

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, March 30, 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 (<i>virtual – arrived at 6:01 pm</i>)
Councillor Laurie Sandeson	District 2
Deputy Mayor Geoff Stewart	District 3
Councillor Mike Cooper	District 4 (<i>arrived at 6:04 pm</i>)
Councillor Tim Johnson	District 5 (<i>virtual</i>)
Councillor Karen MacKenzie	District 6
Councillor Michael Gregory	District 7
Councillor Marie Benoit	District 9
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)
 Dennis James, Municipal Solicitor
 Michelle Boudreau, Director of Public Works
 Paul Smith, Director of Community Development
 Scott Fraser, Director of Corporate Services
 Phillip Redden, Director of Solid Waste
 Tracey Veno, Recording Secretary
 Jenn Martin, Economic Development Officer
 Pam Macintosh, Manager of Planning Services (for Item #2)
 Anna-Marie Manley, Municipal Solicitor
 Tim Smith, IT Manager

Public Hearing – Development Agreement for Dylan Blenkhorn and Reginald Quinn, Ravine Drive, Truro Heights (PID 20409249)

It was noted that Councillors Boutilier and Cooper arrived at the meeting prior to any substantive part of the Public Hearing and were eligible to participate and vote in the process.

Mayor Blair called this Public Hearing to order respecting an application for a Development Agreement involving lands on Ravine Drive in Truro Heights, which would allow the construction of 43 two-unit dwellings totalling 86 units. The text for the application and a related staff report have 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 First and Second Readings and Public Hearing have been followed.

Council members were reminded that only those present throughout the Public Hearing can vote on the development agreement when eventually considered by Council. This Public Hearing is Council's opportunity to hear of the application and any concerns of area residents. Councillors will have opportunity to debate the merits of the development agreement 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, presented details of the development agreement application for a property located on Ravine Drive in Truro Heights to construct a multi-unit residential development. Highlights of the presentation included details of the planned construction; size and location of property; existing residential uses in the area; photographs and site plan; housing and amenity/open space allocations; dwelling design information; policy considerations to allow development; and input from various external and internal departments relative to the application. A few concerns were identified as part of the departmental input such as signage requirements identified by NS Public Works and inclusion of a memo from Municipal Public Works regarding municipal infrastructure standards as part of the development agreement. Ms. Macintosh noted that the Cobequid Fire Brigade expressed concerns with having only one way in and out of the proposed development, however, with similar road configurations of existing developments in Central Colchester, the Municipality does not have concerns with this. The agreement application satisfies all policy criteria in the Municipal Planning Strategy and staff are recommending entering into the development agreement.

Ged Stonehouse appeared before Council on behalf of the applicants. A brief presentation was provided with information on the proposed development; background information on the applicants; property descriptions, plans and photos; development targeted senior/50+ residents; recreational and lifestyle amenities; details of homes; and plans for a user friendly community.

Discussion was held on targeted clientele; undecided on whether dwellings would be rentals or units to be sold; units being part of an association; and plans for green technology/energy efficiency.

Councillor Sandeson, Chair of the Planning Advisory Committee (PAC), provided the report for the PAC meeting held on February 16, 2023.

No written submissions were received concerning this application and no members of the public who were in attendance wished to make a presentation to Council.

With no further discussion on the matter, the Chair of PAC put the following motion on the floor:

Moved by Councillor Sandeson and seconded by Deputy Mayor Stewart

“That Council approves entering into a development agreement with Dylan Blenkhorn and Reginald Quinn, for their lands on Ravine Drive in Truro Heights, which would allow the construction of 43, two-unit dwellings totalling 86 units.” Carried unanimously.

Mayor Blair noted that this development agreement application does not require approval of the Minister of Municipal Affairs. 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 Cooper and seconded by Councillor Gregory

“That the agenda be approved with the following addition:

- Item 14(b), FCM Board of Directors Application.” Carried unanimously.

Approval of Minutes

Moved by Councillor Benoit and seconded by Councillor Sandeson

“That the minutes of the meeting held on February 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 March 16, 2023:

Landscaping Regulations

Moved by Deputy Mayor Stewart and seconded by Councillor Cooper

“That Council not proceed with a Landscaping By-law at this time.” Carried unanimously.

Tender Award – Mosswood Lane/First Court/Second Court Sidewalk Reconstruction

Moved by Deputy Mayor Stewart and seconded by Councillor Benoit

“That Council approves that the tender for the reconstruction of the sidewalk on Mosswood Lane, First Court and Second Court, be awarded to BD Clifton Contracting for a total contract amount of \$203,712, excluding HST; and,

That an internal contingency of \$20,000 be approved, to be spent only on authority of the Director of Public Works.” Carried unanimously.

Debert Business Park Advisory Committee (DBPAC) – minutes and report from meeting held on February 21, 2023

Jenn Mantin, Economic Development Officer, provided background information on the property at 15 Ventura including description and location of the property, market appraisal information and staffs efforts to dispose of the property through an RFP process. Although there seemed to be some interest in the property, all prospective buyers felt the building would require too much investment. A detailed report was included in the package for this evenings meeting. From their meeting held on February 21st, the DPBAC are recommending that staff be directed to evaluate demolition of 15 Ventura Drive.

Detailed discussion was held on attempting to sell at lesser than market value price; value of land if building is demolished; cost of demolition; structural integrity of the building; sale price not being stipulated in the RFP; possible asbestos in the building; maintenance costs and lack of tenant and revenue potential; salvaging materials from the building; and process for selling at less than market value.

Moved by Councillor Benoit and seconded by Councillor Gregory

“That staff be directed to proceed with the demolition of the building at 15 Ventura Drive.” Motion carried (*Councillors Boutilier, Johnson and Lomond opposed*).

Executive Committee – report from meeting held on March 24, 2023

Deputy Mayor Stewart provided a brief report of the Executive Committee with the following recommendation being put forward:

Moved by Deputy Mayor Stewart and seconded by Councillor Sandeson

“That Council approves a three-pronged approach to address the issue regarding Broadband Internet, with letters being written to Bell and the Premier, as well as issuing a communications piece regarding the project delay, as outlined by the Municipal Solicitor.” Carried unanimously.

ACTION ITEMS

First Reading, Dangerous or Unsightly Premises By-law

The Dangerous or Unsightly Premises By-law was presented in detail at the March 2023 Council Committee meeting. Dennis James, Municipal Solicitor noted two minor changes from the version presented at the Committee meeting to Sections 6.1 and 6.2 to tighten up the language to provide better clarity.

First Reading is to essentially announce Council's intent to consider adoption of the By-law with Second Reading taking place at the April 27th Council meeting.

Moved by Councillor Benoit and seconded by Councillor Boutilier

"That Council approves, by way of First Reading, Chapter 21- Dangerous or Unsightly Premises By-law, as presented." Carried unanimously.

North Shore Senior Citizens Association – Grant Request

Paul Smith, Director of Community Development, provided a brief overview of this item noting that the North Shore Senior Citizens Association is requesting funding support for their 50th Anniversary Celebration. This type of request can be considered under the Community Event Grants Policy. Typically this would be considered during budget deliberations, however, the event is taking place prior to the upcoming budget approval.

Concern was raised regarding the breakdown of what the funds would be used for and reporting requirements for grants. It was confirmed that under the Community Event Grants Policy, organizations are required to submit post event reports.

Moved by Councillor Gregory and seconded by Councillor Benoit

"That Council approve a funding contribution in the amount of \$1,500 for the North Shore Senior Association, 50th Anniversary Celebration, with source of funds being 2023-24 Community Event Grants." Carried unanimously.

Colchester Fire Fighters Association – Grant Request

Similar to the previous item, the Colchester Fire Fighters Association (CFFA) is requesting funding in the amount of \$3,000 for their inaugural Training Symposium being held in April, prior to budget approval. The request meets criteria under the Community Event Grant Policy.

Discussion was held on financials of the CFFA and whether the funds were needed for the event; importance of the organization and the event; and, supporting the funding in a lesser amount. Under current Policy, there are no requirements around inclusion of financial information, however, event budget information is required. The possibility of having the policy amended to include requirements for financials with the application process was discussed.

Moved by Councillor Sandeson and seconded by Councillor Lomond

"That Council approve funding in the amount of \$3,000 for the Colchester Fire Fighters Association 2023 Training Symposium, with source of funds being 2023-24 Community Event Grants." Motion carried (*Councillor Parker opposed*).

Functional Space Analysis, Municipal Office – Authority to Approve

The Director of Public Works advised that a public RFP was issued for the functional space analysis for the municipal building, with a closing of March 23rd. Staff will be reviewing the submissions in the coming week and are requesting that authority be granted to April Committee to award the RFP.

Moved by Councillor MacKenzie and seconded by Councillor Sandeson

“That Council authorizes April Council Committee to award the study for the Functional Space Analysis of the Municipal Offices at 1 Church Street.” Carried unanimously.

First Reading – Marketing Levy By-law

A copy of the draft Marketing Levy By-law was presented to Council at March Committee. Council passed a motion at that time to advance to First Reading at March Council. Since that time, a few non-substantive changes were made to the By-law to better align with the Town of Truro. These changes were reviewed by both staff and the Municipal Solicitor.

In summary, the draft By-law as presented, will impose a marketing levy upon visitors who stay at recognized accommodation providers within the Municipality. The collected funds will be used for regional marketing initiatives. The rate of the levy is set at 3% of the purchase price of the accommodation. Some exemptions apply, as outlined in the By-law. Recognized accommodation providers will be required to remit the collected levy funds on a quarterly basis, and the Municipality will have the authority to audit an operator to ensure compliance. First Reading is to essentially announce Council’s intent to consider adoption of the By-law with Second Reading taking place at the April 27th Council meeting. The CAO advised that once the By-law is approved at Second Reading, the next steps would be developing a governance model which would be brought back to Council once the framework is in place.

Moved by Deputy Mayor Stewart and seconded by Councillor Lomond

“That Council approves, by way of First Reading, Chapter 19 – Marketing Levy By-law, as presented.” Carried unanimously.

Debert Housing Development

The Director of Public Works, Economic Development Officer, and the Director of Community Development, provided background information on efforts to date regarding the Debert Housing Project and indicated that staff is seeking input from Council on proposed approaches for next steps. This would include subdivision of land; determining types of housing; what constitutes affordable housing; the number of affordable units to be created; possible incentives for developers to support affordable housing; and, what types of incentives should be considered for the project. Staff is suggesting that a Request for Expressions of Interest be issued to the development community to gauge interest in the project.

Council held detailed discussion on what constitutes affordable housing and challenges in defining affordable; developers not being interested in affordable housing; types of incentives for developers; housing/unit options including tiny homes; and, not putting forth any incentives ahead of the Request for Expressions of Interest.

Moved by Councillor Benoit and seconded by Deputy Mayor Stewart

“That Council directs staff to issue a general request for Expressions of Interest for development of the subject land on Hudson Street in Debert, requesting that options for traditional and affordable housing be included.” Carried unanimously.

2022-23 Account Write-offs

Scott Fraser, Director of Corporate Services, advised that account write-offs are brought to Council annually for approval. This year, there are four items in total on the list from both general receivables and water utilities, amounting to \$3,184.02.

Brief discussion was held on the payment responsibilities being with property owners, contractors and sub-contractors as well as statute of limitations being two years.

Moved by Councillor Gregory and seconded by Councillor Lomond

“That Council approves that the property taxes, water, and other receivables and interest, totalling \$3,184.02 be written off.” Carried unanimously.

Water Royalties

Councillor Parker advised that water royalties has been an ongoing issue discussed around the Council table for two, possibly three terms. The issue is that large companies are drawing water from local aquifers for commercial purposes and are not paying anything to do so. Past discussions with the Province have been unsuccessful, however, during a recent conversation with the Premier of Nova Scotia, there seemed to be interest in having discussions around water royalties and it was suggested that Council send correspondence to his office.

Moved by Councillor Parker and seconded by Councillor Benoit

“That Council approves writing a letter to the Premier of Nova Scotia and the MLAs regarding exploring the possibility of water royalties from commercial companies drawing water from local aquifers.” Carried unanimously.

FCM Board Application

Mayor Blair declared a conflict of interest and Deputy Mayor Stewart assumed the role of Chair for discussion on this matter.

The Deputy Mayor advised that Mayor Blair is seeking Council support to let her name stand for position as an FCM Board of Director at the upcoming FCM Conference.

Moved by Councillor Sandeson and seconded by Councillor Parker

“That Council approves the following resolution:

2023 FEDERATION OF CANADIAN MUNICIPALITIES BOARD OF DIRECTORS POSITIONS

WHEREAS the Federation of Canadian Municipalities (FCM) represents the interests of member municipalities on policy and program matters that fall within federal jurisdiction;

WHEREAS FCM's Board of Directors is comprised of elected municipal officials from all regions and sizes of communities to form a broad base of support and provide FCM with the united voice required to carry the municipal message to the federal government; and

WHEREAS FCM's Annual General Meeting (AGM) is held in conjunction with the Annual Conference and Trade Show, following by the election of FCM's Board of Directors;

BE IT RESOLVED that Council of the **MUNICIPALITY OF COLCHESTER** endorses **MAYOR CHRISTINE BLAIR** to stand for election on the FCM's Board of Directors for the period starting in June 2023 and ending June 2024; and,

BE IT FURTHER RESOLVED that Council assumes all costs associated with **MAYOR CHRISTINE BLAIR** attending FCM's Board of Directors meetings." Carried unanimously.

At this point, Mayor Blair resumed the role of Chair and thanked Council for their support.

Correspondence - ACTION

**Aundrea Currie, Chair, 2023
Spring Conference Committee
AMANS**

Letter to Rob Simonds dated March 8, 2023, requesting a funding contribution for the AMANS 2023 Spring Conference.

Moved by Councillor Lomond and seconded by Councillor Cooper

"That the letter from Aundrea Currie requesting a funding contribution for the AMANS 2023 Spring Conference be referred to budget deliberations." Carried unanimously.

Donna Lugar, NS Lyme Advocacy

Email dated March 13, 2023, concerning a proclamation for Lyme Disease Awareness Month 2023.

Moved by Councillor Gregory and seconded by Councillor Benoit.

"That Council proclaims May 2023 as Lyme Disease Awareness Month." Carried unanimously.

**Mikayla Emmerton, Autism
Support Coordinator**

Email and letter addressed to Mayor Blair concerning a proclamation and flag raising for World Autism Acceptance Month.

Council mentioned the flag raising request and referenced the Flag Flying Policy.

Moved by Councillor Cooper and seconded by Councillor Lomond

"That Council proclaims April 2023 as Autism Acceptance Month." Carried unanimously.

Sam Chipera

Email to Council members dated March 20, 2023, requesting a proclamation for UNESCO World Press Freedom Day.

Moved by Councillor Cooper and seconded by Councillor MacKenzie

“That May 3, 2023, be proclaimed as World Press Freedom Day.” Carried unanimously.

Gaelic Council of Nova Scotia

Email to the Mayor dated March 22, 2023, requesting a proclamation for Gaelic Nova Scotia Month.

Moved by Councillor Sandeson and seconded by Councillor Benoit

“That Council proclaims May 2023 as Gaelic Nova Scotia Month.” Carried unanimously.

Laurent Breault, General Director, Fondation Emergence

Email to Mayor dated March 24, 2023, regarding a proclamation for International Day Against Homophobia and Transphobia.

Moved by Councillor Lomond and seconded by Councillor Cooper

“That Council proclaims May 17, 2023, as International Day Against Homophobia and Transphobia.” Carried unanimously.

Paul Graham

Email to Mayor and Council from Paul and Sandra Graham concerning a development in Bible Hill.

Clarification was sought on the exact location of the property and it was noted that should this be referred to staff, confirmation of property location would be provided in staff’s report back to Council.

Moved by Councillor Parker and seconded by Councillor Cooper

“That the correspondence from Paul and Sandra Graham concerning a development in Bible Hill be referred to staff.” Carried unanimously.

Sacha Brake, Director, Cliffs of Fundy Geopark

Letter to the Mayor and Council regarding annual funding support (as a follow-up to their presentation on March 23, 2023).

Moved by Councillor Lomond and seconded by Councillor Benoit

“That the letter from Sacha Brake regarding annual funding support for the Cliffs of Fundy Geopark be referred to budget deliberations.” Carried unanimously.

Brief discussion took place on whether the increased funding being requested was for one-year (2023-24) or every year going forward. Staff will confirm with Ms. Brake prior to budget deliberations.

Correspondence - INFORMATION

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

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

Moved by Councillor Gregory and seconded by Councillor Sandeson

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

Chris Franklin, Chief, North River & District Fire Brigade Email and corresponding information relative to fire tax rate Increase.

Moved by Councillor Gregory and seconded by Councillor Cooper

“That the email from Chief Chris Franklin, North River and District Fire Brigade, concerning the fire tax rate increase be received.” Carried unanimously.

INFORMATION ITEMS

McElmon Road Roundabout This information item provided Council with a detail update on the status of proposed roundabout on MacElmon Road. The update included brief background in the property; past studies information; anticipated budget implications; archaeological testing and costs to date; challenges of moving the project forward; and next steps.

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

Councillor Lomond advised that she had distributed her February report in error and would distribute her March report next month.

CLOSED SESSION

Property Matter Moved by Councillor Sandeson and seconded by Councillor MacKenzie

“That Council approves that staff proceed with arranging a Public Hearing to consider a request for sale of land to Colchester Ground Search and Rescue.” Carried unanimously.

Personnel Matter Moved by Deputy Mayor Stewart and seconded by Councillor Benoit

“That Council approves proceeding with engaging Knightsbridge Robertson Surrette for the recruitment of the Chief Administrative Officer under the terms and conditions as discussed in closed session.” Carried unanimously.

Moved by Councillor Benoit and seconded by Councillor Cooper

“That Council grants authority to April Council Committee to identify/appoint an Acting Chief Administrative Officer.” Carried unanimously.

ADJOURNMENT

Moved by Councillor Lomond and seconded by Councillor Benoit

“That the meeting adjourn at 10:18 pm.” Carried unanimously.

Tracey Veno
Recording Secretary