

MUNICIPAL COUNCIL

A Special Session of the Municipal Council of the Municipality of the County of Colchester was conducted virtually and in-person on Thursday, March 20, 2025, immediately following the regularly scheduled Council Committee meeting.

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 Councillors in attendance:

Mayor Christine Blair, Chair	
Councillor Paul Weatherby	District 1 (<i>virtual</i>)
Deputy Mayor Laurie Sandeson	District 2
Councillor Sheldon Richardson	District 3
Councillor Mike Cooper	District 4
Councillor Tim Johnson	District 5
Councillor Nigel Leggett	District 6
Councillor Sherry Martell	District 7
Councillor Lisa Patton	District 8
Councillor Marie Benoit	District 9
Councillor Charlene Fletcher	District 10
Councillor Allan Kennedy	District 11 (<i>regrets</i>)

Staff Present

Dan Troke, Chief Administrative Officer
Paul Smith, Director of Community Development
Tracey Veno, Recording Secretary
Pam Macintosh, Manager of Planning Services
Jeanette Himmelman, Systems Analyst
Jill McGillicuddy, Senior Planner

The purpose of this Special Session of Council was to hold two Public Hearings: a rezoning application; and, an amendment to an existing Development Agreement application.

Approval of Agenda

Moved by Councillor Cooper, seconded by Councillor Martell

“That the agenda be approved with the addition of one item, Amendment to Municipal Government Act Concerning Wind Turbines.” Carried unanimously.

Public Hearing/Second Reading – Rezoning Application at 149- 151 Pictou Road, Bible Hill, NS

Mayor Blair called this Public Hearing to order respecting an amendment to the Central Colchester Land Use By-law made by Abundant Life Victory Church for a rezoning of their property on 149-151 Pictou Road, Bible Hill, PID 20440491, to allow the utilization of the property as a Place of Worship. The text for the proposed amendment and a related staff report have been circulated to Council members and made available to the public.

Dan Troke, CAO, advised that the guidelines of the Municipal Government Act (MGA) regarding the process for the Public Hearing have been followed.

Council members were reminded that only those present throughout the Public Hearing can vote on the proposed 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. Council 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 concerning the proposed amendment.

Jill McGillicuddy, Senior Planner, presented details of the amendment application and noted this property was the former St. David's Church and Church Hall but was rezoned in August 2024 to R-4 Multiple Unit-High Density. The application made by Abundant Life Victory Church is to rezone the property back to institutional to be used as a Place of Worship. Highlights of the presentation included photos of the property; site plans; policy considerations; and input from internal and external departments concerning the property and application. The proposed amendments which would permit the property to be rezoned back to institutional for use as a Place of Worship is an acceptable use of this property and staff recommend that the proposed amendments be approved.

David McLean, Pastor, was in attendance to speak on the application. He noted that attendees of the Church have grown from 17 in 2017 to over 200 today and there are concerns with the existing building not being sufficient to accommodate the growth. They are excited for this opportunity and the support of the community. Addressing a question on concerns of parking, Pastor McLean advised that they are permitted to use the adjoining property creating more space for parking.

Councillor Johnson, Chair of the Planning Advisory Committee (PAC), provided the report for the PAC meeting held on February 10, 2025.

No written submissions were received and there were no members of the public present to speak on this application.

With no questions from Council and no discussion on the matter, the Chair of PAC put the following motion on the floor:

Moved by Councillor Johnson, seconded by Councillor Sandeson

"That the request to amend the Central Colchester Land Use By-law to rezone 149-151 Pictou Road, Bible Hill, PID 20440491, from R-4 Residential Multiple Unit High Density to I-Institutional." 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 this decision.

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

Public Hearing/Second Reading
Existing Development Agreement
Application, Ainslee Lane Valley,
NS

Mayor Blair called this Public Hearing to order respecting an application for amendments to an existing development agreement made by 4584800 Nova Scotia Limited on their property at Ainslie Lane, Valley, PID 20031225. The proposal would permit the development of eight accessory buildings/storage sheds, with a maximum footprint of 11.9 square metres (128

square feet) per building. The text for the application and related staff report have been circulated to Council members and made available to the public.

Dan Troke, CAO, advised that the guidelines of the Municipal Government Act (MGA) regarding the process for the Public Hearing have been followed.

Council members were reminded that only those present throughout the Public Hearing can vote on the proposed amendment to the existing development agreement when eventually considered by Council. This Public Hearing is Council's opportunity to hear of the application and any concerns of area residents. Council will have opportunity to debate the merits of the application when the motion is presented to Council. Staff are present to answer any technical questions that may arise concerning the application.

Jill McGillicuddy, Senior Planner, presented to Council providing an overview of the application including the existing development approval date of 2021; property location and current uses of properties in area; building/shed elevations and floor plans; site plans, policy considerations; and, input from internal municipal departments concerning the application. The proposed amendment is an acceptable use of the property and staff recommend approval of the request to amend the existing development agreement.

Brief discussion took place on minimum separation between sheds; distance from sheds to property line; highest elevations; and whether or not the sheds would have power. It was confirmed there would be no power to these sheds.

Brody Elder, property representative, was in attendance virtually to speak on the application. Mr. Elder advised that it was thought that the garages under the existing development agreements would provide sufficient storage, however, additional storage is required and the sheds are to accommodate for this.

Councillor Johnson, Chair of the Planning Advisory Committee (PAC), provided the report for the PAC meeting held on February 10, 2025.

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

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

Moved by Councillor Johnson, seconded by Councillor Patton

"That the amendments to the existing development agreement on Lot F1-2 – Ainslie Lane (private lane off Pictou Road), Valley, PID 20031225 to permit eight accessory buildings to be used as storage sheds with a maximum footprint of 11.9 square metres (128 square feet) per building be approved." 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 this decision.

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

Recent Amendment to Municipal Government Act Concerning Wind Turbines

Paul Smith, Director of Community Development, advised Council of recent changes to the Municipal Government Act (MGA) concerning minimum setback requirements, decibel levels, and visual or aesthetic impacts of wind turbine development. As a result of these changes, the current Wind Turbine Development By-law, of which the content has been carried over into the draft county-wide planning documents (MPS and LUB) are not in compliance with this new legislation. The Municipal Solicitor has advised that Council cannot approve documents that are inconsistent with the Act and must amend the draft MPS and LUB, being brought forward at the end of the month for approval, to comply with provincial requirements.

Lengthy discussion was held on the frustration and discontentment of Council members regarding the provincial government in their decision on these legislation amendments. Colchester Council and staff spent a considerable amount of time on the existing Wind Turbine Development By-law, including staff research, Planning Advisory Committee meetings, and listening to our residents through many community engagement consultations. These amendments to legislation were made without any consultation with both the general public or municipalities and show a total disregard for municipal governance. Further discussion was held on the consequences of not making the changes to the new county-wide planning documents; and, writing the province requesting information on reasons for the changes to the legislation and whether there were any consultations that took place.

Moved by Councillor Cooper, seconded by Councillor Leggett

“That Council approves incorporation of the changes as presented into the draft county-wide planning documents, to comply with recent amendments to the MGA Minimum Planning Requirements Regulations regarding wind turbine developments.” Motion carried (*Mayor Blair, Councillors Johnson, Benoit, Patton, and Fletcher opposed*).

Moved by Councillor Cooper, seconded by Councillor Benoit

“That a letter be written to the Minister of Municipal Affairs requesting background information regarding the abrupt changes to the Municipal Government Act concerning wind turbine development, including reasons for amendments, and details of the consultation process.” Motion carried unanimously.

Adjournment

On a motion by Councillor Martel, the meeting adjourned at 7:12 pm.

Tracey Venno
Recording Secretary