

MUNICIPAL COUNCIL

The Regular Session of the Municipal Council of the Municipality of the County of Colchester was conducted virtually via Zoom Webinars on Thursday, April 30, 2020 at 6:00 pm.

Prior to beginning this evenings meeting, Mayor Blair requested a moment of silence to recognize and honour the victims killed in the tragedy on April 18th and 19th.

Roll Call

The roll was called with the following Councillors in attendance:

Mayor Christine Blair, Chair	
Councillor Eric Boutilier	District 1
Councillor Bill Masters	District 2
Deputy Mayor 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 (CAO)
 Michelle Newell, Director of Public Works
 Scott Fraser, Director of Corporate Services/Acting Director of Solid Waste
 Crawford Macpherson, Director of Community Development
 Dennis James, Municipal Solicitor
 Tracey Venno, Recording Secretary
 Paul Smith, Manager of Planning Services
 Pam Macintosh, Planner (*for items 2 and 3*)
 Mark Austin, Economic Development Officer
 Devin Trefry, Research, Policy, and Community Engagement Officer
 Tim Smith, IT Manager
 Joanna Burris, Sustainability Planner (*for item 11*)

Public Hearing/Second Reading for Subdivision By-law Amendments

Mayor Blair called this Public Hearing to order respecting amendments to the 2010 Colchester Subdivision By-law. The proposed amendments would allow for the creation of undersized lots for cemeteries in unplanned areas. The text for the proposed amendments 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 First and Second Readings and of the Public Hearing have been followed.

Mayor Blair reminded Councillors that only those present throughout the Public Hearing can vote on the amendments when they are eventually considered by Council. The Public Hearing is Council's opportunity to hear the amendments and any concerns of Colchester County residents. Individual Councillors will have opportunity to debate the merits of the amendments

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.

Before beginning her presentation, Ms. Pam Macintosh, Planner, informed Council that the Parish representative, Ms. Diane Kelderman, offered her regrets for this evening's meeting.

Ms. Macintosh provided an overview of the Londonderry property showing maps and photographs and advised that an application has been made by the Immaculate Conception Parish. The application is to amend the Subdivision By-law to enable them to subdivide the property so that the church, which closed in September 2019, can be sold on a lot large enough to contain an on-site sewage system. The adjoining cemetery property would be undersized and would not meet lot requirements under the Subdivision By-law. Therefore, Council would need to consider amending the By-law in order to allow undersized lots to accommodate this request.

The presentation also included information on the proposed subdivision plan; provincial requirements regarding on-site sewage systems; proposed amendments to the Subdivision By-law under Section 10 as well as the addition of a definition for Cemetery under Section 3. Staff advised that they are not opposed to an amendment to deal with this and indicated that there could be other rural churches in the County who are faced with similar issues due to closures. However, it was noted that we have to avoid this type of provision unintentionally creating undersized lots that could be used for other purposes such as multiple smaller lots for recreational trailers. Staff's recommendation is to proceed with amendments to the Subdivision By-law, as outlined in the presentation.

Clarification was sought regarding the lot sizes for the church and cemetery. Staff indicated that the church lot would be bigger to allow for the on-site septic which would result in the cemetery lot being the smaller of the two.

There was no one in attendance to speak on behalf of the applicant.

The Chair of the Planning Advisory Committee (PAC), Councillor Taggart, provided the report from the PAC meeting held on March 10, 2020.

Mr. Simonds advised that no written submissions have been received regarding this application.

There were no members of the public wishing to speak on this matter and no questions from members of Council.

With no further discussion on the matter, Councillor Taggart put the following motion on the floor:

Moved by Councillor Taggart
Seconded by Councillor Gregory

"That Council approves, by way of Second Reading, the amended Colchester Subdivision By-law, as presented. "

Motion Carried Unanimously.

Mayor Blair advised that Council's decision on these amendments 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.

**Public Hearing - Development
Agreement Application
(Benchmark Developments)**

Mayor Blair called this Public Hearing to order respecting an application for a Development Agreement involving an application made by Benchmark Developments Limited, which would allow for seven semi-detached dwellings containing a total of 14 units on their property on Onslow Road in Upper Onslow. The text for the application 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 have been followed.

Mayor Blair reminded Councillors that only those present throughout the Public Hearing can vote on the development agreement when it is eventually considered by Council. The Public Hearing is Council's opportunity to hear the application and any concerns of Colchester County residents. Individual Councillors will have opportunity to debate the merits of the development agreement 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. Macintosh advised that Benchmark Developments Limited has made an application for a development agreement for the establishment of seven two-unit semi-detached buildings on a lot located on Onslow Road, in Upper Onslow. Included in her presentation were location maps; area photographs; elevations of building; storage capacities; current zonings of property and surrounding properties; setbacks requirements; density information; and planning and policy considerations. Highlights of the development proposal included seven two-unit buildings each with attached garage and rear patio; landscaping plans; paved driveway and parking area; access off Onslow Road; building footprint details; stormwater management plans as prepared by applicant's engineer and approved by NS Transportation and Infrastructure Renewal (NSTIR); development to phased in over three years; and neighbours impacted by development,

Public Works staff have reviewed the proposal and determined there would be no impact on the existing sewer system. The stormwater management plan has been reviewed by both NSTIR and Municipal staff. The Planning Advisory Committee (PAC) requested additional information on stormwater management, which has been provided and is currently under review by Public Works. In 2015, this area was rezoned to allow consideration of this type of application. The application was reviewed using current planning policies and staff feel the agreement satisfies all policies and recommends proceeding with the agreement.

Discussion was held on stormwater management, on-site storage, setbacks and building separation, and provincial water standards. Buffers between proposed location and surrounding properties was also discussed with staff providing a brief description of intended plans and indicating the developer is willing to work to provide screening for minimal impact on neighbouring properties.

Ken Eisner was in attendance to speak for the applicant and reported briefly on water testing, and indicated that the proposed buildings are similar to the units on Granville Drive but slightly larger. There is demand for the units and half have already been spoken for. Referring to stormwater management, he indicated that the Engineer is online and available to answer any questions. Responding to a question on soundproofing, Mr. Eisner indicated that soundproofing has been taken into consideration.

With no further questions of the Developer, the Chair of the Planning Advisory Committee (PAC), Councillor Taggart, provided the report from the PAC meeting held on March 10, 2020.

Mr. Simonds advised that no written submissions have been received regarding this application.

There were no members of the public wishing to speak on this matter and no questions from Council members.

With no further discussion on the matter, Councillor Taggart put the following motion on the floor:

Moved by Councillor Taggart
Seconded by Councillor Cavanaugh

“That Council approves entering into a development agreement with Benchmark Developments Limited, for their lands on Onslow Road, Upper Onslow, which would allow the construction of seven semi-detached dwellings totaling fourteen units.”

Motion Carried Unanimously.

Mayor Blair advised this is a development agreement application which does not require approval of the Minister of Municipal Affairs. 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 Gregory
Seconded by Councillor Pash

“That the agenda be approved with the following additions:

- Item 13b, Memorial in Debert;
- Item 13c, RCMP; and,
- Item 17b, Police Advisory Board.”

Motion Carried Unanimously.

Approval of Minutes

Moved by Councillor Masters
Seconded by Councillor Cavanaugh

“That the minutes of the meetings held on March 26, April 9, 16, 20, and 23 2020, be approved as presented.”

Motion Carried Unanimously.

Business Arising from Minutes

There was no business arising from the minutes of the meetings held on March 26, April 9, 16, 20, and 23, 2020.

Standing Committee Reports and Recommendations

Deputy Mayor Stewart, Chair of Council Committee, presented the report from the meeting held on April 9, 2020:

Personnel Policy – Volunteer Firefighters Leave

Moved by Deputy Mayor Stewart
Seconded by Councillor Gibbs

“That Council approves that Policy 6.07 Volunteer Firefighter Leave, be approved, with amendments to include Ground Search and Rescue Volunteers, as presented.”

Motion Carried Unanimously.

FCM Election

Moved by Deputy Mayor Stewart
Seconded by Councillor Gregory

“That Council approves the following resolution:

**2020 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

BE IT RESOLVED that Council of the **MUNICIPALITY OF COLCHESTER** endorse **COUNCILLOR TOM TAGGART** to stand for election on FCM’s Board of Directors for the period starting in June 2020 and ending **JUNE 2021**; 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.

Executive Committee Minutes

Moved by Councillor Gibbs
Seconded by Councillor Cooper

"That Council receives the Executive minutes of meetings held on March 23, 24, April 2, 7, 9, 14, and 21, as presented."

Motion Carried Unanimously.

ACTION ITEMS

Debert Business Park Property Transaction Processes

Mark Austin, Economic Development Officer (EDO), provided a review of this item indicating that it presents the current processes for selling and leasing properties in the Debert Business Park and suggests ways to improve and streamline the processes for property transactions.

The review included detailed and comprehensive information on the various stages of the process including marketing and lot preparation, inquiries, research and communications, authority, negotiations and transactions. The staff report also provided a number of suggestions for improvements including better signage for the Debert Business Park, maintaining a customer relations database, improved networking, having a staff presence in Debert, better marketing materials, improved website, and having a preapproved action plan for property development.

A number of points were discussed including:

- forming a Committee of Council and composition of the Committee;
- developing a plan to streamline the process to drive this forward;
- servicing and prepping lots;
- the possibility of developing a policy which would grant authority to the CAO or EDO, to approve transactions, up to a capped amount;
- the need for affordable housing and opportunity for growth in Debert;
- issuing Request for Proposals (RFP) for multi-unit apartments;
- no further archaeology work being done;
- market value and how it is determined; and,
- getting the additional Economic Development position filled.

Regarding issuing RFP's, the Municipal Solicitor advised that it is within Council's authority to go out to RFP for property sales as long as requirements regarding market value in the Municipal Government Act (MGA) are met. Market value does not mean appraised value and it can be determined by a number of factors including economic and/or community benefits. Also, referring to granting authority for approval of transactions, under Section 14 of the MGA, Council has the discretion to delegate authorities through proper policies, to the CAO and the CAO can delegate to other staff.

The CAO indicated that the recruitment for the additional Economic Development position was put on hold due to the situation of COVID-19. Staff recognizes that economic development is a priority of Council and resources will be aligned with the Strategic Priorities.

Moved by Councillor Masters
Seconded by Councillor Gibbs

“That Council form a Committee that would work with staff to bring recommendations back to Council to look after land sales and development for Debert.”

Motion Carried Unanimously.

The CAO advised that staff would take the information from discussions this evening and develop draft Terms of Reference for the Committee, would vet through legal and bring back to Council. Concern was expressed regarding the timing of this initiative and the need to have this dealt with quickly. The CAO indicated that timelines would be to have the first draft in two weeks for Council review and feedback, with intent of having it finalized the following week at the Special Council meeting.

**Budget Approval – Authority for
May Committee to Approve**

Scott Fraser, Director of Corporate Services, advised that in the event the budget is finalized prior to the next Council Committee meeting, staff is looking for Council to grant authority to May Committee to approve the 2020-21 Operating Budget and Tax Rate Resolution. The CAO advised that May 4th is the date for the next budget meeting and suggested that May 11th also be set aside as a contingency date.

Moved by Councillor Gibbs
Seconded by Councillor Boutilier

“That Council grants authority to Council Committee at their meeting on May 14, 2020 to approve the 2020-21 Operating Budget and Tax Rate Resolution.”

Motion Carried Unanimously.

**Hwy 236 Crosswalk Tender –
Authority for May Committee to
Approve**

Moved by Councillor Boutilier
Seconded by Councillor Gibbs

“That Council authorizes Council Committee, at it’s meeting on May 14, 2020, to award the tender for the installation of a signalized crosswalk on Highway 236, at the Cobequid Trail.”

Motion Carried Unanimously.

Interim Climate Action Plan

Joanna Burris, Sustainability Planner, was in attendance to present the Interim Corporate Climate Action Plan (ICCAP).

In her presentation, Ms. Burris provided detailed information on the Interim Corporate Climate Action Plan and its purpose; the Community Energy and

Emissions Plan; global warming levels and recommendations; opportunities for local governments and benefits to communities; emissions from energy consumption and solid waste; 22 actions for corporate emissions reductions broken down departmentally; and implementation and budgetary implications.

Questions were raised about the process for light replacement. Ms. Burris advised that we would work with NS Power and their program for the installation of LED lights. There is no cost up front with this program but is paid for over time as a flat rate on your bill. These lights would be more efficient and use less electricity, providing savings over time. Clarification was sought on the process for the replacement of lights. Crawford Macpherson, Director of Community Development, advised that about eight years ago, the directive of Council regarding streetlights was to replace as required. Through this process, Council has directed staff to develop and look at what we do and what we own through the lens of greenhouse gas reduction. It is probably worth doing another review to determine whether the situation is the same or if there is more opportunity with NS Power to upgrade the infrastructure for less cost. Before proceeding with this, review will be undertaken and brought back to Council.

Discussion was held on expected timelines for the Community Energy and Emissions Plan. Ms. Burris indicated that estimates for completion would be end of 2020 or possibly early 2021. Further discussion was held on return on investment for the project, greenhouse gas reductions, and potential funding opportunities available.

Moved by Councillor Gregory
Seconded by Councillor Gibbs

“That Council approves the Interim Corporate Climate Action Plan, as presented.”

Motion Carried Unanimously.

At this point in the meeting, as per Policy, Mayor Blair reviewed the agenda and indicated we would continue until 10:00 pm, and then recess, reconvening on May 7th, immediately following the Special Council Session.

**Council Representative on Cliffs
of Fundy Board of Directors**

Referring to the vacancy on Cliffs of Fundy Society Board of Directors, Councillor Gibbs advised that with the recent changes to extend the boundaries for the Cliffs of Fundy Geopark, the representation on the Board could include one of three Councillors and noted that Councillor Taggart has expressed interest in being reappointed to the Board.

Councillor Gibbs moved and Councillor Boutilier seconded the nomination of Councillor Taggart being reappointed to the Cliffs of Fundy Society Board of Directors.

Mayor Blair called three times for further nominations and, on hearing none, Councillor Gibbs moved and Councillor Cooper seconded the motion to cease nominations.

The motion to cease nominations having carried, the motion to reappoint Councillor Taggart to the Cliffs of Fundy Society Board of Directors was voted on and carried unanimously.

Provincial Emergency Alert System

Councillor Cooper indicated that this item is not to delve into whether the Emergency Alert System should have or should not have been used during the recent tragic event in Colchester. Rather, he has had a number of calls from members of the public regarding the Provincial Emergency Alert System and is looking to have staff request an official document that explains what the system is. The CAO advised that he would have staff look into getting the information and report back to Council.

Memorial in Debert

Councillor Pash advised that families of the two victims killed in Debert are putting up permanent memorials at the locations where they were killed and he would like to have staff investigate the location of the properties relative to ownership, safety, and possible future development plans on or around the sites.

Moved by Councillor Pash
Seconded by Councillor Cooper

“That the matter regarding the site for the memorials in Debert be referred to staff to investigate.”

Motion Carried Unanimously.

RCMP

Councillor Taggart indicated that he would like to see Council write a letter to the RCMP to acknowledge their work and support in response to the events of April 18th and 19th and the continued investigation in Colchester.

Moved by Councillor Taggart
Seconded by Councillor Cavanaugh

“That a letter be written to acknowledge and thank all RCMP who responded to the recent tragic events in Colchester County, as well as those involved in the ongoing investigation.”

Motion Carried Unanimously.

Correspondence - ACTION

**Donna Lugar, NS
Representative, Canadian Lyme
Disease Foundation**

Moved by Councillor Taggart
Seconded by Councillor Parker

“That Council proclaims May as Lyme Disease Awareness Month.”

Motion Carried Unanimously.

Correspondence - INFORMATION

Development Officer

A copy of the Development Activity Report received from the Development Officer for the month of March 2020. Council agreed to receive the report for information purposes.

Building Inspector

A copy of the Building Permit Statistics received from the Building Inspector for the month of March 2020. Council agreed to receive the report for information purposes.

CLOSED SESSION

Moved by Councillor Cavanaugh
Seconded by Councillor Gregory

“That the meeting go into closed session at 9:52 pm.”

Motion Carried Unanimously.

Moved by Councillor Gibbs
Seconded by Councillor Gregory

“That the meeting reconvene in open session at 10:19 pm.”

Motion Carried Unanimously.

RECESS

Council agreed to recess the meeting at 10:22 pm and reconvene on Thursday, May 7th, immediately following the Special Session of Council.

Tracey Veno
Recording Secretary