

August 26, 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, August 26, 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 Bob White	District #9 (arrived at 7:30 p.m.)
Councillor Tom Taggart	District #10
Councillor Earl McKenna	District #11

Public Hearing - Land Use By-law Zoning Map Amendment - Pictou Road, Bible Hill

Mayor Taylor called the public hearing to order respecting an application for a rezoning by Gwen Gero to rezone Lot 10-1A (PID #20459343), Pictou Road, from R-2C, Residential Double Dwelling Unit Conversion to R-2, Residential Double Dwelling Unit and a further request by staff to rezone six additional properties on Pictou Road from R-2C, Residential Double Dwelling Unit Conversion to R-2, Residential Double Dwelling Unit.

All property owners have been informed of this proposal and have had opportunity to discuss the impacts. 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. Bruce Purchase, Director of Corporate Services, advised that the guidelines of the Municipal Government Act regarding advertising of the public hearing had been followed.

Mayor Taylor reminded Councillors that only those present throughout the public hearing can vote on the rezoning 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 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

August 26, 2010

the application. The application was originally submitted to rezone a specific property located on Pictou Road in Bible Hill. The intent was to rezone it from R-2C, Double Dwelling Unit Conversion to R-2, Residential Double Dwelling Unit, in order to permit the applicants to build a two unit, semi-detached dwelling. The Municipal Planning Strategy does not permit the “spot” rezoning on one property under these circumstances; however, given recent development patterns of this R-2C area, comprised of seven properties, staff was of the opinion that Council could consider rezoning all seven properties from R-2C to R-2. This approach is considered to be a zoning map amendment.

Ms. Macintosh noted one error in the Planner’s Report regarding municipal services which exist along this section of Pictou Road. The report should read that only sewer services exist, not sewer and water.

Ms. Macintosh indicated that the proposal is properly before Council and the policy criteria have been satisfactorily addressed; therefore, staff recommend approval of this rezoning request.

The applicant, Mrs. Gwen Gero, was in the audience for the hearing but indicated that she had no further information to add to Ms. Macintosh’s presentation.

Councillor Masters presented a brief report on behalf of the Planning Advisory Committee. The Committee met on August 9, 2010, at which time the Committee agreed with the staff recommendation that, given the circumstances, all seven properties should be rezoned from R-2C to R-2.

Mr. Purchase advised that no written submissions had been received regarding this application.

There were no other members of the public who stepped forward to address Council on this application.

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

Moved by Councillor Masters
Seconded by Councillor Blair

“That Council approves the amendment to the Land Use Zoning Map, Schedule 3 for Bible Hill/Valley from R-2C, Residential Double Dwelling Unit Conversion to R-2, Residential Double Dwelling Unit, for the following property identification numbers: 41/43/45 Pictou

August 26, 2010

Road, #20065330; 47 Pictou Road, #20065314; 49 Pictou Road, #20065306; 53 Pictou Road, #20065298; Lot 10-1A, #20459343; 57 Pictou Road, #20065280; and 59 Pictou Road, #20338752.”

Motion Carried Unanimously.

Councillor White did not arrive at the meeting in time to vote on the motion.

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 on this matter, Mayor Taylor declared the public hearing closed.

Approval of Agenda

Moved by Councillor Masters
Seconded by Councillor Buott

“That the agenda for August 26, 2010 be approved with the following additions:

- add Item #12b: Meadow Drive;
- add Item #10b: Signage By-law;
- add Item #10c: TIR Signage;
- add Item # 12c: Soccer Field; and,
- add to No. 7, Executive and Audit Committee Meeting - minutes from meeting held on June 24, 2010 (on table).”

Motion Carried Unanimously.

Approval of Minutes

Moved by Councillor McKenna
Seconded by Councillor Cooper

“That the minutes of meetings held on June 24 and August 12, 2010 be approved as presented.”

Motion Carried Unanimously.

Business Arising from Minutes

There was no business arising from the minutes of meetings held on June 24 and August 12, 2010.

Presentations

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

August 26, 2010

**Standing Committee
Reports and
Recommendations**

Deputy Mayor Cavanaugh presented the reports from Council Committee meetings held on June 10 and August 12, 2010:

**Council Proceedings
and Committees
Policy**

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Masters

“That Council adopts the Council Proceedings and Committees’ Policy as presented.”

Motion Carried Unanimously.

**Extension of Waste
Collection for
Seasonal Residents**

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Buott

“That Council approves that the waste collection schedule for seasonal residents be extended one week beyond Thanksgiving for all areas of Colchester County.”

Motion Carried Unanimously.

**Replacement Weigh
Scale Project**

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Taggart

“That Council authorizes staff to proceed to tender on Phase Two of the Replacement Weigh Scale Project.”

Motion Carried Unanimously.

**County Personnel
Policies**

Referring to Personnel Policy #5.10, Employee Service Recognition, Council had concerns with respect to clauses dealing with recognition for 25, 30 and 35 years of service. It was recommended that this policy be referred back to staff to look at rewording these clauses to indicate an award of a gift certificate and specific gift for employees who have 25, 30 and 35 years of service with the Municipality.

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Edwards

“That Personnel Policy #5.10, Employee Service Recognition, be referred back to staff to look at the clauses dealing with the recognition of 25, 30 and 35 years of service, with a view to having the wording changed to indicate an award of a gift certificate and specific gift for employees with this number of years service with the Municipality.”

Motion Carried Unanimously.

August 26, 2010

**Planning Advisory
Committee**

There was no business arising from the report of the meeting held on August 9, 2010 other than what was reported earlier in the evening at the public hearing.

**Tatamagouche
Water Utility
Committee**

At this point in the meeting, 7:30 p.m., Councillor White arrived.

Moved by Councillor LeFresne
Seconded by Deputy Mayor Cavanaugh

“That Council approves the 2010/11 Operating Budget as presented.”

Motion Carried Unanimously.

Moved by Councillor LeFresne
Seconded by Deputy Mayor Cavanaugh

“That Council approves that \$5,046 be transferred from the Tatamagouche Hydrant Area Rate Fund to the Water Utility Operating Fund for 2010/11 and \$5,047 be transferred from the Tatamagouche Hydrant Area Rate Fund to the Water Utility Operating Fund for 2011/12.”

Motion Carried Unanimously.

**Executive and Audit
Committee**

There was no business arising from the minutes of the Executive and Audit Committee meeting held on June 24, 2010.

ACTION ITEMS

**Second Reading -
Chapter 2 - Council
Proceedings By-law
Repeal**

Moved by Councillor McKenna
Seconded by Councillor Masters

“That Council hereby approves, by way of Second Reading, the amendment of Chapter 2 - Council Proceedings By-law, which will repeal the By-law; and,

That the Clerk file a certified copy of this By-law in the office of the Minister of Service Nova Scotia and Municipal Relations pursuant to Section 169 of the Municipal Government Act S.N.S. 1998, c18.”

Motion Carried Unanimously.

Sponsorship Request

Councillor White declared a conflict of interest on this matter and

August 26, 2010

**- Maritime
Firefighters' Golf
Tournament**

removed himself from the table.

Moved by Councillor Blair
Seconded by Councillor McKenna

“That Council approves a donation in the amount of \$500 to the Bible Hill Fire Brigade in support of the Maritime Firefighters' Golf Tournament being held September 11 and 12, 2010, source of funds to be Economic Development Grants.”

Motion Carried Unanimously.

At this point, Councillor White returned to the table.

**Urban Transit
Service**

Referring to a letter on table from the Town of Truro, Mayor Taylor indicated that Mayor Mills had been approached by an individual a few weeks ago regarding the establishment of an urban transit system for Colchester County. This person had researched types of buses, routes for all-day bus service and work commuter service. Mayor Taylor asked Council to consider working with the Town of Truro on the establishment of a joint committee to look at urban transit service for the County of Colchester.

Moved by Deputy Mayor Cavanaugh
Seconded by Councillor Buott

“That the Municipality contact the Town of Truro regarding the establishment of a joint committee to conduct a study on urban transit service in Colchester County, with a view to submitting an application for green funds, should such a project be undertaken.”

Motion Carried Unanimously.

Signage By-law

Councillor Cooper made reference to a signage issue that was raised during a refusal of variance hearing at June Council. At that time, there was a considerable amount of confusion around a signage issue in Bible Hill. Councillor Cooper suggested that Council may wish to revisit the signage provisions in the Land Use By-law to see if it should be changed.

Moved by Councillor Cooper
Seconded by Councillor Buott

“That a request for a review of the signage provisions in the Central Colchester Land-Use By-law be referred to the Planning Advisory Committee.”

Motion Carried Unanimously.

August 26, 2010

TIR - Signage

Councillor Cooper made reference to an email received from staff earlier this evening in which Councillors were asked to provide a list of any missing or damaged signs in their district for the next quarterly meeting with Transportation and Infrastructure Renewal (TIR). Councillor Cooper felt that it was the responsibility of TIR to track and maintain the signs in Colchester County.

Moved by Councillor Cooper
Seconded by Councillor Buott

“That a letter be sent to Transportation and Infrastructure Renewal indicating that it is the responsibility of TIR personnel to track missing or damaged signage and not Colchester County Council.”

Motion **Defeated**.

(Mayor Taylor, Deputy Mayor Cavanaugh, Councillors Blair, Masters, Edwards, MacKenzie, LeFresne, White, Taggart and McKenna opposed)

Moved by Councillor Masters
Seconded by Councillor McKenna

“That a letter be sent to Transportation and Infrastructure Renewal expressing Council’s concern with the number of missing or damaged signs in Colchester County and that a list of these signs be included with the letter;

That the letter indicate that this issue was raised at the last quarterly meeting between the Municipality and Transportation and Infrastructure Renewal but no action was taken since that time; and,

That the letter to Transportation and Infrastructure Renewal be copied to the three local MLA’s in Colchester County.”

Motion Carried Unanimously.

Correspondence

ACTION

**Christine Urquhart,
Masstown
Community
Association**

A letter to Council received July 9, 2010 from **Christine Urquhart, Masstown Community Association**, requesting a tax exemption on property located on Highway #2, Masstown.

August 26, 2010

Moved by Councillor Taggart
Seconded by Councillor White

“That the request from the Masstown Community Association requesting a tax exemption on property located on Highway #2, Masstown, be referred to Council Committee.”

Motion Carried Unanimously.

**K. Ann Fiddes,
Secretary, Lr.
Onslow Community
Centre Society**

A letter to Council dated July 27, 2010 from **K. Ann Fiddes, Secretary, Lower Onslow Community Centre Society**, requesting a tax exemption on property located at 12391 Highway #2, Lower Onslow.

Moved by Councillor White
Seconded by Deputy Mayor Cavanaugh

“That the request from the Onslow Community Centre Society requesting a tax exemption on property located at Highway #2, Lower Onslow, be referred to Council Committee.”

Motion Carried Unanimously.

INFORMATION

Building Inspector

A copy of the Building Permit Statistics received from the **Building Inspector** for the months of June and July 2010. Council agreed to receive these reports for information.

Development Officer

A copy of the Development Activity Report received from the **Development Officer** for the months of June and July 2010. Council agreed to receive these reports for information.

INFORMATION ITEMS

Meadow Drive

Councillor Masters indicated that he had brought up the issue of the poor condition of Meadow Drive at the August Council Committee meeting. Since that time, the local MLA, Mr. Gary Burrill, had taken a look at the road and agreed with Councillor Masters that the condition of the road was not acceptable. Mr. Burrill then approached Transportation and Infrastructure Renewal who indicated that the road would be repaired next year.

Soccer Field

Councillor Cooper made reference to a letter received via email from the East Hants Soccer Club. The letter expressed thanks to Council for their support in getting the Winding River Consolidated School soccer field to where it is today.

August 26, 2010

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

Councillor Blair reported that the Police Advisory Board meeting took place on July 19th and the next Community Hospital Board meeting will be on October 5th. Councillor Blair thanked Deputy Mayor Cavanaugh for organizing the excellent tour of the Nuttby Mountain Wind Farm tour on August 18th. Councillor Blair also reported that the Village of Bible Hill mountain bike trail is now under construction.

Councillor Masters reported that the civic centre project is very close to having a meeting on the final design with costing, followed by a joint Council meeting with the Town of Truro. Councillor Masters also reported that he accompanied Mayor Taylor on August 24 to see the improvements made to the 4-H barn at the Exhibition grounds.

Councillor Buott reported that he had attended meetings of the Dangerous and Unsightly Committee and the Solid Waste By-law Enforcement Committee; participated in the Waughs River walk and the Nuttby Mountain Wind Farm tour.

Councillor LeFresne reported that the Tatamagouche Library will be holding their 60th anniversary celebrations on the vacant lot where the new library will be built. There will be a barbeque on Friday and a table set up with the design layout displayed along with the County flag.

Deputy Mayor Cavanaugh reported that he had attended the Waughs River tour on August 12th, the Nuttby Mountain Wind Farm tours on August 18th and 25th, the Tatamatouche Water Utility Committee meeting on August 24th, and the opening ceremonies this evening of the Midget Girls' Eastern Canadian Fastball Championships.

Councillor White reported that he accompanied Mayor Taylor to the Peacekeepers Ceremony at the Military Museum in Debert; participated in the Nuttby Mountain Wind Farm tour, a CoRDA trip to Devens, Massachusetts; and attended a farewell party this evening for Jo Ann Fewer, CoRDA's Executive Director.

Councillor Taggart reported that in addition to attending some of the same events as Mayor Taylor, he also attended an information session in Halifax on the draft Renewable Energy Regulations.

Councillor McKenna reported that the Lawn Bowling Committee has been meeting the second Friday of June, July and August. The Douglas Street School has been selected as the lawn bowling site. The Committee is working on a budget and a decision on what type of turf will be used has not yet been made. The Committee is expected to bring a report forward to both the Town and County Councils the end of October.

In addition to placing a report on table, Mayor Taylor provided

August 26, 2010

details on the funding announcements which took place at the Lafarge Cement Plant in Brookfield. The Plant received \$670,000 in funding and the new Tatamagouche Library received \$60,000. Mayor Taylor also reported that he had participated in the Not Since Moses Run in Five Islands on August 14th.

Adjournment

Moved by Councillor White
Seconded by Deputy Mayor Cavanaugh

“That the meeting be adjourned at 8:49 p.m.”

Motion Carried Unanimously.

Sheila Arsenault
Recording Secretary