

It was decided by a show of hands from Council, at the request of Mayor Kelly, to let the residents speak.

Al Chaisson, resident of Mill Court agreed that another meeting should be held. He indicated he has a problem with the no-parking restriction because he can only accommodate three cars and his family has four. Mr. Chaisson also mentioned that he and several other residents have experienced abuse to their properties. He asked about a parking permit program and also if people are allowed in parks after dusk.

Joanne MacCallum, resident of Mill Court mentioned she attended the meeting and it was indicated that seasonal and time-restricted parking was too difficult to enforce. She also stated that eight cars can be parked in her driveway and she doesn't mind if her neighbours use it.

Howard MacKinley, resident of Mill Court informed Council that because he lives at the bottom of the cul-de-sac he has relatively few problems with the people using the beach and stated that he did not agree with having no-parking signs.

Mrs. Apold of Mill Court informed Council, she has been a resident of Mill Court for nine years and has never experienced any problems with visitors to the beach during the summer. This resident mentioned she received a ticket for parking on the street. She also stated she felt the no-parking signs were infringing upon her rights and requested they be removed from the front of her property.

M. Carter, resident of Mill Court, reported he did not have any problems until the no-parking signs went up. He mentioned that there is more of a problem with speeding cars than with parked cars. Mr. Carter indicated that it was inconvenient to not allow parking for his visitors.

Marion Smith, resident of Mill Court, informed Council she had numerous problems with visitors to the park. She indicated she has had her property violated on several occasions. Mrs. Smith asked about the necessity of having a public beach open 24 hours a day in a residential area.

A resident of Forest Lane stated there should be some no-parking signs on Forest Lane to provide access for emergency vehicles, but did not believe that no-parking was necessary on cul-de-sacs.

Mr. Chaisson mentioned he too had numerous problems with beach visitors mistreating his property, and when the police were called, their response time was slow.

Mr. James Smith, resident of Mill Court, reported that in addition to the problem of people abusing his property, he believed the cars parked on the street would prevent rescue vehicles or fire trucks from getting through.

Mrs. Thompson, resident of Mill Court, confirmed she also has a problem with beach visitors violating her property.

It was mentioned by another resident in attendance that by developing Sandy Lake, the pressure would be taken off Paper Mill Lake.

Another resident expressed concern regarding the safety of her children because of the speed travelled by cars.

Mayor Kelly noted there should be another meeting soon so the problem could be resolved prior to the high traffic beach season. He also mentioned that the no-parking signs would be in effect until the meeting takes place.

Mr. Nauss requested that both sides of the lake should be included in the discussions.

Councillor Goucher informed Council that as a resident of Mill Run Crescent, he has not had any complaints regarding parking on the street in his area. He also indicated that notices should be sent to the 55 homes on Mill Run Crescent.

Councillor Hutt commented he believed the problems to be on one side of the lake and each side should be dealt with separately.

Councillor Oickle agreed with Councillor Hutt and suggested that a survey be sent out to 100% of the homes to get their opinions.

Councillor Davies agreed that another meeting should be held with one side of the lake only, and believed the next meeting would be well attended.

Councillor MacLean informed Council he supported another meeting but indicated he felt it was a much larger problem involving the surrounding area of the lake.

Deputy Mayor Cosgrove spoke in favour of another meeting also.

Mayor Kelly informed Council and residents that they would meet with residents of Mill Court, Forest Lake, and Lake Drive on June 2 at 7 p.m. at the Lebrun Centre.

**10.6 BRAC Motion - Recycling Depot**

Mayor Kelly explained that BRAC had approved a Motion to relocate the surplus recycling building to the Mill Run Parkland and asked Council if they would endorse this suggestion.

Councillor Goucher informed Council he is strongly opposed to having it located on this parcel of land. He noted that the recycling depot is a large building and suggested there are better uses for this valuable piece of Mill Run parkland.

Deputy Mayor Cosgrove requested clarification on the uses proposed for the building.

Mr. Bob Nauss, Recreation Director explained to Council that the building would be used for the purpose of storing canoes, equipment and other supplies. He also mentioned that during inclement weather, programs could continue on-site inside the building. Mr. Nauss also explained to Council that equipment is now stored in residents' homes around town. As well, he noted the building would be painted and landscaping would be carried out around the facility.

Councillor Hutt agreed that the storage of equipment would be a good use for the building and that the facility could be made more attractive by painting and landscaping.

Councillor MacLean concurred with Councillor Hutt and mentioned that workers at the lake had commented they do not have any storage place for their equipment on the site.

Councillor Oickle commented he supported the Motion as a Councillor on BRAC, but suggested that the area residents should be consulted with first, for their opinions.

Mayor Kelly asked Mr. Nauss if the survey was going to be sent out, and if sixty-six negative responses were received, would he still locate the facility at the lake?

Mr. Nauss informed Council he would mail out the survey out and still locate the building at the lake if the response was negative as it is the intent of BRAC to locate the facility there by Motion.

There was discussion regarding the intent of BRAC. Councillor Oickle did not believe that BRAC wanted the building to be moved to the lake if the area residents did not want it. Councillor Davies, also a member of BRAC, agreed that BRAC overwhelmingly supported moving the facility to the lake, but commented he wanted to know what the area residents wanted if Town Council were to make the decision regarding the move.

Councillor Goucher inquired about the wording of the notice to be sent out and suggested that residents call Mr. Nauss regarding their concerns about this facility's location.

Councillor Oickle read the BRAC May 13, 1992 minutes regarding the Motion.

Deputy Mayor Cosgrove spoke in favour of locating the building to the lake.

**ON MOTION** of Councillor MacLean and Deputy Mayor Cosgrove, it was moved that Bedford Town Council authorize the movement of the proposed Aquatic Centre building from its present location to the proposed area at the lake.

Mr. Nauss informed Council he would send out a notice to residents informing them of the proposed site.

Deputy Mayor Cosgrove inquired as to the status of the planter from the recycling depot. Mr. Nauss responded it would be located at the gazebo in Fish Hatchery Park.

Councillor Goucher stated that Council must have public input on this matter.

**The Motion was voted on and CARRIED.** (Mayor Kelly, Councillors Goucher and Oickle opposed.)

Councillor Goucher served Notice of Reconsideration regarding the above mentioned Motion at the next regular session of Town Council.

## 11. REPORTS

### 11.1 COMMITTEES/COMMISSIONS/BOARDS

#### 11.1.1

#### **Bedford Board of Police Commissioners' Membership Recommendation**

Mayor Kelly explained to Council that a Motion had been put forth by the Bedford Board of Police Commissioners to increase the Board membership by two. He noted there are presently 6 members on the Board.

**ON MOTION** of Deputy Mayor Cosgrove and Councillor Goucher, it was moved to refer this matter to the By-Law/Policy Advisory Committee for their recommendation. **The Motion was approved unanimously.**

11.2 DEPARTMENTAL - NIL

12. CORRESPONDENCE - NIL

13. MOTIONS OF RECONSIDERATION - NIL

14. MOTION OF RECISION - NIL

15. NOTICES OF MOTION - NIL

16. DEPARTMENTAL INFORMATION REPORTS - NIL

17. QUESTIONS - NIL

18. ADDED ITEMS - NIL

19. ADJOURNMENT

*ON MOTION of Mayor Kelly, it was moved to adjourn the 21st Regular Session of the Town Council of the Town of Bedford at approximately 9:40 p.m.*

**The motion was unanimously approved.**

  
MAYOR

  
ACTING CHIEF ADMINISTRATIVE OFFICER

/gy

**MEETING #22**

**TOWN OF BEDFORD**

**Regular Session**

**Tuesday, June 9, 1992**

A Regular Session of the Town Council of the Town of Bedford took place on Tuesday, June 9, 1992 at 7:00 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia; Mayor Peter Kelly presiding.

**1. LORD'S PRAYER**

Deputy Mayor Anne Cosgrove opened the Session by the leading of the Lord's Prayer.

**2. ATTENDANCE**

Deputy Mayor Anne Cosgrove and Councillors John Davies, Len Goucher, Harris Hutt, Bill MacLean and Stephen Oickle were in attendance at the commencement of the Session.

Mayor Kelly arrived five minutes after commencement of the Session.

Staff members in attendance included Dan English, Chief Administrative Officer; Barry Zwicker, Director of Planning and Development; Ron Singer, Director of Finance; and Bob Nauss, Director of Recreation.

**3. APPROVAL OF MINUTES**

Prior to Approval of the Minutes, Dan English, Chief Administrative Officer inquired whether it was Council's true intent that a Public Information Meeting with respect to a Development Agreement with Kiel Developments be held on June 16, immediately prior to a Public Hearing for the same Development Agreement, as was indicated by a Motion made at the last meeting on May 26, 1992.

There was some discussion on this point, and it was clarified that the Motion did reflect Council's intent.

#21 - Regular Session - May 26, 1992

*ON MOTION of Councillor Goucher and Councillor Davies, it was moved that Council approve, as distributed, the minutes for Meeting #21 Regular Session - May 26, 1992.*

**The Motion was unanimously approved.**

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

The following was changed on the agenda:

**13.1 Motion of Reconsideration - Former Recycling Building - Councillor Len Goucher** - was moved to follow item #8.1.

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

**ON MOTION** of Deputy Mayor Anne Cosgrove and Councillor Goucher, *it was moved that Council approve the Order of Business as amended.*  
**The Motion was unanimously approved.**

6. **DEFERRED BUSINESS/BUSINESS ARISING FROM THE MINUTES**

6.1 **Citizen's Advisory Forum - Update**

Included in the agenda package was a written update from Dan English, Chief Administrative Officer, on the organizational details which have been put in place for the Citizen's Advisory Forum, as well as a list of the initial Forum topic issues as previously agreed upon.

Mr. English briefly reviewed the information as contained within the memo and inquired whether there were any questions from Council.

Councillor Davies asked for clarification of Council members' role in the Forums, and Mr. English confirmed that Councillors are welcome to sit in on the sessions and observe. He commented that the main purpose of the Forums is to provide information and feedback from the residents of Bedford to Town Council.

6.2 **Appointments to Municipal Reform Advisory Committee**

Three ballots were circulated in the agenda package for voting on the appointments of five persons from the community at large to the Municipal Reform Advisory Committee.

Mayor Kelly addressed Council before voting, indicating that since there was one person under 30, and 2 female persons on the list of choices, these people should be considered over and above the others.

After the first ballot, four names were confirmed appointments:

Nelson Blackburn  
Jack Gale  
A.J. Hustins  
Janet Ogden Calder

Mayor Kelly then instructed Council to choose a fifth person from those who had received more than two votes on the first ballot.

After the second ballot, Robert Blois was confirmed.

Mayor Kelly then inquired as to what the wish of Council was with respect to the three Council member appointments.

Councillor Hutt suggested that Council representation should be on a rotating basis, so that all Councillors will have the opportunity to participate.

There followed some discussion of this suggestion, and the general concensus among Councillors was that while rotating Councillors would be ideal, appointing three dedicated persons would logistically be a better choice. Other Councillors would be free to attend the meetings.

Councillor Oickle nominated Councillor MacLean, Councillor Goucher and Mayor Kelly to be appointed members of the committee.

Councillor Goucher thanked Councillor Oickle, but indicated that he preferred not to accept the nomination. He nominated Councillor Oickle, noting that Councillor Oickle has done much work with respect to the committee already. He also nominated Deputy Mayor Cosgrove, and suggested that Mayor Kelly be named an ex-officio to the committee.

Mayor Kelly asked if there were any further nominations, and there were none.

**ON MOTION** of Councillor Goucher and Councillor Davies, it was moved to nominate Councillor MacLean, Councillor Oickle and Deputy Mayor Cosgrove as appointees to the Municipal Reform Advisory Committee with Mayor Kelly to be named as ex-officio. **The Motion was unanimously approved.**

Mayor Kelly announced that Staff appointees to the committee were Barry Zwicker, Bob Nauss, Rick Paynter and Dan English as ex-officio.



**6.3 Traffic Control - Lake Drive, Forest Lane and Mill Court**

By memorandum dated June 4, 1992, Rick Paynter, Director of Engineering and Works, reported on the outcome of a June 2, 1992 meeting with the subject area residents.

Mr. Paynter verbally noted that a decision was reached based on consensus that all existing areas will be revised to "Seasonal No Parking," and that subsequently the lakeside of Lake Drive will be included.

Councillor Goucher inquired as to whether any steps have been taken with respect to security on Lake Drive, and Dan English responded, indicating that work is in progress and security will be on site by June 26th.

Councillor Davies commented this is a short-term solution to the parking problems, and he hoped a long-term solution is being pursued.

**7. PUBLIC HEARINGS AND MOTIONS ARISING THEREFROM**

**7.1 Development Agreement - 51 Rocky Lake Drive**

By memorandum dated June 4, 1992, Barry Zwicker, Director of Planning & Development Control, reported on the outcome of a meeting with the applicant and correspondence with the Halifax County-Bedford District School Board.

Mr. Zwicker verbally noted that the applicant has agreed to use a rock-breaker only for excavation, and to include the sidewalk as part of the Agreement. These two changes are reflected in the Development Agreement, Section 24, Sub Clauses (c) and (d). He noted it has also been confirmed the Baptist Church has approved of the school bus stop relocation utilizing their parking lot.

Mr. Zwicker indicated it is Staff's recommendation that Council approve the Development Agreement for 51 Rocky Lake Drive.

**ON MOTION of Councillor Goucher and Councillor Oickle, it was moved that Council authorize the Mayor and Chief Administrative Officer to enter into a Development Agreement with Mardo Construction Ltd. for 51 Rocky Lake Drive. The Motion was unanimously approved.**

8. PETITIONS AND DELEGATIONS

8.1 **Bedford Village Resident's Association - Relocation of Former Recycling Depot**

Mr. Neil Stuart, Chairman of the Bedford Village Residents' Association, was in attendance to make a presentation, and submit a petition to the Mayor, with respect to the proposed relocation of the former recycling depot building to Moir's Park.

Mr. Stuart thanked Council for this opportunity to speak. He noted the Resident's Association had met on May 30, 1992 and approved a Resolution with respect to this matter, a copy of which was included in the agenda package.

Mr. Stuart noted that the Residents' Association is not opposed to a storage facility, but that the recycling depot is not suitable and was not designed for use as an "aquatic resource centre". He referred to a map on the wall, indicating a preferred alternate site for a building and boat ramp that for which concept plans had already been produced in the past. Mr. Stuart indicated that residents have expressed concern that the building would attract "undesirables" to gather during the off-season.

Mr. Stuart reiterated the Association's strong opposition to Town Council's decision of May 26th that the Director of Recreation relocate the former recycling building to Moir's Park, and presented a petition to Mayor Kelly with 232 names supporting the Residents' Association's position.

Deputy Mayor Cosgrove asked Mr. Stuart to again indicate on the map where the preferred location for a building was, and inquired about the proposed size of that building, noting the various types, numbers and value of equipment that needed storage. Mr. Stuart indicated that although he was not certain of the exact size, it would be smaller than the former recycling depot, which is considered to be too large.

Deputy Mayor Cosgrove expressed regret that this matter had come before Council as a non-agenda item with insufficient information at the last meeting.

She also suggested to Mr. Stuart that if a problem exists with youth "hanging out" and causing trouble, it should be considered a police issue.

Mayor Kelly then reviewed the events that had led to the decision by Council at the last meeting, and how a misunderstanding had arisen with respect to where the building would be placed. He noted that B.R.A.C. had decided where they felt the building was best situated, but that the residents have given a clear statement that they do not want it there.

Councillor Oickle wished to clarify that the B.R.A.C. motion states that the location of the building at Moir's Park was subject to the approval of the Resident's Association.

Bob Nauss, Director of Recreation, reviewed the minutes of B.R.A.C.'s May 13 meeting, and the subsequent sequence of events. He noted he had had a verbal response from the Residents' Association before that meeting, and had been given a strong impression from B.R.A.C. that the building should be moved there.

Councillor Oickle noted an April 8th Motion by B.R.A.C. had directed Mr. Nauss to contact the Resident's Association and ask them to hold a meeting on this matter. This had been done, but the Association was unable to make a quorum for that meeting and there had been a subsequent change in the executive of the Association.

Councillor Hutt noted that he had received two phone calls with respect to this matter: one caller did not want the building and one was mainly concerned about the building being too large to be located on the "tot lot" at Moir's Park. He further noted that the general feeling he received from residents in the area when he went to visit the site was one of "not in my backyard".

Mayor Kelly thanked Mr. Stuart for his presentation.

### 13. MOTIONS OF RECONSIDERATION

#### 13.1 Former Recycling Building - Councillor Len Goucher

*ON MOTION of Councillor Goucher and Councillor Oickle, it was moved that Council reconsider the Motion of May 26, 1992 authorizing the siting of the proposed Aquatic Centre building at Moir's Park, on Millrun Cres.*

Councillor Hutt suggested another possible site for the former recycling building which he had seen identified during his visit to the dam area. A map was projected by overhead, which Councillor Hutt used to indicate the alternate site. He noted the space is below street level and buffered by trees. It is still within 50 or 60 feet of the dam, with direct access for use by the Recreation Department. Councillor Hutt expressed doubt that a building much smaller than the former recycling depot would meet the storage requirements.

Councillor Goucher suggested that the grade might be too steep at this site, and he felt the former depot building was too big. He further suggested the building was equally needed at the Lions Park, and should be used there as a second choice to the site at Moir's Park. Councillor Goucher went on to note that the Bedford Village

Residents' Association put much effort into working with Council on this and other matters, and that to ignore their wishes will cause great discouragement.

**The Motion was put to the meeting and CARRIED.** (Councillors Goucher, Oickle, Deputy Mayor Cosgrove and Mayor Kelly voted in favour; Councillors Davies, MacLean and Hutt were opposed.)

**ON MOTION** of Deputy Mayor Cosgrove, it was moved to DEFER further discussion of the matter until the two alternate sites proposed by Mr. Stuart and Councillor Hutt could be further investigated. **There was no seconder to the Motion and the Motion was LOST.**

**ON MOTION** of Councillor Oickle and Councillor Goucher, it was moved that the former recycling depot building be relocated to the Bedford Lions Club Park.

Chief Administrative Officer, Dan English reminded Council they must Reconsider the original Motion with a vote, before any further Motions can be considered.

Mayor Kelly then read the May 26 Motion aloud for Council to Reconsider. The Motion was:

**ON MOTION** of Councillor MacLean and Deputy Mayor Cosgrove, it was moved that Bedford Town Council authorize the movement of the proposed Aquatic Centre building from its present location to the proposed area at the lake.

Council was then asked to vote again on the Motion.

**The Motion was unanimously opposed and DEFEATED.**

**The original Motion was voted upon and unanimously approved.**

Deputy Mayor Cosgrove asked the Director of Recreation, Bob Nauss how long it would take to have the building moved to it's new site. Mr. Nauss indicated that work would begin the next day.

Councillor Hutt inquired whether the residents in the vicinity of the Lions Playground would be consulted. Mayor Kelly noted there is already a building on site and Council's Motion was to replace it with the former Recycling Depot building.

9. MOTIONS - NIL

10. NEW BUSINESS

**10.1 Consideration - Metropolitan Authority Resolution - Withdrawal of City of Halifax from Metro Authority re Solid Waste Management**

Included with the agenda package was an excerpt from the June 2, 1992 Metropolitan Authority Minutes, which indicated a request that the participating Councils consider a Motion to provide consent to the City of Halifax to withdraw from Metropolitan Authority Solid Waste Management.

Mayor Kelly addressed Council on this matter, noting that should Halifax be allowed to withdraw, the annual input of funds by Bedford will rise from \$450,000 to \$900,000. He indicated there were two main issues to consider:

- a) Should Bedford Town Council allow Halifax to withdraw?
- b) If Halifax does withdraw, how will the capacity demand for a 500 ton/per/day incinerator be met? Possibilities include woodchips, coal and oil. Or, should a smaller (300 ton/per/day) incinerator be designed for use by the other three Municipalities.

*ON MOTION of Councillor Goucher and Councillor Oickle, it was moved that Bedford Town Council deny consent for Halifax City to withdraw from Metropolitan Authority for the purpose of Solid Waste Management, as was requested at the June 2, 1992 meeting of Metropolitan Authority.*

Councillor Goucher noted there had also been another Motion at the June 2, 1992 meeting which gave consent to carry on negotiations for a 500 ton/per/day incinerator, although there had been discussions regarding designing a smaller (300 ton/per/day) incinerator. He further noted that if Halifax was allowed to withdraw, then Bedford could be "held captive" by the two other remaining municipalities, and unable to negotiate further on the matter of a smaller incinerator.

Councillor Davies inquired where the matter would go from this point on. Mayor Kelly responded, indicating that if the Motion passes, the matter would be back to having each of the four Municipalities a full participating member, i.e. Step One. Step Two will be re-negotiation of the entire matter.

**The Motion was voted upon and unanimously approved.**

### 10.2 Proposed Development Agreement - Parcel M-1, Hammonds Plains Road

By memorandum dated June 3, 1992, Dan English, Chief Administrative Officer, reviewed the June 3, 1992 recommendation from the Bedford Planning Advisory Committee (BPAC) regarding the Bedford Village Properties Development Agreement Application, and made a recommendation that Town Council authorize the scheduling of a Public Hearing to consider the Application.

**ON MOTION of Deputy Mayor Cosgrove and Councillor Davies, it was moved that Town Council authorize the scheduling of a Public Hearing to consider the Bedford Village Properties Development Agreement Application for Parcel M-1, Hammonds Plains Road, for July 7, 1992. The Motion was unanimously approved.**

For the benefit of the Chambers' audience, the Development Agreement approval process was clarified by Mr. English in that the holding of a Public Hearing was explained as being one step in that process.

### 10.3 Halifax County Regional Library Funding

By memorandum dated June 5, 1992, Ron Singer, Director of Financing, presented attached correspondence from the Halifax County Regional Library requesting the Town of Bedford to provide additional funding over and above the budget of \$145,600, previously approved by the Council on April 28, 1992.

Councillor Hutt spoke to Council regarding this request, noting that the Library has indicated they would need at least an additional \$12,000 to maintain service levels as they are, and a further \$23,000 to hire an additional full-time staff person, which is felt to be necessary in order to meet the needs of increased service requirements. Councillor Hutt also noted a calculation made by the Library, based on assessment, in their correspondence.

Dan English, Chief Administrative Officer, indicated that the current funding formula is not based on assessment alone, and that the Town of Bedford is presently paying more than the required amount under the funding formula.

Councillor Hutt agreed that the Town is not required to fund based on assessment, and that the Town is paying more than the funding formula, although the amount is the same as last year.

Ron Singer, Director of Finance, provided some clarification with respect to the history of the establishment of the funding formula.

There followed some discussion with respect to funding levels.

**ON MOTION** of Councillor Hutt and Councillor Goucher, it was moved that Council request Staff to investigate and provide a detailed report and recommendation at the next Regular meeting of Town Council with respect to the additional funding request by the Halifax County Regional Library. **The Motion was unanimously approved.**

**11. REPORTS**

**11.1 COMMITTEES/COMMISSIONS/BOARDS**

**11.1.1**

**Audit Committee - Consolidated Financial Statements**

By memorandum dated June 5, 1992, Ron Singer, Director of Finance, provided a report with respect to Town Council's new Audit Committee, and a recommendation by Staff that consolidated financial statements not be prepared, and that consideration be given to the expansion of the Audit Committee to include at least one member of the public.

**ON MOTION** of Councillor Davies and Councillor Goucher, it was moved that consolidated financial statements not be required and that the committee be expanded to include at least two members of the public. **The Motion was unanimously approved.**

**11.1.2**

**B.P.A.C.- Activity Report**

A Report to Town Council Respecting Activities of BPAC was included in the agenda package.

**ON MOTION** of Councillor Davies and Councillor Goucher, it was moved that Council approve the June 4, 1992 report to Town Council Respecting Activities of BPAC. **The Motion was unanimously approved.**

**11.2 DEPARTMENTAL - NIL**

**12. CORRESPONDENCE - NIL**

**14. MOTION OF RECESSION - NIL**

**15. NOTICES OF MOTION - NIL**

16. DEPARTMENTAL INFORMATION REPORTS

16.1 Fire Chief's Monthly Report - Month of May/92

*ON MOTION of Councillor Goucher and Deputy Mayor Cosgrove, it was moved that Town Council approve the Fire Chief's Monthly Report for May, 1992. The Motion was unanimously approved.*

16.2 Building Inspector's Monthly Report - Month of May/92

*ON MOTION of Councillor Goucher and Councillor Davies, it was moved that Town Council approve the Building Inspector's Monthly Report for May, 1992. The Motion was unanimously approved.*

17. QUESTIONS

17.1 Status Sheet

**Billboard Sign on Highway 102**

Councillor Davies noted he has received some calls regarding this item, and that it has been outstanding since October 1991. Mayor Kelly indicated that a report will be forthcoming in the near future.

**Town Sign**

Councillor Goucher inquired with respect to a past Motion (May 4) requesting that Staff investigate the possibility of a Town notice sign for the Town building, and noted this is not on the Status Sheet. Dan English, Chief Administrative Officer, indicated that a report is in progress, and that it will include information on a communication system for the Chambers as well.

18. ADDED ITEMS

Councillor Oickle requested discussion with respect to the proposed new school. Mayor Kelly noted he has had a telephone conversation with Provincial officials and will be bring forth a report in the near future.



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Public Hearing #92-04

Tuesday, June 16, 1992

19. ADJOURNMENT

**ON MOTION of Mayor Kelly, it was moved to adjourn the 22nd Regular Session of the Town Council of the Town of Bedford at approximately 8:50 p.m.**

ATTENDANCE

**The motion was unanimously approved.**

MAYOR

CHIEF ADMINISTRATIVE OFFICER

/sk

**MEETING #23**

**TOWN OF BEDFORD**

**Public Hearing #92-04**

Tuesday, June 16, 1992

A Public Hearing of the Town of Bedford took place on Tuesday, June 16, 1992 at 7:00 p.m. at the Bedford Lions Den, LeBrun Centre, 36 Holland Avenue, Bedford, Nova Scotia; Mayor Peter Kelly residing.

**ATTENDANCE:**

Deputy Mayor Anne Cosgrove and Councillors John Davies, Len Goucher, Harris Hutt, Bill Maclean, and Stephen Oickle.

Staff members in attendance included Barry Zwicker, Director of Planning and Development Control and Donna Davis-Lohnes, Senior Planner.

Approximately 75 residents were also present.

**INTRODUCTION**

The purpose of the meeting was to receive written and verbal submissions on the proposed development by Kiel Developments Ltd. of Town Owned Land - Hammonds Plains Road/Bedford Highway.

Barry Zwicker, Director of Planning and Development verbally reviewed the background to the proposed development, referring to the Development Agreement Application. Mr. Zwicker explained that the proposal includes constructing one building containing 17,900 square feet of ground floor retail space and approximately 4,500 square feet of second floor office and retail space on 1.695 acres of land. He stated that the property is designated and zoned as Commercial Comprehensive Development District and the uses proposed in the Development Agreement Application are considered to be consistent with this designation and zone. Mr. Zwicker also informed Council and residents that there are two potential tenants for the ground floor retail space - Shoppers Drug Mart and The Canadian Imperial Bank of Commerce.

With the use of a drawing, Mr. Zwicker described the building and property layout, the vegetation that will remain, as well as additional landscaping that will be provided by the developer. Mr. Zwicker explained that buffers and landscaping will be provided to separate the commercial site from the residential area and advantage will be taken of the natural vegetation that presently exists along the Hammonds Plains Road right-of-way. He mentioned that the proposal also incorporates the creation of a small landscaped berm along

the Bedford Highway frontage that will assist in buffering the visual impact of the parking lot provided along that side of the property.

Mr. Zwicker stated that 101 parking spaces will be provided which is in adherence with the Land Use Bylaw and access will be restricted to two driveways which he identified on the map.

Mr. Zwicker also discussed the developer's proposed plan to build safety and privacy fences on the property.

Mr. Zwicker suggested the remaining lands on this property presently designated Commercial Comprehensive Development District be reviewed by Council in consultation with the immediate neighbourhood and consideration be given to amending this designation to one that would allow for greater compatibility with the existing residential neighbourhood in the Doyle Street area.

In conclusion, Mr. Zwicker stated that the Planning and Development Control Department recommend that Town Council agree to enter into a Development Agreement with Kiel Developments for the 1.695 acres of land located at the intersection of the Hammonds Plains Road and Bedford Highway for the proposal presented.

Mayor Kelly asked Council if they had any questions for Mr. Zwicker.

Councillor Oickle inquired about the possible rezoning of the remaining area of the property. Mr. Zwicker responded the land could possibly be rezoned to accommodate three or four single family homes and leave the remaining area as park and open space.

Mr. Zwicker informed those present that he was asked by the Bedford Planning Advisory Committee to read the following motion at the Hearing: "On Motion of D. Geddes and R. Hattin, it was moved to recommend in the negative to Town Council under concerns Z-3 and C-14 that this proposed development is not appropriate."

Councillor Goucher inquired about the future of the existing parkland and Mr. Zwicker indicated the playground equipment presently on the location would not be disturbed.

Deputy Mayor Cosgrove inquired about the height and the type of fence that will be provided. Mr. Doug Miller indicated that there would be approximately 30" of rock wall and a 36" lattice fence. It was also mentioned the developer would be responsible for the maintenance of the fence.

Mr. Doug Miller of The Miller Group Architects Ltd. was in attendance to represent Kiel Developments. Mr. Miller explained to Town Council and residents that he lives and works in Bedford and believes that he has a good knowledge of the Town and what the residents

would be comfortable with. He mentioned that his company had received awards and commendations for their work and he was disappointed to receive a negative response from BPAC regarding this development.

Mr. Miller discussed the circumstances and details leading up to the present Development Application referring to numerous meetings that The Miller Group had with Town planners regarding the best way to provide a development that would meet the requirements of the MPS.

Mr. Miller discussed the architecture and explained how the building was designed to have the roof line consistent with the home adjacent to it to make a smooth transition. He mentioned that they are now proposing to maintain more trees and in particular one large mature maple tree that many residents had expressed concern over.

Mr. Miller indicated that he understood residents' concerns regarding vehicles taking a shortcut through the neighbourhood and suggested that a rock wall/lattice fence could be constructed to prevent traffic from exiting the site via the Old Hammonds Plains Road.

Mr. Miller stated that his company and the developer have been working on this development proposal since November of 1991 when the Town offered this CCDD property to them, and suggested to residents that this offer will be the best one that combines old Bedford with future Bedford.

Mayor Kelly invited comments from the public.

## **SPEAKERS**

### ***Mr. David Millen***

Mr. Millen stated that he lives close to the proposed development and was opposed to the development.

Mr. Millen expressed his concern regarding the information he received from Barry Zwicker at the information meeting held just before the Public Hearing. He informed Council that he was at the BPAC meeting in May when residents expressed their concerns and stated that the Planning Advisory Committee had agreed with them that night. Mr. Millen also indicated that he believed that the development would be proceeding regardless of what was said at the Public Hearing.

***Mayor Kelly***

Mayor Kelly responded to Mr. Millen the purpose of the Public Hearing is to get input from the public regarding the development. He informed Mr. Millen that the Councilors must not have any preconceived ideas and that their decisions will not be made until all the residents' views are heard. Mayor Kelly also mentioned that in addition to the residents' opinions, the BPAC recommendation and the Planning Department's recommendation are taken into consideration.

***David Millen***

Mr. Millen addressed the list of concerns that the area residents had compiled. He stated he was disturbed that the Town would sell a public playground and eliminate a greenbelt. Mr. Millen also expressed his concern regarding all the commercial development along the Bedford Highway. Mr. Millen spoke in regards to the MPS and the zoning being changed to CCDD by the previous Town Council. He suggested that public support should be received before zoning is changed and indicated that many Bedford residents believe that they are not consulted when decisions are being made about the Town.

***Susan O'Boyle***

Before commencing with her comments, Mrs. O'Boyle asked that those opposed to the development stand up.

Mrs. O'Boyle circulated maps and information to the Mayor and Council, and proceeded to discuss this information. She commented there were three homes within 80 feet of the proposed development and inquired about the size of the total development. Mr. Zwicker responded the development would be on approximately 1.7 acres of land. Mrs. O'Boyle stated that she believed 90% of the 1.7 acres would be covered in either building or asphalt. She stated the development was too large for this parcel of land. She also expressed her concern that half of the parkland would be utilized by the development.

Various sections of Mr. Zwicker's memorandum to Town Council were read by Mrs. O'Boyle. Mr. Zwicker's information pertaining to policies C-8 and C-14 were read and discussed by Mrs. O'Boyle. She addressed her concerns that the size of the development would be too large for the property and the project would not be compatible with the adjacent low density neighbourhood. She also indicated that she did not believe that all existing vegetation would be retained within the street rights-of-way between Hammonds Plains Road and the Old Hammonds Plains Road.

***Ken Wright***

Mr. Wright stated that he had been a resident of Bedford for the past four years and spoke in opposition of the development. He commented that he did not see the need for another mall in the Town. He indicated that the many malls in Bedford were half full at the present time and suggested the potential tenants of this development be accommodated in one of the other available malls.

***Greg Baldwin***

Mr. Baldwin stated he was a long time resident of Doyle Street and was opposed to the development due to the substantial increase in traffic that would be generated on Doyle Street. He suggested that many customers using the proposed development would not use Hammonds Plains Road but would take a shortcut through Doyle Street instead.

***Geoff Regan***

Mr. Regan stated this development should be refused for several reasons. He stated there was a strong opposition from residents, the development did not meet the spirit or the letter of the MPS, and it was in contradiction to what makes Bedford unique.

Mr. Regan read and discussed policies C-8 and C-14 and indicated this development was not in keeping with the policies.

Mr. Regan indicated that a large amount of traffic would be generated from this development and mentioned that there is going to be an increase in traffic congestion where there already is a problem. Mr. Regan also mentioned with 101 parking spaces provided, half of the parkland would be paved to accommodate the parking lot. He also stated that the current proposal does not provide replacement of this lost parkland.

Mr. Regan suggested the wish of most residents is to maintain a small town atmosphere and use this property for low density, residential purposes. He indicated that most residents do not want Bedford to become one large shopping mall. He also suggested it is not the wish of Town Council to force this development on the residents and recommended that Council refuse it.

***Don Howell***

Mr. Howell asked Mr. Zwicker if there was a specific committee that dealt with zoning changes along the Bedford Highway. Mr. Zwicker replied that approximately six or seven

years ago, a committee examined the Bedford Highway area but it was not part of the MPS review.

*Dan Sangster*

Mr. Sangster stated that he is a resident of Wimbledon Drive and has been a Bedford resident for the past seven years and asked Mr. Zwicker if he had been contacted by anyone that was in favour of the proposed development. Mr. Zwicker indicated that he had been contacted by residents who support the proposed development.

Mr. Sangster indicated that a Public Hearing has an intimidating atmosphere and suggested that those in support of the development might be hesitant to come forward with their comments.

Mr. Sangster commented that two developers expressed an interest in this property and Town Council preferred the Kiel Developments plans. He also mentioned that Kiel Developments have probably already spent approximately \$100,000 on this proposal; they were able to solicit Shoppers Drug Mart and C.I.B.C.; and they have a proven track record.

As a taxpayer, Mr. Sangster commented this development would provide a good tax revenue base and suggested that it was a win/win situation for the Town. It was also mentioned the Bedford Economic Development Commission supported this development.

In closing, Mr. Sangster suggested the issue most residents were concerned with was not the developer or the appearance of the building, but with the MPS and the CCDD designation and zone that this property was assigned.

*Susan O'Boyle*

Mrs. O'Boyle commented that she sympathized with the developer if his costs amounted to \$100,000. She then expressed her concern that the development does not conform with the MPS.

*Grant Walker*

Mr. Walker commented that commercial enterprises are typically built on highways. He mentioned a study done by the Economic Development Commission in which citizens recommended that future development be on the Hammonds Plains Road in order to offset traffic problems on the Bedford Highway.

Mr. Walker also suggested that most Bedford residents would like to stay in Bedford and in order to do so, conveniently located services are necessary.

Mr. Walker mentioned that he would like to keep his residential taxes low and to do this, commercial development is required.

*Aileen MacCormick*

In response to Mr. Howell, Mrs. MacCormick indicated there was an MPS meeting that residents attended approximately two years ago which was concerned with commercial development on the Bedford Highway. Mrs. MacCormick noted the meeting was very well attended and residents were very vocal about their opposition to further commercial development along the Bedford Highway.

*Greg MacDonald*

Mr. MacDonald stated he was a resident of Doyle Street and was opposed to having commercial development in his backyard. He expressed his concerns regarding the Doyle Street traffic problems were also being addressed by other residents. Mr. MacDonald mentioned that he has two young children that he is concerned about, and stated that if the development did proceed he would consider blocking the road to prevent traffic travelling down Doyle Street.

Mr. MacDonald noted the proposed building was attractive and he believed Kiel Developments had a good track record.

Mr. MacDonald suggested residents are not given the opportunity to decide what is best for the Town and too many projects are developed without the residents' approval. He also suggested the Town should listen to those residents that are affected the most.

In closing, Mr. MacDonald noted that not everyone was going to be happy with whatever decision was made, but he would prefer to pay higher taxes than have this commercial development approved.

*Don Howell*

Mr. Howell noted he was Chairman of the Bedford Bay Residents' Association and C.O.B.R.A. and that he spoke with the most of the other Associations' Chairmen. It was indicated to him by the other associations that they could not conceive any development other than commercial in this area.

Mr. Howell indicated that a major concern for the Doyle Street area residents was the loss of their park and suggested the Town address this concern by relocating the park on a nearby parcel of Town-owned land.



**Judy Tooke**

Mrs. Tooke noted she was a resident of 964 Bedford Highway, the second driveway from the proposed entrance to the development and is opposed to the development. She stated it would be an attractive building, but was not suitable for this corner.

Mrs. Tooke indicated there would be an increased amount of traffic because of the development and this would cause numerous problems.

Mrs. Tooke stated her property abuts the playground and wished to know what would be replacing it.

Mrs. Tooke also expressed concern regarding the process in which the rezoning occurred.

In closing, Mrs. Tooke mentioned that she has lived in Bedford for 22 years and her husband for 45 years and she realizes Bedford needs commercial tax revenue, but wanted to know at what expense.

**Dave Johnston**

Mr. Johnston stated he was a resident of Union Street and lives behind Bedford Place Mall.

Mr. Johnston spoke in favour of the development and referred to two other developments, Tim Hortons and Governors Place, that were approved and had a positive effect on the respective areas. He suggested commercial and residential properties can be integrated successfully.

Mr. Johnston indicated that the Town cannot live without commercial development and suggested that if this development is not approved, they might get something that is not as beneficial or attractive.

**Peggy Draper**

Mrs. Draper stated she is a resident of Douglas Drive and was a member of Town Council when the zoning was changed to CCDD. She noted that it appeared a majority of residents were against the proposal tonight, but were not last July when the zoning was changed.

Mrs. Draper mentioned that if this development was not recommended, it would most likely go to the Nova Scotia Municipal Board and be approved. This, she added, would amount to large expenditures for the Town and developer in legal fees, which would, in turn, cost the taxpayers. She also noted the developer bought the land with the belief that commercial development could proceed.

Mrs. Draper also noted the proposed architecture of the building was attractive, and suggested something will be developed on this land and they could get something much worse.

Mrs. Draper recommended the specific concerns of the area residents regarding the relocation of the playground and maintaining existing vegetation be addressed.

*Al Stockton*

Mr. Stockton stated he has been a resident of Bedford for twenty years, but does not live in the immediate area of the development.

Mr. Stockton noted the proposal was very attractive but he expressed his concern regarding the traffic on Hammonds Plains Road. He indicated cars often travel faster than permissible on this street and that there is a blind hill, and because of this, the proposed access driveway to this development is in a dangerous spot. Mr. Stockton suggested a different access be provided.

*Carol Thomas*

Mrs. Thomas stated that she lives on Landsburg Road and is concerned about the high levels of traffic this development will generate. She noted there is an elementary school in the neighbourhood and children have to walk on the road because there are no sidewalks. Mrs. Thomas suggested Town Council address this problem.

*Bob O'Boyle*

Mr. O'Boyle mentioned he was a resident of the area for three years and expressed his concerns regarding the MPS. He stated there appeared to be a critical problem with people not being able to give their input into the planning process and wished to know how the residents could avoid this situation in the future.

*Doug Miller*

Mr. Miller noted his company and the developer have spent approximately eight months working out the details of this development and have not only met the requirements of the MPS, but exceeded them. He also suggested the residents' problems are not with Kiel Developments, but with the MPS.

***Greg MacDonald***

Mr. MacDonald wished to know if the development proceeded, would the Traffic Authority do something about the traffic on Doyle Street and would Town Council consult with residents regarding the relocation of the playground and the location of trees and fences.

***Doug Miller***

Mr. Miller wished to clarify that Kiel Developments has always been available to discuss the proposed development with residents. He mentioned that stakes had been put up and his office would provide maps for anyone who wished to view the property and the proposed building site. He also noted his company would be prepared to provide height indicators on the site.

***Judy Tooke***

Mrs. Tooke mentioned that she lives two houses away from the proposed development and Mr. Miller had not contacted her and she wished to point out that the access driveway off Bedford Highway had not been staked-off. Mr. Miller responded that it was an oversight and would be staked.

***Harold Horowitz***

Mr. Horowitz indicated that because of the cost to the developer, residents believe this proposal is a "done deal." He suggested that because it was no fault of the developer, the Town could pay the developer the costs that have been incurred so far.

***Mayor Kelly***

Mayor Kelly informed those present that Town Council is open to the residents' opinions and would like to hear their comments. He reiterated that Council should not have any preconceived ideas about the proposal.

***David Millen***

Mr. Millen indicated that he too was concerned regarding this proposal being a "done deal" and suggested the Director of Planning had also indicated this to the residents at the information meeting held prior to the Public Hearing. Mr. Millen also expressed his concern regarding the process of going through BPAC and Town Council if it is a "done deal".

**Mayor Kelly**

Mayor Kelly suggested that Mr. Zwicker was referring to the CCDD designation and zoning.

**Barry Zwicker**

Mr. Zwicker clarified that he was referring to the designation and zoning of the property and mentioned that on October 9 when the MPS was approved, this designation and zoning became part of the planning process.

**Aileen MacCormick**

Mrs. MacCormick wanted to clarify that residents can also appeal the Town Council decision to the Nova Scotia Municipal Board as well as the developer.

**Mrs. Gibson**

Mrs. Gibson stated that she lives on Landsburg Road and is opposed to the development. She indicated that she believes the land is going to be used inappropriately and is concerned about the greenbelt diminishing.

**Stephen Wallace**

Mr. Wallace stated that he is in favour of appropriate development in the Town of Bedford and indicated this proposed development was very appropriate for this part of Bedford.

**Mr. Norm Gibson**

Mr. Gibson inquired about traffic studies done in the area of the proposed development. Mr. Zwicker responded that the Town does have baseline data of Doyle Street that was compiled last October but that they do not have any traffic projections for Doyle Street itself.

**Mr. Sanford**

Mr. Sanford mentioned he has been a resident of the area for thirty years and has seen much development. He spoke in favour of the development and indicated the developer was being treated unfairly. He stated the traffic and playground concerns should be addressed and suggested turning Doyle St. into a one-way street might be appropriate.

***Cheryl Gillette***

Mrs. Gillette stated she is a resident of Doyle Street and expressed her concern regarding how quickly the process is proceeding. She suggested putting this parcel of land on a moratorium and viewing the whole area together to provide a different purpose for it.

***Greg MacDonald***

Mr. MacDonald wished to know when the decision would be made by Town Council about this proposal.

***Mayor Kelly***

Mayor Kelly explained that Town Council would discuss this proposal at next Tuesday's Town Council meeting. At that point, he added, Council would either reject the proposal, approve the proposal, or defer the proposal until further information is received.

***Margaret Lively***

Mrs. Lively mentioned she was a long time resident of Bedford and was opposed to the development. She indicated there was too much of a traffic problem already on the Bedford Highway and this development would further increase the problem.

***Chris Monteith***

Mrs. Monteith explained she moved to Bedford four years ago and was concerned about the amount of traffic that would travel on Doyle Street; the playground relocation; and the loss of vegetation in the area. She mentioned that she believed the Bedford Highway access was inappropriate. Mrs. Monteith also indicated she does not want the Bedford Highway to look like Sackville Drive.

After three calls by Mayor Kelly there were no further speakers.

Therefore, Public Hearing #92-04 of the Town of Bedford was adjourned at 9:35 p.m.

MAYOR

  
CHIEF ADMINISTRATIVE OFFICER

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MEETING # 24

**TOWN OF BEDFORD  
EMERGENCY SESSION  
JUNE 17, 1992**

An Emergency Session of the Town Council of the Town of Bedford was held on Tuesday, June 17, 1992 - 11:30 a.m. - in the Town Council Chambers, Suite 400, 1496 Bedford Highway, Bedford, Nova Scotia.

1. **ATTENDANCE**

Those in attendance at the commencement of the Session included Mayor Peter Kelly; and Councillors John Davies, Len Goucher, Bill MacLean, and Harris Hutt.

Deputy Mayor Anne Cosgrove took her place at the meeting at approximately 11:40 a.m.

Staff members in attendance included Dan R. English, Chief Administrative Officer; Barry Zwicker, Director of Planning and Development Control and Rick Paynter, Director of Engineering and Works.

2. **LORD'S PRAYER**

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

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

4. **APPROVAL OF ORDER OF BUSINESS**

ON MOTION of Councillors Len Goucher and Harris Hutt, it was moved that the Order of Business be approved. Motion approved unanimously.

5. **CONSIDERATION - RESOLUTION - PROPOSAL FROM PROVINCIAL GOVERNMENT TO UNDERTAKE ARBITRATION/MEDIATION IN METROPOLITAN AUTHORITY'S SOLID WASTE MANAGEMENT IMPASSE**

Mayor Kelly reviewed the details of a meeting held on June 16th involving the four metropolitan area Mayors/Warden and the Ministers of Municipal Affairs and Environment. Mayor Kelly noted discussions at the joint meeting centred around the problems presently being experienced within the Metropolitan Authority relative to the proposed Solid Waste Management Strategy. He further noted the Province does not have any desire to persuade the member municipalities on any aspects of the proposed Solid Waste Management, however, they have offered to appoint a Provincial mediator who will meet with the member municipalities and listen to all points of view.