

MUNICIPAL COUNCIL

The Regular Session of the Municipal Council of the Municipality of the County of Colchester was held in the Courthouse, Truro, Nova Scotia, on Thursday, April 26, 2018.

Roll Call

The roll was called with the following Councillors in attendance:

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| Mayor Christine Blair, Chair | |
| Councillor Eric Boutilier | District 1 |
| Deputy Mayor Bill Masters | District 2 |
| Councillor Geoff Stewart | District 3 |
| Councillor Mike Cooper | District 4 |
| Councillor Lloyd Gibbs | District 5 |
| Councillor Karen MacKenzie | District 6 |
| Councillor Michael Gregory | District 7 |
| Councillor Ron Cavanaugh | District 8 |
| Councillor Bob Pash | District 9 |
| Councillor Tom Taggart | District 10 |
| Councillor Wade Parker | District 11 |

Staff Present

Rob Simonds, Chief Administrative Officer
 Michelle Newell, Director of Public Works
 Scott Fraser, Director of Corporate Services
 Mark Austin, Economic Development Officer
 Paul Smith, Senior Planner (for agenda item #2)
 Tracey Venno, Recording Secretary
 Pam Macintosh, Planner (for agenda item #2)

Moment of Silence

Council and staff observed a moment of silence for an employee of the Municipality, Elsie Robinson-Debay, who passed away on April 23, 2018.

Public Hearing – Central Colchester Land Use By-law Amendment

Mayor Blair called the Public Hearing to order respecting an amendment to the 2002 Central Colchester Land Use By-law. The amendment would apply to Schedule 3 - Bible Hill/Valley Zoning Map, to rezone lands of Easy Living Homes Inc., on College Road, from Residential (R-2) to Multiple Residential – Medium Density (R-3), to allow a new housing development for multiple three and four unit townhouses. The text for the proposed amendment and a related staff report have been circulated to Council members and have been made available to the public.

Mr. Rob Simonds, CAO, advised that the guidelines of the Municipal Government Act regarding advertising of the Public Hearing process have been followed.

Mayor Blair reminded Councillors that only those Councillors present throughout the Public Hearing process can vote on the amendment when eventually considered by Council. The Public Hearing is Council's opportunity to hear about the application and any concerns of Colchester County residents. Individual Councillors will have an opportunity to debate the merits of the amendment when the motion is presented to Council. Staff are present to answer any technical questions that may arise as a result of the public's input.

Ms. Pam Macintosh, Planner, provided an overview of the proposed amendment indicating the request is to change this property from R-2 Double Dwelling Unit Residential to R-3 Multiple Residential – Medium Density. The applicant, Easy Living Homes Inc., would like to construct multiple three and four unit townhouses to sell on individual lots. Highlights of the application include: proposed density of development is 4.9 units per acre; Nova Scotia Transportation and Infrastructure Renewal and the Municipality have approved the extensive stormwater management design; the Municipality will take over ownership and maintenance of these areas once constructed; the site will be serviced with municipal sewer and water; and the Village of Bible Hill will receive ownership of green spaces. Staff believe the application is correctly before Council and recommend that the request to rezone this property to R-3 Residential be approved.

Council questioned driveways and parking for the units. Ms. Macintosh indicated that each unit would have single driveways and a garage. Ms. Michelle Newell, Director of Public Works advised that parking on streets is permissible except during winter storm events. Additional discussion was held on distance between units; target group; and density concerns.

The applicant, Mrs. Craig, was in attendance to speak on the proposed development indicating that she and her husband have long been involved in construction. This development will be one level units targeted at a 55 plus community. Some features of the buildings include vaulted ceilings, concrete decks, vinyl fencing and siding and two full baths. There are currently a number of interested parties on the list with three units presold. The units will be affordable for seniors, be 20 years maintenance free, and will have lawn care and snow removal to those who wish to have these services.

Councillor Taggart provided the report from the Planning Advisory Committee meeting of March 5, 2018.

Mr. Simonds advised that a number of written submissions have been received and were distributed on table for this evenings meeting. These included correspondence from Mr. Peter Rogers, legal counsel for the applicant; Greg Chisholm and staff, Nova Scotia Transportation and Infrastructure Renewal; Greg Dill, Planning Advisory Committee; and Carl Purdy, area resident. Copies of all correspondence are on file in the Clerk's Office as well as in the Planning Office.

In response to the Mayor's call for members of the public wishing to address Council concerning the proposed amendment, the following persons spoke on this matter:

Ms. Edith Payne, Newfoundland – Ms. Payne advised that she is the daughter of Shirley and Helen Guest. The one major concern is water and the possibility of contaminants from the development. Guest Holdings has 21 lots, all of which are private water systems and wells. There are a total of 54 lots on Guest Drive and if a public water system can be provided for the new development, then it could also be done for Guest Drive and this should be done first. Referring to a public water system in the new development, it was noted that this would be at the expense of the developer, not the County.

Mr. Addie MacCallum, 46 Osprey Court – Mr. MacCallum indicated that he had two main issues. The first issue is with density, noting that he understands that the development is within the allowable density rate but is about the closeness of buildings, infrastructure, multiple cars and recreational vehicles and up to three dogs per unit. This seems like it would be quite dense and is not sure this fits in Bible Hill and/or Colchester County. These concerns are echoed by many citizens of Osprey Court and Guest Drive. The second issue is the intent of the entire project. The intent of the developers is that this will be a 55 plus community but what happens if a unit is resold. Once the property is sold by the developer, it cannot be guaranteed that units will not be resold to younger buyers or sold as rental properties for university students.

Dr. Bruce Short, 66 Osprey Court – Mr. Short indicated that he submitted a letter which was not included in the CAO's list of written correspondence. Ms. Macintosh advised that Mr. Short's correspondence was received for discussion at the Planning Advisory Committee, a different part of the process. Given the misunderstanding on the process, Ms. Macintosh retrieved the letter which the CAO read into the record. Dr. Short requested that the letter be made available to Council.

Dr. Short indicated that his property would be the one most affected by the development. Trees are needed as a buffer zone and he was ensured there would be a buffer of 175 feet of trees. Concern was expressed for the number of residences and driveways within the development as well as three dogs per unit. Other concerns noted were about traffic, noise, light, and privacy. The intense density is not consistent with the vision of Bible Hill. He is concerned about holding ponds and as reported by an engineering firm that the sewer system was adequate, why are holding ponds necessary. Standing pools of water can cause mosquito infestation, drowning, and disease. Councillor Taggart clarified that the ponds are detention ponds not retention ponds. They are intended to reduce run off and do not hold water.

Todlynn MacPherson, local Real Estate Agent – Ms. MacPherson spoke in favour of the development citing the need for this type of development. There are a lot of baby boomers currently in two storey homes looking to downsize to single family home as opposed to an apartment but would like to stay in the area. Other positives included increased tax revenues could help offset other costs; and potential increased population contributing to local business and economy.

Dr. Peter Massaro, Osprey Court – Dr. Massaro advised that he recently moved to the area with his new young family to start a medical practice. He appreciates the development and growth but the attraction to the area was privacy. He indicated that with the recent tree clearing, there is wind damage with remaining trees. This causes him concern for the safety of his family and children. Other concerns were density and decreased assessed property value. He commented on an environmental impact plan and indicated there should be a requirement for tree planting within the plan with a specific number of trees.

Council held discussion on the various concerns as expressed by members of the public including the intent for a 55 plus community, tree

buffers, parking, and detention ponds. As Chair of the Planning Advisory Committee, Councillor Taggart indicated that the Committee deliberated this application with great consideration and feels they have done their due diligence. Responding to Council's inquiry about clearing and the need for a tree buffer, Mrs. Craig acknowledged the privacy factor and indicated that she did not anticipate that many trees having to be cleared. She also indicated that they do plan to re-plant.

With no further discussion on the matter, as Chair of the Planning Advisory Committee, Councillor Taggart, put the following motion on the floor:

Moved by Councillor Taggart
Seconded by Councillor Pash

"That Council approves, by way of Second Reading, to rezone land of Easy Living Homes Inc., on College Road, from Residential (R-2) to Multiple Residential – Medium Density (R-3), to allow a new housing development for multiple three and four unit townhouses."

Motion Carried.
(opposed by Councillors Gibbs and MacKenzie)

Mayor Blair indicated that Council's decision on this application is appealable to the Nova Scotia Utility and Review Board. Any appeal of Council's decision must be made within 14 days of the advertising of same in the local newspaper.

With no further business on this matter, Mayor Blair declared the Public Hearing closed.

Approval of Agenda

Moved by Councillor Gibbs
Seconded by Councillor Cavanaugh

"That the agenda for April 26, 2018 be approved with the following amendments:

- Remove one Negotiations item in Closed Session;
- Add one Legal Matter in Closed Session;
- Add Information Item #16b, Sidewalks;
- Add Information Item #16c, Tourism Promotion."

Motion Carried Unanimously.

Approval of Minutes

Moved by Councillor Gregory
Seconded by Councillor Cooper

"That the minutes of the meeting held on March 28, 2018 be approved as presented."

Motion Carried Unanimously.

Business Arising from Minutes

There was no business arising from the minutes of the meeting held on March 28, 2018.

**Standing Committee Reports
and Recommendations**

Council Committee Report from Meeting Held on April 12, 2018

Deputy Mayor Masters, Chair, presented the report from the Council Committee meeting held on April 12, 2018:

Appointment – Chief Negotiator – Collective Bargaining

Moved by Deputy Mayor Masters
Seconded by Councillor Gregory

“That Council approves Mr. Scott Fraser, Director of Corporate Services, be appointed as the Chief Negotiator for collective bargaining with the Canadian Union of Public Employees (CUPE) Local 4106, with acknowledgement that he will be joined by other management staff as required.”

Motion Carried Unanimously.

FCM Board

Moved by Deputy Mayor Masters
Seconded by Councillor Stewart

“That Council approves the following resolution:

**FEDERATION OF CANADIAN MUNICIPALITIES
ELECTION TO THE BOARD OF DIRECTORS**

WHEREAS the Federation of Canadian Municipalities (FCM) represents the interests of municipalities on policy and program matters that fall within federal jurisdiction;

WHEREAS FCM’s Board of Directors is comprised of elected municipal officials from all regions and sizes of communities to form a broad base of support and provide FCM with the prestige required to carry the municipal message to the federal government; and

WHEREAS FCM’s Annual Conference and Trade Show will take place from May 31 to June 3, 2018, during which time the Annual General Meeting will be held and followed by the election of FCM’s Board of Directors;

BE IT RESOLVED that Council of the Municipality of the County of Colchester endorse Councillor Tom Taggart to stand for election on FCM’s Board of Directors for the period starting in June 2018 and ending June 2019; and

BE IT FURTHER RESOLVED that Council assumes all costs associated with Councillor Tom Taggart attending FCM’s Board of Directors meetings.”

Motion Carried Unanimously.

Tatamagouche Water Utility

Moved by Deputy Mayor Masters
Seconded by Councillor Gibbs

“That Council not support the request to write off charges issued by the Tatamagouche Water Utility in the amount of \$480, to the Acadian Beverage Room.”

Motion Carried.
(opposed by Councillor Gregory)

Donation – Humboldt Broncos

Moved by Deputy Mayor Masters
Seconded by Councillor Boutilier

“That Council approves a donation of \$2,900 to the Humboldt Broncos or an appropriate organization which meets the parameters under the Municipal Government Act.”

Motion **DEFEATED**.
(opposed by Mayor Blair, Deputy Mayor Masters, Councillors Stewart, Cooper, Gibbs, MacKenzie, Gregory, Pash, Taggart and Parker)

Since the April 12th Committee meeting, some members of Council received feedback on this matter. Although recognized as a very tragic event, the donation should not be made with tax payers dollars. Discussion was held on ways the Municipality could support the Humboldt Broncos, possibly through minor hockey.

Moved by Councillor Boutilier
Seconded by Deputy Mayor Masters

“That staff investigate ways to honour the Humboldt Broncos.”

Motion Carried Unanimously.

The CAO encouraged members of Council to contact staff with any ideas or thoughts on this matter.

Non-Union Employee Annual Salary Increase

Moved by Deputy Mayor Masters
Seconded by Councillor Taggart

“That Council approves the non-union salary increase for 2018-19 be approved at 2.25%.”

Motion Carried Unanimously.

ACTION ITEMS**Approval of 2018/19 Budget**

Mr. Scott Fraser, Director of Corporate Services, indicated that Council had met on April 9th, 16th and 23rd to review in detail, the 2018/19 Budget

for the Municipality, resulting in a balanced budget and tax rates to remain status quo.

Moved by Deputy Mayor Masters
Seconded by Councillor Gregory

“That the 2018-19 Operating Budget be approved with the additions and deletions as set out at the Council Committee meetings held on April 9, 16, and 23, 2018, with the residential tax rate being held at \$0.88, and the commercial tax rate being held at \$2.28; and,

That the following Tax Resolution be approved, as presented:

TAX RATE RESOLUTION

WHEREAS the Municipal Council of the County of Colchester is required to levy rates which it deems sufficient to raise the sum required to defray the expenditure of the Municipality of the County of Colchester for the current twelve-month fiscal period;

RESOLVED that pursuant to **Section 72 of the Municipal Government Act**, the Municipal Council of the Municipality of the County of Colchester estimates that sums amounting to **\$24,282,799** are required for the lawful purpose of the Municipality for the year ending **March 31, 2019**, after crediting the probable revenue from all sources other than rates for the abatement and losses which occur in the collection of the taxes for the said year which may not be collected or collectible;

FURTHER RESOLVED that the said Council authorize the levying and collection of a rate of **eighty-eight cents (\$0.88)** on each \$100.00 of the assessed value of the residential and resource property assessed in the **2018** Assessment Roll;

FURTHER RESOLVED that the said Council authorize the levying and collection of a rate of **two dollars twenty-eight cents (\$2.28)** on each \$100.00 on the assessed value of Commercial Property assessed in the **2018** Assessment Roll;

FURTHER RESOLVED that pursuant to **Section 78 of the Municipal Government Act** in lieu of all rates and taxes of the Municipality, an owner of forest property to which the said section applies shall pay tax equal to twenty-five (25) cents per acre on holdings of 50,000 or less and forty (40) cents per acre on holdings greater than 50,000 acres and where an area, village or commission rate is levied for fire protection, the owner shall pay an additional tax of one (1) cent per acre;

FURTHER RESOLVED that the said Council hereby requires payment of said rates to be made to the Tax Collector or Treasurer of the said Municipality on or before the 31st day of August, **2018**;

FURTHER RESOLVED that said Council hereby imposes an additional percentage charge of 15% per annum on all rates and taxes remaining unpaid after the 31st day of August, 2018.”

Motion Carried Unanimously.

It was noted that a number of other items, such as doctor recruitment and rural broadband, are currently being investigated and will come back to Council at a later date for discussion.

Award of Tender Village Line Sidewalk – Authority to Approve

Moved by Councillor Parker
Second by Councillor Boutilier

“That Council authorizes Council Committee at its meeting on May 17, 2018, to award the tender for the construction of the sidewalk on Village Line Avenue.”

Motion Carried Unanimously.

Hilden Fire Brigade Sidewalk Request

Ms. Michelle Newell, Director of Public Works, advised that at the April Committee meeting, a request for a sidewalk extension was received from the Hilden Fire Brigade. The total extension would measure approximately 120 metres and would cost in the range of \$200,000. Any new sidewalks in Hilden would be funded via the existing Active Transportation Strategy (ATS). This sidewalk is not currently identified in Council’s ATS and staff is seeking directive on this matter.

Councillor Stewart advised that there is an issue with the Fire Brigade’s existing building and they will be building a new hall within the next two to three years. Additionally, Councillor Stewart indicated that he thought that back in 1991, it was indicated that this extension would take place within the next 10 years. Constructing this sidewalk extension would be a cost saving for the Fire Brigade.

Concern was expressed with regards to having a sidewalk in front of the fire hall and that clarification be sought in relation to the sidewalk and the request of the Hilden Fire Brigade.

Moved by Councillor Stewart
Seconded by Deputy Mayor Masters

“That Council refer back to staff to investigate what is required to satisfy the needs of the Hilden Fire Brigade regarding the request for a sidewalk extension.”

Motion Carried Unanimously.

Sustainable Northern Nova Scotia (SuNNS)

Councillor Gregory indicated that he received a request from the SuNNS group for a copy of the letter the Municipality wrote to the Minister of Natural Resources regarding the issue of gold mining in Tatamagouche.

Mr. Dennis James, Municipal Solicitor, advised that typically a letter of this nature would be a public document and could be made available.

It was agreed that Councillor Gregory provide the group with a copy of the letter as requested.

Wayne Smith – Donation to the Rath Eastlink Community Centre (RECC)

Councillor Gibbs indicated that he has had a number of calls inquiring about recognizing Wayne Smith for his recent donation to the RECC in memory of the Humboldt Broncos. Suggestions such as recognition via

the County's Volunteer Program or a certificate to be presented to Mr. Smith were discussed. Councillor Gibbs noted that Mr. Smith was recognized through the County's Volunteer Program two years ago.

It was agreed that Council would give this some consideration and come back to Council with suggestions to recognize Mr. Smith.

Correspondence - ACTION

Theresa Hill, Huntington Society of Canada

A letter to the Mayor and Council concerning a proclamation to recognize May as Huntington Disease Awareness Month.

Moved by Deputy Mayor Masters
Seconded by Councillor Gregory

"That Council proclaims May as Huntington Disease Awareness Month."

Motion Carried Unanimously.

Council noted that the correspondence also requested a flag be flown to help raise awareness. Staff advised that Ms. Hill has been made aware of the Municipality's Flag Flying Policy.

Randy Delorey, Minister Gaelic Affairs

A letter to Mayor Blair requesting May be proclaimed Nova Scotia Gaelic Month.

Moved by Councillor Gibbs
Seconded by Councillor Cooper

"That Council proclaims May 2018 as Gaelic Nova Scotia Month."

Motion Carried Unanimously.

Matt Moore, RECC General Manager

A letter to Mayor Blair requesting consideration of the re-appointment of Duane Rath to the RECC Board of Directors.

Moved by Deputy Mayor Masters
Seconded by Councillor Parker

"That the request from Matt Moore concerning the re-appointment of Duane Rath to the RECC Board of Directors be referred to the Nominating Committee."

Motion Carried Unanimously.

Matt Moore, RECC General Manager

A letter to Mayor Blair and Council regarding an operational reserve fund.

Moved by Councillor Boutilier
Seconded by Deputy Mayor Masters

"That Council approves that the RECC establish a \$50,000 operational reserve fund with the acknowledgement that monies for this reserve come from the existing \$400,000 capital reserve allocation."

Motion Carried Unanimously.

Pam Macintosh, Planner

A memo to Mayor and Council concerning an application for a Land Use By-law Amendment for a property located at 36 Jennifer Drive, Bible Hill.

Brief discussion was held regarding this application. The Municipal Solicitor advised that in 2013, an amendment was approved to allow a dog training business in a residential zone. Recently, as a result of several noise complaints, municipal staff investigated and concluded that the business was operating as a boarding kennel. The proponent does not agree with staff findings. An application has been made which would involve an amendment to allow accessory kennels and commercial boarding of domestic animals.

Moved by Councillor Taggart
Seconded by Councillor Gibbs

“That the memo from Pam Macintosh concerning an application for a Land Use By-law Amendment for a property located at 36 Jennifer Drive, Bible Hill be referred to the Planning Advisory Committee.”

Motion Carried.
(opposed by Councillors Parker, Cooper and Boutilier)

Kim Wall, Principal, Valley Elementary

A letter to the Mayor regarding a crosswalk at the intersection of College Road and Homestead Drive.

Moved by Councillor Parker
Seconded by Councillor Boutilier

“That a letter be sent to Ms. Wall, along with a copy of the Crosswalk Policy, to explain what is needed for consideration of a crosswalk.”

Motion Carried Unanimously.

Property Owners, Hub Centre Drive

A letter requesting improvements to Hub Centre Drive.

Discussion was held regarding this letter of request for improvements to Hub Centre Drive. Although there were signatures included with the letter of request, a proper petition, which includes letters to all property owners with costing information, would still be required.

Moved by Deputy Mayor Masters
Seconded by Councillor Cavanaugh

“That staff proceed with a formal petition process for improvements to Hub Centre Drive.”

Motion Carried Unanimously.

Correspondence - INFORMATION

Development Officer

A copy of the Development Activity report received from the Development Officer for the month of March 2018. Council agreed to receive the report for information purposes.

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| Building Inspector | A copy of the Building Permit Statistics received from the Building Inspector for the month of March 2018. Council agreed to receive the report for information purposes. |
| Strategic Priorities Report | <p>A copy of the Strategic Priorities Report. Council agreed to receive the report for information purposes.</p> <p>Clarification was sought regarding the dates outlined in the Strategic Priorities chart. The CAO informed Council that items have not been removed from the chart as yet. It is simply a reminder to Council of what is ongoing. This chart is to be reviewed on an annual basis with intent to undertake the review in the near future.</p> |
| Elayna Katz, FCM Programs | An email to Councillor Taggart regarding engaging with the Municipality of Colchester on the Jordan Municipal Support project. Council agreed to receive the email for information purposes. |
| UNSM Board Report | A copy of the UNSM Board Report dated March 2, 2018. Council agreed to receive the report for information purposes. |
| <u>INFORMATION ITEMS</u> | |
| Capital Budget Items – Details | An Action Item will be coming forward in May for the Capital Budget Approval. In preparation of that meeting, the item before Council this evening provides details currently in the five year capital budget. |
| Community Park Funding Program | Three applications were received for the Spring deadline for the Community Park Funding Program. Total funding approved is \$51,763 consisting of the following: \$38,500 for the Chiganois Elementary School Parent Teacher Association for the development of a natural play space and outdoor classroom; \$2,500 to the North Shore Recreation Centre for upgrades to the surfaces of the ball and soccer field at the John K. MacDonald Memorial Sports Park; and, \$10,763 to Le Jardin d'Enfants for a sand play area, shade structure, natural play features and accessible surfacing in their new outdoor play space adjacent to Ecole acadienne de Truro. |
| Annual Council Remuneration | The Remuneration and Expenses for Council and Appointed Committee Members By-law stipulates that an annual salary adjustment, based on Consumer Price Index (CPI), be paid to members of Council. CPI for the 2017 calendar year is 1.1%. This adjustment is forthcoming and will be retroactive to April 1, 2018. |
| Sidewalks | Referring to recent changes to procedures for sidewalk plowing, Councillor Stewart extended a thank you to staff for a job well done during this past winter season. |
| Tourism Promotion | Councillor Stewart advised that he recently attended the Saltscapes Expo and concern was expressed that there was no representation for the Municipality of Colchester at this Expo. |

**Reports from Councillors
Appointed to Outside Boards
and Agencies**

Copies of reports from the Mayor and Councillors were circulated in the package or placed on table for this evenings meeting.

CLOSED SESSION

Moved by Councillor Gregory
Seconded by Councillor Cavanaugh

“That the meeting go into closed session at 10:38 pm.”

Motion Carried Unanimously.

Moved by Councillor Gregory
Seconded by Councillor Pash

“That the meeting reconvene in open session at 11:32 pm.”

Motion Carried Unanimously.

ADJOURNMENT

Moved by Councillor Gibbs
Seconded by Councillor Gregory

“That the meeting adjourn at 11:35 pm.”

Motion Carried Unanimously.

Tracey Veno
Recording Secretary