

- What will happen in two years between the Sackville Landfill closing in July 1994 until when whatever option that is chosen is ready for use.

Councillor Oickle then spoke. He suggested that a New England corporation which currently operates an incinerator in Cape Breton, should be given the opportunity to make a presentation. As noted by Mayor Kelly, they were excluded initially by the Metropolitan Authority because they have only one operation in North America, and the criteria was that they must have at least two. Councillor Oickle indicated that he felt they **should** now be heard, because initial information from them indicates their cost would be less.

Mayor Kelly indicated to Council members that all of their concerns expressed today have been expressed before to the Committee by himself and Dan English, but that now they have been reiterated to Mr. Hayward and Ms. Holtz.

Mayor Kelly expressed his own opinion that the Provincial and Federal Governments should become involved in the process, and bring forth some kind of legislation on the matter.

He thanked Mr. Hayward and Ms. Holtz for lending their expertise and knowledge, and hearing the concerns of Council. Mayor Kelly expressed hope that the Committee can come up with a workable solution.

5. **REPLACEMENT OF PUBLIC WORKS FIELD TRUCK - #65**

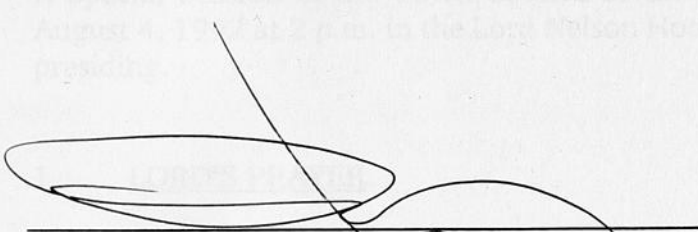
By memorandum dated July 16, 1992, Rick Paynter, Director of Engineering and Works, presented the result of Tender Call 92-08, which called for prices on the supply of one 1993 1-ton, 4X4 Diesel, Cab and Chassis, specifically designated for service as a public works heavy-duty field maintenance truck. The Budget allocation approved in the 1992/93 Budget for this vehicle replacement is \$30,000.00

ON MOTION of Councillor Oickle and Councillor MacLean, it was moved that Bedford Town Council authorize Mayor Kelly and the Chief Administrative Officer to enter into a contract with Bob MacDonald Chev Olds Limited, to purchase a 1993 1-ton, 4 X 4 Diesel, Cab & Chassis, for the amount of \$23,427.65. The Motion was unanimously approved.

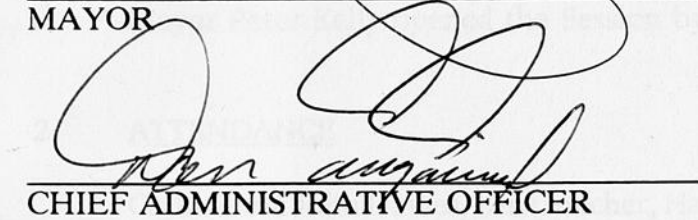
7. **ADJOURNMENT**

ON MOTION of Mayor Kelly, it was moved to adjourn the 27th Special Session of the Town Council of the Town of Bedford at approximately 7:45 p.m.

The motion was unanimously approved.



 MAYOR



 CHIEF ADMINISTRATIVE OFFICER

/sk

ADDITIONAL DELIBERATIONS TO ORDER OF BUSINESS

There were no Additions or Deletions to the Order of Business.

APPROVAL OF THE ORDER OF BUSINESS

The Order of Business was unanimously approved.

CONSIDERATION - RESOLUTION - APPROVAL OF ACCORD AS PROPOSED BY MEDIATION COMMITTEE ON SOLID WASTE MANAGEMENT - METROPOLITAN AUTHORITY

Councillor Devier enquired as to what is expected of the Town Council in the near future?

Mayor Kelly responded the Province is looking for the Town to support the Accord as presented.

Meeting #28

TOWN OF BEDFORD
SPECIAL SESSION
TUESDAY, AUGUST 4, 1992

A Special Session of the Town Council of the Town of Bedford took place on Tuesday, August 4, 1992 at 2 p.m. in the Lord Nelson Hotel, Halifax, Nova Scotia, Mayor Peter Kelly presiding.

1. LORD'S PRAYER

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

2. ATTENDANCE

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

Staff members in attendance included Barry Zwicker, Acting Chief Administrative Officer.

3. ADDITIONS/DELETIONS TO ORDER OF BUSINESS

There were no Additions or Deletions to the Order of Business.

4. APPROVAL OF THE ORDER OF BUSINESS

The Order of Business was unanimously approved.

5. CONSIDERATION - RESOLUTION - APPROVAL OF ACCORD AS PROPOSED BY MEDIATION COMMITTEE ON SOLID WASTE MANAGEMENT - METROPOLITAN AUTHORITY

Councillor Davies enquired as to what is expected of the Town today or in the near future?

Mayor Kelly responded the Province is looking for the Town to support the Accord as presented.

Councillor Davies stated there was really nothing new in the Accord, and he was concerned about the time-frame with respect to the closing of the Sackville Landfill. Councillor Davies stated he was pleased the Bedford site was back in the running.

Councillor Goucher posed the question, "Do we want a regional approach or go it on our own?" Councillor Goucher stated, he wants Halifax in and the Accord will help keep the Metro Municipalities together.

Councillor Goucher stated he personally cannot support exporting of Solid Waste outside of Metro, however, he is prepared to support the Accord.

Councillor MacLean stated he agrees with a regional approach to solid waste and the Accord in general, however, further accounting of Halifax's expenses to be reimbursed through the Accord is necessary.

Bill Hayward (Provincial Mediator) entered the meeting and made himself available to answer questions from Council.

Councillor Hutt stated the Town does not have many options, and noted the need to proceed as a regional unit. Councillor Hutt further noted Halifax's costs are a small percentage of the overall project and should be reimbursed.

Councillor Oickle inquired why the NSPC contract was signed? Mayor Kelly responded there were no extensions available. Councillor Oickle asked if the Accord could be amended. Mayor Kelly responded no.

Councillor Oickle further inquired if the incinerator would be publicly owned? Mayor Kelly responded yes, but, Odgen Martin would operate the facility.

ON MOTION of Councillor Goucher and Councillor Davies it was moved to endorse the Accord as presented.

Councillor Oickle inquired if Council needed an answer today? Mayor Kelly informed Council that Halifax is going to wait until August 19, 1992. Councillor Oickle stated he didn't feel right deciding today.

ON MOTION of Councillor Oickle and Councillor MacLean it was moved to defer the decision until the next Regular Council meeting scheduled to take place on August 11, 1992.


MOTION CARRIED. (Councillors Goucher and Davies voted against the Motion.)

TOWN OF BEDFORD

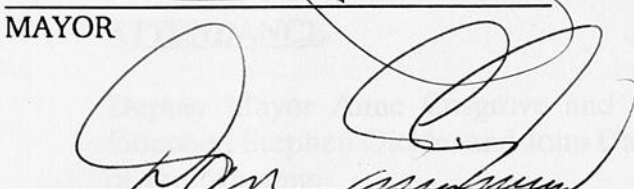
Public Hearing #92-46

6. ADJOURNMENT

There being no further business the meeting adjourned at approximately 4 p.m.



MAYOR



ACTING CHIEF ADMINISTRATIVE OFFICER

Staff members in attendance included Dan English, Chief Administrative Officer, Rick Parviz, Director of Engineering and Works, and Donna Davis-Lohaus, Senior Planner.

Amendment - Generalized Future Land Use Map - #34 Warbur Street

INTRODUCTION

Donna Davis-Lohaus, Senior Planner verbally reviewed the background to the request, noting that the matter had been reviewed by the Bedford Planning Advisory Committee on July 8, 1992 and they had voted for the amendment; a Public Information Meeting was held on May 28, 1992 and that notice of the Public Hearing regarding the request was duly advertised as required.

She then displayed, with the aid of an overhead, the section of the Generalized Future Land Use Map that covers #34 Warbur Street. She noted the lot is currently designated Residential, and that the proposal is requesting it be changed to a Commercial designation in order to build a parking lot. Ms. Davis-Lohaus explained that current parking space for the Warbur Centre, with the proposed work, is inadequate. The proposal serves to expand the parking capacity.

Ms. Davis-Lohaus noted the Planning Department's report has been completed, and that Planning Staff support the amendment to the GenFLUM as requested.

Mayor Kelly asked Council if they had any questions for Ms. Davis-Lohaus before he opened the floor to the public. There were no questions from Council.

MEETING #29

TOWN OF BEDFORD

Public Hearing #92-06

Tuesday, August 11, 1992

A Public Hearing of the Town of Bedford took place on Tuesday, August 11, 1992 at 7:00 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia, Mayor Kelly presiding.

ATTENDANCE

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

Staff members in attendance included Dan English, Chief Administrative Officer; Rick Paynter, Director of Engineering and Works, and Donna Davis-Lohnes, Senior Planner.

Amendment - Generalized Future Land Use Map - #34 Wardour Street

INTRODUCTION

Donna Davis-Lohnes, Senior Planner verbally reviewed the background to the request, noting that the matter had been reviewed by the Bedford Planning Advisory Committee on July 8, 1992 and they had voted for the amendment; a Public Information Meeting was held on May 28, 1992; and that notice of the Public Hearing regarding the request was duly advertised as required.

She then displayed, with the use of an overhead, the section of the Generalized Future Land Use Map that covers #34 Wardour Street. She noted the lot is currently designated Residential, and that the proponent is requesting it be changed to a Commercial designation in order to build a parking lot. Ms. Davis-Lohnes explained that current parking space for the Wardour Centre, which the proponent owns, is inadequate. The proponent wishes to expand the parking capacity.

Ms. Davis-Lohnes noted the Planning Department's report has been circulated, and that Planning Staff support the amendment to the GenFLUM as requested.

Mayor Kelly asked Council if they had any questions for Ms. Davis-Lohnes before he opened the floor to the public. There were no questions from Council.

SPEAKERS

Mrs. Towell

Mrs. Towell inquired whether the parking lot would be adjacent to single family homes. Ms. Davis-Lohnes indicated that it would.

Mrs. Towell then expressed the opinion it should not be allowed to be built, since the surrounding residents bought their homes under the assumption that the lot was a residential lot. She also indicated her feeling there would be a negative affect on the quality of life, due to increased traffic and noise.

Deputy Mayor Cosgrove requested that Donna Davis-Lohnes to clarify the responses from the abutting residents.

Ms. Davis-Lohnes noted that the Public Information meeting on May 28, 1992 was well-attended. In response to concerns from surrounding residents at the meeting, the proponent agreed to minimize any negative impacts of the parking lot by erecting a six-foot chain link fence along all abutting boundary lines, for security reasons. In addition, a landscaped berm planted with coniferous trees will be placed along the perimeter of the property lines, to help minimize any problem with privacy and noise. Ms. Davis-Lohnes also indicated, on an overhead, how the proponent will have the cars parking parallel to the abutting properties to prevent head-lights from being shone into the resident's homes.

Ms. Davis-Lohnes reported that all abutting property owners were positive and satisfied that their concerns had been met.

Mrs. Towell then inquired about the possibility of the devaluation of the properties abutting a parking lot.

Ms. Davis-Lohnes responded, indicating there are many perceptions and factors that affect property values, which makes it difficult to conclude whether a parking lot will affect property values. She noted the opinions of the residents expressed at the Public Information Meeting, especially the abutting property owners, which was positive, weighed heavily in her review and analysis.

Mrs. Towell inquired whether commercial development in a residential neighbourhood is considered appropriate to the Town.

Ms. Davis-Lohnes suggested it depended on how it was approached, and indicated the need to analyze such requests on a site-specific basis. She reiterated that the proponent wishes to build a parking lot only, with no further development. She further noted the proponent had dealt fairly and effectively with the concerns of the residents with respect to buffering and drainage, and this had been a large factor in staff's analysis.

Debbie Fredericks - Brook Street

Mrs. Fredericks noted she had lived on Brook Street for 10 years. She indicated that she did not have any problems with the parking lot, and that the problem with people taking "short cuts" through her property has been addressed. She also indicated she did not feel her property has been devalued by the Wardour Centre. In addition, the lot is now just vacant with a water drainage problem, which will also be addressed by the building of the parking lot. Ms. Fredericks said she felt very positive about it.

Mr. Ross McKay - Wardour Street

Mr. McKay stated he had been present at the Public Information Meeting, and that all concerns and problems were addressed. He noted that other Hustins properties appear well-cared for.

Mr. John Kempster - 7 Brook Street

Mr. Kempster raised concern regarding noise, suggesting that the chain link fence will not control noise.

Donna Davis-Lohnes responded, noting that the chain link fence was not intended to control noise, and that a berm on the inside of the fence with coniferous trees was intended to assist in controlling noise. She read an excerpt from the Land Use Bylaws regarding buffering and the planting of trees, and another excerpt regarding lighting, which must be directed away from the abutting owner's property.

Mr. Kempster inquired whether any details with respect to the height and width of the berm were available. Ms. Davis-Lohnes indicated that none were available, but that the dimensions of the berm would likely depend on the size of trees planted. She further indicated that the objective of the berm was to provide immediate screening of the parking lot.

Mr. Hustins - Proponent

Mr. Hustins was asked to respond to the question regarding the berms. He indicated that details regarding the elevations of the land etc. were not available at this time; however, he

expected that the berm would be approximately 2 to 3 feet above the level of the asphalt.

After three calls by Mayor Kelly there were no further speakers or questions from Council.

Therefore; Public Hearing #92-06 of the Town of Bedford was adjourned at 7:25 p.m.


MAYOR


CHIEF ADMINISTRATIVE OFFICER

/sk

TOWN OF BEDFORD

Joint Committee Meeting County of Halifax/Town of Bedford

Wednesday, August 5, 1992

A Joint Committee Meeting between the County of Halifax (Sackville Councillors) and the Town of Bedford took place on Wednesday, August 5, 1992 at 5:00 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia.

1. ATTENDANCE

Councillors Harris Hutt, Bill MacLean, Len Goucher, Stephen Oickle, and John Davies were in attendance at the commencement of the Meeting.

County Councillor Don Boutilier, County C.A.O. Ken Meech, Pat Wright and other staff from Porter Dillon Limited were also present.

Staff members in attendance included Barry Zwicker, Director of Planning and Development (acting C.A.O.)

2. PRESENTATION - PORTER DILLON LIMITED (PAT WRIGHT) - PRELIMINARY DESIGN REPORT - MILL COVE TREATMENT PLANT EXPANSION

Mr. Pat Wright of Porter Dillon Limited provided a presentation on the Preliminary Design Report for the Mill Cove Treatment Plant Expansion to those present with the use of overheads and schematic drawings. He first provided an overview of the project and circulated copies of the overhead material.

The overheads, which Mr. Wright explained in more detail, covered such topics as: Project Status; Characteristics of expanded facility; preliminary design process; Challenges; Water Quality Evaluation; Site and Building Layout; Cost Estimates; Bedford Waterfront Development Corporation Issues; Implementation Plan; and Interim Development Strategy. Copies of the detailed Interim Development Strategy was also circulated.

Among the comments made by Mr. Wright during the presentation, the following were noted:

- A technology review had been conducted throughout the United States, United Kingdom and France. The expanded Mill Cove Treatment Plant has

been carefully looked at in terms of performance and compatibility with the site, and can be considered a state of the art plant that works well with the site.

- The Site and Building layout is tightly spaced, with the combining of the new and old buildings. The same plant would occupy three times the space if it were to be newly built.
- Reasons for the 25% higher than original capital cost estimate were explained. Among the reasons were the greater level of detail, and the proposed building of certain upgraded components that will allow for ease in further capacity expansion in the future.
- With reference to the B.W.D.C's issues, Mr. Wright explained that the current design does not include covering of the primary or secondary clarifiers. He indicated that while he could see some merit in covering the primary clarifiers, the secondary clarifiers are not considered to be potentially odor-emitting; however, there may be some esthetic purpose to covering everything. Mr. Wright identified the estimated cost of covering the primary clarifiers, with a fibreglass removable cover, as being \$700,000.00.
- With reference to the Implementation Plan, Mr. Wright noted that the approval process for the Department of the Environment is taking much longer than anticipated.

Following Mr. Wright's presentation, there were questions from those present.

Mayor Kelly inquired with respect to the costs of covering of the primary and secondary clarifiers, and whether it is advisable to do all of it during Phase I of the expansion, if it were to be done.

Mr. Wright indicated that the design makes it very easy to carry out any coverings, and that any or all of it could be delayed.

Councillor Goucher inquired regarding any possible lower cost methods of covering the clarifiers.

Mr. Wright explained that an analysis had been done in the past on behalf of the B.W.D.C. for alternative methods, and that the two best methods identified were fibreglass and concrete. Concrete coverings, however, would not allow for easy access for maintenance or repairs.

Sackville Councillor Boutilier raised discussion regarding the possibility of the B.W.D.C. sharing in the cost of coverings. He noted that covering the primary clarifiers will add additional costs to the expansion, and that the B.W.D.C. will benefit greatly from the coverings, in terms of esthetics, since the plant is located near the Development.

Mayor Kelly inquired to Mr. Wright whether Porter Dillon Limited has had discussions in this respect with the B.W.D.C.

Mr. Wright indicated that correspondence with staff of the B.W.D.C. regarding considerations on coverings has taken place. He noted that part of the plant expansion will occupy B.W.D.C. land, and that the Corporation has been seeking position for negotiation; however, they have not indicated they will share in the cost.

Ken Meech, noted that an earlier agreement with the B.W.D.C. does indicate that they will pay for any extra measures required regarding odor control.

Councillor Davies suggested that since the S.T.P. is located in Bedford, which is an growing and developing town, the concern with respect to odor affects the whole area around the plant, not just the B.W.D.C.

Councillor Goucher indicated his agreement with Councillor Boutilier, in that the County should not be asked to pay for esthetics. He further noted that if the Province does agree to provide funding for 50%, then the total cost of coverings would be \$350,000. He suggested that the B.W.D.C. be approached on this issue, especially if there is a clause in the agreement with respect to the cost of coverings.

Pat Wright noted that there is good precedent for having the Province include the cost of coverings in their funding.

Councillor Boutilier also suggested that, in terms of what Pat Wright has indicated is reasonable with respect to coverings, the B.W.D.C. be asked to cost-share.

Ken Meech agreed, but indicated that the three parties will cost share for only what is reasonable; if the B.W.D.C. requires further coverings, they will have to bear the cost themselves.

There was some discussion regarding the percentages of cost sharing, and Ken Meech indicated that the County would be willing to consider a split of 50/25/25, whereby if the Province contributes 50%, then the County will cover half of the balance, with the B.W.D.C. and the Town splitting the other half.

Mayor Kelly inquired to Pat Wright what the standards would be for coverings if the plant were to be built new today.

Mr. Wright indicated that covering the primary clarifiers could not be considered standard yet, but that they are covered more and more often.

Councillor MacLean spoke with respect to cost sharing. He suggested that the Town does not assess abutters for the costs of bridges and roads, and that the B.W.D.C. is only an abutter to the S.T.P. He also inquired with respect to the access issue raised by the B.W.D.C. He asked Pat Wright how critical it was that the access road shown on the plan be located where it was.

Mr. Wright indicated that it was quite critical, given the tight spacing of the buildings and large vehicles making turns etc. He noted that the alternate access proposed by the B.W.D.C. would still enter the site from the front.

Mr. Barry Zwicker, Director of Planning and Development, noted that a meeting between himself, Pat Wright, and Mr. Micheel Towner, Marketing Director for the B.W.D.C., is planned for Friday, August 7, to discuss this issue and others of concern to the B.W.D.C.

ON MOTION of Councillor Boutilier and Councillor MacLean, it was moved that the Joint Committee of the County of Halifax and the Town of Bedford recommend to their respective Councils to proceeding with design work, as presented by Porter Dillon, for expansion of the Mill Cove Sewage Treatment Plant at an estimated cost of \$18.7 million with such design to include covering of the primary clarifiers at an estimated cost of \$750,000 with the latter component being cost-shared between the Town, County of Halifax and the B.W.D.C.

The Motion was unanimously approved.

Mayor Kelly thanked Mr. Pat Wright for his presentation.

19. **ADJOURNMENT**

ON MOTION of Mayor Kelly, it was moved to adjourn the Joint Council Meeting between the County of Halifax and Town of Bedford at approximately 6:20 p.m.

The motion was unanimously approved.

MAYOR



CHIEF ADMINISTRATIVE OFFICER

/sk

MEETING #30

TOWN OF BEDFORD

Public Hearing #92-07

Tuesday, August 11, 1992

A Public Hearing of the Town of Bedford took place on Tuesday, August 11, 1992 at 7:25 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia, Mayor Kelly presiding.

ATTENDANCE

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

Staff members in attendance included Dan English, Chief Administrative Officer; Rick Paynter, Director of Engineering and Works; and Donna Davis-Lohnes, Senior Planner.

Development Agreement Application - #34 Wardour Street

INTRODUCTION

Donna Davis-Lohnes reviewed the staff report regarding the proposed Development Agreement, noting that many items had already been discussed during Public Hearing #92-06. She cited Policy C33 regarding rear-yard parking requirements, and noted that Staff feel this proposal is consistent with that policy. She indicated the existing driveway will be used. The new parking lot is anticipated to alleviate problems with on-street parking and will be used primarily by employees of Wardour Centre tenants. There will may be an interior access way to enable traffic to flow from one level of parking to the other without going out onto Wardour Street.

Ms. Davis-Lohnes reiterated how the concerns of noise, security and screening will be dealt with. She went on to explain in more detail storm water drainage, noting there has been a problem in the area for many years. Since the existing Wardour Street system cannot handle drainage from the proposed parking lot, a new drainage system will direct storm water to Brook Street, thereby dealing with the parking lot drainage and potentially improving existing problems.

Ms. Davis-Lohnes noted that Planning Staff's recommendation is to enter into a Development Agreement with A.J. Hustins Ent. Ltd. for #34 Wardour Street.

Mayor Kelly asked Council if they have any questions for Ms. Davis-Lohnes.

Councillor Goucher read Clause 10 of the Development Agreement, noting the wording was "could include" such items as the berm and buffering. In addition, he noted that Schedule "C" stated a chain link fence only, with no mention of buffering.

Donna Davis-Lohnes referred to Appendix #C, noting it does refer to those items, and on Schedule "C" under landscaping requirements.

Councillor Goucher then raised the issue of offsite development costs, which although stated in the Development Agreement as being the responsibility of the proponent, the proponent has since approached the Town requesting contribution to these costs. He indicated that Council, when voting on approval of the Development Agreement, must accept or reject it in its entirety.

Mayor Kelly indicated this could be handled during debate of the Development Agreement.

Councillor Oickle inquired about item #8.1, and requested the diagram of the parking lot be put on the overhead. He noted the Agreement states the design of the parking lot will be "as in plans." He inquired whether the proponent is to also maintain same as well as any landscaping.

Donna Davis-Lohnes indicated this is assumed, but that it could be added to the Agreement.

Councillor Oickle indicated the illustration of trees or shrubs on the islands of the parking lot, and inquired whether it was intended to have a planting there.

Mr. Hustins was asked to respond, and indicated that this was intended.

Councillor Oickle noted that islands and shrubbery adds a nice touch to a parking lot, and that many large parking lots in Bedford lack this.

SPEAKERS

Mr. John Kempster, 7 Brook Street

Mr. Kempster suggested that a six-foot fence was not high enough for security, and that crash barriers should be placed at the end of each lane, to prevent vehicles from crashing through the fence and onto the abutting property. He indicated he felt this was a real concern.

Donna Davis-Lohnes explained to those present that a 10ft high board fence had been

TOWN OF BEDFORD

suggested at the Public Information Meeting, but that Mr. Hustins has agreed to provide a six foot chain link fence. She noted that any fence over the height of six feet would be considered an "engineered" structure. She further noted that crash barriers had not been discussed before.

After three calls by Mayor Kelly there were no further speakers or questions from Council.

Therefore, Public Hearing #92-07 of the Town of Bedford was adjourned at 7:40 p.m.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

/sk

APPROVAL OF MINUTES - Regular Session - #24, July 14, 1992
Special Session - #27, July 23, 1992
Special Session - #28, August 4, 1992

ON MOTION of Councilor Gault and Councilor Goucher, it was moved to approve the minutes for Regular Session, July 14, 1992; Special Session, July 23, 1992; and Special Session, August 4, 1992 as circulated. The Motion was unanimously approved.

ADDITIONS/DELETIONS TO ORDER OF BUSINESS

The following was added to the Agenda:

104 Minor Baseball - Councilor MacLean

The following was deleted from the Agenda:

101 Metropolitan Authority Borrowing Resolutions - Solid Waste

MEETING #31

TOWN OF BEDFORD

Regular Session

Tuesday, August 11, 1992

A Regular Session of the Town Council of the Town of Bedford took place on Tuesday, August 11, 1992 at 7:55 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia.

1. LORD'S PRAYER

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

2. ATTENDANCE

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

Staff members in attendance included Dan English, Chief Administrative Officer; Rick Paynter, Director of Engineering and Works; and Donna Davis-Lohnes, Senior Planner.

- 3. APPROVAL OF MINUTES - Regular Session - #26, July 14, 1992
- Special Session - #27, July 23, 1992
- Special Session - #28, August 4, 1992**

ON MOTION of Councillor Oickle and Councillor Goucher, it was moved to approve the minutes for Regular Session, July 14, 1992; Special Session, July 23, 1992; and Special Session, August 4, 1992 as circulated. The Motion was unanimously approved.

4. ADDITIONS/DELETIONS TO ORDER OF BUSINESS

The following was added to the Agenda:

10.4 Minor Baseball - Councillor MacLean

The following was deleted from the Agenda:

10.1 Metropolitan Authority Borrowing Resolutions - Solid Waste

Mayor Kelly suggested the Order of the Agenda be changed so that #11.1.2 Petroglyph Advisory Committee -Presentation of Final Report, would be heard following #8.1. In addition, #6.1 Metro Waste Disposal/Management Accord, would be heard following #11.1.2.

5. **APPROVAL OF ORDER OF BUSINESS**

ON MOTION of Councillor Goucher and Councillor Hutt, it was moved to Approve the Order of Business as amended. The Motion was unanimously approved.

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

7.1 **MPS Amendment & Development Agreement Request - 34 Wardour Street**

Donna Davis-Lohnes reviewed for Council the fact there have now been two Public Hearings and a Public Information Meeting on the MPS Amendment and Development Agreement Request for #34 Wardour Street with the Bedford Planning Advisory Committee recommending approval for both. In addition, the Planning Staff Review is positive.

ON MOTION of Councillor Goucher and Councillor Davies, it was moved to amend the Generalized Future Land Use Map to change the land use designation from Residential to Commercial on the property known as #34 Wardour Street, subject to obtaining the Minister's approval. The Motion was unanimously approved.

ON MOTION of Councillor Goucher and Councillor Davies, it was moved that the Town of Bedford enter into a Development Agreement with A.J. Hustins Enterprises Ltd. to permit the use of #34 Wardour Street for a parking lot, including maintenance of landscaping, subject to obtaining the Minister's approval for the necessary amendment to the GenFLUM. The Motion was unanimously approved.

8. **PETITIONS AND DELEGATIONS**

8.1 **"Canadian Pensioners Concerned" - Presentation Roseanne Foy**

Mrs. Roseanne Foy, Project Co-ordinator for the preparation of a Housing Information Handbook for Older Nova Scotians, made a presentation on the findings

in a Report prepared by the Advisory Committee of Canadian Pensioners Concerned.

Mrs. Foy noted that the Handbook outlines the housing options and services available to seniors in Nova Scotia. While it is considered to be the least expensive option to stay in one's own home, and there are services available to help seniors to do so, those services may not be secure and can be difficult to find, Mrs. Foy reported. In reviewing what choices there are in housing for Seniors, it was found there are few. Mrs. Foy cited the expensive options of the new seniors residence proposed at the Waterfront, and other "empty nester" homes that are currently available. Many apartments lived in by seniors appear to be at risk of being converted to condominiums, while many seniors are considered to have "too much" money to be accepted into government-assisted seniors apartments.

Mrs. Foy noted the City of Dartmouth offers a "shared housing" service, which matches seniors who wish to live together in larger homes.

In addition to housing, Mrs. Foy noted the report's suggestion of setting up a "handyman" registry which, she suggested, could be the means to create several full-time jobs in Bedford. Mrs. Foy indicated that many seniors have the need for a general handyman, and the money to pay, but are hesitant about calling up an unknown workman.

Mrs. Foy reviewed the recommendations contained in the Report, which came as a result of extensive consultation with seniors. She further suggested that Council members obtain a copy of a book called "Coming of Age", and to read the copy of a report included in the agenda called "Population Aging and Municipalities: A Checklist."

Mayor Kelly thanked Mrs. Foy for her presentation.

Councillor Davies commented that seniors should be considered an "untapped resource," and that the Town of Bedford should make use of the research which has been carried out. He noted that Bedford Recreation Advisory Committee is in the process of compiling a Senior's Directory of services available in Bedford. He suggested that, as a part of the Strategic Planning process set to begin in September, the Report should be tabled to be included in the process.

Councillor Hutt indicated his agreement with respect to the need for a "handyman" type of service in Bedford for seniors. He suggested that while it is easy to find contractors for bigger jobs, no-one seems to want to do the small maintenance type jobs that seniors require.

11.1.2 Petroglyph Advisory Committee - Presentation of Final Report

Councillor Goucher addressed Council, as Chairman of the Bedford Petroglyph Advisory Committee, noting the unique position and leading role of the Committee, which was established in 1990. The Committee involved three levels of government, the Native community, and members of the community. Councillor Goucher thanked past and present members of the Committee, the Technical Advisory Sub-committee, former Mayor Christie, and others, for their participation and assistance.

Councillor Goucher advised he was pleased to present the Committee's final report, and introduced Committee member Shirley Jerram.

Ms. Jerram noted she has been a resident of Bedford for 22 years, and served as a Provincial representative on the Committee. She reviewed the history of the finding of the petroglyphs, noting they date back to 1500 A.D., which predates any other petroglyph site in Nova Scotia. Ms. Jerram then introduced committee member Mr. Rick Hattin.

Mr. Hattin reviewed the Report's final conclusions and recommendations.

Mayor Kelly enquired as to whether there were any questions from Council.

Councillor Hutt inquired whether any other markings have been found on the Barrens. Mr. Hattin indicated other markings have been found, but they were not petroglyphs.

Councillor Goucher indicated he had been proud to serve as Chairman of the Committee; that all members had learned from each other, and that the work was just beginning.

ON MOTION of Councillor Hutt and Deputy Mayor Cosgrove, it was moved that the Bedford Petroglyphs Advisory Committee Final Report be tabled, and that staff be requested to provide comments in terms of analyzing the recommendations contained within the Report and to advise as to ways and means by which to implement same along with any implications arising therefrom. The Motion was unanimously approved.

The Mayor thanked the Committee, noting they had done a fantastic job on the report. He also thanked the members of the Committee who were not from Bedford. He indicated to the members of the MicMac community that he hoped the Town would work with them in carrying out the recommendations of the Committee, as well as the Provincial and Federal Governments.

Councillor Hutt asked Native member Theresa McPhee-Marshall if she would explain one drawing of the petroglyphs, as to the meaning or significance of it.

Ms. McPhee-Marshall referred to the petroglyphs as "visual and permanent remarks" in stone. She noted that further indications as to their function and purpose are included in the report.

Mayor Kelly indicated copies of the report will be sent to the Provincial Departments of Natural Resources, and Transportation and Communication as well as the Federal Department of Indian and Northern Affairs and will be followed up with discussions. He noted that Council will be pursuing the recommendations as quickly as possible.

6. DEFERRED BUSINESS/BUSINESS ARISING FROM THE MINUTES

6.1 Metro Waste Disposal/Management Accord (deferred from August 4, 1992)

ON MOTION of Councillor Goucher and Councillor Davies, it was moved to accept the Metro Waste Disposal Management Accord as presented.

Councillor Oickle spoke against the Motion, indicating he cannot support the motion or the Accord, although 98% of it makes sense and does open the door to alternatives. He noted that Option C seems to be the least costly choice, with no investment of capital funds required, transportation costs of \$9.00 per ton and \$60.00 or under per ton tipping fee. Councillor Oickle indicated his concern with the clause which gives the final decision to a Government-appointed consulting and engineering firm, and that if Council votes to accept the Accord, it will be legally binding. He further indicated that he can only support a vote to request the Metropolitan Authority to negotiate with Provincial Thermal Utilities.

Mayor Kelly responded, noting that if Council does not agree to support the Accord, then the previous Motion on the matter will stand, resulting in the construction of the incinerator in Burnside, with no other alternatives considered further. He suggested that the Accord will at least provide the opportunity to explore other options.

Mayor Kelly further noted that the cost or method for disposal of the top and bottom ash from the Provincial Thermal Utilities incinerator has not been established; in addition, it has not passed an environmental review yet. Mayor Kelly suggested that all the information needed on the P.T.U. incinerator, to say it will be the least costly choice, is not yet available.

Councillor Oickle suggested that the original plan for an incinerator in Burnside does not **have** to go ahead. He explained that if Bedford Council were to vote to allow

Halifax to leave the Metropolitan Authority as they wished, then the County of Halifax and City of Dartmouth could not afford to build an incinerator in Burnside, and other alternatives will be sought. Councillor Oickle questioned the inequality of representation that currently exists within the Metropolitan Authority. He further suggested that taxpayers should be given the names and phone numbers of the members of the Metropolitan Authority, in order to question them why the Metropolitan Authority proposes to build a 500 ton per day incinerator at a cost of \$120 to \$130 million, when P.T.U. can build one of the same size for a cost of \$70 to \$80 million in the Canso Strait area.

Mayor Kelly again pointed out that the full contract cost has not yet been seen for the P.T.U. incinerator, and other information will be forthcoming on this if the Accord is accepted.

Councillor Oickle inquired what would happen to the Ogden Martin contract which the Metropolitan Authority is about to sign for construction of the incinerator in Burnside, if the Provincially-appointed consultant were to choose option #3.

Mayor Kelly indicated it could cost approximately \$1.7 million to get out of the contract with Ogden Martin.

Councillor Oickle stated he objects to the Accord for this reason also.

Councillor Goucher spoke, noting he had voted against the proposal to locate the incinerator in Bedford because he had concerns over the time line between the closing of the Sackville Landfill in 1994 and the building of an incinerator growing longer and longer; now it is worse. He termed the Sackville Landfill an environmental disaster. Councillor Goucher went on to say that he agreed the Accord was flawed, but if it was not accepted then Bedford would be left with no other options. He noted that he, too, had concern with respect to the Ogden Martin contract and would like to see deferral on the signing of the contract.

Mayor Kelly indicated that it is already on the agenda for the next Metropolitan Authority meeting to request deferral on the signing of the Ogden Martin contract; the intention to fight it will be at the Authority level. He suggested that Council has been "in a corner" too long on this matter, and he would like to see the Metropolitan Authority and the Municipal units deal with it and conclude same.

Deputy Mayor Cosgrove stated she felt the name "Accord" was inappropriate for the document. She inquired whether the Town of Port Hawksbury has agreed to participate, or even held a Public Hearing. Mayor Kelly indicated that they have not officially agreed, nor has a Public Hearing been held in the Town. Deputy Mayor

Cosgrove then stated she could not accept the Accord for that reason alone.

Councillor Oickle responded to Councillor Goucher's concerns with respect to the lengthening time line between the closing of the Sackville Landfill and a new waste disposal method. He stated he felt the Sackville Landfill will **not** be able to close in 1994. He then inquired if the environmental impact study for Provincial Thermal Utilities is almost complete. Mayor Kelly indicated it is only beginning.

Councillor MacLean spoke to the Motion, stating he also felt the Accord was not the best document; however, it will serve to review the various options, and the best option, based on cost, and including penalties for previous commitments or contracts, which is the cost of choice, will be determined. He suggested that everyone seems to have the same general concern regarding obtaining the lowest cost choice, which will be achieved by the Accord; however, the Town will be left with the highest cost choice if they do not support the Accord.

Councillor MacLean indicated that he, too, had concern with respect to the Ogden Martin contract, and was pleased to hear that it will be aggressively raised at the next Authority meeting. Councillor MacLean also indicated he did not agree with Councillor Goucher's reservations regarding "exporting" our problem. He suggested that while it may be a problem to Bedford, it may not be a problem to the receiving agency; it may be an opportunity.

Councillor Hutt spoke to the Motion, stating he had reviewed the Accord, and could not see that Bedford had any option but to accept it; if not, the result would be a straight line to the incinerator being located in Burnside. He suggested that at least Bedford may have other options through the Accord.

Councillor Oickle responded to Councillor Hutt, stating he felt Bedford does have another option: to vote on a resolution to allow Halifax out of the Metropolitan Authority.

Councillor Goucher suggested that particular option would result in many unknowns.

Mayor Kelly suggested there are many questions unanswered, and that the Metropolitan Authority has made errors. He stated that he, as a member, had asked for a long-range plan from the Authority more than five years before, but many delays have occurred. He suggested the Accord will serve to proceed forward and find a workable solution.

Councillor Davies indicated his support for the Motion. He suggested that if Halifax, who has yet to vote on the Accord, votes to support it, it means that **they** wish to

explore other options and stay within the Authority.

Councillor Davies stated he agreed with other member's comments that the Accord is not perfect, but he would rather look at three options than one. He suggested that Council will have to trust the consultants to conduct their review with expertise. Councillor Davies also indicated that he did not see a problem with "exporting" the waste, if it is considered a "raw resource" by someone else.

Councillor Oickle stated he felt the Accord was an "easy out" for municipal politicians; a way of putting the decision onto somebody else.

Councillor Goucher responded, stating that not one municipal politician has been taking the "easy way out", and no-one has tried to bury their head in sand.

Mayor Kelly also responded, indicating there has been no abrogation of responsibility.

Councillor Oickle again stated he felt they were allowing someone else to make a decision for them.

The Motion was put to the meeting and CARRIED. (Deputy Mayor Cosgrove and Councillor Oickle voted against the motion; Councillors Goucher, Hutt, Davies, and MacLean, and Mayor Kelly voted for the Motion.)

9. MOTIONS - NIL

10. NEW BUSINESS

10.2 **Recommendation - Joint Committee Sewage Treatment Plant Expansion**

Included with the Agenda package was a memorandum from Barry Zwicker, Director of Planning and Development Control, dated August 7, 1992, which contained the Motion from a meeting of the Joint Committee of the County of Halifax and the Town of Bedford, recommending acceptance of the Preliminary Design proposal for the Mill Cove Sewage Treatment Plant Expansion.

ON MOTION of Councillor Goucher and Deputy Mayor Cosgrove, it was moved that Bedford Town Council accept the Preliminary Design for the Mill Cove Sewage Treatment Plant Expansion dated July 11, 1992, as presented by Porter Dillon Ltd., including proposed covering of the primary clarifiers at a total estimated cost of \$18,700,000. The funding for the covering of the primary clarifiers which amounts to approximately \$750,000 to be cost shared between the Town of Bedford, County of Halifax and the Bedford Waterfront Development

Corporation.

The Motion was unanimously approved.

10.3 Waterfront Park - Name (Councillor MacLean)

Councillor MacLean reported to Council results from a contest conducted by the Bedford Waterfront Development Corporation, to name the Town-owned park located at the Waterfront.

There were between 250 and 275 responses, of which a vast majority related to Admiral Harry DeWolf. The next highest response was for that of Midshipman's Way. Admiral DeWolf was a decorated Canadian Naval Admiral who was born in Bedford.

ON MOTION of Councillor MacLean and Councillor Goucher, it was moved that the proposal to name the Bedford Waterfront park *The Admiral DeWolf Park* be referred to B.R.A.C. and B.H.A.C. for recommendation. **The Motion was unanimously approved.**

10.4 Minor Baseball - (Councillor MacLean)

Councillor MacLean reported to Council members that the President of the Bedford Minor Baseball Bantam A team asked him to approach Council with a request for a contribution of \$1,000.00 towards the cost of sending the team to a National Tournament to be held in late August in Edmonton, Alberta. He noted that the team consists mainly of youths from Bedford Jr. High School.

ON MOTION of Councillor MacLean and Councillor Goucher, it was moved that the Town of Bedford support the sending of the Bedford Minor Baseball Bantam A team to a National Tournament in Edmonton, through a contribution in the amount of \$1,000.00. **The Motion was unanimously approved.**

11. REPORTS

11.1 COMMITTEES/COMMISSIONS/BOARDS

11.1.1 Appointment to Municipal Reform Advisory Committee

By memorandum dated July 31, 1992, Dan English, Chief Administrative Officer, reported that Councillor Stephen Oickle has retracted himself from serving on the Committee due to time and work constraints. The memo requested that Council

consider and approve the replacement of Councillor Stephen Oickle with Councillor John Davies as a member of the Municipal Reform Advisory Committee.

ON MOTION of Councillor Goucher and Councillor Hutt, it was moved that Council approve the replacement of Councillor Stephen Oickle with Councillor John Davies as a member of the Municipal Reform Advisory Committee. **The Motion was unanimously approved.**

11.2 DEPARTMENTAL

11.2.1 Planning and Development Control

11.2.1.1

Appeal - Kiel Developments - Development Agreement

By memorandum dated August 7, 1992, Barry Zwicker, Director of Planning and Development Control, reported on Appeal Notices which have been filed with respect to the Development Agreement between the Town of Bedford and Kiel Developments at the corner of Hammonds Plains Road and Bedford Highway.

Councillor Davies suggested that the re-zoning of the residual land on this property to RSU should be delayed until a decision has been reached on the appeal of the Development Agreement by the Municipal Board.

Councillor Davies served NOTICE OF MOTION TO RESCIND the July 14, 1992, Motion to re-zone the residual land to RSU.

Councillor MacLean stated he was pleased the Kiel Agreement has been appealed. He noted that Town Council's discretion in considering development projects is related or constrained completely to the MPS. He further noted some decisions Council has made on that basis have not been popular, however, the Appeal will provide a good test.

12. CORRESPONDENCE

12.1 **Proposed Plan Amendment - CCDD (Parcel M-1)**

A copy of a letter from Bedford Village Properties Ltd. to Barry Zwicker, Director of Planning and Development Control, requesting an amendment to the CCDD portion of the MPS, was included in the agenda package.

ON MOTION of Councillor Goucher and Deputy Mayor Cosgrove, it was moved to refer the request for an amendment to the CCDD portion of the MPS by Bedford Village Properties Ltd. to the Bedford Planning Advisory Committee for review and recommendation. The Motion was CARRIED. (Councillor Goucher, Oickle, Mayor Kelly and Deputy Mayor Cosgrove voted in favour; Councillors Davies, MacLean and Hutt were opposed.)

12.2 Resolution from Village of Belcarra, B.C.

A copy of a resolution forwarded from Mayor Ralph Drew, Village of Belcarra, B.C. was included with the agenda package.

Deputy Mayor Cosgrove made a Motion and read the resolution aloud.

ON MOTION of Deputy Mayor Cosgrove and Councillor Goucher it was moved to endorse the Resolution as received from the Village of Belcarra, B.C. expressing Council's support for the renewal of Canadian federalism.

The Motion was unanimously approved.

Councillor MacLean stated that it was important that this Motion be brought forward. He noted that he has lived in many small centres of the country and knows that people everywhere have the same concerns as we do.

13. MOTIONS OF RECONSIDERATION - NIL

14. MOTION OF RESCISSION - NIL

15. NOTICES OF MOTION - NIL

16. DEPARTMENTAL INFORMATION REPORTS.

16.1 Fire Chief's Monthly Report - Month of June, 1992

ON MOTION of Councillor Oickle and Councillor Goucher, it was moved to accept the Fire Chief's Monthly Report for June, 1992. The Motion was unanimously approved.

16.2 Building Inspector's Monthly Report - Month of July, 1992

ON MOTION of Councillor Oickle and Councillor MacLean, it was moved to accept the Building Inspector's Report for the Month of July, 1992. The Motion was unanimously approved.

17. QUESTIONS - NIL

18. ADDED ITEMS - NIL

MEETING #32

TOWN OF BEDFORD

Regular Session

19. ADJOURNMENT

ON MOTION of Mayor Kelly, it was moved to adjourn the 31st Regular Session of the Town of Bedford at approximately 10:20 p.m.

The motion was unanimously approved.

MAYOR



CHIEF ADMINISTRATIVE OFFICER

/sk

APPROVAL OF MINUTES - Regular Session, August 11, 1992

ON MOTION of Councilor Davies and Councilor MacLean, it was moved to approve the minutes for Regular Session, August 11, 1992. The Motion was unanimously approved.

4. ADDITIONS/DELETIONS TO ORDER OF BUSINESS

The following was added to the Agenda:

101 - Motion of Motion of Resignation - Councilor Cielie

106 - Discussion - Committee's Terms of Reference - Councilor Cielie

5. APPROVAL OF ORDER OF BUSINESS

ON MOTION of Councilor Davies and Councilor Goss, it was moved to Approve the Order of Business as amended. The Motion was unanimously approved.

MEETING #32

TOWN OF BEDFORD

Regular Session

Tuesday, August 25, 1992

A Regular Session of the Town Council of the Town of Bedford took place on Tuesday, August 25, 1992 at 7:00 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia.

1. LORD'S PRAYER

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

2. ATTENDANCE

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

Staff members in attendance included Dan English, Chief Administrative Officer; Rick Paynter, Director of Engineering and Works; Donna Davis-Lohnes, Senior Planner; and Bob Nauss, Director of Recreation.

3. APPROVAL OF MINUTES - Regular Session, August 11, 1992

ON MOTION of Councillor Davies and Councillor MacLean, it was moved to approve the minutes for Regular Session, August 11, 1992. The Motion was unanimously approved.

4. ADDITIONS/DELETIONS TO ORDER OF BUSINESS

The following was added to the Agenda:

15.1 Notice of Motion of Rescission - Councillor Oickle

10.6 Discussion - Committees Terms of Reference - Councillor Oickle

5. APPROVAL OF ORDER OF BUSINESS

ON MOTION of Councillor Davies and Councillor Goucher, it was moved to Approve the Order of Business as amended. The Motion was unanimously approved.

6. DEFERRED BUSINESS/BUSINESS ARISING FROM THE MINUTES

6.1 **Consideration of Ratification - Reimbursement for Lateral Costs - Lot 33 Meadowview**

By memorandum dated August 17, 1992, Rick Paynter, Director of Engineering and Works, provided background information relative to the above subject, along with Staff's recommendations.

Councillor Goucher requested confirmation from Mr. Paynter, of Staff's projections of potential costs to the Town, should other lot owners in similar circumstances make the same request for reimbursement of lateral costs.

Mr. Paynter confirmed that the wording on billings made to other lot owners, at the time when services were installed, are "somewhat" identical, depending on how wide the lot was (Lot 33 is 60 feet wide), and there is a future potential total cost to the Town of \$155,000.

Councillor Goucher inquired whether the same fee was paid by other lot owners, and was specific reference to lateral installation made on the billing. Mr. Paynter indicated that the same fee had been paid, according to lot size, and that by the manner in which the billing was worded, it referred to lateral installation.

Councillor Goucher stated that he still did not know what the implications were to the Town, and noted that the two legal opinions received by the Town were different.

Councillor MacLean requested that Mr. Paynter clarify whether lot 33 had been one lot of three from a subdivided large lot, and whether there had been a change in ownership of the lot.

Mr. Paynter indicated that the lot was always a single undeveloped lot between two developed lots, and that the ownership of the lot had recently passed from father to son.

Councillor MacLean inquired whether the last legal opinion had been based on the knowledge that there had been a change in ownership. Rick Paynter indicated that it had not.

Mr. English, Chief Administrative Officer, noted that the past practice and policy has been that the Town is not responsible for lateral services, and that, in Staff's opinion, agreeing to this request would be creating a dangerous precedent.

ON MOTION of Councillor MacLean and Councillor Davies, it was moved to *DEFER* further discussion until such time as another legal opinion from Mr. Peter McInroy is received, based on the fact that lot 33 has changed ownership recently. **The Motion was CARRIED.** (Mayor Kelly and Councillor Goucher were opposed; Councillors Oickle, Hutt, Davies, MacLean and Deputy Mayor Cosgrove voted in favour.)

6.2 Proposed Plan Amendment - CCDD

By memorandum dated August 20, 1992, Donna Davis-Lohnes, Senior Planner, reviewed events relative to the above, including an August 19 Motion from B.P.A.C., and two options open to Town Council, with Staff's recommendation to approve option two - to schedule a Public hearing on the requested amendment.

ON MOTION of Councillor Goucher and Councillor Oickle, it was moved that Council accept the Bedford Planning Advisory Committee's recommendation, as contained in the following Motion approved by B.P.A.C. on August 19, 1992.

"...BPAC recommends that the request to permit single residential dwellings in the CCDD Zone be addressed as part of the comprehensive review of the CCDD Zone and policies and that this review should be dealt with expeditiously..."

Councillor Oickle requested clarification from Ms. Davis-Lohnes as to whether the intention of going to a Public Hearing would be to consider changing all CCDD zones. Ms. Davis-Lohnes indicated in the affirmative noting, the intention would be to make a general text amendment. Councillor Oickle then pointed out that the proponent for lot M1 had only requested an amendment to the CCDD zoning for M1 only. Ms. Davis-Lohnes then read aloud correspondence from the proponent which contained the original request, and indicated that Staff had interpreted it to mean **all** CCDD Zones.

Councillor Oickle inquired whether it was possible to allow for the amendment for lot M1 only, without including all CCDD zones. Ms. Davis Lohnes indicated that this was possible by changing the wording of Policy C11.

Councillor Goucher inquired with respect to a resolution passed by Council regarding "site specific" amendments to the M.P.S., and asked if this resolution did not pertain to this situation. Mr. English referred to the resolution, voted on by Council on July 14, 1992, and clarified the resolution pertained only to public participation on site specific amendments.

Councillor Davies expressed concern that should single family homes be allowed in

CCDD zones now, they could possibly be torn down in years to come so that the lot could be then used for commercial development.

Ms. Davis-Lohnes indicated that while the land use portion of the Development Agreement would last five years, such a change in land use after that time would constitute a Substantial Amendment to the Development Agreement, requiring a Public Hearing. She further indicated that the Development Agreement would have to be discharged and the lot re-zoned.

Councillor Goucher noted that Ms. Davis-Lohnes's memorandum refers to the Motion made by B.P.A.C. as a "negative" Motion. He expressed his opinion that it was positive, in that the intent is to deal with a review of the M.P.S. as a whole.

Mr. English stated that the developer could appeal Council's decision **not** to hold a Public Hearing.

Ms. Davis-Lohnes suggested that a comprehensive review of the M.P.S. by B.P.A.C. would take at least four months to complete, and there would be further delays caused by the approval process.

Councillor Goucher expressed concern that the development is supposed to fit the M.P.S., and that this developer is asking to make the M.P.S. fit the development.

Mr. English suggested that the developer is of the opinion that the public would **prefer** single family homes on this lot, rather than townhouses, and is requesting a Public Hearing to determine same.

Councillor Davies suggested that holding a Public Hearing would provide Council with all the details, and that if the M.P.S. is flawed then they can deal with it.

Councillor MacLean inquired as to what the past experience has been with Municipal Affairs and density levels.

Ms. Davis-Lohnes explained that while the new MPS creates "exclusionary zones", the general rule has been that an already high density designated zone can be changed to a lower density with no problem; however, the reverse, ie. low density to high density, is much more difficult and can only be done after extensive review.

Councillor MacLean then stated that while he agrees with Councillor Goucher that the M.P.S. should not be made to fit each project, the fact that this developer **can** build "joined" houses, which would be much closer together, and **cannot** build single family homes well spaced apart, does not make any sense. He suggested that this

would be an appropriate opportunity for public input.

Deputy Mayor Cosgrove inquired of Ms. Davis-Lohnes whether there has been other past situations when compatible densities of abutting properties have been considered, and where the zoning has had to be changed.

Ms. Davis-Lohnes indicated that it has never happened through a general text amendment, but only through the Development Agreement. She suggested that this is a different situation.

Councillor Goucher suggested this discussion is not regarding lot M1 specifically, but rather **planning** in general, in that it had never been envisioned that the CCDD would be used for residential in this intensity. He noted that B.P.A.C. has only asked for a comprehensive review, which was a **unanimous** resolution by the Committee. He indicated that the Committee intends to deal with it in an expeditious manner, and that he does not share the opinion that it would take four months to complete.

Mr. English stated again that it is Staff's opinion that a Public Hearing should be held and that the discussion now should simply center on whether or not to hold a Public Hearing respecting the CCDD.

Councillor Oickle suggested that while he supports Councillor Goucher's motion, and would like to hear what B.P.A.C. has to say on the matter, he would also like to hold a Public Hearing regarding the CCDD. He inquired whether **both** could be done.

Mr. English responded, noting that this would, in effect, be denying the developer's request to hold a Public Hearing on September 29th. Mayor Kelly inquired whether it was possible for B.P.A.C. to complete a review by September 29th. Ms. Davis-Lohnes indicated that she felt it would not be realistic.

Councillor MacLean inquired whether it ever **had** been envisioned that residential would be wanted in a commercial zone. Ms. Davis-Lohnes responded, explaining that it had not been expected two years ago because commercial property was more valuable than residential at that time; now the market has changed. She noted that, at the time of the development of the M.P.S., it was **not** considered to allow residential building in a CCDD zone.

The Motion was put to the Meeting and was DEFEATED. (Councillor Goucher and Mayor Kelly voted in favour; Councillors Oickle, Hutt, Davies, MacLean and Deputy Mayor Cosgrove voted against the Motion.)