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private sector - the ferries do not have washrooms, bars or meal service available. Further, he noted that most of the larger tour boats are "mothballed" for six months each year, accordingly, the ferry system could operate through community events during this time frame thereby not interfering with private enterprise.

The meeting was further advised that Metro Transit will be losing Provincial-Municipal grants in the amount of \$592,140 by March 31, 1995.

A lengthy discussion took place on the very broad proposal being put forward by Metro Transit. Various Members of Town Council were particularly concerned with the proposed by-law amendment as it was too loose and no restrictions were in place.

ON MOTION of Councillor Len Goucher and Deputy Mayor Peter Christie, it was moved to defer the Rescission Motion and refer the matter back to Metro Transit to restructure the Terms of Reference taking into consideration Council concerns. MOTION CARRIED. Councillor Joan Pryde voted in the negative.

## 10. NEW BUSINESS

### 10.1

#### OPENING OF NEW ELEMENTARY SCHOOL - SCHOOL CROSSWALK GUARDS

Mayor Peter Kelly called on Mr. Rick Paynter, Director of Engineering and Works to introduce the matter.

Mr. Paynter reviewed his report dated December 7, 1994 noting the School Board Trustees are requesting Town Council consideration for the placement of crosswalk guards at various locations not presently serviced with guards due to the new school opening in January and due to the noon lunch policy requiring students within a certain radius of the new school, to return home for lunch. Further, the Trustees are requesting that Mr. Gordon Brown be reassigned due to the temporary closure of Bedford Central Elementary School.

Mr. Rick Paynter further advised that two Trustees, Ms. Sylvia Branton and Ms. Betty Savage were in attendance this evening and would like to address Town Council, if so permitted.

Ms. Betty Savage addressed Council requesting crosswalk guards at the intersection of Basinview Drive and Roy Crescent, as well as the intersection of Bedford Hills Road and Basinview Drive. It was noted that the latter request would be temporary pending the completion of the overhead activated lights. Ms. Savage further noted that as of April 3, 1995, a policy will become mandatory, whereby students who live within a certain radius of the school

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must return home for lunch.

Mayor Peter Kelly advised he understood this policy was under review.

In response, Ms. Savage advised that conversations with Mr. Tim Allen had led them to believe the policy was to be in place by January 3, 1995 and mandatory by April 3, 1995.

In response to an enquiry from Deputy Mayor Peter Christie as to the Trustees' position on this matter, the meeting was advised that the Trustees support a safe home lunch program and a user pay system such as that utilized in the City of Halifax (Excel Program).

Ms. Savage enquired on a proposal to create a four way stop at the corner of Meadowbrook Drive and Basinview Drive and at the Basinview Drive/Sunrise Hill area, in order to slow the flow of traffic.

Mr. Rick Paynter advised that in his position of Traffic Management, his position was that the matter of using stop signs for speed control is not recommended.

Councillor Stephen Oickle sought clarification on the cost to the Town per crosswalk guard.

In response, Mayor Peter Kelly advised that costs amounted to \$3800 per year, per cross walk guard.

In response to an enquiry from Councillor Stephen Oickle, Mr. Rick Paynter advised that costs involved to erect an overhead pedestrian activated light on the Bedford Hills Road would be approximately \$11,000. Stop ~~lights~~ <sup>signs</sup> would cost \$85 each, however, under different criteria.

A brief discussion took place on school board policies not being applicable to all areas of the School Board district.

Councillor Joan Pryde expressed concern that with parents picking their children up from the school, a high number of vehicles parked along the road could cause problems. Further, Deputy Mayor Christie enquired what the School Board has done to date with the Pedestrian Awareness Campaign.

In response, the School Trustees advised they felt the Campaign was a valid idea and hoped the Town would take a lead role in promoting same. It was further suggested the Police Department be more visible for ticketing vehicles in the school area.

In response to an enquiry from Deputy Mayor Christie if crosswalk guards would be required after 4 p.m., the Trustees advised after school events was not their jurisdiction and therefore they could not comment.

ON MOTION of Councillors Joan Pryde and Len Goucher, it was moved to relocate Mr. Gordon Brown as crosswalk guard from the Pleasant Street/Rutledge St. area to Basinview Drive/Roy Crescent for the morning, lunch and after school hours; further, that same be monitored for the remainder of the school year to determine justification of maintaining a crosswalk at this area.

In speaking to the Motion, Councillor Stephen Oickle enquired where Mr. Brown would like to work.

In response, Mr. Brown advised he would like to act as crosswalk guard at Basinview Drive/Roy Crescent.

**MOTION CARRIED UNANIMOUSLY.**

ON MOTION of Deputy Mayor Peter Christie and Councillor Joan Pryde, it was moved that the Town co-ordinate with the School Board and Bedford Police, development of a Pedestrian Awareness Campaign. **MOTION CARRIED UNANIMOUSLY.**

Councillor Len Goucher requested a staff report on a proposal to erect stop signs on Basinview with same to be brought back to a future Council meeting.

Mr. Rick Paynter advised that same could be tabled with Council early in February, 1995.

6. **DEFERRED BUSINESS/BUSINESS ARISING FROM THE MINUTES - CON'T**

6.2 **CONSIDERATION - JOINT USE COMMUNITY SCHOOL AGREEMENT**

Mayor Peter Kelly advised a revised Agreement was before Council for consideration.

Mr. Dan English reviewed the changes noting the School Board has basically met the Town's intent.

ON MOTION of Councillors Len Goucher and Anne Cosgrove, it was moved to ratify the Joint Use Community School Agreement, as amended.

In speaking to the Motion, Deputy Mayor Peter Christie advised the new Agreement indicates the cooperation of the Town of Bedford with the School Board and looks forward to a tour of the new school.

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Mayor Peter Kelly advised that the official opening of the school would be taking place in February or March, 1995.

**MOTION CARRIED UNANIMOUSLY.**

**6.3 UPDATE - METRO AMALGAMATION**

Mayor Peter Kelly provided the following update:

- The Hon. Sandy Jolly and the Town's two M.L.A.s have been invited to a meeting with Town Council on January 10, 1995 to discuss various issues relating to Metro Amalgamation. To date, however, no response has been received.
- A short list has been established for the appointment of a Co-ordinator to Implement Amalgamation (Bill Hayward and Coopers Lybrand).
- The Nova Scotia Business Journal has organized a series of five public meetings to be held in the metro area with the first one being held on January 16, 1995 in Halifax and the last one to be held March 20, 1995 in Bedford. These meetings are designed to solicit public input and consultation into the amalgamation process.
- An Opinion Survey is being developed to be distributed to Town residents on the Metro Amalgamation issue. A draft will be brought to Council in January, 1995.
- Council agreed to sponsor an open information meeting early in the new year.
- Metro Mayors met in Cape Breton December 12, 1994 to discuss with representatives of the existing eight municipalities to discuss their experience with amalgamation.
- Mayor Kelly made reference to a letter dated May 17, 1993 from the Premier on the matter of amalgamation. It was noted that the Premier's position on amalgamation has changed 360 degrees since that date.
- Metro Mayors will be meeting Monday, December 19, 1994.

Deputy Mayor Peter Christie advised there were numerous meetings upcoming in the new year namely; UNSM - January 6; Town Council - January 10; Business Journal - January 16 and an information meeting for Bedford residents hosted by Town Council some time in the new year.

Deputy Mayor Peter Christie suggested a meeting be held prior to the survey being undertaken.

The meeting was advised that the proposal Call for the cost benefits analysis on amalgamation closes December 14, 1995.

6.4 APPOINTMENT TO TRANSIT ADVISORY COMMITTEE

ON MOTION of Councillors Len Goucher and Joan Pryde, it was moved to Appoint the following individuals to the Transit Advisory Committee for a one year term: William Chaffey, Bill Walsh, Mark Johns, Don Howell and Mary Sieliakus. MOTION CARRIED UNANIMOUSLY.

6.5 ELECTORAL BOUNDARIES ISSUE - ESTIMATE OF COURT COSTS

Mr. Dan English reviewed correspondence from Barry Ward, Solicitor, noting it is his opinion that further costs could approximate \$10,000 - \$15,000 plus \$1,000 to appear before the Bench. Further, Mr. English noted that \$23,000 has been expended to date. The meeting was also advised that there was no point in the Town seeking a Leave of Appeal if it was not prepared to go further i.e. the Nova Scotia Supreme Court of Appeal.

ON MOTION of Deputy Mayor Peter Christie and Councillor Joan Pryde, it was moved to receive the Solicitor's opinion for information and to proceed in contacting the Town's M.L.A.s in an attempt to rectify the boundary issue.

In speaking to the Motion, Deputy Mayor Peter Christie suggested this was a provincial government problem - they created it, therefore; they should correct the situation.

In response, Mayor Peter Kelly advised that the Town has attempted to have the problem rectified however, the Province is not prepared to introduce legislation to change the situation.

Deputy Mayor Peter Christie further suggested that legal costs could escalate and that the legal opinion was on the pessimistic side.

Councillor Len Goucher suggested the Motion be amended to read that this issue be revisited by Town Council the last meeting in January, 1995.

The amended Motion now reads:

ON MOTION of Deputy Mayor Peter Christie and Councillor Joan Pryde, it was moved to receive the Solicitor's opinion for information and to proceed in contacting the Town's M.L.A.s in an attempt to rectify the boundary issue and that same be discussed by Town Council during the last meeting in January, 1995. MOTION CARRIED UNANIMOUSLY.

10. NEW BUSINESS CON'T

10. 2 RATIFICATION OF AGREEMENT BETWEEN CANADIAN RED CROSS FRACTIONATION CORPORATION AND THE TOWN OF BEDFORD

Mr. Dan English advised that Red Cross officials have approved the Agreement and that a Motion was now in order.

ON MOTION of Councillors Stephen Oickle and Len Goucher, it was moved to authorize the Chairman and Secretary of the Bedford Economic Development Commission to execute, on behalf of the Town of Bedford, the Agreement of Purchase and Sale with the Canadian Red Cross Fractionation Corporation respecting the construction of the Blood Plasma Fractionation facility on lands to be acquired by the Town for this purpose and, further, that the Mayor and Chief Administrative Officer be authorized to execute on behalf of the Town of Bedford, the Agreement between the Town and Annapolis Basin Pulp & Power Company for acquisition of the subject lands. **MOTION CARRIED UNANIMOUSLY.**

10. 3 SUBDIVISION ENTRANCE SIGN - BROOKSHIRE COURT

Ms. Donna Davis-Lohnes addressed Council noting that the Planning and Development Department was in receipt of a Development Permit application to construct entrance gates and signs on Brookshire Court. The proposed location for same is within the right of way of Brookshire Court and must be processed under the Subdivision Entrance Sign Policy. The meeting was further advised that the developer will be depositing \$500 for future maintenance in accordance with the policy, should Council approve of the design and location of the gates and signs.

It is staff's recommendation that permission be granted to enable the placement of subdivision entrance gates and signs within the street right of way of Brookshire Court.

Ms. Davis-Lohnes further advised that the gate posts are located on the right of way, therefore, that would be the Town's only responsibility re maintenance.

ON MOTION of Deputy Mayor Peter Christie and Councillor Joan Pryde, it was moved to adopt the recommendation of the Planning and Development Department subject to it being indicated that the applicant is to maintain the signage. **MOTION CARRIED UNANIMOUSLY.**

Councillor Len Goucher noted there is a high stone wall in the area and enquired as to how to keep children away from same.

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Mr. Rick Paynter advised this was indeed a concern. In the long term, a guard rail is to be erected however, there will still be a drop. He noted, however, there was no short term solution to the problem.

Councillor Len Goucher suggested a letter be forwarded to the developer for the provision of a temporary restraint to provide a form of protection.

10. REQUEST FOR STAFF REPORT - 221 BASINVIEW DRIVE - COUNCILLOR STEPHEN OICKLE.

Councillor Stephen Oickle noted that the owner of 221 Basinview Drive had contacted him earlier noting a 30 ft. bank off the side of his property was nearly the cause of an accident Halloween night. Apparently a child had crossed the property to go to the next house, however, there was only the embankment. Councillor Oickle enquired as to who was liable if an accident had occurred. Also, he enquired on the installation of a fence.

Councillor Oickle requested a staff report respecting this issue for the next meeting in January, 1995.

10.5 PROPOSED EXTENSION - DEVELOPMENT AGREEMENT #94-05 - 1254 BEDFORD HIGHWAY/10 MEADOWBROOK DRIVE.

Ms. Davis-Lohnes addressed Council noting that Cresco Group Investments Limited has requested an extension to Development Agreement #94-05 which was approved by Council on December 14, 1993. The Agreement enables the construction of six townhouse units on the rear portion of 1254 Bedford Highway and one nine unit apartment building at 10 Meadowbrook Drive. A commercial building is proposed on the front portion of 1254 Bedford Highway. The subdivision plan which has been submitted and process has been placed on hold, pending an agreement with the Town to assist with the cost for piping a watercourse which crosses the property. This particular matter will be placed on a Council Agenda for January, 1995 when the Developer has obtained detailed cost estimates.

It is the recommendation of the Planning and Development Department that a twelve month extension be granted to Development Agreement #94-05.

A brief discussion on the matter of the subdivision plan being placed on hold took place.

**ON MOTION** of Councillors Len Goucher and Anne Cosgrove, it was moved to grant a twelve month extension to Development Agreement #94-05. **MOTION CARRIED UNANIMOUSLY.**

10.6 APPOINTMENT OF TOWN OF BEDFORD REPRESENTATIVE TO PROJECT STEERING COMMITTEE ON THE HALIFAX COUNTY SOLID WASTE MANAGEMENT PROJECT

Mr. Dan English addressed Council noting that the Landfill Siting Stakeholder Committee was currently comprised of three County Residents and three County staff members. Each municipal unit was now being requested to appoint one resident to the Committee.

Mayor Peter Kelly advised he would rather appoint the Town's Director of Engineering and Work as the Town's representative on the Committee as opposed to a resident.

**ON MOTION** of Councillors Len Goucher and Joan Pryde, it was moved to appoint Mr. Rick Paynter, Director of Engineering and Works, to the Landfill Siting Stakeholder Committee. **MOTION CARRIED UNANIMOUSLY.**

10.7 UPDATE - METRO AUTHORITY - MAYOR PETER KELLY

Mayor Kelly advised of the following:

- Recycling - Bedford has the highest percentage in the metro area (10.1%) and has challenged the others to bring their recycling percentages up (3.8% Halifax; 3.2% Dartmouth; 3.4% County). Further, Mayor Kelly congratulated Bedford residents in their recycling endeavors to date.

- solid waste - per tonnage basis - the Town needs to go after the Metro Authority to change the formula from assessment effective April 1, 1995.

**ON MOTION** of Councillor Len Goucher and Deputy Mayor Peter Christie, it was moved to approach Metro Authority to change the cost sharing formula from assessment to a per tonnage basis, effective April 1, 1995.

In speaking to the Motion, Mr. English advised that the Town could realize an annual savings of \$150,000 should the formula be changed to a per tonnage basis, unless amalgamation goes through, at which time, the formula goes back to assessment.

**MOTION APPROVED UNANIMOUSLY.**

10.8 OVERCROWDING OF SCHOOLS - COUNCILLOR LEN GOUCHER

**ON MOTION** of Councillors Len Goucher and Joan Pryde, it was moved to forward correspondence to the Minister of Education expressing the Town's concern with cutbacks in the day of primary students and overcrowding of same. Further, Councillor Goucher requested the Province effect a resolution respecting same, effective January 1, 1995. **MOTION CARRIED UNANIMOUSLY.**



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17. QUESTIONS

17.1 STATUS SHEET

The status sheet was received for information.

19. ADJOURNMENT

The meeting adjourned at approximately 10:30 p.m.

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER

REGULAR TOWN COUNCIL SESSION

MINUTES

January 24, 1995

A meeting of the Bedford Town Council was held on Tuesday, January 24, 1995 at 7:00 p.m. in the Bedford Board of Trade meeting room, Sunnyside Mall, Mezzanine Level, 1597 Bedford Highway, Bedford, Nova Scotia.

**Attendance:** Councillors Joan Pryde, Marvin Silver, Len Goucher, Anne Cosgrove, Stephen Oickle, Deputy Mayor Peter Christie and Mayor Peter Kelly.

PROCLAMATIONS

Two proclamations were read aloud.

Mayor Peter Kelly proclaimed the month of January 1995 as Alzheimer Awareness Month, and the week of February 5, 1995 as International Development Week in the Town of Bedford.

1. APPROVAL OF MINUTES

*ON MOTION of Councillor Goucher and Deputy Mayor Peter Christie, it was moved to approve the December 13, 1994 minutes - meeting #4, as circulated. The MOTION was unanimously approved.*

2. ADDITIONS\DELETIONS TO ORDER OF BUSINESS

The following items were added to the agenda:

- 8.2 Pedestrian - Crosswalk - Meadowbrook - Councillor Cosgrove
- 10.0 Council Responsibilities - Councillor Pryde

3. APPROVAL - ORDER OF BUSINESS

*ON MOTION of Deputy Mayor Peter Christie and Councillor Goucher, it was moved to approve the Order of Business as amended.*

6. DEFERRED BUSINESS/BUSINESS ARISING FROM THE MINUTES

6.1 Legal Representation - Planning Appeals

By memorandum dated January 10, 1995, Ms. Davis-Lohnes, Director of Planning and Development Control, presented Staff's recommendation with respect to Legal Representation at Planning Appeals. Mr. English, Chief Administrative Officer, elaborated on the background of

legal representation and the issued in general.

**ON MOTION** of Councillor Goucher and Councillor Silver, it was moved that, with respect to the Paper Mill Lake Appeal, legal representation not be appointed, and that Staff not present the Town's position in a legal capacity, but only participate in a professional capacity.

Councillor Goucher spoke to the Motion, indicating his feeling that, in this particular situation, when the development plan had been approved by Council and was now being appealed by a group of residents, the Town had no requirement for legal representation, and that it was Staff's position to remain neutral.

Deputy Mayor Christie spoke in favour of the Motion.

Councillor Cosgrove spoke in opposition to the Motion and in support of the Staff memorandum and recommendation, which was to have legal representation at appeals.

Councillor Oickle also spoke against the Motion, stating that Council should be prepared to defend their position, and that the cost of legal representation was a "small price to pay" with respect to the tax dollars the project would generate.

Councillor Pryde also indicated that she would vote against the Motion.

Councillor Goucher inquired to the C.A.O. whether there would be any legal recourse from Bedford Village Properties if the Town does not provide legal representation. Mr. English indicated that according to his information, there is no legal responsibility for the Town to actively defend its position.

Councillor Silver indicated that if there was no legal liability for the Town, then there was no need for legal counsel.

**The Motion was Carried.** (Councillor Oickle and Councillor Pryde voted against the Motion; Councillor Goucher, Councillor Silver, Councillor Cosgrove, Deputy Mayor Christie and Mayor Kelly voted in favour.)

(Councillor Pryde excused herself from further discussion and voting due to possible conflict of interest.)

**ON MOTION** of Councillor Goucher and Councillor Cosgrove, it was moved that the legal counsel be provided with respect to the Union Street RCDD Appeal.

Councillor Goucher indicated that because Council had voted to turn down the development contract, in this situation legal counsel was required.

Councillor Oickle opposed the motion.

Deputy Mayor Christie also spoke against the Motion, suggesting that the purpose of the appeal process is to interpret the Municipal Planning Strategy, and also pointed out that the Federal

Government is being waited on for an answer with respect to the Union Street RCDD.

Mr. Dan English, C.A.O., pointed out that the Appeal Board would not defer a decision with respect to awaiting word from the Federal Government as the matter must be heard as it relates to consistency with the MPS, and noted that a lawyer would provide coordination of witnesses.

Councillor Goucher suggested that the residents of Bedford are assuming the Town will have legal representation, and that to not have it would be compromising their right to appeal.

Ms. Davis-Lohnes stated that the question of legal representation was a philosophical one, and that she believed the Town should defend their position whether they had approved the contract or not.

**The Motion was Carried.** (Deputy Mayor Christie was opposed.)

**ON MOTION** of Councillor Goucher and Councillor Oickle, it was moved that the Policy #P-21110 - Engaging of Legal Services - be referred to the ByLaw/Policy Advisory Committee for review and recommendation to Council. **The Motion was unanimously approved.**

### 6.3. Electoral Boundaries Issue

Mayor Kelly addressed Council with respect to the above issue and reviewed the background and various attempts to persuade the Province of Nova Scotia to amend the boundaries such that the Constituency of Bedford/Fall River included all of the Town.

**ON MOTION** of Councillor Oickle and Councillor Pryde, it was moved that Council not proceed any further on the matter.

**ON MOTION** of Councillor Goucher and Deputy Mayor Christie, it was moved to Defer the Motion pending the outcome of an invitation to MLA's MacDonald and Cosman to attend an upcoming Council Session to discuss the matter. The Motion was unanimously approved.

### 6.4 Staff Report - 221 Basinview Dr.

By memorandum dated January 19, 1995, Mr. Rick Paynter, Director of Engineering and Works, reported to Council on a request for Parkland Infilling from Mr. J. D. Johnston of 221 Basinview Drive.

Mr. Paynter spoke to Council and noted Staff's recommendation for 50/50 cost-sharing.

Councillor Silver inquired whether there were any safety aspects involved. Mr. Paynter indicated that a sharp drop-off was close to the sidewalk where children walk.

**ON MOTION** of Councillor Silver and Councillor Goucher, it was moved that the recommendation of the C.A.O. of 50/50 cost-sharing be followed.

Councillor Oickle indicated that he felt the cost-sharing should be 75 to the Town and 25 to the lot-owner, since most of the work to be done was on Town-owned property.

**ON MOTION** of Councillor Cosgrove and Councillor Oickle, it was moved to Defer the Motion until Staff confer with the property owner with respect to the proposed work and the 50/50 cost-sharing. **The Motion was unanimously approved.**

#### 6.5 **Proposed Ferry Service By-Law Amendment**

The proposed Amendments were circulated in the agenda package for approval by Council. A previous Motion of Recission with respect to a Motion to reject the By-Law was put before Council to vote on first.

Councillor Goucher noted that he had initially voted against the By-Law, but that he felt the amendments address the concerns and that it protects private enterprise.

Councillor Cosgrove stated that she disagreed; the new clauses were no different to the old, and she would not support the amended By-Law.

Councillor Silver stated that he was philosophically opposed to government competing with private enterprise.

**The Motion of Recission was LOST.** (Deputy Mayor Christie, Councillors Oickle, Cosgrove, Pryde and Silver were opposed; Councillor Goucher and Mayor Kelly voted in favour.)

#### 6.6 **Amalgamation Update**

By memorandum dated January 17, 1995, Mayor Kelly reported to Council on the Metro Municipal Amalgamation issue.

Councillor Silver expressed extreme disappointment with the elected Provincial representatives in their refusal to meet with their constituents, and also indicated that the proposed survey of Bedford residents should be "even-handed".

Mayor Kelly noted that the survey was only a draft and that it would be referred to a survey specialist for review and refinement.

**ON MOTION** of Councillor Cosgrove and Councillor Pryde, it was moved that Council proceed with a public opinion survey on the metro amalgamation.

Deputy Mayor Christie stated that he would also like to see a plebecite, and that he felt the survey should be addressed to 1500 residents, not 600.

Mayor Kelly indicated that there would be a preliminary survey of 600 during the first week of February, with a follow-up survey at a later date.

Councillor Oickle suggested that Council should await the release of the Doane Raymond report in April before proceeding with the opinion. He suggested that this preliminary survey was purely emotional.

**The Motion was Carried.** (Councillor Oickle abstained.)

**ON MOTION** of Councillor Cosgrove and Councillor Oickle, it was moved to Defer further discussion on a plebescite regarding amalgamation until the March 28 Council meeting. The Motion was LOST. (Mayor Kelly, Councillor Goucher, Councillor Silver and Councillor Pryde were opposed.)

**ON MOTION** of Councillor Goucher and Councillor Pryde, it was moved that Council authorize staff to undertake a plebescite regarding amalgamation providing all relevant data on the amalgamation issue is received by April 25.

**ON MOTION** of Deputy Mayor Christie and Councillor Cosgrove, it was moved to Defer the Motion until the February 14 Council meeting. The Motion was LOST. (Mayor Kelly, Councillor Goucher and Councillor Silver were opposed; Councillor Pryde abstained.)

**The Motion was Carried.** (Councillor Cosgrove and Councillor Oickle were opposed.)

7. PUBLIC HEARINGS AND MOTIONS ARISING THEREFROM - NIL

8. PETITIONS AND DELEGATIONS

8.1 Bedford Toy Library - Ms. Catherine Hofer

Ms. Hofer briefed Council on the Bedford Toy Library regarding a request from the volunteer, non-profit organization for assistance in finding a permanent, rent-free home for the Library in the long-term, and a possible location in the short-term, should its present space at Bedford Place Mall become unavailable.

Three proposals were suggested:

Incorporating the Library into a new community centre.

Building an addition to the Lebrun Centre.

Renovating existing space at the Lebrun Centre.

Ms. Hofer explained the high attendance and membership in the Library, and the waiting lists which exist to join. She reported that the Library requires at least 3000 square feet, with accessible washrooms, kitchen facility and storage.

Mayor Kelly thanked Ms. Hofer for her presentation and indicated that Council will consider her request.

8.2 **Discussion - Crossing Guard - Meadowbrook**

Councillor Cosgrove addressed Council on the need for a crossing guard at the Sunrise Hill and Meadowbrook Drive intersection. She reported that she has been voluntarily acting as a crossing

guard in the morning and that there is regularly 15 - 45 children crossing the street.

**ON MOTION** of Councillor Cosgrove and Councillor Oickle, it was moved that a crossing guard be placed as required at the intersection of Sunrise Hill and Meadowbrook Drive. **The Motion was unanimously approved.**

Councillor Cosgrove also requested that staff update Council with respect to crosswalks on Roy Crescent. She further suggested that the current crossing guard at Bedford Hills Dr. and Basinview Road be reassigned to the Meadowbrook crosswalk.

9. MOTIONS - NIL

10. NEW BUSINESS

10.0 **Councillors' Responsibility - Councillor Pryde**

Councillor Pryde expressed concern with Council deferring decisions because of the possible future amalgamation of the four municipalities. She stated that even if she is only to have the job of Councillor for 1 year, she wants to do the best job possible and would request that staff and Council conduct business as usual despite amalgamation. Councillor Pryde cited the one year Capital Budget and the Waste Water Disposal Charge concept as two areas where thinking is being influenced by amalgamation.

10.1 **1995 Assessment Roll**

By memorandum dated January 17, 1995, Mr. Ron Singer, Director of Corporate Services, provided an information report to Council with respect to the 1995 Assessment Roll. It was noted the Town's taxable assessment base for 1995 has increased by 5.14% to \$706,720,800 up \$34,534,100 over the 1994 originally filed assessment base of \$672,186,700.

10.2 **Consideration - Confirmation - Bedford Town Crier**

**ON MOTION** of Councillor Pryde and Councillor Goucher, it was moved to reappoint Mr. Stew MacMillan as Bedford's Town Crier, and to offer him an annual honorarium of \$500.00. The Motion was unanimously approved.

10.3 **Wastewater Disposal Charge - 1995/96 Operating Budget**

By memorandum dated January 19, 1995, Mr. Ron Singer, Director of Corporate Services, reported to Council Staff's recommendation with respect to Waste Water Disposal Fees being included in the first draft of the Town's 1995/96 Operating Budget. The Staff recommendation was to not include it, but defer it to the 1996/97 Budget year.

**ON MOTION** of Councillor Silver and Councillor Pryde, it was moved that Staff proceed to implement the Wastewater Disposal Charge in the first draft of the 1995/96 Operating Budget. **The Motion was unanimously approved.**

12. **CORRESPONDENCE**

12.1 **Consideration - Request for Change of Signage Wording - Highway 102**

Mayor Peter Kelly called on Mr. Daniel Paul to address Council. Mr. Paul reviewed the background of the matter and recommended that Council consider changing the wording to read "Bedford, A Traditional Stopping Place."

Following a brief discussion, Council requested the Chief Administrative Officer to obtain input from Heritage '80 following which consideration would be given during the next Regular Session.

10.4 **Preliminaries on Transportation Links for Proposed Science Park in Bedford**

Mr. English address Council noting that he and Mr. Francis MacKenzie, Director of Economic Development, had discussed this matter in the past.

Following a brief discussion, it was the concensus of Council that the entire concept of a Science Park has considerable merit and should be approached in a comprehensive and orderly fashion. Accordingly, the following steps and sequence in proceeding with conceptual development plans for transportation links surrounding the proposed Science Park area, were discussed:

1. Preliminary Feasibility Anlysis - to determine if there is a market for Bedford;
2. Financial Modelling and Cost Analysis;
3. Meetings with Provincial and Federal Agencies to secure their commitment in the marketing and funding support for recruitment (i.e. incentives);
4. Park Project Design Team Engaged - the winning tender should be one with experience in designing successful parks or at least be a sub-contractor to the winning bidder;
5. Revised Financial Modelling;
6. Creation of new zone.

**ON MOTION** of Deputy Mayor Christie and Councillor Pryde, it was moved that Council adopt in principle the steps as noted above in pursuing the Science Park concept for Bedford and proceed with #1, as recommended by the Chief Administrative Officer. **The Motion was unanimously approved.**

Councillor Goucher left the meeting at 10:00 p.m.

10.5 **Consideration - Town of Bedford 15th Anniversary Logo**

A sample of Staff's 1st choice for the logo was circulated in the package.

**ON MOTION** of Councillor Cosgrove and Councillor Pryde, it was moved that the suggested logo be adopted as the Town's 15th Anniversary Logo, and that the Town's blue colour be incorporated into it. **The Motion was unanimously approved.**

10.6 **Non-Substantial Amendment to Crestview Development Agreement - Crestview Properties**



**Ltd.**

Donna Davis-Lohnes addressed Council respecting the request by Crestview Properties for a non-substantial amendment to Development Agreement 93-02 by reviewing the staff report and recommendations.

Ms. Davis-Lohnes outlined concerns related to servicing and housing mix. She explained that Planning and Engineering staff do not support any changes which will necessitate the installation of additional service laterals. She also advised that homes built on lots 51 to 55 will have to be designed to suit the natural terrain. In the review of the staff report, Council was advised that extra laterals had been installed to several lots in Phase 1 and that trees had been cut on lots without the Town's permission.

A representative of Armoyan Group was given permission to speak to Council. He explained that the reason for the non-substantial request was that there have been changes in market conditions. He further noted that installation of the additional laterals was at their risk and cost.

Mayor Kelly questioned the representative about the unapproved laterals and the site disturbances. The representative indicated that there had been some misinterpretation of the site disturbance lines.

**ON MOTION** of Councillor Oickle and Councillor Silver, it was moved to Defer further discussion. **The Motion was unanimously approved.**

10.7 **Consideration - Proposed 1995 Capital Budget - DEFERRED**

**THE REMAINDER OF THE AGENDA WAS DEFERRED.**

19. ADJOURNMENT

**ON MOTION** of Mayor Kelly, it was moved to adjourn the January 24, 1995 Regular Session of Town Council at 10:40 p.m.

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER  
/sk

TOWN OF BEDFORD  
PUBLIC INFORMATION MEETING  
PROPOSED CLOSURE - BEDFORD HILLS ROAD  
JANUARY 26, 1995 - 7:00 P.M.

A Public Information Meeting on the proposed closure of Bedford Hills Road was held January 26, 1995 - 7:00 p.m. - in the Basinview Drive Elementary School. Approximately 350 residents were in attendance.

Those in attendance at the commencement of the Session included Mayor Peter Kelly; Deputy Mayor Peter Christie and Councillors Anne Cosgrove, Stephen Oickle, Len Goucher and Marvin Silver.

Staff members in attendance included Rick Paynter, P. Eng., Director of Engineering and Public Works, and Constable Dwight Hennigar, Community Service/Public Relations Officer, Bedford Police Department. Also in attendance were Mr. Neville Wheaton, Fire Chief, Bedford Volunteer Fire Department and Mr. Dave McCusker, Streetwise Traffic Engineering.

Mayor Peter Kelly advised of the purpose of the meeting noting this was strictly a meeting to receive citizen input.

Mayor Peter Kelly called on Mr. Rick Paynter to provide an overview on the matter to date.

Mr. Paynter addressed the meeting noting this issue was originally brought to Council's attention in October, 1994. At that time, consideration by Council of four items was requested by Mr. David Shea, Bedford Hills Road:

1. installation of a sidewalk on Bedford Hills Road
2. school crosswalk and appropriate signage at the Bedford Hills Road/Basinview Drive intersection
3. placement of a school crossing guard at the above-noted location, and
4. closing Bedford Hills Road access to Basinview Drive.

Mr. Paynter further noted that subsequent to this presentation by residents to Council, the matter was referred to staff with a staff report being tabled with Council in November, 1994.

From staff's perspective, the matter of installing a sidewalk on Bedford Hills Road had merit; a crosswalk and appropriate signage at the Bedford Hills Road/Basinview Drive intersection was justified and approved. The placement of a crosswalk guard at this

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JANUARY 26, 1995

of traffic counts, speed surveys, etc, the closure of Bedford Hills Road could not be supported. However, staff did note that should Council wish to consider such a closure, a Public Information Meeting should be held and thus the purpose of this evening's meeting.

Mayor Peter Kelly opened the floor to the public.

DAVID SHEA - 35 BEDFORD HILLS ROAD

Mr. Shea expressed concern for the safety of children. He purchased his home initially due to the fact it was a quiet cul de sac. When the area was opened up due to development, residents were advised this was just a temporary measure. Town staff recognize there is a safety problem and recommend the installation of a sidewalk however, he did not feel this was a solution to the problem due to the traffic count on the road. Mr. Shea enquired if a traffic count had been carried out on Basinview Drive.

Mr. Rick Paynter advised in the affirmative noting that traffic counts have been carried out annually for the past five or six years on Basinview Drive and also at the Hammonds Plains Road/Basinview Drive intersection. Traffic counts at the intersection were recorded at 3600 vehicles per day.

MR. DAVID SHEA

Mr. Shea advised that Mr. Rick Paynter indicates in a letter that Basinview Drive can handle 12,000 vehicles per day. Mr. Shea noted that should Bedford Hills Road be closed, then the 2500 cars would go over to Basinview. Although he understood that staff recommend a sidewalk, parents have to take chances every day getting their children to school. Should sidewalks be installed on Bedford Hills Road, then sidewalks should be installed on Basinview Drive as well. During a telephone conversation with the Fire Chief, Bedford Volunteer Fire Department, Mr. Shea noted that the Fire Chief had no problem with the installation of a crash barrier which would still permit access for all emergency vehicles. Further, he spoke with Councillor Oickle who had suggested a one-way street. He closed his comments by stressing the need to provide a safe environment for the children.

MIKE MACNEIL - 35 BASINVIEW DRIVE

Mr. MacNeil advised that one of the Town Councillors lived on one of the affected

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streets and hoped if the matter is brought before Town Council .....

As a result of a commotion from the floor, Mayor Peter Kelly requested all comments to be directed to the Chair.

**MR. MIKE MACNEIL**

Mr. MacNeil stressed that should the aforementioned Councillor live in the area, he hoped he would not vote on the closure of Bedford Hills Road. He further noted that when he heard about the sidewalk to be installed on Bedford Hills Road, he paced his own section of Basinview Drive and determined that it was 2 1/2 ft. to 3 ft. narrower than the street the Town was proposing to close. Further, he hoped that Council and staff would ensure sidewalks are installed on Basinview (the old section of Basinview) and Meadowbrook Drive prior to any consideration being given to spending \$185,000 for Bedford Hills Road sidewalks.

Mr. MacNeil further noted that if Bedford Hills Road was closed, same could not be used as an alternate route during stormy weather as often times, both Meadowbrook Drive and Rutledge Street are not useable. As well, the new part of Basinview Drive is very steep at the bottom and as a result, Bedford Hills Road is used once again as an alternate route. He concluded by hoping Council looks at installing sidewalks on Basinview Drive prior to Bedford Hills Road. He was particularly concerned with the fact there is a blind crest at the top of Basinview, very narrow streets plus a nursery school with cars parked on both sides of the road. Further, there is a bus stop at the bottom of the hill with children walking in and out of the parked cars.

**BRIAN GAUDET - 123 BEDFORD HILLS ROAD**

Mr. Gaudet advised he was opposed to the closure of Bedford Hills Road. He noted in his opinion there was no greater traffic problem in this area than in any other major subdivisions in the Town. Reference was made to Councillor Marvin Silver living on Village Crescent and he felt that Councillor Silver should exempt himself from voting on this matter, particularly when reference had been made earlier that residents of the area would benefit, financially, if Bedford Hills Road closed, due to an increase in property values.

Mayor Peter Kelly responded that Councillor Marvin Silver will make the decision

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himself as to any personal potential conflict of interest.

**TANYA ACORN - 715 BASINVIEW DRIVE**

Ms. Acorn felt the closure of Bedford Hills Road would prove very inconvenient for a lot of people, including emergency vehicles, forcing new traffic past Basinview Drive Elementary School. Ms. Acorn suggested that Council should look at the safety of Bedford Hills Road as opposed to Basinview Drive. She concluded her remarks by noting that cars are parked on both sides of Bedford Hills Road and that perhaps this should be stopped by installing a sidewalk and permitting parking on one side of the street only.

**CINDY HERBERT - 127 BEDFORD HILLS ROAD**

Ms. Herbert felt that Bedford Hills Road traffic was not unsafe nor outrageous. Further, she suggested that half of the 2500 vehicles which utilized the road belonged to local residents and that 85% of vehicular traffic drove 6 km. below the speed limit. She was opposed to the closure of Bedford Hills Road.

**BOB COWLEY - 655 BASINVIEW DRIVE**

Mr. Cowley advised that if a barrier was erected, additional barriers would follow. He suggested each resident park their cars in their respective driveways so the children can play in the street.

**DAN SANGSTER, 100 WIMBLEDON ROAD**

Mr. Sangster spoke as Vice-President for Atlantic Shopping Centres, the developer of Basinview Estates. He wished to correct erroneous statements made this evening and in the past. He noted that when the area was initially developed, the Council of the day stated that the developer cannot land lock neighbouring lands, in other words, "we must connect to Bedford Hills Road." Further, he noted this was a neighbourhood community, not a Bedford Hills/Village Crescent community.

Safety was a concern for both Bedford Hills Road and Village Crescent. He enquired whether emergency vehicles would be hindered should Bedford Hills Road be closed.

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Further, he felt this could be a precedent setting situation with other neighbourhoods petitioning to have their streets closed as well. He noted that Town staff, who are professionals, have not recommended the closure of Bedford Hills Road.

He appealed to Council's common sense and hoped there was no hidden agenda involved, i.e. making election promises during last year's campaigning.

Mayor Peter Kelly called on Fire Chief Neville Wheaton.

Mr. Wheaton advised the Fire Department was not in favour of the closure of Bedford Hills Road.

**GEORGE ROWAN - 81 BEDFORD HILLS ROAD**

Mr. Rowan noted this issue has been ongoing since 1987 and made reference to a staff report prepared by Mr. Rick Paynter.

Mayor Kelly called on Mr. Paynter to clarify his comments in an earlier staff report.

Mr. Paynter advised that many collector roads in Bedford assumed such an assigned function, when the Town's MPS was developed. Accordingly, confusion may have arisen regarding design parameters between local and collector roads as they exist in Bedford. The Roads and Transportation Association of Canada Design Manual states that an urban collector road can handle anywhere from 1,000 to 12,000 vehicles. However, to suggest that a street like Basinview Drive could handle 12,000 vehicles per day was ludicrous, given its present design parameters.

As well, the previous speaker made reference to a transportation study undertaken in 1989. He noted that one must be careful when referring to excerpts only and taking information out of context, particularly regarding the parameters in which the overall transportation study was undertaken.

**STEVE FANJOY - 20 GLEN MOIR TERRACE**

Mr. Fanjoy noted he has two children who will eventually be attending the new school. He also noted that as a logical outcome of the closure of Bedford Hills Road, a significant portion of the traffic will be trying to turn around on Basinview. Mr. Fanjoy

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advised that staff was against the closure. He closed his comments by stating that if Bedford Hills Road closed, there could be a possible increase in property values on Bedford Hills Road; Basinview Drive would have less market value and as a result, taxes in this particular area should be decreased.

STUART GRAY - 21 CRYSTAL DRIVE

Mr. Gray advised that although he would like to see Bedford Hills Road closed if it would reduce traffic, if it did close, traffic would increase in other areas. Further, he noted he was not interested in comments on market value fluctuation and encouraged everyone to keep focused on the real issue.

Mayor Kelly called on Mr. Paynter.

Mr. Paynter advised that with respect to traffic on Crystal Drive, at the time a staff report was comprised, staff understood that the closure would take place at the Basinview Drive intersection, thus Crystal Drive would become the shortcut to Bedford Hills Road.

ROY CLARKE - 32 EASTWOOD TERRACE

Mr. Clarke enquired if any studies had been undertaken on increased traffic on the Hammonds Plains Road area down to the Bedford Highway intersection.

In response, Mr. Rick Paynter, advised in the affirmative and that it is staff's recommendation and intent to have same upgraded from the Bedford Highway to the Bicentennial Interchange.

ROY CLARKE

Mr. Clarke expressed concern with the impact on Hammonds Plains Road if Bedford Hills Road did close. He noted he was not in favour of closing this road.

JEFF MILLS - 55 VILLAGE CRESCENT

Mr. Mills questioned Mr. Paynter's comments on 12,000 vehicles per day on Basinview

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Drive.

In response, Mr. Paynter reiterated his earlier comments respecting taking information out of context.

**JEFF MILLS**

Mr. Mills again questioned the figures.

Mr. Paynter responded he was not implying that Basinview Drive could handle 12,000 cars per day. His correspondence referring to this matter clearly indicated that capacity was based "upon design paramaters."

**CATHY FARRELL - 67 BEDFORD HILLS ROAD**

Ms. Farrell advised she had moved to the area in 1974 at which time the street was a dead end. She noted the closure of Bedford Hills Road would set a precedent and if other areas were in the same situation, she would support them. With respect to the convenience store located at the bottom of her street, she felt extra traffic would be drawn to it. In conclusion, she enquired if signalization would be installed at the Basinview Drive/Hammonds Plains intersection.

In response, Mr. Paynter noted that staff had a warrant analysis undertaken in this area and the analysis did not suggest signalization was required at this time.

**ALLAN FRASER - 77 GRANVILLE ROAD**

Mr. Fraser enquired if the problem was getting worse and wondered what is the level of traffic that residents of Bedford Hills Road would be comfortable with - their own?

**KAREN RUSSELL - 29 LUGAR COURT**

Ms. Russell noted that every morning she walks across Basinview Drive with cars going by at an extreme speed. There is no crosswalk, and no stop sign. She is concerned about her son walking to school.

**ALLAN GILLIS - 50 BASINVIEW DRIVE**



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Mr. Gillis advised that Glen Moir Terrace is a key issue here and that it could be used as a short cut. He suggested Mr. David Shea was looking for a political lever for getting their sidewalks installed. Further, he noted that during an interview with MITV, Mr. David Shea advised that the installation of a sidewalk was strictly a band-aid solution. He questioned what Mr. Shea really wanted.

**MIKE POIRIER - 113 BEDFORD HILLS ROAD**

Mr. Poirier questioned the motives of Mr. Shea also. He made reference to a letter which had been circulated to residents of the "old village" area only. He suggested Mr. Shea was attempting to get the area back as it used to be.

**KEN WALKER - 88 BEDFORD HILLS ROAD**

Mr. Walker advised there is a problem due to development in Bedford. He noted that Councillor Silver should be able to vote on this matter and that Village Crescent does not have a traffic problem. Further, he suggested that barriers do not necessarily have to be ugly and that emergency vehicles can still access the road should it be barriered. With respect to previous comments on the inconvenience if Bedford Hills does close, he suggested that the inconvenience would total 30 - 40 seconds out of your way. He supported the closure of Bedford Hill Road.

**ROSS DOWNEY - 9 LINCOLN DR.**

Mr. Downey noted having seen one Berlin Wall was enough in a lifetime. Also, he enquired what would happen to all correspondence which had been received by the Town to date on this matter.

Mayor Kelly advised that Council would receive everything prior to the upcoming Council Session scheduled for February 13, 1995.

**NEIL STUART - 58 VILLAGE CRESCENT**

Mr. Stuart noted he was not in favour of the Bedford Hills Road closure. He suggested Council should be able to come up with a solution to rectify the safety concern on Bedford Hills Road.

**WILLIS EISNOR - 21 EASTWOOD TERRACE**

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Mr. Eisnor was opposed to the closure of Bedford Hills Road.

RESIDENT

The resident suggested the Council Meeting on the 13th, at which time this matter would be discussed, take place outside the Council Chambers due to the lack of space.

RESIDENT

The resident suggested speed bumps be installed to slow down traffic.

RESIDENT

The resident noted that if Bedford Hills Road is closed, it would make it difficult for seniors. He suggested the installation of sidewalks, lights at Basinview Drive/Bedford Hills Road intersection and a crosswalk guard plus two stop signs on Bedford Hills Road would all provide a safer atmosphere for the young people.

IAN SAUNDERS - 74 BEDFORD HILLS ROAD

Mr. Saunders advised that people are not utilizing their vehicles properly and are driving too fast. Further, he noted that people get killed at crosswalks. He is not in favour of the road closure.

RESIDENT

The resident suggested the installation of speed bumps was a good idea.

JAMES CROSBY - 4 KINGS COURT

Mr. Crosby noted that everyone is concerned about safety of their children and the neighbourhood quality of life. Numerous children walk to school past his house every day and sometimes the snowbanks are so high, one could not see the children at times. He was afraid of an accident happening.

ROGER WAITE - 86 BASINVIEW DR.

Mr. Waite suggested everyone should drive 50 km/hr.

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**BRIAN GAUDET - 123 BEDFORD HILLS ROAD**

Mr. Gaudet requested a show of hands for those against the road closure.

**RICHARD OLAND - 34 SILVER TERRACE**

Although the road closure would be an inconvenience, he would accept it if necessary.

**SUSAN SMITH - VILLAGE CRESCENT**

She felt that the quality of the solution that comes as a result of the meeting this evening outweighed the number in attendance.

**MIKE HORWICH - 32 BEDFORD HILLS ROAD**

Mr. Horwich suggested looking at other options to reduce the risk of accidents, i.e. lower speed, parking locations, educating the children.

**MIKE POIRIER - 113 BEDFORD HILLS ROAD**

Mr. Poirier questioned where the closure was to be proposed?

Mr. Paynter advised immediately north of the Village Crescent intersection.

**MIKE POIRIER**

Mr. Poirier noted if that was the case, then he would be denied access to his own neighbourhood and would protest strongly to the closure.

**GRACE KILLAWEE - 94 BEDFORD HILLS ROAD**

Ms. Killawee noted that it was obvious there is a problem and would like Council to agree as well.

**STEVE GERTRIDGE - 36 SHOREVIEW DRIVE**

Mr. Gertridge expressed his concern in getting his children to school safely. Also, he enquired on which side of the street would the sidewalk be installed. He noted that the

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residents' quality of life in their front yards would be affected by the installation of a sidewalk.

**LYNN BOWDITCH - 16 CHURCH COURT**

Ms. Bowditch was concerned with the fact that Bedford in general does not have a lot of sidewalks. She suggested that everyone work towards as many sidewalks as possible within the community as a whole rather than having to meet like this.

**JEFF GEDDES - 55 EASTWOOD TERRACE**

Mr. Geddes enquired if there would be a show of hands.

Mayor Peter Kelly advised in the affirmative - at the end of the meeting.

After three calls and no further comments from the floor, Mayor Kelly called for a show of hands both for and against the closure of Bedford Hills Road.

There was an overwhelming response against the closure of Bedford Hills Road.

The meeting adjourned at approximately 10:30 p.m.

MEETING #6

TOWN OF BEDFORD  
PUBLIC HEARING #95-01  
TUESDAY, JANUARY 31, 1995 - 7:00 P.M.

Public Hearing #95-01 took place Tuesday, January 31, 1995 - 7:00 p.m. - in the Town Council Chambers, Mezzanine Level, Sunnyside Mall, Bedford Highway, Bedford, Nova Scotia.

Those in attendance at the commencement of the Hearing included Mayor Peter Kelly; Deputy Mayor Peter Christie and Councillors Joan Pryde, Stephen Oickle, Len Goucher and Marvin Silver.

Councillor Anne Cosgrove was absent with regrets.

Staff members in attendance included Rick Paynter, Director of Engineering and Works/Acting Chief Administrative Officer; Donna Davis-Lohnes, Director of Planning and Development Control; Jenifer Tsang, Planner, and Jane Nauss, Recording Secretary.

Mayor Peter Kelly called on Jenifer Tsang to provide an overview of the proposed Amendment.

Ms. Tsang addressed Council noting that the Hearing had been duly advertised, in accordance with the Planning Act.

Planning Staff was in receipt of an application from Bedford Basin Estates Ltd. to amend the existing Nelson's Landing Development Agreement which was originally approved in 1986 which allowed development of the area in three phases (Phase 1 - 156 condominium units which has been completed); (Phase 2 - development of a hotel complex - Block 1F-1) and (Phase 3 - development of 137 townhouses, a recreational facility as part of the condo units and a commercial component on Block 1A.

In 1990 a Development Agreement was entered into for the construction of a Presbyterian Church which is located below the Nelson's Landing condominium buildings.

In 1991 a request to amend the Development Agreement was approved to permit Phase 3 to proceed prior to Phase 2 however, this has since expired.

## PUBLIC HEARING - #95-01 - JANUARY 31, 1995

In 1994 another request to amend the Agreement was approved by Council to permit the townhouse residential component to proceed prior to the hotel and commercial components. Further, this amendment was to change the residential component from 137 townhouses to 84 small lot single detached units and semi-detached units.

Council was further advised that the current proposed amendment is to change the land uses on the remaining two undeveloped blocks e.g. Block 1F-1 - the proposed amendment is for 24 small lot single detached units with seven lots having direct access off Nelson's Landing Blvd; the remaining 17 lots to be accessed via a private driveway off Nelson's Landing Blvd. Further, .35 acres of open space will be provided for the 24 homeowners.

Further, the other segment of the proposed amendment is for a two storey commercial building of 2000 square feet per floor (Block 1A) and 28 townhouse units. These uses are to be accessed by a private driveway off Nelson's Land Blvd. In addition, at the end of the private lane is .29 acres of private common open space for future use. The commercial building will contain general business uses with maximum operating hours of 7:00 a.m. to 12 Midnight. A small parking area is proposed for the commercial building at the end of the private lane. Vegetation along the Bedford Highway and at the entrance to Nelson's Landing Blvd. is to remain undisturbed.

Ms. Tsang noted that the hotel and commercial sites were part of the original Development Agreement to provide a balance between the commercial and residential development of the project. Further, the meeting was advised that the Council of the day was concerned that the project provide a balanced tax base between residential and commercial uses.

Ms. Tsang closed her comments by referring to the MPS applicable policies, the draft Development Agreement and staff's recommendation that the amendment be approved.

Mayor Kelly called for comments from Council.

In response to an enquiry from Councillor Len Goucher, Ms. Davis-Lohnes suggested that the parkland be deeded to the Town for maintenance, pending the formation of a residents' association at which time same would be deeded back to the area.

In response to an enquiry from Deputy Mayor Peter Christie, Ms. Jenifer Tsang advised the reason for the hotel not being developed to date was that the area was not viable for

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same.

In response, Deputy Mayor Christie advised that as a member of the Council that dealt with the original Agreement, the previously noted comment that it was Council's wish to provide a balanced tax base between residential and commercial uses, was incorrect. It was not Council's wish but the developer's proposal to create a balance between the commercial and residential aspects of the development.

In response to an enquiry from Councillor Marvin Silver respecting the ability for emergency vehicles to turn around, Ms. Jenifer Tsang advised that the Fire Department had offered input into the matter and were satisfied with the 20ft road width.

Ms. Davis-Lohnes noted that through the Development Agreement, the Development Officer, in consultation with the Fire Department, will make the final decision on the requirement for a turnaround area for fire apparatus. She further noted that Fire Department input is taken into serious consideration.

Councillor Silver reiterated his concern suggesting that staff meet with the developer to discuss increasing road width from 20ft. to 26ft.

Mayor Kelly called on the proponent to address Council.

Mr. Barry Zwicker, Wallace MacDonald & Lively, acting on behalf of the developer, noted that Ms. Tsang reviewed the project to date. Mr. Zwicker noted that if this amendment is approved, there would be a reduction in the number of units and commercial space. With respect to the viability of constructing a hotel, his client had determined there is no interest in developing a hotel off the Bedford Highway. He added that the most suitable location for a hotel in Bedford is on the waterfront.

With respect to the road width concern, Mr. Zwicker noted that the driveway services seventeen families and that if the roads were constructed any wider, the road would be brought up into the front yards of each lot. Should a turnaround be required, same will be provided, in consultation with the Development Officer and the Fire Department.

Mr. Zwicker expressed three concerns with respect to the third Amending Agreement:

1. Wastewater Discharge - clause 6(1) (a) - Page 4 - Mr. Barry Zwicker stated that given the plan is to reduce the intensity of the development, and the Town

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presently has a sewer redevelopment charge which is applied to each unit, the proponent feels they not be subject to this requirement.

2. Construction - clause 9(3) - Page 5 - Mr. Barry Zwicker explained that due to upcoming discussions between the proponent and the Halifax County Water Utility, the wording should be amended to read "in the event that construction of the Project has not commenced, in the opinion of the Development Officer, within '24' months of the signing ....."
3. Schedule "D" - Exterior Materials - Mr. Barry Zwicker explained that the proponent would like to have the option of 50% of the facade exterior materials to be something other than brick or wood (i.e. vinyl siding).

Mr. Zwicker closed his remarks noting that the Townhouse effect will enhance the highway and that the commercial building is to be designed to serve the local area only. With respect to the height of the buildings, due to the configuration of same, there will be very little viewplane interruption. He concluded there will be a change in the view, not a blocking of the view.

Mayor Kelly opened the floor to the public.

MS. DEBORAH DAY

Ms. Day enquired if any blasting would take place. She noted that through past experience, blasting brought on dirt, dust, etc.

Mr. Zwicker responded in that he was confident some blasting would be taking place on the upper part of the development, however, blasting permits, pre-blast permits and blasting insurance will be obtained.

MS. DEBORAH DAY

Ms. Day enquired how thorough the condominium would be inspected regarding pre-blast survey.

In response, Mr. Zwicker advised that the pre-blast survey would be quite thorough and conducted by an independent company.



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MS. DEBORAH DAY

Ms. Day enquired if the Noise By-Law would be adhered to.

In response, Mr. Zwicker advised that was the intent.

MS. JEANNINE THERIAULT

Ms. Theriault enquired if any traffic problems, particularly accessing a left hand turn from Nelson's Landing Blvd. onto the Bedford Highway, had been envisaged.

In response, Mr. Rick Paynter, Director of Engineering and Works, advised there will be some inconvenience, however, the area did not warrant signalization at this point in time.

MS. JEANNINE THERIAULT

Ms. Theriault enquired about the rock pile on Lot 1F-1 adjacent to her condominium. She noted it was an eyesore and questioned when same would be removed.

In response, Mr. Zwicker advised this was a difficult question and that in the worst case scenario it may not be removed for another 24 months when construction commences.

MS. DEBORAH DAY

Ms. Day noted that as a result of dirt blowing in the area last year due to construction/blasting, residents could not open their windows. Further, she advised that residents had to pay for window cleaning. Ms. Day suggested that the road be hosed down with water in order to manage the dust as things got so bad last year, she had to leave her home due to the fact she was asthmatic.

Following three calls for additional comments from the floor, Mayor Kelly opened the floor to questions from Council.

Councillor Stephen Oickle sought clarification if the entire 5 acre site was at one point in time vegetated.

In response, Ms. Davis-Lohnes advised that when Phase 1 of Nelson 's Landing was

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developed, it was developed in the traditional approach by clearing all vegetation from the site. Because this was recognized as a Town-wide concern, the 1991 MPS put in place policies that minimize tree clearing on development sites, in particular, policies referring to the RCDD and CCDD zones.

In response to an enquiry from Councillor Len Goucher as to any traffic concerns regarding direct access onto Nelson's Landing Boulevard as a collector roads, Mr. Rick Paynter advised that the project has good site visibility and geometric design; accordingly, he had no concerns.

In response to an enquiry from Councillor Stephen Oickle if this recommendation had been approved unanimously at the Planning Advisory Committee level, Ms. Davis-Lohnes advised yes. It was noted that Councillor Goucher had been away on bereavement leave at the time of that particular meeting.

In response to an enquiry from Deputy Mayor Peter Christie on why zero lot line configurations were used, Ms. Davis-Lohnes responded that small lot development was introduced first with the Torrington project. On small lots, zero lot lines are often encouraged to enable more usable space in the sideyards of the properties. Ms. Davis-Lohnes went on to explain that the yard configuration set by the first house will set a pattern for the entire street. As a result, residents can have anywhere between 8 - 12 feet of usable space on one side of their properties. On the concept plan, single family homes are shown with a 4' and 8' sideyard; if zero lot lines were utilized, the single family homes would have a 1' and 11' sideyard.

In response to an enquiry from Deputy Mayor Peter Christie if the conversion of 8 single detached units to semi-detached units was a nonsubstantial amendment, Ms. Davis-Lohnes advised yes because the number of units stays the same and that staff feels comfortable including the option of semi-detached units in the Agreement.

In response to an enquiry from Deputy Mayor Christie if the developer had considered standard single family homes for the area, Mr. Zwicker advised that in the opinion of his client, the Town has a need for additional townhouse style and small lot residential units to meet a market demand.

In response to an enquiry from Deputy Mayor Christie as to how many locations in the Town have these types of upscale townhouses in this type of configuration, Mr. Zwicker advised only on Meadowbrook Drive has a similar project been approved, yet it has not

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commenced to date.

In response to an enquiry from Deputy Mayor Christie as to why the private laneway (Lot 1A) was a cul de sac rather than a loop street, Mr. Zwicker advised that the street was 300' in length and that this was an acceptable length for a cul de sac. He further noted that the reason why a loop street is not proposed is because of the steep grades and curve of Nelson's Landing Boulevard at the location where the loop street would exit the site, being near the church property.

Following three calls to Council for further comments, the meeting adjourned at approximately 8:00 p.m.

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MAYOR

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ACTING CHIEF ADMINISTRATIVE OFFICER