

MUNICIPAL COUNCIL

May 15, 2018

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Minutes of the regular session of **Municipal Council** held on Tuesday, May 15, 2018, at 10:00 a.m. in Council Chambers of the Municipal Administration Building, Annapolis Royal, N.S.

Present: Warden Timothy Habinski, Deputy Warden Martha Roberts; Councillors: Marilyn Wilkins, John A MacDonald, Wayne Fowler, Burt McNeil, Gregory Heming, Alex Morrison, Michael J Gunn, Wendy Sheridan, and Diane LeBlanc.

Also

Present: CAO John Ferguson, Municipal Clerk Carolyn Young, and other staff.

Additions to the Agenda (to end of Agenda)

Requests were made for the following items to be added: under Additions: 11 (A) RFD Raven Haven Beachside Family Park Playground Equipment, (B) Office of the Information and Privacy Commissioner (May 8th), and (C) NSFM Report.

Approval of the Agenda

Upon motion of Councillors LeBlanc and Wilkins, the agenda was approved as amended. Motion carried unanimously.

Minutes

MOTION 180515.01 Minutes Regular Session 2018-04-17

It was moved by Councillor Fowler, seconded by Councillor MacDonald, that the minutes of the regular session of Council held on April 17, 2018, be approved as circulated. Motion carried unanimously.

MOTION 180515.02 Minutes – Special Session 2018-04-12

Councillor McNeil moved, seconded by Deputy Warden Roberts, that the minutes of the Special Session held on April 12, 2018, be approved as circulated. Motion carried unanimously.

MOTION 180515.03 Minutes – Special Session 2018-04-24

It was moved by Councillor Fowler, seconded by Councillor McNeil, that the minutes of the Special Session held on April 24, 2018, be approved as circulated. Motion carried unanimously.

MOTION 180515.04 Minutes – Special Session 2018-04-30

Councillor MacDonald moved, seconded by Deputy Warden Roberts, that the minutes of the Special Session held on April 30, 2018 be approved as circulated. Motion carried unanimously.

In-Camera

It was moved by Councillor McNeil, seconded by Councillor Sheridan, to meet in-camera at 10:04 a.m. until 11:00 a.m. in accordance with Section 22(2) (e) contract negotiations, of the *Municipal Government Act*. Motion carried unanimously.

Adjourn to Public Hearing

At 11:00 a.m., it was moved by Councillor Wilkins, seconded by Councillor Fowler, to adjourn Council to a Public Hearing on Bridgetown 2018-LUB-001: Stackhouse Land Use Bylaw Amendment

Application. Motion carried unanimously. The regular session of Council reconvened at 11:11 a.m. with all present as previously noted.

Addition to the Agenda

Deputy Warden Roberts moved, seconded by Councillor LeBlanc, to add Bridgetown 2018-LUB-001: Stackhouse LUB Amendment Application – Final Reading to the agenda and address it at this time. Motion carried unanimously.

Re: Bridgetown2018-LUB-001: Stackhouse LUB Amendment Application – Final Reading

MOTION 180515.05 Bridgetown 2018-LUB-001: Stackhouse LUB Amendment Application – Final Reading

It was moved by Deputy Warden Roberts, seconded by Councillor Fowler, pursuant to the favourable recommendations of the Planning Advisory Committee and the Bridgetown Area Advisory Committee, and following the full consideration of the related goals, objectives and policies of the Bridgetown Municipal Planning Strategy, that Municipal Council give second/final reading of its intention to adopt the following amendment to the Bridgetown Land Use Bylaw (LUB) in part 4.17 Accessory Buildings, and in section 1, subsection (b), immediately following the phrase “be located in the front or flankage yard” but preceding the semicolon of that phrase, the wording “except in a R-1 Zone where the accessory building or structure may be located in the front yard of a lot, but not within 60m. (196.85 ft.) of the front lot line”, is added. Motion carried unanimously.

In-camera

It was moved by Councillor McNeil, seconded by Councillor Gunn, to resume in-camera at 11:13 a.m. until 12:48 p.m. in accordance with Section 22(2) (e) contract negotiations, of the *Municipal Government Act*. Motion carried unanimously.

Municipal Solicitor’s Report

Re: Municipal Solicitor – A monthly report dated 10 May 2018, was circulated in the agenda package. It was moved by Councillor Gunn, seconded by Councillor LeBlanc, to receive for information. Motion carried unanimously.

LUNCH

The Warden declared a lunch break at 12:50 p.m. All returned at 2:00 p.m. as previously noted.

Business Arising From the Minutes

Councillor Wilkins moved, seconded by Councillor Fowler, to defer any action on the three Tiny Home letters (Building Codes and Readiness, On-Site Sewage and Readiness, and Municipal Sewage Collection and Readiness) until an update is received from the Annapolis County Building Officials on the status of the Nova Scotia Building Advisory Committee’s submission to the Minister of Municipal Affairs to address some of the changes required for tiny homes. Motion carried unanimously.

Councillor's Comments

District 3 – Councillor Fowler reported that May 8th was an historic day in District 3. As a result of the provincial plebiscite, the district went ‘wet’ and he hopes this may create a few jobs in Annapolis County. He added that District 4 went ‘wet’ as well.

District 2 – Councillor MacDonald attended 3 Forestry Advisory Committee meetings, interviewed no less than 10 presenters, and attended the AGM of the Medway Community Forest Co-op. He also attended Middleton Fireman’s Banquet, multiple County workshops and special council meetings, a Clean Foundation Workshop, the UNSM Spring Workshop in Yarmouth (Cannabis, CAP, TIR, and Preparing Resolutions). With regards to cannabis, he was glad to report that Nova Scotia is much more prepared than he had thought, including Driver testing. He added that the real estate industry (along with many from towns and cities) are working towards removing the assessment CAP but there are no solutions to the effects at this time. His planned town hall in Margaretsville for the 15th was postponed to Tuesday May 22nd.

District 11 – Councillor LeBlanc volunteered to sit on the Volunteer Selection Committee for the first time and attended the Volunteer Awards Ceremony in Annapolis Royal. She was honoured to be among so many volunteers from our communities and is proud of the volunteers in our county. On Mother’s Day she pampered her mom, and some others who don’t have their children with them.

District 6 – Councillor Morrison attended the Spring Seminar of Nova Scotia Federation of Municipalities (NSFM) in Yarmouth. He will submit a report to June Committee of the Whole. Clementsport Legion is installing a new upper-level deck to enhance summertime enjoyment of Friday suppers, monthly Sunday brunch, Wednesday morning coffee get-togethers, and other activities. 2018 is the 70th anniversary of the establishment of the Branch and the especially-created 70th anniversary logo will be featured prominently at all activities this year. Upper Clements Community Association holds Tuesday morning coffee breaks and will host a flea market on Saturday 26 May. Cornwallis Park Community Association continues with its second-Saturday of the month breakfasts. The annual Cornwallis Park, community-wide Yard Sale will be held on Saturday June 2, starting at 8:00 a.m. (rain date is June 16th). Lyndsey Longmire of Deep Brook, has been appointed the new Immigration Settlement Officer in this area with an office at the FundyY, replacing Jill Baltzer. He added that comments by residents show an understanding that council is dealing with things at a higher level, such as internet, forestry, and enhancement of services, and they are buoyed by the performance of this council.

District 8 – Councillor Gunn has been very busy with the Forestry Committee and keeping up with the Valley Waste information. He has received calls to address a plan to pave the best part of Virginia Road and leave the worst part untouched (there is a sign campaign informing citizens “Caution, 50 year old potholes ahead” and the number of the Department of Transportation to complain). The big event in the district this month was the wildly successful Maple Fest in Milford, which was well attended as always and enjoyed by all. He also attended a workshop on Guaranteed Income in Berwick and can see how it would alleviate a lot of problems, if people could count on this stipend to live on. There is a book launch by District 8 citizen Brenda Thompson on Sunday, May 20th, where she will introduce her new book *The History of the Poor Houses of Nova Scotia*. May 20th is also the Bear River Greenhouse Plant Sale.

District 10 – Deputy Warden Roberts was pleased to present awards at the Volunteer Awards Ceremony. She added that our communities wouldn’t be much without the volunteers who deserve much more than we recognize them for. Volunteers are one of our greatest assets.

District 5 - Councillor Heming was busy with the provincial Asset Management Committee, interest in the new Granville Road Area Advisory Committee, and forestry.

District 9 – Councillor Sheridan was busy with the Super Seniors group organizing a free soup luncheon and other programs. A benefit will be held on May 20th at the Lions Club in Nictaux for Joan Barkhouse. The Fire-Ettes annual yard sale and bbq is on June 9th and the Lions Club is organizing the annual Antique Car Show in Centennial Park (Middleton) on June 16th. Colin Fraser is joining the Lions Club as an honorary member in June.

District 4 – Councillor McNeil reported that District 4 went ‘wet’ as well as a result of the Provincial plebiscite held on May 8th. He has attended Forestry Advisory Committee meetings and the AGM of the Medway Community Forest Co-op. He was also pleased to attend the Bear River breakfast.

District 1 – Councillor Wilkins bragged about son Clinton Wilkins book newly released –Confessions of a Halifax Mortgage Broker, as well as the launch of his new brochure Clinton Wilkins mortgage team’s Guide to Homeownership. He has also recently signed a contract with CTV to be a guest presenter once a month on financial matters. Youngest son, Travis Wilkins, had a successful kickstarter for his online DoxieDash.com game campaign.

District 7 – Warden Habinski noted Hannah Stoddart, a grade 11 student at BRCS, recently received the Lt.-Governor’s award for academic excellence, adding she is an exemplary student in every way and achieves excellence in all she does. This past weekend he participated in a ‘convoy’ that saw 11 local youth attend an interdenominational youth conference in Moncton. The more than 3000 youth in attendance all left the conference inspired to do good things in their communities.

MOTION 180515.06 Lt.-Governor’s Education Medal – Letter to Hannah Stoddart
Councillor Wilkins moved, seconded by Councillor MacDonald, that Municipal Council send a congratulatory letter to Miss Hannah Stoddart, Bridgetown Regional Community School, upon her receipt of the Lieutenant-Governor's Education Medal, which is awarded to two Grade 11 students for academic performance, leadership and community service. Motion carried unanimously.

New Business

Re: Set Date for Basinview and Area Workshop/Tour/Lunch – including Raven Haven and Cornwallis Park area. To meet on June 6,2018, at the Municipal Administration Building in Annapolis Royal at 9:30 a.m., with lunch at Basinview Centre. The purpose of the tour is threefold: so that Council can see Basinview Centre and surrounding facilities; so that Councillors can ask questions; and so Councillors can examine strategies to make the facilities more efficient moving forward. The Warden and CAO will develop an agenda.

Re: Consideration of Request – Annapolis Valley Chamber of Commerce (AVCC)

The CAO noted that the Economic Development budget included \$10,000 for this as it promotes the entire region, not just one business or event. Several years ago, it was part of grant program but since became part of the Economic Development budget. AVCC has asked for \$20,000 each year for three years.

MOTION 180515.07 Host Coordination Meeting for Southwest Nova Biosphere, MapAnnapolis, and Annapolis Valley Chamber of Commerce

It was moved by Councillor MacDonald, seconded by Deputy Warden Roberts, to invite the Southwest Nova Biosphere Reserve Association, MapAnnapolis, and the Annapolis Valley Chamber of Commerce, to a meeting to present their respective apps, and coordinate how to move forward together. Motion carried unanimously.

MOTION 180515.08 Annapolis Valley Chamber of Commerce - \$10,000

Councillor Wilkins moved, seconded by Councillor Fowler, to provide \$10,000 to the Annapolis Valley Chamber of Commerce from the Economic Development cost centre. Motion carried unanimously.

Reports and Recommendations

Re: Committee of the Whole (May 8th)

• *Lynn and Norman Knott – Letter of Response***MOTION 180515.09 Lynn and Norman Knott – Letter of Response**

In accordance with the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor Sheridan, that Municipal Council respond to Lynn and Norman Knott, with the response copied to the Chronicle Herald. Motion carried unanimously.

• *Upper Clements Area Advisory Committee (Policy AM-1.3.6) – Citizen Appointment***MOTION 180515.10 Upper Clements Area Advisory Committee – Citizen Appointment**

Deputy Warden Roberts moved, seconded by Councillor Morrison, in accordance with the recommendation of Committee of the Whole, that Municipal Council appoint Martin-Henri Villeneuve to the Upper Clements Area Advisory Committee for a term ending November 30, 2018. Motion carried unanimously.

• *Upper Clements 2018 LUB-002: Port Royal Inn Self Storage LUB Text Amendment Application***MOTION 180515.11 Upper Clements 2018-LUB-002: Port Royal Inn Self Storage LUB Text Amendment Application – First Reading**

Pursuant to the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor Morrison, that Municipal Council give first reading to consider the Port Royal Inn application to amend Part 10.1 of the Upper Clements Area Land Use Bylaw to add self-storage facilities as a permitted use in the General Mixed Use (R-2) Zone and to adopt a public participation process involving the application referral to Upper Clements Area Advisory Committee and Planning Advisory Committee for their review and recommendation after holding a public meeting in the community on June 11, 2018 at 7:00 p.m. with a location to be confirmed. Motion carried unanimously.

• *East End Area Advisory Committee – Refer Matter of Agricultural Animals***MOTION 180515.12 East End Area Advisory Committee – Refer Matter**

Deputy Warden Roberts moved, seconded by Councillor Sheridan, pursuant to the recommendation of Committee of the Whole, that Municipal Council refer the issue of agricultural animals in a residential zone to the East End Area Advisory Committee for their consideration and recommendation. Motion carried unanimously.

- **Smart Cities Application**

MOTION 180515.13 Smart Cities Application – Rescind Motion Providing Letter of Support

In accordance with the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor Heming, that Municipal Council rescind Motion 180320.19 which reads:

“Pursuant to the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor McNeil that Municipal Council provide a letter of support for a regional application to the Smart Cities Challenge being submitted by the Town of Annapolis Royal. Motion carried unanimously.

Motion carried unanimously.

- **Valley Region Solid Waste-Resource Management Authority 3-Month Temporary Operating Budget**

MOTION 180515.14 Valley Region Solid Waste-Resource Management Authority 3-Month Temporary Operating Budget

It was moved by Deputy Warden Roberts, seconded by Councillor Fowler, that Municipal Council defer a decision on the Valley Region Solid Waste-Resource Management Authority’s proposed 3-month temporary operating budget to June Council. Motion carried unanimously.

MOTION 180515.15 Minister and Executive Director Dept. Municipal Affairs – Invite to Special Session of Council

Deputy Warden Roberts moved, seconded by Councillor McNeil, to invite Minister Mombourquette and Executive Director Mark Peck, Department of Municipal Affairs, to present to Council at their earliest convenience. Motion carried unanimously.

Correspondence

Re: Transportation and Infrastructure Renewal (April 11th) – advising the walking lane from Mountain Lea Lodge to the Supervised Apartments along Church Street has been place high on the paint list for the upcoming season. It was moved by Councillor Fowler, seconded by Deputy Warden Roberts, to receive for information. Motion carried unanimously.

Re: Annapolis West Health Foundation (April 17th) – thanking council for the donation in received memory of Neva Sarty. Councillor Morrison moved, seconded by Councillor Heming, to receive for information. Motion carried unanimously.

Re: Immigrant Services Association of Nova Scotia (April 17th) – advising of their services across Nova Scotia, their supports for employers and their support role in the Atlantic Immigration Pilot Project. It was moved by Deputy Warden Roberts, seconded by Councillor McNeil, to receive for information Motion carried unanimously.

Re: Housing Nova Scotia (April 16th) – providing their 2018-19 Business Plan. Councillor Fowler moved, seconded by Councillor Gunn, to receive for information. Motion carried unanimously.

Re: Municipality of the County of Kings (April 17th) – addressed to the Parties of the Valley Regional Solid Waste-Resource Management Authority Intermunicipal Service Agreement, informing that the County of Kings has cancelled their Notice of Intention to Withdraw and that they fully intend to remain

in the Authority as a Party and to work with its partners to ensure that the service of the Authority continues. For information. It was moved by Councillor Fowler, seconded by Councillor Gunn, to receive for information. Motion carried unanimously.

Re: Breathe The Lung Association/Smoke Free Nova Scotia (April 23rd) – offering support as the municipality works through the issue of recreational cannabis. Councillor Fowler moved, seconded by Councillor Gunn, to receive for information. Motion carried unanimously.

Re: House of Assembly (May 1st) – regarding the letter of support sent on behalf of the Bridgetown Chamber of Commerce regarding the repurposing of the old Bridgetown Regional High School, noting the new school was sited where it is because the adjacent land was needed to meet the requirements of the students, and that the tender has been released and will be awarded soon for demolition and site preparation. It was moved by Councillor McNeil, seconded by Councillor LeBlanc, to receive for information. Motion carried unanimously.

Additions

Re: RFD Raven Haven Beachside Family Park Playground Equipment

A Request for Decision was circulated at the meeting asking Council to approve the purchase of replacement playground equipment for Raven Haven Beachside Family Park at a cost of up to \$19,900, with funding to be allocated from the Gas Tax Reserve according to the approved 2018-19 capital budget, and that staff complete the grant funding application to NS Community Culture and Heritage.

Councillor Wilkins moved, seconded by Councillor Sheridan, to defer to the May 25th Special Session of Council May 25th. Motion carried unanimously.

Re: Office of the Information and Privacy Commissioner (May 8th) – regarding possible privacy risks and the mitigating controls which can be implemented to ensure privacy and security are protected in any smart city initiative. It was moved by Councillor McNeil, seconded by Councillor Heming, to receive for information. Motion carried unanimously.

Re: NSFM Report – Councillor MacDonald attended a workshop on the capped assessment (CAP). The anti-CAP group was headed by Betty MacDonald. Aggressively working towards getting rid of the CAP, they have no solution or alternative. CAP was put in place by the province. This group is looking for consensus from the municipalities for the removal of the CAP. The voices were from city and town dwellers. For information that this is being pursued aggressively by our peers. Warden Habinski interjected that the status quo will not be an option - the Province has to find another way, and UNSM has passed repeated resolutions on this (which represents consensus!) Councillor Macdonald also attended the session on cannabis, noting the province is quite well prepared, i.e. - smoking in public places will follow the tobacco laws.

Adjournment

Upon motion of Councillors McNeil and LeBlanc, the meeting adjourned at 3:42 p.m.

Warden

Municipal Clerk