy, it was noted that previous drafts of the MPS contained an appendix with photographs of suggested styles. Staff agreed that this appendix could be included in the amended draft of the LUB.

ON MOTION of Councillor Goucher and Councillor Walker, it was moved to AMEND the May 7, 1991 draft of the Municipal Planning Strategy such that Policy C-23 shall be amended to reflect the intent that "... create a sense of streetscape supporting pedestrian oriented environment and to regulate the architectural styles as referenced in the Land Use By-law". The motion was unanimously approved.

50 POLICY C-35

ON MOTION of Councillor Walker and Deputy Mayor Huntington, it was moved to AMEND the May 7, 1991 draft of the Municipal Planning Strategy such that Policy C-35 shall be redrafted to reflect the intent that, in order to be consistent, the Mainstreet Improvement District shall match the commercial designation along the Dartmouth Road. The MOTION was CARRIED (Councillor Kelly opposed).

In discussion, Councillor Kelly suggested that there should be concurrence from the province prior to making this change in designation.

53 OVERALL OBJECTIVE

ON MOTION of Councillor Walker, it was moved to AMEND the May 7, 1991 draft of the Municipal Planning Strategy such that the Overall Objective of the Waterfront Development be redrafted such that the residential component shall be referred to as "high density residential".

The MOTION was LOST, as there was no seconder after three calls from the Mayor.

58 POLICY WF-8

ON MOTION of Councillor Walker and Deputy Mayor Huntington, it was moved to AMEND the May 7, 1991 draft of the Municipal Planning Strategy such that Policy WF-8 shall be redrafted by staff to reflect Town Council's intent that this policy will refer to open space relative to density in the same manner as the policies on RCDD open space.

In discussion of the MOTION, Deputy Mayor Huntington WITHDREW his second of the motion. B. Zwicker commented on the proposed net density for the two waterfront sites.

POLICY WF-13

Councillor Walker suggested that the Waterfront Project will not meet all the Town's proposed housing objectives due to the high cost per land.

POLICY WF-14

Councillor Walker suggested that this policy be amended to reflect the most current concept plan proposed by the Bedford Waterfront Development Corporation (BWDC). However, Mr. Zwicker recommended that Town Council consider a plan amendment when the BWDC formally presents a new design concept to the Town.

59 POLICY WF-19 Withdrawn

66 POLICY I-2, Section b

ON MOTION of Councillor Walker and Councillor Goucher, it was moved to **AMEND** the May 7, 1991 draft of the Municipal Planning Strategy such that Policy I-2, Section b, shall reflect the intent that Harbour Oriented Zone will permit light industrial use; and further that the Land Use By-law, page 51 shall be amended to reflect this change. **The motion was unanimously approved.**

73 It was concluded that Town Council should move toward formally approving the PRIS document. Therefore there is no need to describe the PRIS document as a 'draft'.

74 **ON MOTION** of Councillor Walker and Councillor Draper, it was moved to **AMEND** the May 7, 1991 draft of the Municipal Planning Strategy such that page 74, Parkland Acquisition, shall reflect that the responsibility for recommending, not overseeing, the acquisition of land for parkland resits with the subcommittee. **The motion was unanimously approved.**

75 It was agreed that staff will clearly define 'active recreational uses' by using the permitted uses listed in the LUB.

79 Councillor Walker asked that on the GFLUM map the internal parkland designations for Jacks Lake project not be designated. Mr. Zwicker noted that in the most recent draft they are not identified.

79 POLICY P-11

Staff will clarify whether the Major Path and Walkway System Report was every formally adopted by Town Council.

80 POLICY P-13

ON MOTION of Councillor Walker and Councillor Draper, it was moved to **AMEND** the May 7, 1991 draft of the Municipal Planning Strategy such that Policy P-13 shall be amended to reflect the newly adopted Terms of Reference of the Parks Planning Subcommittee, i.e. "The Planning and Development Department of the Town shall work through Bedford Recreation Advisory Committee, not shall work in conjunction with Parks Planning Subcommittee. **The MOTION was DEFEATED** (Councillors Cosgrove, Kelly and Goucher opposing; Deputy Mayor Huntington abstaining; and Councillors Walker, and Draper in favour).