

September 27, 2007

MUNICIPAL COUNCIL

The Regular Session of the Municipal Council of the Municipality of the County of Colchester was held in the Courthouse, Truro, N.S. on Thursday, September 27, 2007 at 7:00 p.m.

Roll Call

The roll was called with the following Councillors in attendance:

| | |
|-------------------------------------|--------------|
| Councillor Bob Taylor | District #1 |
| Councillor Bill Masters | District #2 |
| Deputy Mayor Hughie Matheson, Chair | District #3 |
| Councillor Mike Cooper | District #4 |
| Councillor Glen Edwards | District #5 |
| Councillor Ron Cavanaugh | District #6 |
| Councillor Jimmie LeFresne | District #7 |
| Councillor Bob White | District #9 |
| Councillor Doug Cooke | District #10 |
| Councillor Terri Mingo | District #11 |

Absent:

| | |
|------------------------|-------------|
| Mayor Mike Smith | |
| Councillor Soley Lynds | District #8 |

Public Hearing - Development Agreement, 640 Truro Heights Road, Truro Heights

Deputy Mayor Matheson called this public hearing to order respecting a development agreement involving an application made by James and Monica Chiasson who wish to establish an additional two - three-unit apartment buildings on a lot located at 640 Truro Heights Road.

The text for this application and a related staff report have been circulated to Council members and have been made available to the public.

The Director of Community Development, Mr. Crawford Macpherson, advised that the guidelines of the Municipal Government Act regarding advertising of the public hearing have been followed.

Deputy Mayor Matheson reminded Councillors that only those present throughout the public hearing can vote on the development agreement when it is eventually considered by Council. This public hearing is Council's opportunity to hear the application and every concern of area residents. Individual Councillors will have an opportunity to debate the merits of the development agreement when

the motion is presented to Council. Staff are present at this hearing

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to answer any technical questions that may arise as a result of the public's input.

Mr. Paul Smith, Senior Planner, provided a brief overview of this application submitted by James and Monica Chiasson. The application is for a development agreement that would allow for the establishment of two additional three-unit apartment buildings on a lot containing 2.5 acres at 640 Truro Heights Road. A single three-unit building presently on the site was subject to site plan approval in November 2006. This application is required because the zoning for this lot only allows for one main building as of right and additional buildings by development agreement. The proposed residential structures will measure 90 ft. x 34 ft, contain 3,060 sq. ft. in floor area and be identical to the building presently existing on the site. A total of 18 parking spaces are to be provided and the site will be landscaped with grass, trees and gardens and existing trees will be maintained wherever possible.

As the application is complete and the project is consistent with all objectives expressed through planning policy and the Municipality's Service Delivery Strategy, staff recommend that Council approve this development agreement.

Mr. James Chiasson - Applicant

Mr. Chiasson indicated that the first building on the lot is now complete.

Councillor Masters presented a report on behalf of the Planning Advisory Committee. At a meeting held on September 11th, the Committee agreed with staff that this proposed project makes good use of the remaining parcel of land.

Mr. Macpherson advised that one written submission was received regarding this application. The letter, dated September 17, 2007 from Todd and Bonita Mills, 634 Truro Heights Road, was read into the record. Mr. and Mrs. Mills had several concerns with this proposed development agreement, including their privacy, their well, and increased traffic and noise from the heavy trucks and equipment during construction.

Ms. Susan Melanovich

Ms. Melanovich voiced concern with how this development would affect the quality of her well water and her privacy.

Mr. Don Harvey

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Mr. Harvey asked whether there were any plans for the undeveloped lot next to 640 Truro Heights Road.

Mrs. Monica Chiasson - Applicant

Mrs. Chiasson addressed residents' concerns relating to the water table. The construction for the first building only began in November and the well was not drilled until early spring of this year.

As Chair of the Planning Advisory Committee, Councillor Masters placed the following motion on the floor:

Moved by Councillor Masters
Seconded by Councillor Cavanaugh

“That Council approves the proposed development agreement for a nine-unit apartment project with James and Monica Chiasson, owners of a property situated at 640 Truro Heights Road.”

Motion Carried Unanimously.

Deputy Mayor Matheson indicated that this is a development agreement application which does not require approval of the Minister of Service Nova Scotia and Municipal Relations. 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 local newspapers.

As there was no further business, Deputy Mayor Matheson declared the public hearing closed.

Approval of Agenda

Moved by Councillor Cooke
Seconded by Councillor Mingo

“That the agenda for September 27, 2007 be approved with the following additions/deletions:

- Add No. 14a: Community Trail Funding Program - Fall 2007 (on table)
- No. 7 - reverse staff presentations (1) Bible Hill Village Centre Plan (2) Update on Colchester Arenas
- Delete No. 9 - Signage on Highway 289”

Motion Carried Unanimously.

Approval of Minutes

Moved by Councillor Taylor
Seconded by Councillor White

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“That the minutes of meetings held on August 16 and 30, 2007 be approved as circulated.”

Motion Carried Unanimously.

**Business Arising
from Minutes**

Referring to Page 2007-50, under Correspondence, Councillor Taylor requested that staff confirm whether Caldwell Roach and/or Fulton Insurance Agencies had submitted a Request for Proposals for insurance broker services for the County fire brigades.

Presentations

Mr. John Wheatley and Mr. Rod Forter, Tidal Electric Canada

Tidal Electric Canada indicated that the purpose of this presentation was to introduce the Company, explain their new approach to tidal power generation, including the environmental issues and economic impact of such a project, and next steps. The areas in Colchester County that would be involved in this project would be the Bay of Fundy and Minas Basin. Tidal Electric has been working with the Province over the last two or three years on this project.

Tidal Electric stated that this project is just in the developmental phase at this point. The proposed approach involves the construction of an offshore lagoon in fairly shallow water and close to shore. The water flow going in and out of the basin would be used to generate power. The estimated cost to build a 300 mega-watt plant for this project would be \$1 billion with a workforce of 1,000 people for four years.

Moved by Councillor Taylor
Seconded by Councillor Masters

“That the presentation from Tidal Electric Canada be received.”

Motion Carried Unanimously.

S/Sgt. Jeff Christie and Sgt. Dave Darrah, RCMP, Colchester District

S/Sgt. Christie indicated that he is taking over from S/Sgt. Hugh Walker who has transferred to the traffic division.

S/Sgt. Christie briefed Council on a policing review that the Province is undertaking, the contract for which is due to expire in 2012. As part of this review, the Province will be looking at the different policing models. The County should soon be receiving a survey relating to this

review from the Department of Justice. A decision will be made in the next 12-18 months about whether or not there will be a change in policing models.

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S/Sgt. Christie also made reference to the drug bust that had just taken place in Truro and surrounding area. This takedown had been the result of an ongoing investigation over the last three or four years.

Regarding vacancies, S/Sgt. Christie reported that there are two Corporal positions vacant in Stewiacke and Bible Hill. They expect the position in Bible Hill should be filled within four to eight weeks. The Stewiacke position is going through a promotional process so it should take no less than six months. The RCMP will also be getting another two positions to serve as school safety liaison officers. The Street Crime Unit involving the RCMP and the Truro Police will be increasing by four positions.

Moved by Councillor Edwards
Seconded by Councillor White

“That the presentation from the RCMP, Colchester District, be received.”

Motion Carried Unanimously.

Staff Presentations

Bible Hill Village Centre Plan - Crawford Macpherson, Director of Community Development

Mr. Macpherson introduced Mr. Rob LeBlanc, Ekistics Planning and Design. Mr. LeBlanc’s firm was hired to design a core area plan for the Village of Bible Hill. One of the real growth opportunities for Bible Hill involves a large parcel of land, approximately 320 acres, in the geographic centre of the community. The parcel is bisected by Farnham Brook and is bounded by Brookside Road to the north, Vimy Road to the west, Pictou Road to the south and the Nova Scotia Agricultural College lands to the east. A copy of the Plan was circulated to Council members prior to this evening’s meeting.

Highlights of the Plan include:

- improved transportation links such as the extension of Farnham Road and a connection to an interchange on Highway #104;
- concentration of new commercial activity at one location rather than spreading along Pictou Road;
- higher density residential development to support commercial space and increased open space;
- improved linkage to Agritech Park.

Upon completion of the presentation, staff were directed to bring this forward at a future Council Committee meeting with recommendations on next steps required to implement the Plan.

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Moved by Councillor Mingo
Seconded by Councillor Taylor

“That the presentation on the Bible Hill Village Centre Plan be received and referred to Council Committee.”

Motion Carried Unanimously.

At this point in the meeting, Councillor Mingo left the meeting and did not return.

Update on Colchester Arenas - Ramesh Ummat,
Director of Public Works

In his powerpoint presentation, Mr. Ummat provided a report on the structural audit and current status of the three arenas in Colchester County.

The conclusions and recommendations in the final reports received from C.J. MacLellan in June 2007 suggested a significant variation from the original recommendations of YMCL Engineering, both in terms of structural stability as well as cost implications:

| | | |
|------------------------|--------------------------|-----------|
| Brookfield Sportsplex: | YMCL | \$675,000 |
| | C.J. MacLellan | \$ 20,000 |
| | Present anticipated cost | \$ 10,500 |
| West Colchester Arena: | YMCL | \$440,000 |
| | C.J. MacLellan | \$ 30,000 |
| | Present anticipated cost | \$ 10,500 |
| North Shore Arena | YMCL | \$623,000 |
| | C.J. MacLellan | \$175,000 |
| | Present anticipated cost | \$164,000 |

Following a brief discussion on the variation in costs between the two reports, staff were directed to bring this matter forward at a future Committee meeting with a recommendation on what, if any, action should be taken against YMCL Engineering.

**Standing Committee
Report and
Recommendations**

Councillor LeFresne presented the report from a Council Committee meeting held on September 13, 2007:

**Elimination of
Phone Lines for
Primary Paging of
Colchester**

Moved by Councillor LeFresne
Seconded by Councillor White

“That Council approves that staff prepare and issue a tender for the

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Firefighters

necessary new equipment, reprogramming of existing equipment and reprogramming or purchase of new pagers that will allow the Bass River, Bible Hill, Brookfield, Cobequid, Debert, Economy, Five Islands, Great Village, Hilden, North River, Onslow-Belmont, Salmon River, Stewiacke, Tatamagouche, Upper Stewiacke, and Valley-Kemptown Fire Brigades and the Special Hazard Response Unit to receive an over-the-air page as their primary means of paging; and,

That Council approves that staff include in the above tender the necessary upgrades and maintenance of the Harmony, Birch Hill and Stewart Hill tower site.”

Motion Carried Unanimously.

**Loan Guarantee -
Salmon River Fire
Brigade**

Conflict of Interest

Councillor Masters declared a conflict of interest on this matter and removed himself from the table.

Moved by Councillor LeFresne
Seconded by Councillor Edwards

“That Council approves that the Municipality of the County of Colchester provide a “letter of intent” in support of the loan of \$400,000 for the Salmon River Fire Brigade for replacement of a fire rescue and equipment truck and in the event that this is not satisfactory to the lending institution, that the Municipality provide a loan guarantee for this amount.”

Motion Carried Unanimously.

At this point, Councillor Masters returned to the table.

**Executive and Audit
Committee**

There was no business arising from the minutes of the Executive and Audit Committee meeting held on September 13, 2007.

**Planning Advisory
Committee**

Councillor Masters presented the report from the Planning Advisory Committee meeting held on September 11, 2007.

**Nominating
Committee**

Deputy Mayor Matheson presented the report from the Nominating Committee meeting held earlier this evening. The following appointments were made:

Police Advisory Committee

Citizen Representatives - Douglas Baird and Marian McDonald
Council Representatives - Councillors Terri Mingo and Bob Taylor

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Citizens' Monitoring Committee

Member at Large Representative - Robert Gunderson

ACTION ITEMS

Signing Authority

Moved by Councillor Cavanaugh
Seconded by Councillor LeFresne

“That Council designate Mr. Crawford Macpherson, Director of Community Development, as the signing authority for the contract with Valley Communication Inc.; the deed between the Municipality and Ronal Graham Pulp Contractor Ltd.; and the tax sale deeds for the Eagles and McBurnie properties.”

Motion Carried Unanimously.

**Art Selection
Committee**

Moved by Councillor Masters
Seconded by Councillor Edwards

“That Councillor LeFresne and Councillor Cavanaugh be appointed to serve on the Art Selection Committee for the Municipality of the County of Colchester's Art Selection Program for 2007.”

Motion Carried Unanimously.

**Highway 2 North,
Brookfield**

Councillor LeFresne assumed the position of Chair for this item and the following item concerning 8 Hillcrest Drive, Brookfield.

Deputy Mayor Matheson indicated that he had asked that this issue be put on the agenda for this evening's meeting. He felt that the information provided to Council on Highway 2 North did not flow in a continuous manner. Therefore, he would like to meet with staff to put together a presentation for October Committee to see if the information can be provided in a better way and the situation finalized.

Moved by Deputy Mayor Matheson
Seconded by Councillor Cavanaugh

“That the issue of extending sewer services to Highway 2 North be referred to October Council Committee.”

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Motion Carried Unanimously.

In preparation for the October meeting, Council requested the following information be provided:

- condition of existing onsite septic systems
- copy of staff presentation from Ratepayers' meeting held on September 6th
- lot sizes on Highway 2 North

**8 Hillcrest Drive,
Brookfield**

Deputy Mayor Matheson indicated that Sharon Dartt, owner of property located at 8 Hillcrest Drive in Brookfield had emailed the County twice requesting that her property be part of the sewer extension project. Mrs. Dartt was one of the original complainants back in 2001. Deputy Mayor Matheson made reference to a letter on table addressed to him from the Department of Environment and Labour regarding the sewage problem at 8 Hillcrest Drive.

Deputy Mayor Matheson requested that Council instruct staff to provide a hookup to the sewer extension at 8 Hillcrest Drive.

During Council debate on this issue, it was recommended that this matter be referred to October Council Committee along with Highway 2 North in order to obtain additional information. Specifically, members are requesting that it be confirmed whether or not 8 Hillcrest Drive was on the original list of residences to be included in the sewer extension project.

It was noted that the letter from the Department of Environment and Labour referred to Mrs. Dartt's property as 10 Hillcrest Drive rather than 8 Hillcrest Drive; therefore, it was suggested that this letter be referred rather than the issue.

Moved by Deputy Mayor Matheson
Seconded by Councillor Cavanaugh

“That the letter from the Department of Environment and Labour dated September 17, 2007 regarding a sewage problem at 10 Hillcrest Drive be referred to October Council Committee.”

Motion Carried Unanimously.

At this point, Deputy Mayor Matheson resumed the position as Chair.

Correspondence

Council requested the following 'Correspondence' items be moved from Information to Action:

- No. 2: letter dated August 31, 2007 from Canadian Federation

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- of Independent Business regarding a federal/provincial program known as BizPal
- letter dated September 20, 2007 from Village of Bible Hill regarding Phase 3 of Bible Hill Water Distribution System

ACTION

Honourable Diane Finley, Minister of Citizenship & Immigration

A copy of a letter dated August 27, 2007 from the **Honourable Diane Finley, Minister of Citizenship and Immigration**, requesting that October 15-21, 2007 be proclaimed Citizenship Week.

Moved by Councillor Edwards
Seconded by Councillor Taylor

“That the week of October 15-21, 2007 be proclaimed Citizenship Week in Colchester County.”

Motion Carried Unanimously.

David Lilly, President, Comfort Smart Homes

A letter to Mayor Smith and Council received September 10, 2007 from **David Lilly, President, Comfort Smart Homes**, regarding properties at 65 and 66 Anita Crescent, Truro Heights and a request to extend the current agreement with the County.

During discussion on this request, Council felt that Comfort Smart Homes had reached an agreement with the Municipality prior to purchasing these properties, to bring these buildings into compliance with the Land Use By-law by May 31, 2007. Therefore, it was recommended that the request to extend the current agreement be denied and the letter from Comfort Smart Homes be received for information.

Moved by Councillor LeFresne
Seconded by Councillor Masters

“That the letter from Comfort Smart Homes regarding properties at 65 and 66 Anita Crescent, Truro Heights, be received for information.”

Motion Carried Unanimously.

Dave Annis and Colin Fowlie, Ocean Links Holding Inc.

A letter to Council dated September 17, 2007 from **Dave Annis and Colin Fowlie, Ocean Links Holding Inc.**, requesting a letter of support to access provincial funding for a community sewage system.

Moved by Councillor Cavanaugh
Seconded by Councillor Masters

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“That the letter from Ocean Links Holding Inc. requesting a letter of support to access provincial funding for a community sewage system be received for information purposes.”

Motion Carried Unanimously.

**J.A. Lepper, J.
Lepper Engineering**

A letter to Council dated September 25, 2007 from **J.A. Lepper, J. Lepper Engineering**, requesting a rezoning of property from R2 to R1.

Moved by Councillor Cavanaugh
Seconded by Councillor Masters

“That the letter from J. Lepper Engineering requesting a rezoning of property from R2 to R1 be referred to the Planning Advisory Committee.”

Motion Carried Unanimously.

**Leanne Hachey, Vice
President, Atlantic,
Canadian
Federation of
Independent
Business**

A letter to Mayor Smith dated August 31, 2007 from **Leanne Hachey, Vice President, Atlantic, Canadian Federation of Independent Business**, regarding a federal/provincial program known as BizPal.

Moved by Councillor Taylor
Seconded by Councillor Cooke

“That the Canadian Federation of Independent Business be invited to make a presentation to Council on the BizPal Program.”

Motion Carried Unanimously.

**Christine Blair,
Chairwoman,
Village of Bible Hill**

A letter to Mayor Smith and Council dated September 20, 2007 from **Christine Blair, Chairwoman, Village of Bible Hill**, regarding Phase 3 of the Bible Hill Water Distribution System.

Councillor Taylor reported on a meeting he attended this week of the Joint Steering Committee for the Bible Hill Water Distribution System project. It looks like the applications for these projects are going forward to the Municipal Rural Infrastructure Fund; however, the projects may be spread over a two-year period.

INFORMATION

**Gord Steeves,
President, FCM and
Sam Synard, Chair,**

A letter to Mayor Smith dated August 27, 2007 from **Gord Steeves, President, FCM and Sam Synard, Chair, Green Municipal Fund Council**, enclosing the 2006-07 Green Municipal Fund Annual

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**Green Municipal
Fund Council**

Report. Council agreed to receive this letter for information purposes.

**Union of N.S.
Municipalities**

A copy of an E-News Flash from the **Union of Nova Scotia Municipalities**, regarding the UNSM Board meeting outcomes from a meeting held on August 29, 2007. Council agreed to receive this correspondence for information purposes.

**Lyle Goldberg,
Policy Analyst,
Union of N.S.
Municipalities**

A copy of an email dated September 7, 2007 from **Lyle Goldberg, Policy Analyst, Union of Nova Scotia Municipalities**, regarding public consultations on the Province's technical safety legislation. Council agreed to receive this email for information purposes.

**Union of N.S.
Municipalities**

A copy of an email dated September 7, 2007 from the **Union of Nova Scotia Municipalities**, regarding a report of the 2007-08 Nominating Committee. Council agreed to receive this email for information purposes.

**Union of N.S.
Municipalities**

A copy of an E-News Bulletin for September from the **Union of Nova Scotia Municipalities**. Council agreed to receive this correspondence for information purposes.

**Union of N.S.
Municipalities**

A copy of a Green E-News Flash from the **Union of Nova Scotia Municipalities**, regarding a new municipal sustainability office website. Council agreed to receive this correspondence for information purposes.

**Jamie Muir, Service
N.S. & Municipal
Relations**

A letter to Mayor Smith and Council dated September 13, 2007 from **Jamie Muir, Service Nova Scotia and Municipal Relations**, regarding a recent visit to Colchester County and a meeting with Colchester Council. Council agreed to receive this letter for information purposes.

**Sharon Dartt,
Brookfield**

An email dated September 17, 2007 from **Sharon Dartt, Brookfield**, requesting a hookup to the Brookfield sewer system and a response from the Director of Community Development dated September 17, 2007. Council agreed to receive this correspondence for information purposes.

**John Cianfaglione,
Communications
Coordinator,
Offshore Energy
Research**

A copy of an email dated September 19, 2007 from **John Cianfaglione, Communications Coordinator, Offshore Energy Research Association**, attaching the Fundy Tidal Energy Strategic Environmental Assessment Newsletter. Council agreed to receive this letter for information purposes.

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Association

Building Inspector

A copy of the Building Permit Statistics for the month of August 2007 received from the **Building Inspector**. Council agreed to receive this report for information purposes.

Development Officer

A copy of the Development Activity Report for the month of August 2007 received from the **Development Officer**. Council agreed to receive this report for information purposes.

Peter Nelson, Truro

An email to Mayor Smith dated September 24, 2007 from **Peter Nelson, Truro**, regarding support for Scotia Pool. Council agreed to receive this email for information purposes.

**INFORMATION
ITEMS**

**Community Trail
Funding Program -
Fall 2007 Grants**

In 2005, Council approved the adoption of the Municipal Funding for Community Trails Policy and an annual allocation of \$50,000 maintenance and capital funding for community trails. Two new applications were received as a result of a second call for submissions; one from the Cobequid Eco-Trails Society for \$5,130 and a second from the Colchester Trails Association for \$9,000 for a total of \$14,130.

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

Councillor White reported on a CoRDA meeting he attended on September 26, 2007.

Councillor LeFresne reported that he is still waiting for the Utility and Review Board decision on the new water rates for the Tatamagouche Water Utility.

Councillor Cooper reported that the tender for the new school in East Stewiacke has been awarded to Avondale Construction for just over \$7 million.

Councillor Cooper reported that he and the Mayor for the Town of Stewiacke have been invited to a meeting on October 10th regarding the St. Andrews Watershed. This meeting is being called by the Citizens' Coalition in the watershed area.

Councillor Cavanaugh reported that North River now has a new school and that residents seem quite happy with it.

Councillor Cavanaugh reported that the Flood Advisory Committee had a meeting on September 25th. The Committee will be looking at

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seven applications.

Councillor Cavanaugh reported on a meeting held last evening on the proposed windpower project for the Nuttby area. There were about 50 people in attendance.

Recess

Council agreed to recess to an in-camera session at 11:05 p.m. and reconvened in open session at 11:15 p.m.

Adjournment

Moved by Councillor Edwards
Seconded by Councillor Cavanaugh

“That the meeting be adjourned at 11:25 p.m.”

Motion Carried Unanimously.

Sheila Arsenault
Recording Secretary