

February 25, 2010

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, February 25, 2010 at 7:00 p.m.

Roll Call

The roll was called with the following Councillors in attendance:

Mayor Bob Taylor, Chair	
Councillor Christine Blair	District #1
Councillor Bill Masters	District #2
Councillor Gerald Buott	District #3
Councillor Mike Cooper	District #4
Councillor Glen Edwards	District #5
Councillor Karen MacKenzie	District #6
Councillor Jimmie LeFresne	District #7
Deputy Mayor Ron Cavanaugh	District #8
Councillor Tom Taggart	District #10
Councillor Earl McKenna	District #11

Absent:

Councillor White	District #9
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**Public Hearing -
Land Use Zoning
Map Amendment
Application - Village
Line Avenue, Bible
Hill and Valley**

Conflict of Interest

Councillor Edwards and Councillor MacKenzie both declared a conflict of interest with regard to this hearing and removed themselves from the table.

Mayor Taylor called the public hearing to order respecting an application for a development agreement made by Dana MacCoul for a proposed rezoning of two vacant lots on Village Line Avenue from R-2C, Residential Double Dwelling Unit Conversion to R-2, Residential Double Dwelling Unit. The text for this application and a related staff report have been circulated to Council members and have been made available to the public.

Mr. Dan McDougall, Chief Administrative Officer, advised that the guidelines of the Municipal Government Act regarding advertising of the public hearing have been followed.

Mayor Taylor reminded Councillors that only those Councillors present throughout the public hearing can vote on the rezoning when it is eventually considered by Council. The 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 rezoning when the motion is presented to Council. Staff are present at this hearing to answer any technical

questions that may arise as a result of the public's input.

Ms. Pam Macintosh, Municipal Planner, provided a brief overview of the application. The purpose for the rezoning of the two lots, 1021 and 1022, is to allow for the construction of single level duplexes on each lot. Sale of these lots for single unit use has not been successful since their creation in 2006. Lot 1021 is located in Valley and Lot 1022 is partially in Bible Hill and in Valley. The deeded drainage easement will remain undisturbed on Lot 1022 which is necessary as part of the stormwater management plan.

Ms. Macintosh indicated that the proposed rezoning is complete and properly before Council. The policy criteria has been satisfactorily addressed and staff therefore recommend that Council approve the rezoning request.

During Ms. Macintosh's presentation, concerns were raised by members of Council regarding the water problem on Pictou Road. Councillor Blair indicated that in order to alleviate this situation, she feels the drains should be cleaned out and working properly before the new development is put in place. The existing drainage easement would then be undisturbed.

Dana MacCoul - Applicant

Mr. MacCoul indicated he has a vested interest in seeing that the duplexes on these two lots are quality development. Although the R-2 would permit mini-homes, he would not put them on these lots. If the rezoning request is approved and he decides to sell the properties, he has the final word on what is built there. As far as the water is concerned, Mr. MacCoul stated that he grew up in this area and feels that the water situation on Pictou Road will always be there no matter what is built. Mr. MacCoul feels that this development will increase the value of the existing homes in the neighbourhood.

Councillor Masters presented a brief report on behalf of the Planning Advisory Committee. The Committee reviewed this application at a meeting held on February 9th at which time, it was agreed that the application, as presented, go forward to Council for recommended approval.

Mr. McDougall reported that the following three letters had been received regarding this application, portions of which were read into the record:

1. Letter dated February 15, 2010 from Terry Walker, 61 Alice Street, Truro
2. Email dated February 23, 2010 from the Village of Bible Hill
3. Letter dated February 23, 2010 from McLellan, Richards &

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Bégin representing property owners in MacCoul Subdivision
(Lots 1002 to 1028)

Willis Belliveau, 402 Pictou Road

Mr. Belliveau indicated that he is not opposed to this development but before issuing any permits, he would like to see the water issue resolved. There has to be some kind of ditching put in so the water can drain off.

Mr. Jeff Barry, Austin Avenue

Mr. Barry indicated that he purchased a property from Mr. MacCoul and is one of the 16 property owners referred to in the correspondence from McLellan, Richards & Bégin. As mentioned in the letter,

Mr. Barry would like to see a continuance to allow time for an agreement to be worked out between Mr. MacCoul and the existing residential property owners in the subdivision. Mr. Barry also had concerns with the duplexes not being maintained properly, decreased property value and increased traffic.

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

Moved by Councillor Masters
Seconded by Councillor Taggart

“That Council approves the amendment of the land use zoning map for Lot 1021 and Lot 1022 from R-2C, Residential Double Dwelling Unit Conversion to R-2, Residential Double Dwelling Unit.”

Motion Carried. *(Councillor McKenna opposed)*

Mayor Taylor indicated that this is a rezoning 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 the local newspaper.

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

At this point in the meeting, Councillor Edwards and Councillor MacKenzie returned to the table.

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Agreement - Cullip Holdings Ltd., 13421 Highway 2, Onslow

Ltd. for a proposed development agreement for the establishment of four (4), three (3) unit apartment buildings and one (1) duplex on a lot containing two existing single unit dwellings which will remain as rental units plus an existing accessory building.

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. McDougall advised that the guidelines of the Municipal Government Act regarding advertising of the public hearing have been followed.

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

Ms. Macintosh provided a brief overview of the application. Each proposed townhouse complex will be 46' x 75' with the lot area being 1.89 acres in size. The duplex will be 30' x 57'. A total of 25 parking spaces are to be provided for all the buildings. In total, 16 units will be created. Storm water management, buffering and other considerations have been satisfactorily addressed.

Ms. Macintosh reported that she had received one email and two phone calls and other than a few minor concerns, all were very supportive of this application.

Ms. Macintosh indicated that the proposed development agreement is consistent with policies and objectives outlined in the Municipal Planning Strategy and is properly before Council. The policy criteria has been satisfactorily addressed and staff therefore recommend that Council approve this request.

During Ms. Macintosh's presentation, it was noted that Councillor Taggart left the meeting at 8:52 p.m. and returned at 8:55 p.m.; therefore, Councillor Taggart was not eligible to vote on any motions at this public hearing.

Marianne Cullip, Applicant

Mrs. Cullip indicated that she has lived in the Central Onslow area all her childhood life and a sense of community is very important to her. It is her personal goal to foster community spirit with this development.

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Councillor Masters presented a brief report on behalf of the Planning Advisory Committee. The Committee reviewed this application at a meeting held on February 9th at which time, it was agreed that the application, as presented, go forward to Council for recommended approval.

Mr. McDougall advised that one written submission dated February 23, 2010 from Mr. Eric Johnson was received regarding this application. The content of this letter were read into the record.

There were no other members of the public who wished to address Council concerning this application.

Councillor Masters placed the following motion on the floor:

Moved by Councillor Masters
Seconded by Councillor Buott

“That Council approves the Municipality of Colchester entering into a development agreement with Cullip Holdings Ltd. that would allow for the establishment of four (4), three (3) unit apartment buildings and one (1) duplex on a lot containing two existing single unit dwellings, which will remain as rental units plus an existing accessory building.”

Motion Carried Unanimously.

Mayor Taylor 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 the local newspaper.

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

Approval of Agenda

Moved by Councillor McKenna
Seconded by Councillor Cooper

“That the agenda for February 25, 2010 be approved with the following amendments:

- add #10b: Drainage Ditch
- add #10c: Truro and District Chamber of Commerce

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- add #10e: Tatamagouche Water Utility - Water Extensions (on table)
- add to #13, In-Camera: Executive and Audit Committee - minutes from meetings held on January 28 and February 11, 2010.”

Motion Carried Unanimously.

Approval of Minutes

Moved by Councillor McKenna
Seconded by Councillor Edwards

“That the minutes of the meeting held on January 28, 2010 be approved as circulated.”

Motion Carried Unanimously.

Business Arising from Minutes

There was no business arising from the minutes of the meeting of January 28, 2010.

Presentations

There were no public presentations received for this evening’s meeting.

Standing Committee Reports and Recommendations

Deputy Mayor Cavanaugh presented the report from the Council Committee meeting held on February 11, 2010:

Development of Municipal Regional Parks

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor McKenna

“That Council authorizes approval of the conceptual plan for regional parks improvements, as outlined in a staff presentation on February 11, 2010.”

Motion Carried Unanimously.

Proposed Staffing and Responsibility Changes in Park Maintenance and Development

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor McKenna

“That Council approves the implementation of the following staffing and responsibility changes in park maintenance and development in the 2010-11 season:

- a) the term position, Nelson Park Manager, be changed to Recreation Site Supervisor, with a term of April 1 to December 15 annually;
- b) the lawn mowing responsibilities at Stewiacke River Park be assigned to in-house resources and the maintenance arrangement with the Brookfield Sportsplex be terminated; and,
- c) the funds used for lawn mowing at Stewiacke River Park be

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reallocated for a six-month summer term to support the continued development of parks and trails.”

Motion Carried Unanimously.

Low Income Tax Exemption Policy

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Blair

“That Council approves the following amendments to the Low Income Tax Exemption Policy effective April 1, 2010:

- an increase of 10% to the income levels; and,
- an increase to the exemption amount based on the Consumers’ Price Index for the last three years (2007 - 1.8%, 2008 - 3.0%, 2009 - 0%).”

Motion Carried Unanimously.

Tax Exemption By-law - Amendment to Tax Exemption Property List

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Taggart

“That Council approves the addition of the Canadian Red Cross, located at 139 Truro Heights Road, to the Tax Exemption Property List, as attached to the Tax Exemption By-law for fiscal year 2009-10 and beyond.”

Motion Carried Unanimously.

Property Tax Write-Offs

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor LeFresne

“That Council approves that property taxes and interest totalling \$6,397.28 and Tatamagouche Water Utility billings totalling \$285.50, as detailed on the attached listings to an Action Item dated February 11, 2010, be written off.”

Motion Carried Unanimously.

Executive and Audit Committee

There was no business arising from the minutes of meetings held on January 28 and February 11, 2010.

Planning Advisory Committee

There was no business arising from the report from a meeting held on February 9, 2010 other than what was mentioned earlier in the evening for the public hearings.

Nominating Committee

Deputy Mayor Cavanaugh presented the report from the Nominating Committee meeting held earlier this evening:

Appointment to

Moved by Deputy Mayor Cavanaugh

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**Cobequid Housing
Authority Board**

Seconded by Councillor Masters

“That Council approves the appointment of Ms. Lynn Strong to the Cobequid Housing Authority Board for a three-year term beginning March 1, 2010.”

Motion Carried Unanimously.

ACTION ITEMS

**False Alarm By-law -
Second Reading**

Moved by Councillor LeFresne
Seconded by Councillor Cooper

“That Council hereby approves by way of Second Reading, Chapter 10-False Alarm By-law as presented; and,

That Council hereby approves that, in accordance with Section 12(b) for a first occurrence of a False Alarm, the Notice shall be marked as a warning and, in accordance with Section 12(c) and Section 13, the fees be set at \$150.00 for a first occurrence, \$175.00 for a second occurrence, and \$200.00 for a third and subsequent occurrence as authorized by Section 13 of Chapter 10 - False Alarm By-law of the Municipality of the County of Colchester.”

Motion Carried Unanimously.

**2010-11 Operating
Budget Meeting
Schedule**

Moved by Councillor Blair
Seconded by Councillor Buott

“That Council approves Thursday, March 18, 2010 at 7:00 p.m. as the date and time for the initial Council budget meeting and Wednesday, March 24, 2010 at 5:30 p.m. for the Council meeting to discuss additions/deletions to the 2010-11 operating budget.”

Motion Carried Unanimously.

**Extension of Sewer
Service Boundary -
Upper Onslow**

Moved by Councillor McKenna
Seconded by Deputy Mayor Cavanaugh

“That Council authorizes the records be corrected to reflect the approved change in sewer serviced boundary in Upper Onslow from 219 Meeting House Road to 95 Board Landing Road.”

Motion Carried Unanimously.

Drainage Ditch

Referring to the public hearing held earlier in the evening, Councillor Masters requested that staff look into the drainage ditch issue in the Pictou Road area.

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Moved by Councillor Masters
Seconded by Councillor Blair

“That Council instruct staff to look into the drainage ditch issue originating from Valley and going behind established lots on Pictou Road and the newer subdivisions in the area, and report back to Council with recommendations.”

Motion Carried Unanimously.

**Truro and District
Chamber of
Commerce**

Moved by Councillor Taggart
Seconded by Councillor McKenna

“That a letter be sent to Chantale Hache congratulating her on her appointment as President of the Truro and District Chamber of Commerce.”

Motion Carried Unanimously.

**Tatamagouche
Water Utility -
Water Extension**

Moved by Councillor LeFresne
Seconded by Councillor Buott

“That Council gives Council Committee the authority to make a final decision on recommendations coming from the Tatamagouche Water Utility Committee at a meeting to be scheduled prior to the Council Committee meeting on March 11, 2010.”

Motion Carried Unanimously.

Correspondence

ACTION

**Wayne Stillman,
Stillman on Site Inc.**

A letter to the County dated January 29, 2010 from **Wayne Stillman, Stillman on Site Inc.**, requesting approval for a sewer boundary extension in Brookfield.

Moved by Councillor LeFresne
Seconded by Councillor Buott

“That the letter from Stillman on Site Inc. requesting approval for a sewer boundary extension in Brookfield be referred to Council Committee.”

Motion Carried Unanimously.

**Andrew Williams,
Chair, CUFC9**

A letter to the CAO dated January 2010 from **Andrew Williams, Chair, CUFC9 Sponsorship and Trade Show Committee,**

**Sponsorship &
Trade Show
Committee**

requesting financial support for an Urban Forest Conference.

Moved by Councillor Edwards
Seconded by Councillor McKenna

“That the letter from the CUFC9 Sponsorship and Trade Show Committee requesting financial support for an Urban Forest Conference be referred to Council Committee.”

Motion Carried Unanimously.

**Ericka Wicks,
CoRDA**

A letter to the Mayor dated February 1, 2010 from **Ericka Wicks, Colchester Regional Development Agency**, requesting financial support for the 2010 Woodland Conference.

Moved by Councillor McKenna
Seconded by Councillor Cooper

“That the letter from the Colchester Regional Development Agency requesting financial support for the 2010 Woodland Conference be referred to Council Committee.”

Motion Carried Unanimously.

**Sharon McLean,
Chair, Village of
Bible Hill**

A letter to the Mayor dated February 10, 2010 from **Sharon McLean, Chair, Village of Bible Hill**, requesting a guarantee for debenture for a sanitary and storm sewer realignment project.

Moved by Councillor Blair
Seconded by Councillor McKenna

“That the letter from the Village of Bible Hill requesting a guarantee for debenture for a sanitary and storm sewer realignment project be referred to March Council Committee; and,

That March Council Committee be given authority to make a final decision.”

Motion Carried Unanimously.

**Canadian Red Cross,
Colchester County**

A request received from the **Canadian Red Cross, Colchester County**, requesting that March be proclaimed Red Cross Month.

Moved by Councillor Cooper

Seconded by Councillor McKenna

“That March 2010 be proclaimed Red Cross Month in Colchester County.”

Motion Carried Unanimously.

INFORMATION

Building Inspector

A copy of the Building Permit Statistics Report received from the **Building Inspector** for the month of January 2010. Council agreed to receive this report for information purposes.

Development Officer

A copy of the Development Activity Report received from the **Development Officer** for the month of January 2010. Council agreed to receive this report for information purposes.

Reports from Councillors Appointed to Outside Boards and Agencies

Councillor Blair reported that the next Police Advisory Board meeting will be held on April 19, 2010. The RCMP are holding their annual community meetings, most recently in Bible Hill on February 22nd and another one in Tatamagouche this coming week. Councillor Blair also reported that the next meeting of the Community Advisory Committee for the Hospital will be held on March 2nd.

Councillor Masters reported that CoRDA Executive Committee have made their annual presentation on their new business plan to the Town of Truro last week and will be making a similar presentation to the County Council the end of March. Councillor Masters also reported that he had recently attended the Civic Centre Fundraising Committee meeting.

Councillor Buott reported that he had attended the Resource Recovery Fund Board (RRFB) meeting last week. Municipalities will be receiving less money from the RRFB in the future as the Province is taking 15% rather than 10%. A new Northern Region Inter-municipal Agreement has been drafted and will be presented at March Council Committee.

Councillor Cooper reported that he and the Mayor had attended the Upper Stewiacke Fire Brigade annual banquet. Councillor Cooper also reported that he had attended the annual general meeting of the Upper Stewiacke Co-op.

Councillor Edwards reported that he had a meeting with his RCMP contact last week. Councillor Edwards also reported that he had attended a meeting last Monday where the Minister of Finance, Graham Steele, was the guest speaker.

Councillor LeFresne reported that a meeting of the Library

Committee was held this past Monday. The Committee will begin a fundraising campaign on March 1st.

Deputy Mayor Cavanaugh reported that he had attended the North River Fire Brigade annual banquet on February 6, the PAC meeting on February 9th, and a Flood Advisory Committee meeting on February 17th. Deputy Mayor Cavanaugh also reported that he and the Mayor had toured various locations in Bible Hill and Murray Siding on flooding issues.

Councillor Taggart reported that he will be attending the RCMP community meeting in Bass River next Wednesday night. The Bass River Elementary School Committee has made a recommendation to the School Board that the school remain open for two additional years. Councillor Taggart also reported that he had attended the opening of Family Literacy Day a couple of weeks ago as well as attending the Truro and District Chamber of Commerce annual meeting earlier today.

Councillor McKenna reported that he had attended the Valley-Kemptown Fire Brigade annual banquet last Saturday evening. The Lawn Bowling Committee meeting that was scheduled for February 15th was cancelled.

Mayor Taylor provided his report to Council on meetings and events he had attended in late January and most of February. A copy of the Mayor's report was circulated on table.

Recess

Moved by Councillor McKenna
Seconded by Councillor Buott

“That the meeting recess to an in-camera session at 10:08 p.m.”

Motion Carried Unanimously.

Moved by Councillor McKenna
Seconded by Deputy Mayor Cavanaugh

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

Motion Carried Unanimously.

**Request for
Proposals for
Garbage Collection**

Moved by Councillor Masters
Seconded by Councillor Buott

“That Council gives March Council Committee the authority to make a final decision on the award of the Request for Proposals for garbage collection.”

Motion Carried Unanimously.

Adjournment

Moved by Councillor McKenna
Seconded by Deputy Mayor Cavanaugh

“That the meeting be adjourned at 10:20 p.m.”

Motion Carried Unanimously.

Sheila Arsenault
Recording Secretary