

MUNICIPAL COUNCIL

The Regular Session of the Municipal Council of the Municipality of the County of Colchester was conducted in-person and virtually combined, on Thursday, February 23, 2023, at 6:00 pm.

In peace and in friendship, and in the spirit of truth and reconciliation, it was acknowledged that the Municipality of Colchester is in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq.

Roll Call

The roll was called with the following Council members in attendance:

Mayor Christine Blair, Chair	(virtual)
Councillor Eric Boutilier	District 1 (virtual)
Councillor Laurie Sandeson	District 2
Deputy Mayor Geoff Stewart	District 3
Councillor Mike Cooper	District 4
Councillor Tim Johnson	District 5
Councillor Karen MacKenzie	District 6
Councillor Michael Gregory	District 7
Councillor Lisa Patton	District 8
Councillor Marie Benoit	District 9
Councillor Victoria Lomond	District 10
Councillor Wade Parker	District 11

Staff Present

Rob Simonds, Chief Administrative Officer (CAO)
 Dennis James, Municipal Solicitor
 Michelle Boudreau, Director of Public Works
 Paul Smith, Director of Community Development
 Scott Fraser, Director of Corporate Services
 Phillip Redden, Director of Solid Waste
 Tracey Veno, Recording Secretary
 Jenn Mantin, Economic Development Officer
 Pam Macintosh, Manager of Planning Services
 Dave Westlake, Emergency Management/Protective Services Coordinator
 Jeanette Himmelman, Systems Analyst

Public Hearing – Central Colchester MPS/LUB Amendment, Trivirtus GP I

Mayor Blair called this Public Hearing to order respecting an amendment to the 2002 Central Colchester Land Use By-law to Schedule 3, Bible Hill/Valley Zoning Map of the Land Use By-law to rezone lands owned by Trivirtus GP I Inc. on Avon Street and east of Avon Street in Bible Hill from Residential Double Dwelling Unit (R-2) to General Commercial (C-1) to be used for staff parking and clinic related activities. 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.

Rob Simonds, CAO, advised that the guidelines of the Municipal Government Act (MGA) regarding advertising of the First and Second Readings and Public Hearing have been followed.

Council members were reminded that only those present throughout the Public Hearing can vote on the amendments when eventually considered by

Council. This Public Hearing is Council's opportunity to hear of 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.

Pam Macintosh, Manager of Planning Services, presented details of the Land Use By-law amendment application, noting that the Central Nova Animal Hospital was purchased by Trivirtus and is leased to the veterinarians. The amendment is being requested to create staff parking with a gate and walkway. Highlights of the presentation included description and location of affected properties; existing zonings of surrounding properties; photographs and site plan; applicant's intents for buffers and screening; zoning and future land use maps; policy considerations; and input from external and internal departments relative to the application. Staff is recommending approval of the rezoning request and the Land Use By-law be amended accordingly. It was also noted that staff have encouraged and the applicants agreed to exceed required standards for screening heights along the residential boundaries of the property.

The applicant's legal representative, Mr. James Russell, appeared before Council to answer any questions regarding the application. He noted that the intention of Trivirtus is to construct a parking lot exclusively for staff; they are willing to erect signage and exceed the screening requirements and to insert concrete barriers at the five meter buffer zone. Responding to a query about potential foot traffic through the parking lot, Mr. Russell indicated that he would take this back to his client for broader signage to address this.

Councillor Sandeson, Chair of the Planning Advisory Committee (PAC), provided the report for the PAC meeting held on January 19, 2023.

One written submission was received concerning the application, from Erin O'Leary, with concerns with having the parking lot accessed from Avon Street; traffic/parking enforcement; potential for increased accidents when entering or exiting Avon Street; and safety concerns for the residents.

Chris Terry appeared before Council to express concerns relative to the proposed application noting that he and his family live on the bordering property of the Central Nova Animal Hospital. They are requesting that upgrades be made to ensure the privacy and safety of residents in the area, due to existing and potential increase of vehicle and foot traffic, prior to the rezoning the property to commercial. Mr. Terry spoke of the current fencing that is inadequate and in disrepair. He also requested that parking in the lot be in the direction with headlights away from the residential properties.

Brief discussion was held regarding types of chain link fencing which provide better privacy; use of the CNAH as a shortcut from Avon Street to Main Street; configuration of the parking lots; and the applicants willingness to address the concern of neighbouring residents.

With no further discussion on the matter, the Chair of PAC put the following motion on the floor:

Moved by Councillor Sandeson and seconded by Councillor Patton

“That Council approve, by way of Second Reading, to rezone properties owned by Trivirtus GP I Inc. on Avon Street and off Avon Street in Bible Hill from Residential, Double Dwelling Unit (R-2 to General Commercial (C-1).” Carried unanimously.

Mayor Blair noted 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.

Public Hearing – Central Colchester MPS/LUB Amendment, Dalhousie University

Mayor Blair called this Public Hearing to order respecting an amendment to the 2002 Central Colchester Land Use By-law to Schedule 3, Bible Hill/Valley Zoning Map of the Land Use By-law to rezone lands owned by Dalhousie University on Pictou and Vimy Road in Bible Hill from Residential Double Dwelling Unit (R-2) to Institutional (I) to build a new research building and to change two existing office and research buildings to institutional. 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.

Rob Simonds, CAO, advised that the guidelines of the Municipal Government Act (MGA) regarding advertising of the First and Second Readings and Public Hearing have been followed.

Mayor Blair reminded Council members that only those present throughout the Public Hearing can vote on the amendment when eventually considered by Council. This Public Hearing is Council’s opportunity to hear of the amendment and any concerns of Colchester County residents. Individual Councillors will have 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.

Pam Macintosh, Manager of Planning Services, presented a brief overview of the MPS/LUB amendments application by Dalhousie University. Highlights of the presentation included reasons for the rezoning application is to construct a new research building and rezone two other lots so as to be consistent with current uses; details of the property location and surrounding zoning uses; various photos; site plans and setbacks; traffic flows; policy considerations; and, input from both internal and external departments, such as NS Public Works, Village of Bible Hill and Bible Hill Fire Brigade, Town of Truro, and various Municipal Departments. Staff is recommending that the rezoning amendment request be approved and the Land Use By-law amended.

Siobhan Evans appeared before Council representing Dalhousie University, noting that she did not have a formal presentation, however, she noted timing of this project was discussed at PAC. Dalhousie has completed the design schematics and is now beginning its campaign funding phase for the building. Therefore, at this point, there is no confirmed timeframe for construction.

Discussion was held on the likelihood of new hires with the construction project; continued growth of staff and students at this campus; and uncertainties of future plans concerning two private residences. Concerns were expressed regarding buffers and screening. Ms. Evans indicated that all requirements would be met. Clarification was sought on the timeframe of construction. Ms. Evans reiterated that timing would depend on funds raised through their campaign.

Councillor Sandeson, Chair of the Planning Advisory Committee (PAC), provided the report for the PAC meeting held on January 19, 2023.

No written submissions were received concerning this application and no members of the public were in attendance to speak on the proposed amendment.

With no further discussion on the matter, the Chair of PAC put the following motion on the floor:

Moved by Councillor Sandeson and seconded by Councillor Boutilier

“That Council approve, by way of Second Reading, to rezone properties owned by Dalhousie University on Pictou and Vimy Roads in Bible Hill from Residential Double Dwelling Unit Conversion (R-2C) to Institutional (I).” Carried unanimously.

Mayor Blair noted 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 Gregory and seconded by Councillor Benoit

“That the agenda be approved with the following additions:

- Item 7(4), Report from the Debert Business Park Advisory Committee;
- Item 10b, Commemorative Service.” Carried unanimously.

Approval of Minutes

Moved by Councillor Cooper and seconded by Councillor Sandeson

“That the minutes of the meeting held on January 26, 2023, be approved as presented.” Carried unanimously.

Business Arising from Minutes

None

**Standing Committee Reports
and Recommendations**

Deputy Mayor Stewart, Chair of Council Committee, presented the report from the meeting held on February 9, 2023:

Low Income Municipal Tax Assistance Program

Moved by Deputy Mayor Stewart and seconded by Councillor Benoit

“That Council approves the amended Low Income Municipal Tax Assistance Program for 2023 as presented.” Carried unanimously.

Colchester Clean Litter Program

Moved by Deputy Mayor Stewart and seconded by Councillor Lomond

“That Council approves that the Colchester Clean Program be continued for 2023.” Carried unanimously.

Personnel – Manager of Reduction and Recovery Operations Position

Moved by Deputy Mayor Stewart and seconded by Councillor Patton

“That Council approves that the creation of the Manager of Reduction and Recovery Operations be approved at Range 10 of the non-union Salary Scale; and,

That the positions of Waste Reduction Manager and Materials Recovery Facility Manager be removed.” Carried unanimously.

Personnel – Engineering Technician to GIS Technician

Moved by Deputy Mayor Stewart and seconded by Councillor Johnson

“That Council approves that one Public Works Engineering Technician position be converted to a GIS Technician position, still to be housed within Public Works; and,

That this position fall into the existing Range 5.1 for GIS Technicians of the Municipality’s non-union Salary Scale.” Carried unanimously.

Flood Advisory Committee – minutes from meeting held on January 18, 2023

Moved by Councillor Johnson and seconded by Councillor Cooper

“That the minutes of the Flood Advisory Committee meeting of January 18, 2023, be received.” Carried unanimously.

Planning Advisory Committee (PAC) – report from meeting held on February 16, 2023.

Councillor Sandeson, Chair of the PAC, provided a brief report of the meeting held on February 16, 2023.

Moved by Councillor Sandeson and seconded by Councillor Patton

“That the report from the Planning Advisory Committee meeting held on February 16, be accepted.” Carried unanimously.

Debert Business Park Advisory Committee (DBPAC) – report from meeting held on February 21, 2023

Councillor Benoit, Chair of the DBPAC, advised of an error concerning membership of the Committee, specifically regarding the number of business appointments. To remedy this, the Committee is recommending the latest appointment of Paul Garbes as a business representative, be changed to a citizen representative appointment, which will fill a recent vacancy on the Committee.

Brief discussion was held on whether Mr. Garbes agreed with this recommendation. Staff would be following up with Mr. Garbes prior to the next meeting.

Moved by Councillor Benoit and seconded by Councillor Cooper

“That Council approves that the previous appointment of Paul Garbes as a business representative on the Debert Business Park Advisory Committee be changed to a citizen representative position.” Carried unanimously.

ACTION ITEMS

First Reading, Development Agreement Application – D. Blenkhorn and R. Quinn

Paul Smith, Director of Community Development, advised that this item is to essentially advance a Development Agreement application to build a multi-unit residential development on the former Ridge View Golf Course property on Ravine Drive in Truro Heights, to Second Reading.

Moved by Councillor Sandeson and seconded by Councillor Gregory

“That Council approves at First Reading, the Development Agreement application as presented, for purposes of forwarding this document to a Public Hearing reserving consideration of the Development Agreement until Second Reading following the Public Hearing.” Carried unanimously.

Temporary Borrowing Resolution – RECC Debenture Refinancing

Scott Fraser, Director of Corporate Services, indicated that Colchester borrowed for the RECC construction in 2013 with loans being amortized over 15 years, and renewals scheduled at the 10-year mark. A Temporary Borrowing Resolution is required to renew the loan. This is a formality and does not affect the Municipality’s borrowing.

Discussion was held regarding the possibility of paying out the loan and what would be saved in interest. Mr. Fraser advised that over a 10-year period, savings would be in the range of \$200,000, however, a raise in taxes would be required to do this. Further discussion was held on using reserves to pay off the loan. Mr. Fraser noted that with the number of capital projects in the works as well as upcoming projects, this would be difficult to do.

Moved by Councillor Johnson and seconded by Councillor MacKenzie

“That Council approves the Municipality of Colchester’s Temporary Borrowing Resolution and the Resolution for Pre-Approval in the amount of \$1,659,450 for RECC debenture refinancing as presented; and,

That the Mayor and CAO be authorized to sign the Temporary Borrowing Resolution and the Resolution for Pre-Approval, as presented.” Carried unanimously.

Fire Policy

Deputy Mayor Stewart advised that he had a request from a resident for financials for a local fire brigade, however, when inquired with the brigade, they were not available. He also followed up with the Protective Services Coordinator, Dave Westlake, and found that the current Fire Protection Policy in place has not been updated since June of 1999. There have been a number of changes that have taken place in this County with the Fire Services since June of 1999, such as insurance and WCB changes.

Discussion took place on the requirements of the brigades under the current Policy; repercussions of not submitting required materials; the importance of fire brigades adhering to Policy; and percentage of brigades not providing the required information. Mr. Westlake confirmed that there are a list of items required to be submitted with their annual registrations, one being financials. Over the past couple of years, there has been some leniency with the brigades due to the Covid Pandemic and most brigades, approximately 90%, have provided the required information. As per Policy, funds could be held back however, staff are not aware of this being done in the past.

Moved by Deputy Mayor Stewart and seconded by Councillor Patton

“That the existing Fire Protection Policy be referred to staff for updating.” Carried unanimously.

Commemorative Service

The Deputy Mayor assumed the role of Chair to provide opportunity for Mayor Blair to speak on this item.

Mayor Blair indicated that we are coming up to the third anniversary of the mass shooting in Nova Scotia. There have been no arrangements for a commemorative service and the Mayor is requesting that the flags be lowered at Municipal Buildings on April 18 and 19, and that two minutes of silence is observed at noon on both of those days.

Moved by Mayor Blair and Seconded by Councillor Johnson

“That flags be lowered to half-mast on April 18 and 19 and two minutes of silence be observed at noon on both days to commemorate those lost in the 2020 mass shooting; and

That this be done on an annual basis going forward.” Carried unanimously.

At this point, Mayor Blair resumed the role of Chair.

Correspondence - ACTION

Pam Macintosh, Manager of Planning Services

Memo to Mayor and Council dated February 17, 2023, concerning an application by ZZap Consulting Inc. for lands owned by Five Corners Property.

Councillors Boutilier and Patton recused themselves from discussion on this matter.

Moved by Deputy Mayor Stewart and seconded by Councillor Benoit

“That the application by ZZap Consulting Inc. for lands owned by Five Corners Property be referred to the Planning Advisory Committee.” Carried unanimously.

David Phillips, CEO, Truro, and Colchester Partnership for Economic Prosperity (TCPEP)

Letter to Mayor Blair dated February 17, 2023, concerning annual funding for 2023/24.

Moved by Councillor Cooper and seconded by Councillor Parker

“That the letter from David Phillips, CEO, TCPEP, concerning annual funding be referred to budget deliberations.” Carried unanimously.

Councillor Parker noted that concerns were expressed by the Liaison and Oversight Committee (LOC) regarding the Chamber dropping annual funding for TCPEP and whether their seat on the Committee should be changed to that of a business representative. Brief discussion was held on the Chamber not coordinating the collection of funds from businesses and TCPEP cannot solicit funds. It was agreed that the matter concerning representation on the Committee be addressed at the Committee level first and Councillor Parker can bring information back to Council following the discussion.

Erica Wilson, Teacher, Cobequid Education Centre

Email addressed to the Deputy Mayor concerning sponsorship for a CEC Musical.

Brief discussion was held with general support being expressed however, the Municipality should not be providing funding support for school board related activities; importance of investing in children/youth; and other funding sources for these types of events.

Moved by Councillor Cooper and seconded by Councillor Johnson

“That the request from Erica Wilson concerning sponsorship for a CEC Musical production be received for information.” Carried unanimously.

Correspondence - INFORMATION

Development Officer A copy of the Development Activity Report received from the Development Officer for the month of January 2023.

Building Inspector A copy of Building Permit Statistics received from the Building Inspector for the month of January 2023.

Moved by Councillor Johnson and seconded by Councillor Benoit

“That the reports from the Development Officer and Building Inspector be received.” Carried unanimously.

INFORMATION ITEMS

NS Climate Risk Assessment This item provided Council with information on the NS Climate Change Risk Assessment published by the Department of Environment and Climate Change in December 2022, summarizing the main takeaways from the report and its relevance to Colchester. Responding to a query on Colchester’s risk levels, Paul Smith briefly touched on the impacts of coastal erosion affecting Colchester as well as difficulties of mitigation. It is staff’s intent to provide a more detailed presentation to Council in the near future.

Intersection Safety – Greenfield Road/Lower Harmony Road This Information Item provided an update on a previous request of Council concerning safety improvements at the intersection of Greenfield Road and Lower Harmony Road. Following a site visit, staff consulted NS Public Works, who indicated that changes with the signage at this location will be made in the coming weeks, but no specifics were provided.

Council members were advised of the amount of time being spent on provincial matters and that they have become challenging for staff. When issues falling under provincial jurisdiction arise, Councillors are encouraged to deal directly with provincial departmental staff and/or the MLAs. Concern was expressed with the lack of response from provincial representatives.

Sidewalk, Weston to Regency Point Drive An update for information purposes was provided on Council’s request for an extension of sidewalk on the Old Courthouse Branch Road from Regency Point Drive to Weston Drive. This update included information on Council’s approved five-year capital budget for sidewalks; the size of the sidewalk extension and estimated costs; and, details relative to crosswalk requirements and associated cost. All sidewalk requests will have an evaluation done based on criteria in the Active Transportation Strategy, and will be undertaken in June prior to the capital budget process.

Councillor Parker indicated that he initially raised this issue with Council and noted that the intent was to have the sidewalk extension on the opposite side of what is shown in the report due to the sharp turn and oncoming traffic.

Michelle Newell, Director of Public Works, advised that this could be reviewed in June and noted that the crosswalk would require provincial approval.

Streetlight Sensors, Speed Monitoring

Staff were previously directed to investigate Liveable Cities Sensor Technology to monitor vehicle speeds on County roads. This Information Item provided an update on the logistics and costs of installing sensors on County streetlights. The staff report included information on technology available; use of NS Power infrastructure and related requirements; HRM's pilot project and potential costs; lack of response from Liveable Cities Sensor Technologies; and, coordination of speed monitoring being more appropriate with the RCMP and NS Public Works as the parties responsible for traffic control on provincial roads.

Council expressed disappointment regarding the lack of response from Liveable Cities Sensor Technology. Discussion was held on the various types of technology available; determining target areas; RCMP involvement for receiving data directly; and staff bringing back further information to Council.

Reports from Councillors

Copies of reports from the Mayor and Councillors were circulated in the package and 'On Table' for this evening's meeting.

ADJOURNMENT

Moved by Councillor Gregory and seconded by Councillor Patton

"That the meeting adjourn at 8:16 pm." Carried unanimously.

Tracey Veno
Recording Secretary