

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 Thursday, August 25, 2022, at 6:00 pm.

In peace and friendship, and in the spirit of truth and reconciliation, Mayor Blair began by acknowledging 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
Councillor Tim Johnson	District 5
Councillor Karen MacKenzie	District 6
Councillor Michael Gregory	District 7 (<i>virtual – arrived at 6:13</i>)
Councillor Marie Benoit	District 9 (<i>virtual</i>)
Councillor Victoria Lomond	District 10
Councillor Wade Parker	District 11

Regrets

Councillor Lisa Patton	District 8
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Staff Present

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

Public Hearing – Land Use By-law Amendment, Justin Gloade, Salmon River

Mayor Blair called this Public Hearing to order respecting an amendment to the 2002 Central Colchester Land Use By-law to Schedule 3, Salmon River Zoning Map of the Land Use By-law to rezone a vacant property owned by Justin Gloade on Cedar Drive in Salmon River from General Commercial (C-1) to Residential Double Dwelling Unit Conversion (R-2C), to build a single unit dwelling. The text for the proposed amendment and related staff report has been circulated to Council members and have been made available to the public.

Rob Simonds, CAO, advised that the guidelines of the Municipal Government Act (MGA) regarding advertising of the Public Hearing have been followed.

Mayor Blair reminded Councillors that only those present throughout the Public Hearing can vote on the amendments when eventually considered by Council. The Public Hearing is Council's opportunity to hear the details of the amendments and any concerns of Colchester County residents. Individual Councillors will have opportunity to debate the merits of the amendments when the motion is presented to Council. Staff are present to answer any technical questions that may arise as a result of the public's input.

Pam Macintosh, Manager of Planning Services, provided a brief presentation on the Justin Gloade Rezoning Application and Land Use By-law Amendment. Highlights of the presentation included the intent for rezoning from Commercial to Residential is to construct a single unit dwelling on the vacant lot; description and location of property; surrounding property uses; area photos and dwelling/site plans; policy considerations; and, input from both internal and external departments relative to the application. Ms. Macintosh indicated that the application satisfies all policy and associated criteria in the Municipal Planning Strategy and staff recommends that this request to rezone the lot to R-2C be approved and the Land Use By-law be amended accordingly.

Mr. Gloade, applicant, was in attendance for this Public Hearing. He indicated that he would like to have the property rezoned to build a single-family home for himself.

Councillor Sandeson, Chair of the Planning Advisory Committee (PAC), provided the report from the PAC meeting held on June 8, 2022.

The CAO advised that no written submissions have been received regarding this application.

There were no members of the public and no questions of Council members concerning this application. With no further discussion on the matter, Councillor Sandeson put the following motion on the floor:

Moved by Councillor Sandeson and seconded by Councillor Johnson

"That Council approves, by way of Second Reading, to rezone property owned by Justin Gloade on Cedar Drive in Salmon River from General Commercial (C-1) to Residential Double Dwelling Unit Conversion (R-2C)." Carried unanimously.

It was noted that Councillor Gregory was not eligible to vote on this matter as he was not in attendance for the entire Public Hearing.

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.

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

Approval of Agenda

Moved by Councillor Gregory and seconded by Councillor Sandeson

“That the agenda be approved with the following amendments:

- Add Item #12b, September Council Committee meeting;
- Add Item #12c, Atlantic Airshow Tickets;
- Add Item #12d, Sidewalk on Vimy Road;
- Move Item #19 from Closed Session to Item #12e, Project Budget Increase - Electric Vehicle Charging Stations, in Open Session”.
Carried unanimously.

Approval of Minutes

Moved by Councillor Cooper and seconded by Councillor Johnson

“That the minutes of the meeting held on June 23, 2022, 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 August 11, 2022:

Community Events Grant Request - TCPEP Welcome Network Official Launch

Moved by Deputy Mayor Stewart and seconded by Councillor Sandeson

“That Council approves funding in the amount of \$5,000 to Truro-Colchester Partnership for Economic Prosperity for the 2022 Truro Colchester Welcome Network Official Launch.” Carried unanimously.

Silverwood Drive Paving - Award of Tender

Moved by Deputy Mayor Stewart and seconded by Councillor MacKenzie

“That Council approves the tender for the paving of Silverwood Drive be awarded to Basin Contracting Limited for a total contract price of \$92,890 excluding HST; and,

That an internal contingency of \$5,000 be approved, to be spent only on authority of the Director of Public Works.” Carried unanimously.

Ice Pond Drive Sidewalk Evaluation

Moved by Deputy Mayor Stewart and seconded by Councillor Sandeson

“That the Ice Pond Drive sidewalk project not be added to the five-year Active Transportation Strategy Project list, excepting that Council may reconsider its decision should circumstances change in the area in future years.” Motion Carried (*Councillors Johnson and Cooper opposed*).

Council Proceedings and Committees Policy - Roberts Rules of Order

Raising the issue of recently approved changes to the Terms of Reference for the Debert Business Park Advisory Committee, Councillor Benoit noted that the approved changes regarding membership should be corrected in Policy under sections 61 d) and e).

Moved by Deputy Mayor Stewart and seconded by Councillor Gregory

“That Council approves amendments to the Council Proceedings and Committees Policy as presented, including the verbally presented change to section 25; and,

That changes relative to membership of the Debert Business Park Advisory Committee be amended in Policy.” Carried unanimously.

Virtual Meetings Policy Amendments

Concern was expressed regarding the proposed amendments to the Council Virtual Meetings Policy, specifically that not all members of Council have a clear understanding of the amendments on when and the number of times Council are permitted to attend virtually. Considerable debate was held on a number of issues including the Policy having too many loopholes; attendance requirements under the Municipal Government Act; number of allowable times to attend virtually; concern with attending virtually due to being out of district for extended periods; expectations of attending meetings in-person; virtual meetings being the way of the world; past experiences and engagement while away; increasing the # of meetings being permitted to attend virtually; and, impacts of the Policy on working members of Council. Staff and the Municipal Solicitor advised that the Policy reflects the Council discussions during previous debate. The amendments before Council are intended to clarify ambiguous language within Policy. Should Council wish to make further amendments, clear direction would be required.

Moved by Deputy Mayor Stewart and seconded by Councillor Benoit

“That Council approves amendments to the Council Virtual Meetings Policy as presented.” Motion Carried (*Councillor Boutilier, Cooper and Parker opposed*).

Temporary Borrowing Resolution

Moved by Deputy Mayor Stewart and seconded by Councillor Cooper

“That Council approves the Temporary Borrowing Resolution in the amount of \$1,352,066; and,

That the Mayor and CAO be authorized to execute the necessary documentation.” Carried unanimously.

Carbon Free Colchester Implementation Committee / TOR

Moved by Deputy Mayor Stewart and seconded by Councillor Boutilier

“That Council approves the Terms of Reference for the Carbon-Free Colchester Implementation Committee, with amendments to the term of appointments to be consistent with existing policy; and,

That the Nominating Committee be asked to identify two Council members for the Committee.” Carried unanimously.

Flood Advisory Committee – report from August 9, 2022, meeting

Moved by Councillor Johnson and seconded by Councillor Sandeson

“That the draft minutes from the Flood Advisory Committee meeting held on August 9, 2022, be received.” Carried unanimously.

Tatamagouche Planning Advisory Committee (PAC)– report from August 17, 2022, meeting

Moved by Councillor Gregory and seconded by Councillor Johnson

“That the report from the Tatamagouche Planning Advisory Committee meeting held on August 17, 2022, be received.” Carried unanimously.

ACTION ITEMS

Second Reading – Civic Addressing By-law

The CAO advised the proposed Civic Addressing By-law was discussed in detail during First Reading in June. One housekeeping amendment at section 15 was made since then. The Notice of Intent to consider Second Reading of the By-law was advertised in accordance with the MGA.

Brief discussion took place regarding enforcement of the By-law. The CAO advised that it was noted that enforcement would need to be considered and would be addressed operationally. Further discussion was held on the type and placement of signage; existing civic numbering signage on properties; section 10 of the By-law dealing with costs for change/reassignment of numbering; and, implementation being primarily for safety purposes.

Moved by Councillor Johnson and seconded by Councillor Benoit

“That Council adopt, by was of Second Reading, Chapter 17 - Civic Addressing By-law, with the following amendment:

- Addition of wording “except as permitted by policy.” to section 10. Motion carried. (*Councillors Boutilier and Parker opposed*).

First Reading – Plan Amendments & Development

Paul Smith, Director of Community Development, advised that under requirements of the MGA planning amendment and development agreements require two readings before adoption. First Reading is to

Agreement Application, Tata Holdings Inc.

essentially announce Council's intention to consider approving the amendments and development agreement.

Moved by Councillor Gregory and seconded by Councillor Benoit

"That Council approves at First Reading, the amendments and subsequent development agreement application, as presented, for purposes of forwarding this document to a Public Hearing reserving consideration of the rezoning until Second Reading following the Public Hearing." Carried unanimously.

West Colchester United Arena Roof Capital

Craig Burgess, Recreation Manager, advised that this item deals with a request from the West Colchester United Arena (WCUA) for a loan guarantee for RBC in the amount of \$160,000 to enable the arena roof replacement to proceed. Included in his presentation was cost estimates and quotes to replace the roof; funding received from other sources; and, resource implications. Municipal funding consists of \$60,000 included in the current years budget, \$60,000 in each of the next two years; and \$50,000 from the Rink Reserve, all of which would be used to pay the loan over three years. Staff will continue to work with arenas on grant applications from other sources to assist with capital expenditures.

Moved by Councillor Benoit and seconded by Councillor Cooper

"That Council approves the request from the West Colchester United Arena for a loan guarantee in the amount of \$160,000." Carried unanimously.

Truro Heights Sewer Upgrade Project – Authority to Award

Moved by Councillor Parker and seconded by Councillor Cooper

"That Council authorizes September Council Committee to award the tender for the Truro Heights Sewer Upgrade project." Carried unanimously.

2022/23 Capital Budget Presentation/Authority to Approve

Scott Fraser, Director of Corporate Services, made a detailed presentation on the five-year capital budget which included a comparison of capital versus operating budgets; capital assets and financing options; decision making process for new and replacement projects; a review of the capital budget document contents; information on fiscal sustainability modelling; and various charts.

Discussion points included switching the Birch Street sidewalk in 25/26 to Ice Pond Drive due to road condition; process for changes; condition assessments and methodology for projects on the plan; how far the project has progressed; and, review and approval of the five-year plan on an annual basis. Brief discussion was also held on plans for the Debert Aviation Centre, and it was noted that this would be brought forward to Council for consideration at a future meeting.

Mr. Fraser indicated that to allow sufficient time to consider the Five-Year Capital Budget, a suggested motion was included in the Action Item which would grant authority to September Committee to approve the Five-Year

Capital Budget. It could also be approved this evening should Council wish to do so.

Moved by Deputy Mayor Stewart and seconded by Councillor Sandeson

“That Council approves the 2022/23 Five-Year Capital Budget, as presented.” Carried unanimously.

Sidewalk on Cornerstone

Councillor MacKenzie advised that she received a request from a resident on Cornerstone Drive to consider putting a sidewalk along Cornerstone Drive to the existing sidewalk on Sunset Lane, near the Church. The area has a large catchment of children going to the Redcliff Middle School and residents have safety concerns.

Moved by Councillor MacKenzie and seconded by Councillor Johnson

“That staff be directed to do an assessment/evaluation for a sidewalk along Cornerstone Drive to the existing sidewalk on Sunset Lane and bring back to Council for consideration.” Carried unanimously.

It was noted that the requested assessment should be done once school starts back in September.

September Council Committee

Deputy Mayor Stewart advised that both he and Mayor Blair will be away for FCM Board meetings in Alberta in September with meetings wrapping up at 6 pm local time. It is being requested that the start time for the September Council Committee begin at 7 pm to allow time for both to join virtually.

Moved by Deputy Mayor Stewart and seconded by Councillor Sandeson

“That the September 15th Council Committee meeting begin at 7 pm.” Carried unanimously.

Atlantic Airshow Tickets

During the past two years due to the Covid pandemic, there have been few instances dealing with being gifted opportunities to attend events. Referring to VIP Tickets received by members of Council for the upcoming Atlantic Airshow in Debert, this matter was being brought forward to provide awareness to the newest members of Council. As per Council Policy, as a funding contributor of the event, Council members are not permitted to accept the tickets. The Municipal Solicitor advised that the Gift Receiving Policy can be found on the Municipal website.

Sidewalk on Vimy Road

Similar to the previous discussion on sidewalks, Councillor Boutilier raised the issue of a sidewalk along Vimy Road from Brookside to Farnham Mill Road for safety reasons. Students are being dropped off at the top of Farnham Mill Road and a number of cars are stopping to pick up children due to shoulders being too narrow and speed of cars for children to safely walk along that stretch of road.

Moved by Councillor Boutilier and seconded by Councillor Johnson

“That staff be directed to do an assessment/evaluation for a sidewalk along Vimy Road from Brookside to Farnham Mill Road and bring back to Council for consideration.” Carried unanimously.

Electric Vehicle Charging Stations

Joanna Burris, Sustainability Planner, advised that this item is an update from an item presented in June where Council approved a maximum contribution of \$65,000 towards Electric Vehicle Charging Stations. As part of her report, Ms. Burris provided details on the proposed charging station locations as determined by staff with input from Council; confirmed funding from NRCan in the amount of \$55,000; provincial funding top-up, amount unknown until after project completion; the RFP process and preferred submission; and, actual projects costs being over the \$120,000 budget. If staff were to proceed with awarding to the preferred submission, Energy Network Services, the maximum contribution would need to increase from the originally approved \$65,000 to \$91,924.

Moved by Councillor Boutilier and seconded by Deputy Mayor Stewart

“That Council approve a maximum of \$91,924 toward the installation of EV charging stations, sourced from the Special Operating Reserve; and,

That Council grant authority to the Mayor and/or CAO to sign a contribution agreement with the funder.” Carried unanimously.

Discussion was held on the charging stations including why level 2 chargers were being installed rather than level 3 chargers; variances between the two levels; overhead and maintenance costs; usage charges; the locations for the charging stations; and interest was expressed in having one installed at the Upper Stewiacke River Park. Staff advised of potential impacts of changing locations at this stage in the process as the locations were listed within the RFP, including potential project delays and increased costs.

Moved by Councillor Cooper and seconded by Councillor Johnson

“That staff investigate the possibility of expanding the Electric Vehicle Charging Station Program to include underserved areas, namely Upper Stewiacke.” Carried unanimously.

Review of Agenda/Time of Meeting

Due to the lateness of the meeting, Council reviewed the agenda and agreed to proceed with the meeting to deal with any items that were time sensitive. The following items would be deferred to future meetings:

- Item #13 Correspondence;
- Item #14 Business Plan;
- Item #15 Community Trail Funding Program;
- Item #17 Reports from Councillors;
- Item #21 Property Matter (CLOSED SESSION).

INFORMATION ITEMS

Tax Break for Seniors

Councillor MacKenzie advised that she received a call from an unhappy, senior resident in her district concerning high property taxes. The resident said that people have worked hard throughout their lives to obtain homes however, seniors on fixed incomes are struggling and finding it difficult to stay in their homes due to the high taxes. He requested that a program be developed to provide property tax breaks for seniors. Councillor MacKenzie advised that she provided information regarding our tax rates, but the resident felt that not enough was being done to look after seniors and wanted the issue brought forward to Council.

CLOSED SESSION

Moved by Councillor Gregory and seconded by Councillor Boutilier

“That the meeting go into closed session at 9:39 pm.” Carried unanimously.

Moved by Councillor Sandeson and seconded by Councillor Boutilier

“That the meeting reconvene in open session at 10:21 pm.” Carried unanimously.

CORRESPONDENCE ACTION

Councillor Benoit advised Council that under Correspondence Action, the request from the Onslow Belmont Fire Brigade to have tipping fees waived was time sensitive.

Moved by Councillor Benoit and seconded by Councillor Boutilier

“That September Council Committee be granted authority to make a decision on the correspondence from the Onslow Belmont Fire Brigade regarding tipping fees.” Carried unanimously.

ADJOURNMENT

Moved by Councillor Gregory and seconded by Councillor Lomond

“That the meeting adjourn at 10:25 pm.” Carried unanimously.

Tracey Veno
Recording Secretary