

Councillor Peter Kelly expressed his concern that if the 12% guideline was extended, the Town could end up in an unfavourable fiscal situation.

Mayor Peter Christie resumed his position as Chair.

Fire Department Pumper

**ON MOTION** of Councillors Len Goucher and Peter Kelly, it was moved to authorize the Fire Department to order a new Pumper with delivery to be taken in 1992 thereby affecting the 1992 Capital Budget.

**ON MOTION** of Grant Walker, it was moved to defer the Fire Department request for a new Pumper until 1992. As there was no seconder, the Motion was lost.

**ON MOTION** of Councillors Peggy Draper and Len Goucher, it was moved to extend the meeting by fifteen minutes.

**Motion approved unanimously.**

Ron Singer, Director of Finance reminded Council that the Town cannot afford all Capital projects and that a figure of \$809,000 has already been committed.

In response to a query from Councillor Grant Walker as to the cost savings of amalgamated Fire Services, Mayor Christie advised that Social Services would be high on the priority list however, amalgamated Fire Services could be looked at.

**ON MOTION** of Councillors Peggy Draper and Peter Kelly, it was moved to amend the original Motion whereby the purchase of a Pumper by the Fire Department would be approved in principle while awaiting a staff report including the rationale and justification of this requirement, vehicle specifications and in particular, specific financial options. Once in receipt of same, a new Motion would be in order to authorize the Fire Department to place an order for a new Pumper.

The amendment was put to the meeting and was **CARRIED**. Deputy Mayor Huntington and Councillor Walker opposed.

**The Amended Motion carried.** Deputy Mayor Don Huntington and Councillor Grant Walker opposed.

**ON MOTION** of Councillor Peggy Draper and Grant Walker, it was moved to defer this matter until Town Council was in receipt of the requested report.

**Motion carried.** Deputy Mayor Don Huntington opposed.

**ON MOTION** of Councillors Peggy Draper and Len Goucher, it was moved to extend the meeting by five minutes.

**Motion approved unanimously.**

Meadowbrook Ballfield

**ON MOTION** of Councillors Peggy Draper and Grant Walker, it was moved to award Phase 1 Meadowbrook Park to Terra Nova Landscaping Ltd. at a cost not to exceed \$11,450 plus G.S.T. for the regrading and resurfacing of both infield surfaces.

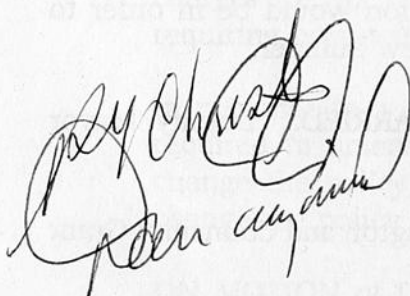
**Motion carried unanimously.**

**ON MOTION** of Councillor Len Goucher and Peter Kelly, it was moved to approve the 1991 Capital Budget including all prioritized items listed under 1991 Capital Borrowing totalling \$979,500 maintaining the projected ratio of debt charges to Tax Levy of 12%.

**Motion carried.**

ADJOURNMENT

The meeting adjourned to be reconvened at a date to be determined.



Handwritten signatures of Peggy Draper and Len Goucher.

**TOWN OF BEDFORD**

***Special Session***

Tuesday, July 2, 1991

A Special Session of the Town Council of the Town of Bedford took place on Tuesday, July 2, 1991, at 6:00 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.

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 Barry Zwicker, Acting-Chief Administrative Officer. Mr. Rick Paynter, Director of Engineering and Works arrived at approximately 7:00 p.m.

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

**ON MOTION** of Councillor Goucher and Councillor Cosgrove, it was moved to add a new item, Tolson Application for Demolition, to the agenda. The motion was **DEFEATED** (Deputy Mayor Huntington and Councillor Walker voted against the motion; the Mayor indicated that a two-third majority vote was required to add items to the agenda).

Councillor Walker gave a NOTICE OF MOTION regarding tax certificates for the discussion at the next regular meeting of Town Council.

Deputy Mayor Huntington addressed Town Council noting his objection to the calling of this special session as he felt that these issues were not of an urgent nature and could have been discussed at the upcoming Regular Session. Mayor Christie reminded Council of Section 4 of the Rules of Order which permits three Councillors to call a special session.

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

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

5. **INFILLING OF DITCH - BEDFORD PLACE MALL**

By letter of June 7, 1991, Mr. Paynter outlined to Ms. M. Walsh (Manager, Bedford Place Mall) a proposal for a cost-sharing project relative to undertaking improvement works to the drainage ditch which takes storm sewer systems from Union Street, Bridge Street, Nottingham Street and Meadowview Street. The project would be undertaken and supervised by the Town, subject to the approval of the Mall and Town Council and cost shared fifty-fifty.

In discussion of the project, it was clarified that Town funds would come from the storm drainage budget which has already been approved by Town Council.

*ON MOTION of Councillor Walker and Councillor Cosgrove, it was moved to approve the improvement project to the drainage ditch related to storm sewer systems in the area of Bedford Place Mall which would be undertaken and managed by the Town to a maximum cost of \$5,000.*

In addressing the MOTION, Councillor Cosgrove pointed out that the Mall Manager has verbally indicated willingness to cost share in this project and written confirmation will be forthcoming.

**The MOTION was put to the meeting and unanimously approved.**

6. **PETROGLYPH ADVISORY COMMITTEE - MEMBERSHIP**

By memorandum of June 13, 1991 to Town Council, Mr. Moir provided the names of three native nominees to fulfil the expanded membership of the Petroglyph Advisory Committee which Town Council approved on May 13, 1991. Also included for information were the letters of nomination. The nominees were Theresea McPhee, Mr. Kevin Christmas, and Mr. Don Julien.

Councillor Goucher, as Chairman for the Petroglyph Advisory Committee, noted the importance of this appointment to the committee membership.

*ON MOTION of Councillor Goucher and Councillor Cosgrove, it was moved to nominate Theresea McPhee to the Petroglyph Advisory Committee.*

*ON MOTION of Councillor Walker and Councillor Draper, it was moved to nominate Don-Julien to the Petroglyph Advisory Committee.*

*ON MOTION of Councillor Goucher and Councillor Cosgrove, it was moved to cease nominations.*

Prior to casting votes, Councillor Draper sought additional information on the nominees. Councillor Goucher noted that Ms. McPhee had assisted with the Molyneaux Report and has already taken it upon herself to become familiar with all the minutes and background material of the committee. He indicated that she is ready to provide assistance to the committee at this time. Councillor Walker pointed out that Don Julien is the acknowledged expert on Micmac history within the province.

The Mayor asked Councillors to vote on the two nominations by secret ballot. The ballot revealed that Theresea McPhee was appointed to the Petroglyph Advisory Committee. Councillor Goucher indicated that he would ensure that the new member of the Committee was provided with all reference material.

7. **TOWN POLICY #24201 (SEWER INSTALLATION) - LATERAL EXTENSIONS TO VACANT LOTS**

*ON MOTION of Councillor Kelly and Councillor Goucher, it was moved to SUSPEND THE RULES OF ORDER to permit Mr. Smith and his son to address Town Council on the issue of the Town's sewer installation policy. The motion was unanimously approved.*

Circulated with the agenda was a copy of the Sewer Installation Policy (#24201) and a memorandum from Mr. Paynter to Councillor Kelly with regard to Lot 33, Meadowview Drive (Smith Property).

The property owner, Mr. Smith, is now requesting provision of lateral services at Town expense as he had paid \$900 betterment charge to the County. Following Town Incorporation, there were several lots which had been charged total frontage charge for sewers and as a result, in 1985 Policy #24201 was implemented which placed the responsibility of building service laterals to the property owner.

Mr. Smith, Senior, addressed Town Council and noted that he had been billed

\$900 by the County in 1979 and at the time of Incorporation, the Town assumed the obligation for those laterals. Mr. Smith read from numerous pieces of correspondence which indicated that the betterment charge which he paid included sewer laterals. In response to questions from Council, Mr. Smith noted that he had asked the County to provide the laterals but it was their response that the laterals should only be installed when a building was constructed. Mr. Smith is now ready to proceed with construction and is seeking installation of the laterals by the Town of Bedford at no additional cost to himself.

**ON MOTION** of Councillor Walker, it was moved to resume the **RULES OF ORDER**.

It was clarified by Mr. Zwicker that from the date of Incorporation to January 1985 (date of implementation of Policy 24201), the Town did assume the responsibility to install sewer laterals. However, after the implementation of the policy, the responsibility to install laterals was given to the property owner.

Councillor Kelly indicated that the individuals, including Mr. Smith, who were affected by the implementation of Policy 24201 were not notified of the shift in responsibility. Therefore, due to a possible error on the part of the Town, Councillor Kelly expressed his view that the Town should assume the responsibility for the installation of Mr. Smith's laterals.

**ON MOTION** of Councillor Kelly and Councillor Cosgrove, it was moved that, notwithstanding Policy 24201, the sewer laterals for lot 33, Meadowview, be installed at a cost to be assumed by the Town.

In discussion of the MOTION, it was revealed that there could be as many as 60 other property owners who might be similarly affected and that if Town Council exempted Mr. Smith from this policy, then Town Council had an obligation to exempt the other property owners. It was also suggested that property owners who have assumed the cost for installation of sewer laterals since January 1985 should be reimbursed.

**ON MOTION** of Councillor Goucher, it was moved to **DEFER** further discussion with respect to the Smith property and installation of sewer laterals pending receipt of an Engineering Report to be presented at the July 16, 1991 Regular Council Session which would provide additional information such as the number of potential installations and their costs as well as the number of installations which had occurred since January 1985 at a cost to the property owners. The motion was **LOST**, there being no seconder for the motion after three calls from the Mayor.

**The ORIGINAL MOTION was put to the meeting and DEFEATED**

(Councillor Kelly, Councillor Cosgrove voted in favour; Deputy Mayor Huntington, Councillor Draper and Councillor Walker voted against the motion; and Councillor Goucher abstained).

8. **FENCING BETWEEN C.P. ALLEN SENIOR HIGH SCHOOL & ROCKY LAKE DRIVE RESIDENT PROPERTIES (COUNCILLOR KELLY - VERBAL)**

Councillor Kelly requested that Town Council consider entering into a cost shared project to erect fencing between C.P. Allen High School and an abutting property owner (which he agreed to specifically identify at a later date). He noted that in the mid 1980's, Town Council entered into a similar arrangement with several property owners to erect fencing between residents and the Bedford Junior High School. The project was cost shared equally between the Town, School Board and residents.

*ON MOTION of Councillor Kelly and Councillor Goucher, it was moved to approve, subject to School Board approval, a project to erect a fence between C.P. Allen High School and a property owner to be later identified by Councillor Kelly on a one-third (Town), one-third (School Board), one-third (property owner) basis.*

In discussion of the MOTION, it was clarified that the fencing project completed in the mid-1980's was cost shared by the Town as the Town was the owner of the property on which the school was erected. However, in this instance, the County of Halifax owns the property on which C.P. Allen is built.

Mr. Zwicker also noted that the fencing project at C.P. Allen was undertaken at the request of several abutting property owners.

Deputy Mayor Huntington objected to discussion on the topic since the Town is not a landowner in this particular instance and that the concept had not been previously discussed with the School Board. Councillor Goucher asked for clarification regarding an estimate on the cost of fence erection. No definitive costs were available.

*ON MOTION of Councillor Goucher and Councillor Kelly, it was moved to REFER this item to Engineering and Works for more information regarding costs of fencing and erection; and to further investigate if the abutting property owners were agreeable to a cost-sharing venture.*

In discussion of the MOTION to REFER, Councillor Draper sought further clarification as to what should be discussed with the School Board. After further elaboration, Mayor Christie noted that the Engineering Department would determine the abutting property owners with whom the cost sharing should be discussed.

Deputy Mayor Huntington expressed concern that this agenda item lacked sufficient information. Councillor Walker indicated that if the Town was not a property owner, then the Town should not become involved in the fencing matter.

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

Councillor Goucher gave **NOTICE OF RECONSIDERATION** regarding the earlier defeated motion on sewer laterals and asked the Engineering and Works Department to provide further information at the July 16 Regular Town Council Session.

9. **TOLSON ESTATE APPEAL NOTICES**

Circulated with the agenda package, for information, was correspondence from the Municipal Board's Clerk notifying the Town that a total of 62 appeals had been filed against the Town Council decision to enter into a development agreement (presented for review at public hearing on May 21, 1991) for the property known as the Tolson Estate, Shore Drive and Fort Sackville Road. The grounds of the appeals are that the decision of Council cannot reasonably be said to be consistent with the intent of the municipal planning strategy of the Town of Bedford.

Councillor Goucher, however, sought clarification on Tolson's recent request for permission to demolish the Manor House. Councillor Goucher expressed his concern that the request should be dealt with as quickly as possible. Mayor Christie noted that Town Council is required by the Heritage Act to forward the request for demolition to the Heritage Advisory Committee for comment. If Town Council after hearing the report from Heritage Advisory Committee, denies the request for demolition, the applicant can, after one year from the date of his request, demolish the building.

**ON MOTION** of Councillor Goucher and Councillor Draper, it was moved to **SUSPEND THE RULES OF ORDER** to deal with the matter of the Request for Demolition. **The motion was CARRIED** (Mayor Christie, Councillor Goucher, Draper, Cosgrove and Kelly voted in favour; Deputy Mayor Huntington and Councillor Walker voted against the motion to suspend the rules of order). A motion to suspend the rules of order requires a two-third majority vote.

**ON MOTION** of Councillor Goucher and Councillor Cosgrove, it was moved that Town Council refer the application for demolition of the Manor House to the Bedford Heritage Advisory Committee for review and comment. **The motion was CARRIED** (Councillor Walker voted against the motion).

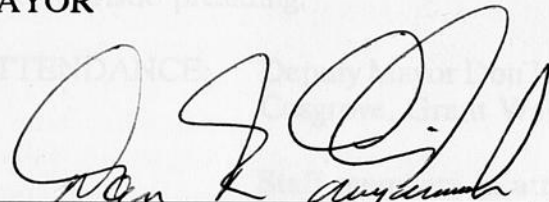


The Rules of Order resumed.

**10. ADJOURNMENT**

**ON MOTION of Councillor Kelly, it was moved to adjourn the July 2, 1991 Special Session of Bedford Town Council at approximately 7:15 p.m.**

  
MAYOR

  
CHIEF ADMINISTRATIVE OFFICER

/dl

**INTRODUCTION**

The purpose of the Public Hearing was to receive written and verbal submissions relative to the July 1991 Draft of the Municipal Planning Strategy (MPS) and the Land Use Bylaw (LUB). The proposed MPS is to replace the existing Municipal Development Plan adopted in 1982. The Land Use Bylaw is to implement the policies of the proposed MPS and to replace the existing Land Use Bylaw (Zoning) adopted in 1982. The area affected is the entire area of the Town of Bedford.

Mayor Christ brought the Public Hearing to order at approximately 7:00 p.m. and reviewed the PUBLIC HEARING PROCEDURES which Town Council had recently approved. Those present were reminded to place their name on a list at the back of the room; speakers were limited to 10 minutes each. Council would hear presentations until 11:00 p.m. and at that time if there were additional speakers, Town Council would determine to either hear the remaining speakers or reconvene if another meeting without submissions would be received until July 10, 1991 at 9:30 p.m. and that the proceedings were being taped. Mayor Christ also noted that Town Council would have the opportunity to question those people making presentations; however, the questions would be for clarification only.

**TOWN OF BEDFORD**

**Public Hearing #91-03**

Wednesday, July 3, 1991

A Public Hearing of the Town of Bedford took place on Wednesday, July 3, 1991, at 7:30 p.m. at the Bedford Lions Den, 36 Holland Avenue, 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; Steve Moir, Senior Planner; and Donna Davis-Lohnes, Planner.

Approximately 50 residents were also present.

**INTRODUCTION**

The purpose of the Public Hearing was to receive written and verbal submissions relative to the July 1991 Draft of the Municipal Planning Strategy (MPS) and the Land Use Bylaw (LUB). The proposed MPS is to replace the existing Municipal Development Plan adopted in 1982. The Land Use Bylaw is to implement the policies of the proposed MPS and to replace the existing Land Use Bylaw (Zoning) adopted in 1982. The area affected is the entire area of the Town of Bedford.

Mayor Christie brought the Public Hearing to order at approximately 7:40 p.m. and reviewed the PUBLIC HEARING PROCEDURES which Town Council had recently approved. Those present were reminded to place their name on a list at the back of the room; speakers were limited to 10 minutes each; Council would hear presentations until 11:00 p.m. and at that time if there were additional speakers, Town Council would determine to either hear the remaining speakers or reconvene to another meeting; written submissions would be received until July 10, 1991 at 4:30 p.m.; and that the proceedings were being taped. Mayor Christie also noted that Town Council would have the opportunity to question those people making presentations, however, the questions would be for clarification only.

**MR. KEN MCINNIS:** Mr. McInnis commented on Mainstreet Commercial, and the Barrens. With respect to Mainstreet Commercial, he suggested a maximum height of two stories above grade and that grade should be measured from the Bedford Highway (in this way the commercial buildings would not intrude or detract from the adjacent residential neighbourhoods). Regarding the Barrens, Mr. McInnis noted that previously he spoke in favour of the Barrens being a park and he reaffirmed his earlier view that the Barrens should be a wilderness park. He suggested that, in light of the upcoming Municipal Elections, Town Council should make the issue of the Barrens an election issue ("take this to the people and let them decide").

**MR. JACK BATHURST:** Mr. Bathurst expressed his support for Mr. McInnis' statements and as well congratulated Town Council and staff on their work involving the MPS. However, Mr. Bathurst asked Town Council to reconsider their decision regarding proposed commercial land use designations, particularly along the Bedford Highway, and to review once again a 4 April 1991 memorandum from B. Zwicker regarding this issue. Mr. Bathurst noted that staff recommended a minimal increase in commercially designated land beyond what was included in the 1982 Municipal Development Plan and that the Town should develop an overall economic development strategy for the Town to assist in long range planning. Mr. Bathurst concluded by asking Town Council why they went against the advice of staff. (Copies of the 4 April 1991 memorandum were available at the public hearing.)

**MRS. G. ROUGHNEEN:** Mrs. Roughneen pointed out several areas of the MPS in which she noted 'contradictions'. These included:

Commercial HC-5 (p. 11)	objective - "the small town identity has been developed" Bedford does not have a small town identity; it has a busy 3-lane highway that prevents a small town identity
HC-14	Town should not rely on cosmetic elements such as signs and street lighting to create a community identity
Heritage	objective - uses the word 'area'; however, HC-1 through 4 should have the word 'area' reinstated as in the previous draft
E-12 (p. 92)	the three-storey height limit conflicts with policies E-25 and E-26 (the entire Bedford Basin view should be protected)
E-13 (p. 92)	Environmentally Sensitive Areas includes the Union Street RCDD (or the area known as the Barrens); clarification should be provided for the permitted uses in an Environmentally Sensitive Area; this policy contradicts Policy E-25 as the Barrens provides visual relief and a visual backdrop for the Town of Bedford
Residential	noted that Appendix A specifies "hazard to development" rather than dangers to the environment; the emphasis should be reversed objective - "to provide for preservation of the character of existing neighbourhoods in their present form" contradicts policy R-26 on

- Residential residential infilling  
residential objective is in contradiction with the Union Street RCDD (if the Barrens is developed as RCDD, the removal of the buffer of trees will increase noise from the BiCentennial Highway; damage the quality of life; and the blasting may damage existing buildings.
- Union St. RCDD The MPS reflects nothing of the public's expressed concerns with respect to the Barrens; it would seem that Town Council is "out of touch" with the environmental movement across the nation and across the world

Mrs. Roughneen recommended that Town Council reject this MPS and work towards making it more consistent. She also suggested that Town Council bring the MPS forward as an election issue.

**DR. J.J. MANGALAM:** Dr. Mangalam expressed his concerns regarding the Barrens. He noted that the Barrens is the "centre of our sanity", a place to retreat to, a place to meditate and to reduce the tensions and anxieties of life. The preservation of the Barrens is part of Bedford's "quality of life". Dr. Mangalam also noted that the Barrens is a "native special place" and as such why would Bedford consider destroying this sanctity. He suggested that development should not be equal to dollars; and that development could become D-E-V-I-Lopment.

Councillor Walker asked Dr. Mangalam's feelings on the development of other natural areas within the Town; Dr. Mangalam suggested that each must be reviewed on its own merit.

**CHRISTINE BUSH:** Mrs. Bush expressed her support of the previous speakers and that she would like to see, given the amount of public input on the issue of the Barrens, a much stronger statement within the MPS on the Barrens; she suggested that such a statement would specify a minimum amount of acreage to be protected, the nature of the area to be preserved and the whereabouts of the acreage.

Mrs. Bush also commented on several other areas including:

- concerned with possibility of mobile homes in RCDD areas
- existing neighbourhoods -- buffer zones of similar housing should be provided where new residential development abuts existing development [ie. single-family adjacent single-family]
- parks and recreation -- a stronger statement with respect to the actual variety of recreational needs required within the Town; i.e. public demand at the Barrens public meeting for wilderness park

- environmental sensitivity - supported Mrs. Roughneen's request to have a stronger environmental statement within the MPS as opposed to a focus on economic prosperity

Mrs. Bush concluded by asking Town Council to take the MPS as an election issue.

Councillor Walker asked for clarification regarding the recreational needs of the Town; Mrs. Bush suggested that the MPS identify "specific deficiencies".

**MR. GUS LEAMAN:** Mr. Leaman asked Town Council to plan a strategy that would benefit the whole community; "development should be for the Common Good". He asked that the Barrens be preserved in its natural state and that the areas is not suited for development. He also suggested that the taxpayers are aware that they have to pay for things that they want; future generations should not be deprived of this area.

**MRS. GLORIA LOWTHER:** On behalf of the Peerless Residents Association, Mrs. Lowther as Chairman, expressed concern that this July draft still has not addressed concerns raised at the previous public hearings on the MPS; she said that she could have used her presentation which she made in May 1990. Her comments included:

Residential Reserve Area - unrealistic zone requirements; 5 acres, 360 ft road frontage; double standards exist between development within the Primary Development Area as compared to the Residential Reserve Area yet they pay the same taxes and received very different treatment

Extension of the Primary Development Area to include Crestview Properties - she noted that this was not discussed at Bedford Planning Advisory Committee and received no public input; if the boundary was to have been extended, it should have been to the west of the Bicentennial Highway.

Neighbourhood stability (R-8) - Peerless area residents are still striving for some neighbourhood stability and yet the buffer zone between industrial and residential areas has been decreased in the July draft from 50 ft (May draft) to 40 feet; this is not neighbourhood stability; she also quoted C-32 and C-33 which limit the distances of drinking establishments and adult entertainment uses from residential areas within the Primary Development Area however in the Residential Reserve Area, industrial uses are permitted closer to the residents.

Concern was expressed about possible rezoning of a portion of a residential property within Peerless Subdivision for industrial

purposes.

Transportation (T-8) - requested sidewalks west of the Bicentennial for pedestrian safety

Transportation (T-9) - should never be forty-eight feet wide because of concerns about speed, safety and access

Commercial - concerned about the amount of commercial land; this large amount will not foster small town atmosphere

Table 3 (Appendix B) - She has previously requested that correctional facilities be deleted from the residential reserve area; correctional facilities requires a definition.

Residential (R-11) - With respect to density, the concept of cluster housing is not acceptable

Waterfront Development - the proposed site for the new Town Hall is unacceptable as there is limited access to the waterfront; limited parking and the cost of land is too high.

**MR. JIM PHILLIPS:** Mr. Phillips addressed two key issues: preservation of the Barrens and permitted use of recycling depot in general commercial. With respect to the Barrens, Mr. Phillips noted that "Town Council is not listening to the public" and has ignored the input of the Shaman Wilderness Group. He suggested that Town Council put a hold on development in the Barrens area until possible funding alternatives for the Barrens are investigated; and that the area be designated a Secondary Development Strategy.

Regarding recycling depots, Mr. Phillips noted that the draft MPS would permit recycling depots to be located at "every second storefront". The general commercial zoning does not limit the number of recycling depots, i.e. specify that they must be a minimum of so many feet from each other.

**MR. ROSS:** Mr. Ross noted that Town Council has been divided on the issue of the Barrens with the Mayor and a Councillor declaring possible conflict of interest. He suggested that an RCDD designation of the Barrens would destroy the nature and character of Bedford; an RCDD development would create an additional 1,000 residents, 500 cars and expenses to the Town relating to new schools, and servicing. He recommended that Town Council hold a referendum on the issue of the Barrens designation. He also suggested that zoning changes and construction must be held in abeyance for decision by a newly elected Council.

Councillor Walker inquired what year Mr. Ross's house was built; Mr. Ross replied

approximately 1905.

**MRS. MANGALAM:** Mrs. Mangalam noted that she has previously spoken in support of the Barrens as a park area and was astonished to see Town Council rescind the Parkland Open Space (POS) designation. She commented that Bedford needs wilderness areas. In conclusion she commented on the Bedford Waterfront Development's slogan of bringing Bedford back to the Basin -- she suggested a more appropriate phrase would be "bringing Bedford back to a cesspool"; and she did not want to see the same thing happen to the Barrens.

**MR. THIBODEAU:** Mr. Thibodeau noted that the MPS designates the Barrens as an "Environmentally Sensitive Area" and that the Barrens should not be developed. He commented that the "voice of the residents is not gaining Town Council support". Mr. Thibodeau also commented on the implications of T-13 and T-14 (collector road through the Barrens). He noted that he gets the impression that the economics of developing the Barrens was more important than other issues. He recommended that the Barrens be identified for a Secondary Development Strategy until Bedford Petroglyph Advisory Committee makes their final recommendations.

**MR. MICHAEL ROUGHNEEN:** On behalf of the Shaman Wilderness group, Mr. Roughneen made his presentation beginning with quotations from an article which invites people to "walk along the subdivision roads where the Barrens once where...". The article is a prediction of the future development of the Barrens in the year 2020. He suggested that Town Council should be embarrassed.

Mr. Roughneen made several observations regarding the MPS, including:

- the "small town character" requires further definition and elaboration
- the Barrens is an integral part of the small town character and therefore must be preserved; 50 acres will not do
- the Barrens is a special place; a place sacred to the natives and Town Council must demonstrate some sensitivity
- although community participation is the key to the MPS process, Town Council has not listened to the public voice regarding the Barrens.

Mr. Roughneen proposed some options for Town Council consideration:

1. rescind the current MPS zoning of the Barrens as RCDD and zone it POS
2. OR, identify the Barrens for a Secondary Development Strategy as originally recommended by Bedford Planning Advisory Committee

3. OR, hold the MPS in abeyance until after the fall municipal election.

#### RECESS

Mayor Christie returned the Public Hearing to Order at approximately 9:15 p.m. and read from the list of speakers. All Councillors were present.

**MR. DAN SANGSTER:** As Vice-President, Atlantic Shopping Centers, Mr. Sangster commented on Town Council's recent decision to expand the Primary Development Area to include Crestview Properties. He suggested that if the boundary was to have been expanded, Town Council should have expanded it to the Halifax City limits; the current situation leads to monopoly on lot development. The expansion of the boundary was done without public consultation and Mr. Sangster suggested that it was the process which Town Council followed that was wrong.

**MRS. SHIRLEY TOWILL:** Mrs. Towill expressed her views on several areas of the MPS including:

- opposition to the designation of the Barrens as RCDD; she noted that the Barrens should be designated POS, if for no other reason than environmental reasons
- if the RCDD designation for the Barrens is approved, then a full environmental impact study as outlined by the provincial Department of Environment should be undertaken AND that the Town of Bedford must recognize and put into policy form some of the "downstream problems" (impacts of the RCDD upon other areas of Bedford).
- daycare (R-22): this allows for unrestricted development of daycares in RSU zones leading to a proliferation; increased traffic and noise; she recommended a minimum distance between daycares of 500 ft, as the City of Halifax has implemented
- definition of buffer (LUB): the definition of "existing vegetation" should be examined as grass is existing vegetation but in her mind does not constitute a buffer and is not sufficient
- recommends the prohibition of additional front and backyard parking in RSU zone with respect to home occupations



- recycling depot (E-42): recycling depots are not compatible with single family units and are not suitable for mainstreet commercial areas; she also noted that the LUB has no provision to limit the number of depots, i.e. 500 ft minimum distance between recycling depots.

**MR. T. MACDONALD:** Mr. MacDonald, lawyer, represented St. Paul's Home, one of the major landowners in the area known as the Barrens. He explained that the charitable organization funds its efforts by the sale of its land holdings. He also noted that St. Paul's is mindful of the concerns of adjacent residents and the natives but that St. Paul's assets are its lands which provide the prime source for funding of charitable projects. Mr. Macdonald further commented that he was pleased to see that Town Council had rescinded the POS designation of the Barrens as it would negatively affect the value of the St. Paul's lands.

Mr. Macdonald also asked Town Council to change policy R-14 (p. 24) to include a cap on the time limit for the duration of the process as St. Paul's had concerns over the length of time that development might be frozen.

Also for the record, Mr. Macdonald noted that St. Paul's is open to discussion of "viable alternatives" to preserve the Barrens; however, he was not offering any suggestions.

For clarification, Councillor Walker asked Mr. Macdonald what he considered a reasonable timeframe. Mr. Macdonald felt that less than one year to complete the public participation portion of the process would be acceptable. In discussion with the Mayor, it was further clarified that Mr. Macdonald would like to see a timetable laid out for the process laid out in R-14.

**MR. FRASER:** As a resident of Union Street, Mr. Fraser asked Town Council to listen to the public input on the issue of the Barrens. He commented on the negative impacts resulting from development of the RCDD such as increased costs to the Town (sewage treatment plan, snow removal, fire and police services, and the development of a collector road through the Barrens). He observed that the almighty dollar seems to be the main factor driving decisions in the Town.

Mr. Fraser suggested that the Town of Bedford as described by Chatelaine magazine would be lost because of poor planning and the almighty dollar which seems to be the main factor in all discussions about how development should proceed. Mr. Fraser asked Town Council to make a decision and stick to it; and that Town Council should know all the facts (survey of the lands, funding alternatives, etc) before making their decision.

**MR. PAUL AUCOIN:** Mayor Christie called Mr. Aucoin to speak; however, it was noted that he was no longer present.

**MR. FRED HALL:** Mr. Hall formally protested the holding of the public hearings during July which is a holiday period for many people. He further commented on the process of the MPS and that development in Bedford seems to be motivated by economic profit and unsustainable growth. He asked that child care be provided at all public meetings. He expressed his opposition to development that is not more sensitive to the environment. He asked that Town Council meetings be televised on Shaw Cable on a regular basis so as not to deny seniors their civil rights.

Mr. Hall noted that on page 83, first paragraph, number 1, should address community noise and that guidelines should be established and berms placed to reduce noise pollution.

Mr. Hall also commented that the Barrens should be preserved as its' "preservation is essential to our role as custodians". Mr. Hall likened the Barrens to a good book; a treasure to be savoured, and that Town Council has a "responsibility to ensure the Barrens remains untouched so people can recharge". He also suggested that Union Street residents have experienced inequality over the last ten years; they "always get a raw deal".

Mr. Hall expressed his opposition to the MPS; and suggested that Town Council reject it. He suggested that this was "a good handbook for any developer to go and rape Bedford."

In discussion with Councillor Walker, Mr. Hall clarified his impression of the area known as the Barrens.

**MR. AL CHAISSON:** Mr. Chaisson noted that in addition to his presentation this evening, he would provide a written submission commenting on the more technical aspects of the MPS. As a resident of Bedford, Mr. Chaisson commented on public attitudes regarding the Barrens. He suggested that the public may be willing to shoulder the costs of retaining the Barrens as parkland if the exact costs were known. With respect to the Union Street RCDD designation, he questioned whether it will be possible to obtain agreement among the 13 landowners on any concept plan.

With respect to Town Council's recent decision to expand the Primary Development Area to include Crestview Properties, Mr. Chaisson noted that several land owners had previously made presentations to have the boundary expanded. The draft MPS sets out a process by which Town Council shall give consideration to any expansion; however, at

the last minute Town Council agreed to expand the boundary without consideration to the process outlined in the draft MPS. He suggested that this was inappropriate. He also asked how Town Council expects industry (the development industry) to have respect for the MPS process, if Town Council doesn't.

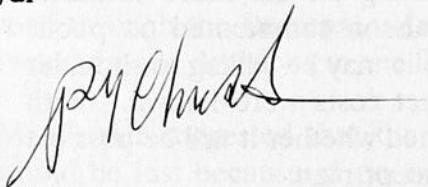
(Mrs. Pender, sitting adjacent the microphone, interrupted and agreed with Mr. Chaisson on this issue even though Mayor Christie noted that she was out of order.)

**MR. JOHN TOLSON:** Mr. Tolson commented on three areas of the MPS including:

1. a request that dual zoning (CCDD/CHWY) be placed on his four properties (X2B, X2C, X2D and Lot 4 Bedford Highway) to permit a combination of commercial/residential development (he commented favourably on the new CCDD which addresses the mix of commercial/residential uses)
2. disbelief that Town Council has jurisdiction to impose regulations regarding the intertidal zone and infilling and therefore, E-22 should be removed
3. disagreement with the recent expansion of the Primary Development boundary to include Crestview Properties and agreement with Mr. Chaisson that Town Council should have followed the rules as outlined in the draft MPS for amending the boundary.

Mayor Christie noted that several people had placed their names on the list to speak on Thursday evening. At approximately 10:20 p.m., there were no further speakers for Wednesday evening, after three calls from the Mayor and the public hearing will reconvene at 7:30 p.m. on Thursday.

/dl



**TOWN OF BEDFORD**

***Public Hearing #91-03 Reconvened***

Thursday, July 4, 1991

A Reconvened Public Hearing of the Town of Bedford took place on Thursday, July 4, 1991, at 7:30 p.m. at the Bedford Lions Den, 36 Holland Avenue, 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; Steve Moir, Senior Planner; and Donna Davis-Lohnes, Planner.

Approximately 35 residents were also present.

**INTRODUCTION**

The purpose of the Reconvened Public Hearing was to receive written and verbal submissions relative to the July 1991 draft Municipal Planning Strategy (MPS) and the Land Use Bylaw (LUB). The proposed MPS is to replace the existing Municipal Development Plan adopted in 1982. The Land Use Bylaw is to implement the policies of the proposed MPS and to replace the existing Land Use Bylaw (Zoning) adopted in 1982. The area affected is the entire area of the Town of Bedford.

For the second night, Mayor Christie brought the Public Hearing to order at approximately 7:40 p.m. and reviewed the PUBLIC HEARING PROCEDURES which Town Council had recently approved. Those present were reminded to place their name on a list at the back of the room; speakers were limited to 10 minutes each; Council would hear presentations until 11:00 pm. and at that time if there were additional speakers, Town Council would determine to either hear the remaining speakers or reconvene to another meeting; written submissions would be received until July 10, 1991 at 4:30 p.m.; and that the proceedings were being taped. Mayor Christie also noted that Town Council would have the opportunity to question those people making presentations; however, the questions would be for clarification only.

**MRS. BETSY VANHELVOORT:** Mrs. VanHelvoort commented on several areas of the MPS and LUB including:

- providing a clearer definition and understanding of the difference between designations and zones; these are difficult concepts for the general public to understand
- in future MPS reviews, Mrs. VanHelvoort suggested providing maps with each draft of the MPS & LUB so that citizens can visualize where changes are occurring
- identified an inconsistency that Smith's Road is zoned RSU (single family) and that Giles Road is zoned Residential Reserve; yet both areas lie west of the BiCentennial and both are unserved.
- with respect to the expansion of the industrial designation for Atlantic Acres, Mrs. VanHelvoort expressed concern that too much land was designated industrial in this area and that the Town should perhaps be considering industrial growth in closer proximity to Burnside Industrial Park; she also suggested that the configuration of the designation could be changed to be more sensitive to the residential character of the Hammonds Plains Road.
- grade alterations in the Atlantic Acres Industrial Park area have not been sensitive to the environment
- she was pleased to see policy E-20; however, she noted that the citizens want to be involved in the total process of planning and not just at the final public hearing stage; she also suggested that the Sandy Lake Park Master Plan and the PRIS document should form part of the study.
- regarding subdivision of lots within the Residential Reserve Area (R-6), she noted that many properties could not be subdivided because many are pie-shaped and often have less than the required road frontage; she suggested changing the guidelines such that subdivision of existing lots be permitted under development agreement
- Policy R-7; if the intent/purpose of the policy is to keep densities low, Mrs. VanHelvoort suggested that special needs facilities and campgrounds should not be permitted uses in the RR Zone
- with regard to the expansion of the Primary Development boundary, she does support development west of the BiCentennial; she noted proposals by Jack Lake Land Assembly and A. Chaisson and again expressed hope that citizens would be directly involved in the total planning process and not just at the end of the process
- regarding the concept/notion of physical and psychological barrier that the BiCentennial produces, Mrs. VanHelvoort was pleased to see a change in name

from Secondary Development Area to Residential Reserve however, she did note that some of the damaging terms continue to be used and therefore, the 'barrier' will continue to exist; she asked for more sensitivity on the part of Council to include people living west of the BiCentennial as part of the Town, Mayor Christie invited Mrs. VanHelvoort to submit her comments in written form; she agreed to do so.

**JIM & FAITH HUGHES:** Mr. and Mrs. Hughes asked Town Council to consider their application to designate 51 Rocky Lake Road as commercial with the restriction that the property be used only for a dance school. Mr. & Mrs. Hughes provided background material on their intentions to provide ballet, tap and jazz lessons for children and adults. They also provided information regarding their backgrounds and experience.

It was clarified that the couple has made a formal application through the Planning Department. Mr. Hughes also noted that they have spoken to many area residents and have received no negative comments about the proposal.

In discussion with Councillor Walker, it was noted that there was an advantage to having the dance school in a permanent location where fixtures and accessories could be used. There was also some general comments regarding the amount of traffic which the school would generate.

**MRS. AILEEN MCCORMICK:** In her introductory remarks, Mrs. McCormick expressed her concern that according to the Department of Municipal Affairs, Town Council had to permit "reasonable time" for individuals to speak on the draft MPS. She did not feel that 10 minutes was adequate. Mayor Christie noted that these were the procedures which Town Council approved and explained that individuals could also make written submissions.

Mrs. McCormick commented on the following:

#### MPS

- CP-4 she wants these semi-annual Public Information Meetings to be held
- HC-5 she felt that this policy was contradictory to the public wishes
- p. 15 she questioned the increase of 75 dwelling units for 1981
- R-11 she questioned the difference between density calculations on gross area versus 5% parkland dedication based on net area
- R-13 the 1982 zoning regarding mobile homes must be retained
- R-14 not enough attention given to the Barrens; should be revised; there is no mention of maintaining the small town character
- R-9 should be revisited by Town Council as the expansion of the Primary

- Development Area to include Crestview Properties was not reviewed by BPAC or by the public nor was Policy R-2 applied to the process
- R-22 daycares should be shown on development plans
- R-23 minimum setback should be provided
- R-26 questioned the reason for permitting residential infilling as it will increase density
- C-3 regarding recycling depots; Mrs. McCormick suggested that neighborhood collection centers be established with weekly pickup
- C-5 how high is Town Council willing to permit?
- C-18 where is the golf course?
- C-20 policy not wanted by the public
- C-26 the number of parking lots should be limited
- C-32/33 collector road should be identified
- I-7 on the back burner now
- p.70 she suggested that development should be restricted until "proper space in the schools is available"; portable classrooms are not suitable
- S-3 suggested a home for seniors be located on the waterfront
- S-7 why should a correctional facility be permitted in the Residential Reserve and not within the Primary Development area
- P-9 the \$8,600 study on the swim/tennis proposal should have been spent on an indoor pool study
- P-10 recreational signage should be done; not talked about
- p. 87 a list of public view planes should be made available to the public
- p.92 designating the Barrens as an RCDD is not correct; should try to save at least 1/3 of the 90 acres
- E-24 should be deleted
- E-34 why are on-site disposals permitted on Shore Drive
- E-45 a list of hazardous goods stored should also be provided to medical practitioners

### LUB

- p. 9 what size lot
- p.13 definition of view plane missing
- p. 18 with respect to detached garden flats, a lot size should be established
- p. 41 a full description of RCDD should be provided as was included in the February draft
- p. 42 if no buildings are permitted on less than 5 acres; perhaps tents should be limited 1 to 5 acres
- p. 43 why were institutional uses added to general business district
- p. 45 maximum height should be in feet not floors
- p. 49 the February draft should remain
- p. 51 the buffer has been 50 ft.; why reduce it to 40 ft.

**MR. RICK COLLINS** (read by Mrs. Roughneen): Mr. Collins' presentation was lengthy noting the importance of the Barrens to the heritage of our people and the native people. He spoke of ties to the past and the responsibility of the Town to the future of our country. He also noted that the Barrens has provided many generations with recreational opportunities and with a wilderness reserve; the petroglyphs and their setting must be preserved in their entirety.

**MRS. CAROLYN BROOME:** Mrs. Broome reported that although she would be making a formal written presentation, she did feel that she would like to address some general concerns, including:

- the MPS still treats the residents/properties of the Residential Reserve/Secondary Development area as "out there" and "not like the rest of the Town"
- p. 16, third paragraph: part of neighborhood stability is keeping things the same; this document does not do that
- the expansion of the industrial designation around Atlantic Acres should not be done until a study of Sandy Lake has been completed
- the expansion of the Primary Development boundary to include Crestview Acres was wrong
- she questioned whether the document specifically excluded dumps, landfills or incinerators from the Residential Reserve area
- a comprehensive plan for the Residential Reserve area should be developed which would outline general locations for daycares, grocery stores, etc.
- Town Council should change the designation for the Barrens; it should not be RCDD as the people have requested

**MRS. JEAN PENDER:** Mrs. Pender expressed her disappointment that verbal presentations were limited to 10 minutes; it was not long enough. Mrs. Pender reviewed the history pertaining to her lands within the Residential Reserve and how over the past many years, her land holdings have been frozen from development. She noted that the lands west of the BiCentennial were not "treated fairly". Mrs. Pender explained that Town Council was not listening to taxpayers or the residents.

She disagreed with the recent expansion of the Primary Development boundary to include the lands of Crestview Properties. She felt that Bedford was "catering to big money development interests".



Mrs. Pender asked Town Council to listen to a tape of Public Participation Meeting held in the fall of 1989 when Chris Nolan was the Chairman. The tape revealed a conversation between Mrs. Pender and Mr. Nolan regarding Mrs. Pender's objection to the 5 acre requirement (Mr. Nolan reported that this was the first time he had heard of the objection). Apparently, Mrs. Pender had previously filed a brief with the Mayor which had been reviewed by the neither the MPS Committee nor BPAC. Mrs. Pender further noted correspondence from members of the Planning Department which brought forward her concerns.

Mrs. Pender concluded by noting that although she has attended many meetings and provided substantial input, Town Council does not seem to listen to the public input. Mayor Christie insisted that Mrs. Pender's allotted time had expired.

For clarification, Deputy Mayor Huntington asked Mrs. Pender, G. Lowther and B. VanHelvoort for suggestions to overcome the apparent attitude problem regarding lands west of the BiCentennial in an effort to fully integrate the two areas. Mrs. Pender asked that not only residents but also land owners be included.

**MR. T. EDWARDS:** Mr. Edwards began his presentation by noting that Bedford residents don't agree with the MPS; "the expressed collective views of what Bedford should be ... have been systematically dismissed". Mr. Edwards noted the following concerns:

#### MPS

- Mainstreet Commercial -- recommended that the height should be no greater than two floors, measured from the Bedford Highway
- R-23 -- varying setbacks; a minimum distance (10 or 15 feet) should be specified for safety reasons
- minimum lot size for garden flats should be established
- residential infilling should not be permitted
- the recent expansion of the Primary Development boundary did not follow the process as established in R-2 and therefore the inclusion of Crestview Properties should be deleted
- C-26 -- the allowance for sidewalks and parking lots is in opposition to the development of a pedestrian oriented area
- list of private streets slated for acquisition should be deleted

#### LUB

- complete definition of RCDD should be included
- POS designation of the Barrens should be reinstated
- residents don't want strip malls; so exclude them

Mr. Edwards also noted that the timing of the public hearings was poor and that the draft "MPS does a disservice to the people of Bedford".

Deputy Mayor Huntington sought clarification from staff regarding a comment which Mr. Edwards made that a "developer thanked Town Council for the changes in the MPS and for not listening to the residents". Mr. Ron Hiltz was identified as making this statement during an MPS Meeting held last year.

**MR. RICK HATTIN:** Mr. Hattin noted his objection to holding the public hearings during the summer months. He also noted that he would be providing a written submission. Mr. Hattin's presentation focused on the methodology of strategy, goals and objectives (he noted some areas where the "objectives were good but the methodology of implementation flawed"). Concerns were raised on the following issues:

- as a member of the Petroglyphs Advisory Committee, Mr. Hattin asked Town Council to "pause" and review the issue; he suggested that at least some of the Barrens should be maintained in a natural state
- regarding the Environmental section, Mr. Hattin noted that the 1991 MPS was more in tune with current environmental thrusts than the 1982 but that there was still room for some improvement, i.e. E-16 the question of Town jurisdiction; E-12 sensitive areas identified; and that protection of Paper Mill Lake water quality was not specifically mentioned in the MPS and should be.
- he suggested that the minimum percentage specified for single family dwellings in RCDDs should reflect the status quo (57%)
- he noted a "pro-development tone" throughout the MPS specially C-12 through to C-16
- objection to the expansion of the Primary Development boundary to include Crestview Properties
- objection to the ability of convenience stores to establish in existing neighborhoods
- with respect to recreation/parks, he noted an obvious lack of opportunity for residents associations (and residents) to participate directly in the development of recreational neighborhood parks (i.e. donations of work, loads of fill, etc.) and that this should be encouraged
- he attempted to find the small town character in the MPS and found it lacking

In conclusion, Mr. Hattin noted that Bedford is no longer a small town (approximately 11,000 people) and it should stop and redefine its direction for growth as well as protect the Barrens.

In discussion with Councillor Walker, Mr. Hattin noted that he lived in many different types of urban settings and he liked the many opportunities which Bedford offered.

#### RECESS

**MR. J.D. KOPPERNAES:** Mr. Koppernaes was provided clarification by Mayor Christie regarding the process the MPS would go through as a result of these public hearings. Mayor Christie noted that Town Council must review and make a decision on each item which the public raised, and then decide whether to forward the document to the Minister for Municipal Affairs for approval. It was also noted that should Town Council make substantial alterations to the documents, then further public hearings will have held.

Mr. Koppernaes noted the reluctance of Town Council to listen to the public input. He noted his concerns regarding the policy on intertidal infilling and voiced his objection to the Town's involvement in his application to the federal government authorities. He also commented that as the owner of #1248 Bedford Highway, he does not want this property to become "heritage" but wants to retain its commercial zoning; he also stated that these "rezonings are wrong" but conceded that he was uncertain of the effect of the proposed zoning change. Mr. Koppernaes noted that the term "development agreement bothers him" as it seems that "everything is forbidden unless permitted by development agreement". This is an Eastern European philosophy and the Canadian philosophy should be reversed.

**KATHY MARTIN:** As a member of the Millbrook Band, Ms. Martin asked Town Council to pay some respect to the native process noting that the natives have not been consulted. She inquired whether anyone had investigated the aboriginal land title to the Barrens which may not have been cleared. Ms. Martin also shared her peoples understanding of 'sacred' by reading quotations from several native individuals and in conclusion noted that to the Micmac, "all land is considered sacred".

In conclusion, Ms. Martin asked Town Council to consider some of the historical facts as to why the Micmacs left the area which they considered sacred. She questioned why the POS designation was rescinded; why P. Christmas was asked to forfeit his membership on the Petroglyph Advisory Committee; and suggested examination of the possible environmental destruction that will occur should the Barrens be developed.

**MRS. S. TOLSON-WINTERS:** With the aid of a sketch, yardstick and her son, Mrs. Winters voiced her objection to the LUB fencing provisions. She suggested that a three foot fence for front yards was too short to protect children and she requested the deletion of subsection ii (page 28).