



Regular Meeting of Council

December 21, 2022

PRESENT

Warden Eleanor Roulston
Deputy Warden Michael Perry

Councillors: Sandra Garden-Cole
Keith Rhyno
Walter Tingley
Eldon Hebb
Elie Moussa (arrived at 7:08 p.m.)

Tom Isenor
Wayne Greene
Carl MacPhee
Norval Mitchell

STAFF

Ms. Kim Ramsay, Chief Administrative Officer
Ms. Sue Surette, Director of Finance
Mr. Adam Clarkson, Director of Corporate Services
Mr. Graham Scott, Manager of Economic & Business Development
Mr. John Woodford, Director of Planning & Development
Mr. Jesse Hulsman, Director of Infrastructure & Operations
Ms. Alana Tapper, Director of Parks, Recreation & Culture
Mr. Tom Gignac, Manager of Information Services
Ms. Erin Taylor, Communications Coordinator
Ms. Sheralee MacEwan, Assistant Municipal Clerk
Ms. Alana Richards, Administrative Assistant

CALL TO ORDER

Warden Roulston called the meeting to order at 7:00 p.m.

LAND ACKNOWLEDGEMENT

Warden Roulston respectfully acknowledged that East Hants is in Mi'kma'ki and the District of Sipekne'katik, the ancestral and unceded territory of the Mi'kmaq people.

MOMENT OF SILENT CONTEMPLATION

A moment of silent contemplation was observed.

APPROVAL OF OR AMENDMENTS TO THE AGENDA

C22(412) On the motion of Councillors Hebb and Mitchell:

Moved that the agenda be approved as presented.

MOTION CARRIED

APPROVAL OF MINUTES

C22(413) On the motion of Councillors Greene and Mitchell:

Moved that the minutes of the November 15, 2022 Regular Meeting of Council (Policy) and November 23, 2022 Regular Meeting of Council be approved.

MOTION CARRIED

CORRESPONDENCE FOR INFORMATION

A complete copy of “Correspondence for Information” is attached to and forms part of the agenda. No items were raised.

ITEM 41 - COPY OF A LETTER TO CHRISTINA LOVITT, PROVINCIAL DIRECTOR OF PLANNING REGARDING FROM JOHN A. MACDONALD, MLA REGARDING ZONING IN THE UNPLANNED AREAS, SPECIFICALLY AGRICULTURAL ZONES

Concerns were raised regarding the wording of the letter.

Discussion was held. Staff addressed questions from Councillors and indicated that another report would be coming in the new year.

ITEM 15 - CLIMATE CHANGE PLAN FOR CLEAN GROWTH - PROVINCIAL NEWS RELEASE

Councillor Mitchell raised concerns regarding the Press Release and how it may impact East Hants.

Discussion was held. Staff addressed questions from Councillors.

CORRESPONDENCE FOR DECISION

A complete copy of “Correspondence for Decision” is attached to and forms part of the agenda.

ITEM 60 - SEEKING COUNCIL INPUT ON A DATE SELECTION FOR THE NEXT COUNCIL WORKSHOP FOR THE FORMER ELMSDALE & LANTZ SCHOOL SITES PLANNING

C22(414) On the motion of Councillors Rhyno and Greene:

[11:03]

Move that a Council Workshop be held on February 23, 2023 to discuss the potential highest and best uses for the former Elmsdale & Lantz school sites. A. Clarkson

MOTION CARRIED

ITEM 59 - REQUEST TO MAKE A PRESENTATION FROM THE EAST HANTS CURLING ASSOCIATION. THE CAO SEEKS COUNCIL'S DIRECTION

C22(415) On the motion of Councillors Tingley and Rhyno:

A. Tapper

Moved that Council direct staff to write back and advise that East Hants is not in a position to make a decision on funding by the deadline (Re: EHCA Request to make a presentation).

MOTION CARRIED

Ten (10) voting in favor. One (1) voting against. Councillor Mitchell voting nay.

ITEM 5 - LETTER TO MINISTER JOHN LOHR, MINISTER OF MUNICIPAL AFFAIRS AND HOUSING RE: BILL 225

C22(416) On the motion of Councillors Hebb and Moussa: [22:14]

Moved that Council direct staff to send the letter as drafted to Minister Lohr with a copy to NSFM Re: Bill 225. CAO

MOTION CARRIED

Ten (10) voting in favor. One (1) voting against. Deputy Warden Perry voting nay.

COMMITTEE REPORTS:

CORPORATE & RESIDENTIAL SERVICES COMMITTEE

Deputy Warden Perry, as Chairperson of the Corporate & Residential Services Committee, presented the report on the Corporate & Residential Services Committee from the meeting held on December 13, 2022. The minutes from that meeting were made available to all members of Council. The following motions came forward as a result of that meeting:

COUNCIL PROCEDURAL POLICY UPDATE

C22(417) On the motion of Deputy Warden Perry and Councillor Greene: CAO/
S. MacEwan

Moved that Council direct staff to prepare updates to the Council Procedural Policy, for consideration, including:

- *Section 4.1.3.7 - should read “Two (2) other members of Council” for the Audit Committee;*
- *Section 3.2.10 - should read “A brief Council meeting shall be convened, as applicable, immediately following the regular monthly meeting of Committees for the purpose of receiving recommendations involving the MGA required minimum 7 days’ notice of change in policy and to permit an in-camera session for the purpose of expending money direction/decisions by Council or other time-sensitive matters, as needed. This meeting shall be titled “Regular Meeting of Council (Policy & In-Camera)”;* and
- *Section 3.2.4 - should read “Meetings of Council and the Executive Committee shall be livestreamed. Those recordings shall remain on the municipal YouTube channel indefinitely”.*

MOTION CARRIED

Ten (10) voting in favor. One (1) voting against. Councillor Hebb voting nay.

PROJECTS & SUSTAINABILITY COORDINATOR

C22(418) On the motion of Deputy Warden Perry and Councillor Greene: A. Clarkson

Moved that Council include this position (Projects & Sustainability Coordinator) in next year's draft budget.

MOTION CARRIED

FIRE SERVICE FINANCIAL GUIDELINES UPDATE

C22(419) On the motion of Deputy Warden Perry and Councillor Moussa: A. Clarkson

Moved that Council adopt the proposed Financial Guidelines for Volunteer Fire Departments as attached to the December 13, 2022 Executive Committee Agenda.

Staff addressed questions and explained the quote/tender requirements.

MOTION CARRIED

Ten (10) voting in favor. One (1) voting against. Councillor Rhyno voting nay.

PUBLIC HEARING

The Public Hearing was live-streamed through the municipal website and YouTube. [31:19]

Note: All comments/questions have been summarized and are not to be considered a verbatim transcript.

Warden Roulston noted that there is one (1) item on the public hearing agenda. The purpose of the hearing is to hear input from the public prior to making a decision on the proposal.

The Warden welcomed those in attendance. She advised that anyone who wanted to comment or ask questions would be provided an opportunity to do so.

Warden Roulston noted Council's Procedural Policy. She advised that Council may approve, reject or defer its decision on the proposal to a later date. Council approval is required for the proposal to proceed.

Warden Roulston asked the Municipal Clerk to outline when the public hearing advertisements were published.

The Municipal Clerk noted that the public hearing notice appeared in the December 7th and December 14th editions of The Chronicle Herald. The notice described the proposal, gave the date and time of the public hearing, and indicated that staff reports were available to the public.

[CUSTOM MILLWORK ATLANTIC INC. - DEVELOPMENT AGREEMENT](#)

Warden Roulston noted the public hearing item was a proposal to enter into a development agreement to enable a new storage building.

Warden Roulston asked the Chair of the Planning Advisory Committee to present his report.

Councillor MacPhee, as Vice Chairperson of the Planning Advisory Committee noted that the Planning Advisory Committee considered the proposal on behalf of Municipal Council, reviewed staff's reports, completed their evaluation and would make a recommendation to Council during the Hearing. Councillor MacPhee, as Vice Chairperson of the Planning Advisory Committee asked staff to present their final report on the proposal.

The Manager of Planning & Development presented the staff report titled "Custom Millwork Atlantic Inc. Development Agreement Application Lakelands" dated December 21, 2022. A copy of the report and related documents were attached to the agenda and available to all Council members.

Warden Roulston opened the floor to comments or questions from members of Council.

Deputy Warden Perry assumed the Chair.

Warden Roulston asked about the buffer in behind the proposed development. Staff answered the Warden's questions about the buffering.

Warden Roulston assumed the Chair.

Councillor Tingley asked about the probability of appeal to the UARB. Warden Roulston reminded Councillor Tingley that Council does not discuss the probability of success with these Public Hearings.

Councillor Garden-Cole asked about the buffer and if it will impact the residents in behind.

Deputy Warden Perry asked how much is the proposed building back from the property line.

Warden Roulston asked if the owner or a representative had any comments or would like to make a presentation. Greg Mailman spoke on behalf of his development.

Warden Roulston asked if there were comments or questions from members of the public.

The following members of the public asked questions and provided comments with regards to the proposal:

Randy Dill (1073 Highway #1, Lakelands)

- What will a commercial building this size do to residential property values?

- A building of this size is better suited in an industrial park

Staff addressed questions from members of the public.

Warden Roulston made a last call for comments or questions via in person attendees or live chat on YouTube. The Communications Coordinator confirmed there were none.

Warden Roulston asked if staff had any final comments. There were none.

RECOMMENDATION

C22(420) On the motion of Councillors MacPhee and Greene: [53:30]

Moved that Council give final consideration and approve the Development Agreement for a 1115m2 (12,000 square foot) storage building development on a property identified as PID 45402955 (Custom Millworks Atlantic Ltd.). J. Woodford

Warden Roulston asked Councillors if they had any final comments or questions.

MOTION CARRIED

Warden Roulston concluded the Public Hearing.

COMMITTEE REPORTS (CONTINUED):

CORPORATE & RESIDENTIAL SERVICES COMMITTEE

FIRE TRAINING FACILITY

C22(421) On the motion of Deputy Warden Perry and Councillor Moussa: A. Clarkson

Moved that Council approve the funding request by East Hants Fire Service Association for \$225,000 to fund a training facility in Noel to be funded from the Common Fire Training Facility Reserve in the amount of the balance which is approximately \$128,000 with the balance to be funded through the Rural Canada Community Build Fund reserve up to the maximum amount of \$97,000.

Discussion was held. Staff addressed questions from Councillors.

MOTION CARRIED

SPECIAL RESERVES POLICY

C22(422) On the motion of Deputy Warden Perry and Councillor Mitchell: [68:15]

Moved that Council approve the Special Reserves Policy as updated and attached to the December 21st, 2022 Council Agenda. S. Surrette

MOTION CARRIED

C22(423) On the motion of Deputy Warden Perry and Councillor Greene:

Moved the adoption of the report.

MOTION CARRIED

INFRASTRUCTURE & OPERATIONS COMMITTEE

Councillor Garden-Cole, as Chairperson of the Infrastructure & Operations Committee, presented the report on the Infrastructure & Operations Committee from the meeting held on December 13, 2022. The minutes from that meeting were made available to all members of Council. The following motions came forward as a result of that meeting:

SOLID WASTE TRANSPORTATION CONTRACT

C22(424) On the motion of Councillors Garden-Cole and Hebb:

J. Hulsman

Moved that Council approve the award of the Transportation of Solid Waste Contract (RFP50522) to Royal Environmental Inc. for a three-year term effective April 1, 2023 and it be added to the draft budget.

MOTION CARRIED

C22(425) On the motion of Councillors Garden-Cole and Hebb:

[71:33]

Moved the adoption of the report.

MOTION CARRIED

PARKS, RECREATION & CULTURE COMMITTEE

Councillor Garden-Cole, as Vice-Chairperson of the Parks, Recreation & Culture Committee, presented the report on the Parks, Recreation & Culture Committee from the meeting held on December 13, 2022. The minutes from that meeting were made available to all members of Council. The following motions came forward as a result of that meeting:

OPEN SPACE DISPOSAL, MEADOW VIEW WAY, BELNAN

C22(426) On the motion of Councillors Garden-Cole and Greene:

[72:40]

Moved (later defeated) that Council declare the open space parcel identified as PID 45354677, Meadow View Way, Belnan, surplus for disposal following the Expression of Interest method per the Disposal of Surplus Property Policy, with submissions to be brought to Council for consideration and direction;

A. Tapper

complete the property and legal review work to be funded through Open Space Reserves required to ensure roadway connectivity with neighboring properties; and,

authorize staff to change the land use designation and zone of PID 45354677 from Community Use (CU) Designation and the Open Space (OS) Zone to the Country Residential (CR) Designation and Zone through the East Hants Official Community Plan Update.

Discussion was held. Staff addressed questions from Councillors.

MOTION DEFEATED

COMMUNITY GRANT PROGRAM POLICY UPDATES

C22(427) On the motion of Councillor Garden-Cole and Deputy Warden Perry: [108:00]

Moved that Council approve updates to the Community Grant Program Policy as described in the Community Grant Program Policy Review Report as attached to the Executive Committee agenda dated December 13, 2022; and, that Council give direction to staff to explore a stand-alone insurance grant program and report back to Committee. A. Tapper

MOTION CARRIED

WALTON PLAYGROUND LEASE AGREEMENT

C22(428) On the motion of Councillors Garden-Cole and Greene: [109:00]

Moved that Council direct the CAO to enter into a 20-year land lease agreement with Walton Shore Fire Department Association allowing the Municipality to install and maintain a playground on PID 45344146. A. Tapper

MOTION CARRIED

C22(429) On the motion of Councillors Garden-Cole and Tingley:

Moved the adoption of the report.

MOTION CARRIED

PLANNING ADVISORY COMMITTEE

Councillor MacPhee, as Vice-Chairperson of the Planning Advisory Committee, presented the report on the Planning Advisory Committee from the meeting held on December 13, 2022. The minutes from that meeting were made available to all members of Council. The following motions came forward as a result of that meeting:

PLN22-009 M&M DEVELOPMENTS LTD. - REDESIGNATION AND REZONING - INITIAL REPORT

C22(430) On the motion of Councillors MacPhee and Greene: J. Woodford

Moved that Council authorize staff to schedule a Public Information Meeting to consider a proposal for PID 45371069 to change the designation and zone from

Rural Use (RU) to Country Residential (CR).

MOTION CARRIED

PLAN UPDATE BACKGROUND PAPER - HOCKEY STICK LOTS

C22(431) On the motion of Councillors MacPhee and Greene: [112:12]

Moved (later defeated) that Council authorize staff to amend the definition of flag lot to include hockey stick lots and allow the development of a minimum number of flag lots where, in the opinion of the development officer there is no alternative development form, for areas of the Municipality where there are no Municipal services. J. Woodford

Discussion was held. Staff addressed questions from Councillors.

MOTION DEFEATED

Seven (7) voting in against. Four (4) voting in favour. Deputy Warden Perry, Councillors Tingley, Hebb and MacPhee voting yay.

C22(432) On the motion of Councillors MacPhee and Greene:

Moved the adoption of the report.

MOTION CARRIED

RATIFICATION - LAKELANDS LAND PURCHASE

C22(433) On the motion of Deputy Warden Perry and Councillor Moussa: [138:00]

Moved that Council ratify in-camera direction given to staff at the November 23, 2022 Council Meeting to acquire the 1.25-acre property plus an additional 450 square meters at the rear of the original open space contribution at a purchase price of up to \$73,000 plus HST and cover the \$7,800.00 plus HST survey costs for the open space parcel using Open Space Mount Uniacke Capital Reserves with any additional funds required coming from Open Space Mount Uniacke Obligatory Reserves. A. Tapper

MOTION CARRIED

WARDEN'S REPORT

Deputy Warden Perry assumed the Chair.

The Warden provided a verbal report on her recent activities. The following motions came forward: [139:25]

JURISDICTIONAL SCAN AGRICULTURAL ZONING

C22(434) On the motion of Warden Roulston and Councillor Rhyno: J. Woodford

Moved that Council direct staff to do a jurisdictional scan of an abutting municipalities with regards to agricultural (AR) zoning.

MOTION CARRIED

DIRECT MAIL - PLAN REVIEW

C22(435) On the motion of Warden Roulston and Councillor Greene: [144:00]

Moved that Council direct staff to send each individual direct correspondence to owners with proposed zoning in January so that people have more time to provide feedback on the proposed zoning. J. Woodford

Lengthy discussion was held.

MOTION CARRIED

Eight (8) voting in favour. Three (3) voting against. Deputy Warden Perry, Councillors Tingley, and Hebb voting nay.

BUSINESS FROM COUNCILLORS

Councillors provided verbal reports on their recent activities and extended Holiday Greetings. Staff addressed questions from Councillors. The following motion came forward: [180:00]

NINE MILE RIVER COMMUNITY HALL

C22(436) On the motion of Councillors Hebb and Greene: [191:00]

Moved that Council approve advancing a sum of \$20,000 to the Nine Mile River Community Hall in advance of the 2023 fiscal year start, \$2,270 from the current reserve and the remainder to be repaid from the 2023-2024 District 3 Recreation Funds pending confirmation of Federal and Provincial contributions. A. Tapper

MOTION CARRIED

SETTING DATE & TIME OF NEXT REGULAR MEETING OF COUNCIL

C22(437) On the motion of Councillors Greene and Moussa: [204:23]

Moved that the Regular Meeting of Council (Policy) be held January 17, 2023 and the Regular Meeting of Council be held on January 25, 2023.

MOTION CARRIED

(IN CAMERA) SESSION

C22(438) On the motion of Councillors Greene and Moussa:

Moved that Council go In Camera at 10:25 p.m. to discuss three land issues.

MOTION CARRIED

The Council returned to open meeting at 11:07 p.m.

The Warden reported that Council met in-camera to discuss three land issue. Direction to staff was made during the in-camera session. No motions resulted.

ADJOURNMENT

C22(439) On the motion of Councillors Greene and Hebb:

Moved that Council adjourn at 11:07 p.m.

MOTION CARRIED



Approved By: Sheralee Mitchell-MacEwan, Assistant Municipal Clerk
Date: December 22, 2022



Approved By: Eleanor Roulston, Warden
Date: January 25, 2023

/AR