

**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 Tuesday, June 27, 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	
Councillor Eric Boutilier	District 1
Councillor Laurie Sandeson	District 2
Deputy Mayor Geoff Stewart	District 3
Councillor Mike Cooper	District 4 (arrived 6:09pm)
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**

Scott Fraser, Interim Chief Administrative Officer (CAO)  
 Dennis James, Municipal Solicitor  
 Michelle Boudreau, Director of Public Works  
 Paul Smith, Director of Community Development  
 Phillip Redden, Director of Solid Waste  
 Tracey Veno, Recording Secretary  
 Jenn Martin, Economic Development Officer  
 Devin Trefry, Research, Policy, and Community Engagement Officer  
 Pam Macintosh, Manager of Planning Services  
 Craig Burgess, Recreation Manager  
 Mollie MacBurnie-Haas, IT Support

**Approval of Agenda**

Moved by Councillor Gregory and seconded by Councillor Patton

"That the agenda be approved with the addition of Item 18b, Kempton Environmental Assessment." Carried unanimously.

**Approval of Minutes**

Moved by Councillor Benoit and seconded by Councillor Johnson

"That the minutes of the meeting held on May 23, 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 June 8, 2023:*

Fire and Emergency Services Policies

Moved by Deputy Mayor Stewart and seconded by Councillor Sandeson

“That Council approves the Fire and Emergency Protection Policy and Registration of Fire and Emergency Services Provider Policy with the noted amendment to section 6.4.

AND

That appropriate language around voting eligibility for area rate changes at ratepayer meetings be incorporated into the Fire and Emergency Protection Policy.” Carried unanimously.

PCAP Funding Application – Infrastructure Capacity Study

Moved by Deputy Mayor Stewart and seconded by Councillor Patton

“That Council authorizes staff to make an application to the Provincial Capital Assistance Program for the completion of water and sewer capacity studies for serviced communities within the County, with a total anticipated project cost of \$200,000.” Carried unanimously.

***Flood Advisory Committee – minutes of meeting held on June 13, 2023***

Moved by Councillor Gregory and seconded by Councillor Johnson

“That the minutes of the Flood Advisory Committee meeting held on June 13, 2023, be accepted as presented.” Carried unanimously.

***Planning Advisory Committee (PAC) – report from meeting of June 20, 2023 (and supplementary memo)***

Councillor Sandeson provided an overview of the report from the June 20<sup>th</sup> PAC meeting which dealt with a proposed residential development on Kent Road and amending planning document to allow Comprehensive Development Districts in Central Colchester. Following that June 20<sup>th</sup> meeting, the developer for the Kent Road proposal has withdrawn his application due to feedback from the community and will be proceeding with a subdivision application for semi-detached lots.

Moved by Councillor Sandeson and seconded by Councillor Boutilier

“That the report and supplementary memo from the Planning Advisory Committee meeting held on June 20, 2023, be accepted as presented.” Carried unanimously.

**ACTION ITEMS**

**Award of Proposal – Forest Management Plan**

*Councillor Cooper arrived at 6:09 pm, during staff’s introduction of this item.*

Pam Macintosh, Manager of Planning Services, provided a brief overview of this item indicating that Council previously directed staff to prepare a Request for Proposal (RFP) for a forest management plan for Municipally owned lands. One submission was received in response to the RFP which was deemed complete. Staff's recommendation is to award to Forest Resources Consultants Inc.

Responding to a question regarding total acreage, Ms. Macintosh indicated it would be estimated around 1000 hectares.

Moved by Councillor Benoit and seconded by Councillor Boutilier

"That the preparation of a forest management plan be awarded to Forest Resources Consultants Inc., for a total price of \$39,800 excluding HST." Carried unanimously.

**First Reading – MPS and LUB  
Amendments to Create a  
Comprehensive Development  
District Designation and Zone**

*Declaring a conflict of interest, Councillors Boutilier and Patton recused themselves on this matter.*

Paul Smith, Director of Community Development, advised that the purpose of this item is to advance proposed amendments to the Central Colchester Municipal Planning Strategy and Land Use By-law that will enable the use of a Comprehensive Development District (CDD). It also involves rezoning lands of the former Bates property, VIDA Living Inc. and Leslie Blackburn properties. A detailed staff report was circulated with the Action Item. First Reading essentially announces Council's intent to consider approving the amendments. Council will have opportunity to debate the merits of the draft amendments at Second Reading and Public Hearing, scheduled for August 31<sup>st</sup>.

Moved by Councillor Sandeson and seconded by Councillor Benoit

"That Council approves at First Reading of the draft Comprehensive Development District MPS and LUB amendment application for purposes of forwarding the draft amendments to a Public Hearing while reserving consideration of these until Second Reading following the Public Hearing." Carried unanimously.

With the next Council meeting not being for approximately nine weeks due to Summer recess, brief discussion was held on holding a Special Council meeting to expedite the process. With the agreement of Council to allow the developer to address this, it was confirmed that it would be beneficial for financial/banking reasons to have the meeting sooner rather than later.

Moved by Councillor Gregory and seconded by Councillor Benoit

"That a Special Council meeting be held on Council's regularly scheduled Presentation meeting date of August 1<sup>st</sup>, for the purpose of conducting a

Public Hearing and consider Second Reading of amendments to the Central Colchester Municipal Planning Strategy and Land Use By-law relating to the application from ZZap Consulting.” Carried unanimously.

**Citizens Monitoring Committee  
Formation – Wind Turbine  
Development By-law**

The Director of Community Development advised that this item relates to two notices recently received regarding test towers for wind projects and requirements to establish Citizen Monitoring Committee (CMC). Staff is seeking to proceed with advertising for these Committees and authorizing August Council Committee to approve recommendations of the Nominating Committee. Staff also would like to proceed with filling both Council and citizen rep vacancies on various other Committees, with authority for August Committee to approve these at the same time.

Moved by Councillor Lomond and seconded by Councillor Johnson

“That Council authorize staff to proceed with advertising for four citizen appointments (two each) to the two CMCs, as well as for other Committee vacancies, and request recommendations from the Nominating Committee on the citizen and Council appointments to each; and,

That authority be granted to August Council Committee to approve appointments to the Committees.” Carried unanimously.

**Second Reading – Outdoor Fire  
By-law Amendments**

The Director of Community Development presented an overview of the amendments to the Outdoor Fire By-law noting that these amendments result from a request from the Village of Bible Hill and the Bible Hill Fire Brigade due to increasing public safety and open burning concerns. The amendments are intended to augment Provincial fire restrictions and to help strengthen enforcement. Amendments include updated penalties and the inclusion of a new fees section to encourage compliance as well as several administrative amendments intended to clarify existing provisions.

Moved by Councillor Parker and seconded by Councillor Cooper

“That Council approves, by way of Second Reading, amendments to the Outdoor Fire By-law.”

Referring to Section 4(1) of the By-law which deals with area of application, Councillor Johnson suggested that this be forwarded to the CFFA to review with other Fire Departments to garner possible interest.

Moved by Councillor Johnson and seconded by Councillor Lomond

“That the Outdoor Fire By-law be sent to the CFFA to garner interest of other Fire Brigades to partake in the Outdoor Fire By-law.” Carried unanimously.

**Sidewalk Evaluations:  
Cornerstone Drive (Valley), Vimy  
Road (Brookside) & Old  
Courthouse Branch Extension (to  
Weston Drive)**

During the past year, three sidewalks were referred to staff for evaluation prior to the capital budget process – Cornerstone Drive sidewalk extension; the Vimy Road Sidewalk extension; and the Old Courthouse Branch extension to Weston Drive. The evaluation process under the Active Transportation (AT) Strategy includes a weighted ranking factoring public safety, linking

communities, creating a recreational network and extension of existing sidewalks/trails. The Director of Community Development provided a detailed review of the assessment and rankings for each of the sidewalk evaluations as outlined in the Action Item included in the Council package. Results of the evaluations would have the Vimy Road sidewalk extension as a long-term priority and the Cornerstone Drive sidewalk extension as a medium term-priority. The Old Courthouse Branch to Weston Drive extension have some operational and safety concerns and staff suggest that any extension of the Old Courthouse Branch sidewalk be delayed until the entire length can be completed, which is scheduled in the next 5 to 7 years.

It was noted that financial and staff capacities under the AT Strategy includes one new and one reconstruction project annually. Any new projects being added will cause delays to the currently approved projects. Alternatively, if Council decides to proceed with more than one new and one reconstruction project, additional staff and financial resources would be required.

A number of points were raised regarding the Old Courthouse Branch sidewalk extension including concerns with flooding and ice flows; location of the existing extension; and possibility of widening the shoulder. Staff noted that the west side location of the sidewalk extension is consistent with the Village of Bible Hill sidewalk. Referring to the possibility of widening the shoulder, Council was reminded that this is a provincially owned and maintained road. Concern was also expressed regarding the Vimy Road and Cornerstone Drive sidewalk extensions, specifically about public safety and results of the low pedestrian and traffic counts being a result of safety issues.

Brief discussion also took place on the possibility of including sidewalks/extensions in new subdivisions through development agreements.

Moved by Councillor Sandeson and seconded by Councillor Cooper

“That Council not add the Cornerstone Drive (Valley), Vimy Road (Brookside) & Old Courthouse Branch Extension (to Weston Drive) sidewalk projects to the AT priority list.” Motion carried (Mayor Blair, Councillors Boutilier and MacKenzie opposed).

**Cornerstone Paving, Gravel Road  
Program & Bunker Pump Station  
– Authority to Award**

Moved by Councillor Benoit and seconded by Councillor Cooper

“That Council authorizes August Council Committee to award the tenders for Cornerstone Paving, Gravel Road Topping Program and the Bunker Lift Station Replacement.” Carried unanimously.

**RECC 2023/24 Operating  
Budget (Revised)**

Scott Fraser, Interim CAO, advised that during budget deliberations Council approved the RECC operating budget, however, the Town of Truro did not. Under the operating agreement, this triggered the RECC to revise and resubmit a budget. The original budget have the municipal contributions increase to \$750K from \$600K. The revised budget reduced the municipal contribution back to \$600K. The Municipality has the contingency in the special operating reserve should the need arise. Staff will notify the Town and RECC of Council’s decision on the revised budget.

Brief discussion was held on the need to have a closer look at the RECC operating budget going forward.

Moved by Councillor Parker and seconded by Councillor Lomond

“That Council approves the adoption of the Rath Eastlink Community Centre 2023-24 revised operating budget as presented.” Carried unanimously.

**Sewer Capacity Study – Award of Contract**

*Councillors Boutilier and Patton declared a conflict of interest and recused themselves from discussion on this matter.*

A sewer capacity study is required to better understand the demands on service capacity to accommodate additional growth. With no in-house capacity for this project, an RFP was issued and three submissions were received by the deadline of June 19<sup>th</sup>. Staff reviewed the submissions, and of the three, Design Point scored the highest. The Director of Public Works provided an overview of the scoring methodology used; the project options; budget and resource implications; and options for Council consideration.

Moved by Councillor Gregory and seconded by Deputy Mayor Stewart

“That Council authorizes staff to award a contract to Design Point for capacity studies of the following: Valley/Bible Hill sewer system, Central Colchester sewage treatment plant/trunk line, Debert water system, Brookfield sewer system, Tatamagouche water system and Tatamagouche sewer system for a total contract value of \$263,297 including rebated tax.” Carried unanimously.

**¾ Ton Trucks – Award of Tender**

Ms. Boudreau indicated that this item is to award the tender for the purchase of two ¾ ton trucks for Wastewater Collection operations. Council's approved capital budget included the purchase of two new ¾ ton trucks, which are beyond the 5-year vehicle replacement schedule. The tender was advertised on the Provincial and Municipal websites, with two submissions received by the closing date. O'Regans submission was deemed to be incomplete as they did not provide trade-in values for the trucks. Hollis Ford was the low bidder and their submission was deemed to be complete. Staff is recommending that the two ¾ ton trucks be purchased from Hollis Ford, without trade-in and that the used vehicles go to Ritchie Bros Auctioneers for future disposal.

Brief discussion was held on whether minimum bids can be set through the auctioning process and the risks associated with not accepting the trade-in values as outlined in the tender submission.

Moved by Councillor Patton and seconded by Councillor Benoit

“That Council authorizes staff to purchase two ¾ ton trucks from Hollis Ford for a total financial commitment of \$143,407 excluding HST, with source of funds being the Public Works Vehicle Reserve; and,

That the two used trucks being replaced be forwarded to Ritchie Bros Auctioneers for future disposal.”

**Sustainable Services Growth Fund – Village Request**

The Interim CAO advised that the Municipality received provincial funding under the Sustainable Services Growth Fund (SSGF). The purpose of the funds is to help address Nova Scotia's growing population. The Village of Bible Hill does not receive an allocation of funds directly from the province, and similar to the Canada Community Building Fund (Gas Tax), has requested that consideration be given to sharing a portion of the funds. Staff consulted with the province and were advised that an allocation can be made to the Village, with reporting requirements to ensure accountability.

Brief discussion was held on the allocation amount being approximately 7.9%; reporting requirements; use of funds; deadline for monies to be spent; and having an agreement in place with the Village similar to the Gas Tax agreement.

Moved by Councillor Parker and seconded by Councillor Lomond

"That Council approves entering into an agreement with the Village of Bible Hill for the Sustainable Services Growth Fund allocation in the amount of \$122,069." Carried unanimously.

**Deer Management**

As per a previous directive of Council, this item provides an update on information regarding the Town of Truro's Deer Management Strategy as well as information of a potential plan to address deer management in Colchester's urban core.

Staff had extensive discussion with both the Town about their program, and the Department of Natural Resources and Renewables (DNR&R), who has jurisdiction over wildlife in the province. Details were provided on the program recently undertaken by the Town and the results thereof, as well as provincial requirements including accumulation of three years of data before a managed deer hunt can be considered.

Discussion took place on timing of undertaking this project and the possibility of a plebiscite during the next election.

Moved by Councillor Parker and seconded by Councillor Cooper

"That staff be directed to further investigate the steps and annual cost associated with gathering the necessary 3-years of data and pellet count data required before a managed deer hunt can be considered, with an aim to start data collection in the Spring of 2024." Carried unanimously.

**Tender Award – Debert Sewer and Pumping Station**

The Director of Public Works advised that this item deals with awarding the tender for the supply and installation of gravity sewer, pressure sewer, manholes and a pumping station in Debert, a project that will serve a proposed housing development on Hudson Street. The project was tendered in 2022, however, tender prices were significantly over budget, resulting in the cancellation of the tender and revising the scope of the project. A new tender was issued in 2023 with two submissions received by the June 15<sup>th</sup> closing. S.W. Weeks Construction was the low bidder. A brief recap was

provided on the financial implications, budget, and federal/provincial funding received for the project under the ICIP & PCAP funding. Funding dollars received under these programs must be spent by March 2024.

Moved by Councillor Benoit and seconded by Councillor Patton

“That the tender for the Debert Sewer and Pumping Station be awarded to S.W. Weeks Construction for a total contract amount of \$1,821,575 excluding HST; and,

That an internal contingency of \$150,000 be approved, to be spent only on authority of the Director of Public Works.” Carried unanimously.

**Kemptown Host Committee  
Reps**

Councillor Patton indicated that there are citizen rep vacancies on the Kemptown Host Committee and at a recent meeting, a suggestion was made to reach out to the Executive of the Kemptown Community Hall for expressions of interest to serve on the Committee. As a result, one name was put forward and Councillor Patton indicated that she would like to nominate Donnie MacGregor to serve as a citizen rep on the Kemptown Host Community Committee.

Moved by Councillor Patton and seconded by Councillor Lomond

“That Council appoints Donnie MacGregor to the Kemptown Host Community Citizen’s Monitoring Committee.” Carried unanimously.

**Kemptown Environmental  
Assessment**

Referring to a previously discussed business opportunity at the Kemptown Balefill site and requirements around environmental assessments taking approximately 12 plus months, Councillor Patton indicated that it would be beneficial to start the process in having an environmental assessment done to enable the Municipality to be ready for potential future business opportunities.

Moved by Councillor Patton and seconded by Councillor Lomond

“That an environmental assessment at the Kemptown waste management site be referred to staff.” Carried unanimously.

**Correspondence - ACTION**

**Cst. Terry Mosher, Truro Police**

Email to Scott Fraser dated June 9, 2023, concerning fundraising for CEC Safe Grad.

Points of discussion included making similar donations to other high schools for Safe Grad; expanding donations to all schools for end of year celebrations; mandatory municipal contributions to the province for education; considering requests on a case-by-case basis; and, requirements for requests before consideration being given.

Moved by Councillor Benoit and seconded by Councillor Patton



“That a donation be made in the amount of \$500 for CEC Safe Grad.”

*Amending Motion*

Moved by Councillor Boutilier and seconded by Councillor Cooper

“That donations in the amount of \$500 be made to the five high schools for Safe Grad.” Motion carried (Mayor Blair, Councillors MacKenzie, Patton and Benoit opposed).

The amending motion having carried, the original motion was voted on and carried with Mayor Blair and Councillor MacKenzie opposed.

**Mayor George Lloy, Town of Stewiacke**

Letter dated June 12, 2023, concerning arranging a meeting of the Joint Police Advisory Board (JPAB).

Mayor Blair suggested having a Joint Council meeting with the Town of Stewiacke rather than a JPAB. This would provide opportunity to discuss the JPAB as well as other topics such as the Library. Concern was expressed with the continued problems of establishing quorum for JPAB meetings and having a meeting won't change Council's position on reestablishing a stand-alone Board. Discussion was held on reasons for a stand-alone Board result from recommendations of the Mass Casualty Commission and the Municipality being better able to address these recommendations with a stand-alone Board; and having a joint meeting being an opportunity to maintain good relations with neighbouring municipalities.

Moved by Councillor Johnson and seconded by Councillor MacKenzie

“That Council agrees to proceed with arranging a Joint Council meeting with the Town of Stewiacke.” Motion carried (Councillors Boutilier, Cooper, Gregory and Parker opposed).

**Will Balser, Coastal Adaptation Coordinator, Ecology Action Centre**

Email to the Mayor dated June 13, 2023, concerning a joint statement on a call to release the Coastal Protection Act Regulations.

It was suggested that if any action be taken on this, it should be through NSFM.

Moved by Councillor Boutilier and seconded by Councillor Johnson

“That the email from Will Balser, Adaptation Coordinator, Ecology Action Centre, concerning a joint statement on a call to release the Coastal Protection Act Regulations be received for information.” Motion carried (Councillor Boutilier opposed).

**Jim Vance, President, CCSNS**

Email to the Mayor dated June 15, 2023, concerning the Heartland Tour's Most Active County Challenge.

Moved by Councillor Johnson and seconded by Councillor Gregory

“That the email from Jim Vance, President, CCSNS concerning the Heartland Tour’s Most Active County Challenge be received for information.” Carried unanimously.

**Paul Fisher, Middle Stewiacke Board of Stewards**

Letter dated June 6, 2023, concerning the lands of the Middle Stewiacke United Church.

A number of concerns regarding this request were expressed including processes that need to be followed before requests such as this can come before Council; timing of the letter and meeting of the congregation; consideration of such requests not being in the park strategy; and the community being divided on this matter. It was suggested that Council should not get involved in this.

Moved by Councillor Cooper and seconded by Deputy Mayor Stewart

“That the letter from Paul Fisher, Middle Stewiacke Board of Stewards concerning the lands of the Middle Stewiacke United Church be received for information.” Carried unanimously.

**Boyde Stewart, NSBGA President**

Letter dated May 29, 2023, regarding financial support/sponsorship for Brian MacLeod Memorial NS Open & ISPS Handa Canadian Open Tournaments.

Moved by Councillor Parker and seconded by Councillor Lomond

“That Council approves a \$250 hole sponsorship for the NSBGA Brian MacLeod Memorial NS Open and the ISPS Handa Canadian Open Tournaments.” Carried unanimously.

**The Honourable John Lohr, Minister of Municipal Affairs and Housing**

Letter dated June 15, 2023, regarding municipally owned, serviced land suitable for new housing development.

Moved by Councillor Boutilier and seconded by Councillor Cooper

“That a letter be written to the Honourable John Lohr, Minister of Municipal Affairs and Housing advising of key municipal properties being developed for housing.” Carried unanimously.

**Tina Gratto**

Letter and supporting documentation regarding a proposal for a permanent memorial gazebo in Portapique.

*Councillor Lomond declared a conflict of interest and recused herself from discussion on this matter.*

“That the letter and supporting documentation regarding a proposal for a permanent memorial gazebo in Portapique be referred to staff to research and bring back information to Council for consideration.” Carried unanimously.

**Alison Grant, Manager of  
Economic Development, Town of  
Truro**

Email dated June 6, 2023, requesting a letter of support for the NS Low Carbon Communities Fund application.

Moved by Councillor Boutilier and seconded by Councillor Benoit

“That Council approves a letter of support for the Town of Truro’s NS Low Carbon Communities Fund application.” Carried unanimously.

### **Correspondence - INFORMATION**

**Development Officer**

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

**Building Inspector**

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

Moved by Councillor Sandeson and seconded by Councillor Gregory

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

**Nicole Penney/ Bruce Kiley,  
NSUARB**

Email dated June 5, 2023, concerning the 2022 Municipal Boundary Review decision/Order.

Moved by Councillor Benoit and seconded by Councillor Sandeson

“That Council receives the decision/Order concerning the 2022 Municipal Boundary Review be received.” Carried unanimously

### **INFORMATION ITEMS**

**Community Trail Funding  
Program – Spring 2023  
Applications**

Four applications were received under the Community Trail Funding Program for the Summer deadline, as follows; the Cobequid Eco-Trails Society requested \$2,837, 10% of the total project cost, for maintenance of the 35km Gully Lake Hiking Trail System; Mi’kmawey Debert Cultural Centre requested \$50,000, 33% of the estimated project cost, for capital rehabilitation of the entire 4.4 km Mi’kmawey Debert Interpretative Trail; the Tatamagouche Area Trails Association requested \$5,662 for maintenance of the 25km Short Line Trail; and, the Tatamagouche Area Trails Association requested \$19,038 for capital improvements to the Short Line Trail. Staff have approved grants in the requested amounts, totalling \$77,537.

**Traffic Management Pilot Project**

This item provided an update on staff findings related to a proposed traffic management pilot project involving digital traffic speed sensor signs. More details will be provided when this project is presented as part of the Capital Budget in August or September.

**Reports from Councillors**

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

**CLOSED SESSION**

Moved by Councillor Gregory and seconded by Councillor Benoit

“That the meeting go into closed session at 9:26 pm.” Carried unanimously.

Moved by Councillor Gregory and seconded by Councillor Patton

“That the meeting reconvene in open session at 10:00 pm.” Carried unanimously.

**Negotiations – Scotia Biochar**

Moved by Councillor Sandeson and seconded by Councillor Boutilier

“That Council approves the Letter of Intent as presented in Closed Session and authorizes the Mayor and CAO to execute the documentation.” Carried unanimously.

**ADJOURNMENT**

Moved by Councillor Lomond and seconded by Councillor Gregory

“That the meeting adjourn at 10:02 pm.” Carried unanimously.

Tracey Veno  
Recording Secretary