



Regular Meeting of Council

January 25, 2023

PRESENT Warden Eleanor Roulston
Deputy Warden Michael Perry

Councillors: Sandra Garden-Cole Tom Isenor
Keith Rhyno Wayne Greene
Walter Tingley Carl MacPhee (arrived at 7:02 p.m.)
Eldon Hebb Norval Mitchell
Elie Moussa

STAFF Ms. Kim Ramsay, Chief Administrative Officer (arrived at 7:04 p.m.)
Ms. Sue Surrette, Director of Finance
Mr. Adam Clarkson, Director of Corporate Services
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. Juliann Cashen, Communications Officer
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

Warden Roulston asked Council for permission to present Sue Surrette with the Queen's Jubilee Medal.

C23(6) On the motion of Councillors Mitchell and Greene:

Moved that the agenda be approved as amended.

MOTION CARRIED

The Warden presented Sue Surrette, Director of Finance with her Queen's Jubilee Medal.

APPROVAL OF MINUTES

C23(7) On the motion of Councillors Greene and Mitchell:

Moved that the minutes of the December 13, 2022 Regular Meeting of Council (Policy & In-Camera) and December 21, 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.

Councillor Mitchell acknowledged the Thank You letter from Caring and Sharing Item #58.

CORRESPONDENCE FOR DECISION

A complete copy of "Correspondence for Decision" is attached to and forms part of the agenda. [05:43] 1

ITEM 57 - DRAFT TEMPLATE LETTER TO RESIDENTS OF THE FUTURE PLANNED AREA REGARDING THEIR PROPOSED ZONING.

C23(8) On the motion of Councillors Greene and Moussa:

Moved (repealed) that Council direct staff to send the letter as presented.

MOTION CARRIED

Motion C23(8) was repealed later in the meeting.

ITEM 13 - COUNCILLOR TINGLEY REQUEST TO ATTEND MEETINGS VIRTUALLY WHILE ON VACATION FEBRUARY 2 - 22, 2023

C23(9) On the motion of Deputy Warden Perry and Councillor Greene:

MacEwan

Moved that Council accept the request by Councillor Tingley to attend meetings virtually while on vacation.

MOTION CARRIED

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

MUNICIPAL FIREFIGHTER LONG SERVICES AWARDS - ANNUAL REPORT

The Director of Corporate Services presented the report titled “*Firefighter Long Service Recipients*”, dated January, 2023. A copy of the 2022 Long Service Award recipients was attached to the agenda and available to all Council members.

COMMITTEE REPORTS:

CORPORATE & RESIDENTIAL SERVICES COMMITTEE

Councillor Tingley as Vice-Chairperson of the Corporate & Residential Services Committee, presented the report on the Corporate & Residential Services Committee from the meeting held on January 17, 2023. 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

- C23(10) On the motion of Councillor Tingley and Moussa: CAO/
MacEwan
- Moved that Council approve the Council Procedural Policy as attached to the Executive Committee agenda dated January 17, 2023.*

MOTION CARRIED

- C23(11) On the motion of Councillor Tingley and Moussa:
- Moved the adoption of the report.*

MOTION CARRIED

PLANNING ADVISORY COMMITTEE

Councillor Mitchell, as Chairperson of the Planning Advisory Committee, presented the report on the Planning Advisory Committee from the meeting held on January 17, 2023. The minutes from that meeting were made available to all members of Council. The following motions came forward as a result of that meeting:

WITHROW'S FARM MARKET LTD. - DISCHARGE OF DEVELOPMENT AGREEMENT [8:33]

- C23(12) On the motion of Councillor Mitchell and Hebb: J. Woodford
- Moved that Council approve the discharge agreement for lands located at 1040 Highway 214, Belnan, to enable the subject property to be regulated by the provisions of the Land Use Bylaw.*

MOTION CARRIED

PLN20-001 ELMSDALE LUMBER COMPANY LTD. - REDESIGNATION AND REZONING FOR CONTAINERIZED BIOCHAR PRODUCTION FACILITY

C23(13) On the motion of Councillor Mitchell and Greene: J. Woodford

Moved that Council authorize staff to schedule a public information meeting to consider an application from Elmsdale Lumber Company Limited to permit a containerized biochar production facility.

MOTION CARRIED

Seven (7) voting in favor. Four (4) voting against. Warden Roulston and Councillors Moussa, Rhyno, Garden-Cole voting nay.

PLAN UPDATE - COMMUNITY ENGAGEMENT REPORT

Dealt with during Correspondence for Decision under C23(8).

C23(14) On the motion of Councillor Mitchell and Deputy Warden Perry: J. Woodford

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 January 17, 2023. The minutes from that meeting were made available to all members of Council. The following motions came forward as a result of that meeting:

BY-LAW F-400-8, AN AMENDMENT TO BYLAW F-400 TAX EXEMPTION BY-LAW

C23(15) On the motion of Councillors Garden-Cole and Mitchell: A. Tapper

Moved that Council give first reading to By-law F-400-8, an amendment to By-law F-400, Tax Exemption By-law, and be amended to reflect the following changes:

- *Remove Property # 01855654, Northfield Community Club*
- *Add Property # 00838918, Lions Memorial Park Society*
- *Update Property Ownership for Property # 04720601 from Upper Nine Mile River Community Hall Association to East Hants Ground Search & Rescue.*

MOTION CARRIED

INSURANCE GRANT

C23(16) On the motion of Councillor Garden-Cole and Hebb: A. Tapper

Moved that Council direct staff to prepare a Not-For-Profit Insurance Grant Policy, and remove the requirement for municipal recognition, and that 100% of

insurance policy costs up to a maximum of \$1,500, and remove insurance funding from existing municipal grant programs and update applicable policies to be brought back to council.

MOTION CARRIED

CENTRE RAWDON HALL UPDATE

[17:10]

C23(17) On the motion of Councillors Garden-Cole and Hebb:

A. Tapper

Moved that Council that staff be authorized to set up another community meeting to meet with the residents of Centre Rawdon to discuss the possible options around the Centre Rawdon Hall

MOTION CARRIED

C23(18) On the motion of Councillors Garden-Cole and Mitchell:

Moved the adoption of the report.

MOTION CARRIED

PUBLIC HEARING

The Public Hearing was live-streamed through the municipal website and YouTube.

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

Councillor Isenor gave notice that he would be declaring a conflict of interest during discussion of this topic, signed the Book of Disclosure and left his Council seat to sit in the Gallery.

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 January 10th and 17th 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.

MIXED USE CENTRE ZONE REVIEW

Warden Roulston noted the public hearing item is to consider amendments to the Municipal Planning Strategy and Land Use Bylaw related to the Mixed Use Centre (MC) Designation and Zone.

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

Councillor Mitchell, as 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 Mitchell, as Chairperson of the Planning Advisory Committee asked staff to present their final report on the proposal.

The Director of Planning and Development presented the staff report titled "Mixed Use Centre Review" dated January 10, 2023. 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.

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: [32:00]

Ralph Lancaster (76 Hemlock Drive, Elmsdale)

- Concerns about roof (visual & architectural) design of buildings.

RECOMMENDATION

C23(19) On the motion of Councillors Mitchell and Garden-Cole:

J. Woodford

Moved that Council give second reading to amendments to the Municipal Planning Strategy and Land Use Bylaw which change the Mixed Use Centre (MC) Designation and Zone by restricting the height of new buildings in a prescribed area to 3 storeys; and require a minimum of 50% of the ground floor area of all new buildings be commercial.

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

C23(20) On the motion of Councillors Tingley and Mitchell:

Moved that Motion C23(19) be amended to limit the new height restrictions to the west side of Highway 2 in Enfield.

Four (4) voting in favor. Six (6) voting against. Warden Roulston, and Councillors Greene, Hebb, MacPhee, Garden-Cole, Rhyno voting nay.

AMENDMENT DEFEATED

Seven (7) voting in favor. Three (3) voting against. Deputy Warden Perry, and Councillors Tingley and Mitchell voting nay.

MOTION CARRIED

For clarification, Motion C23(19):

Moved that Council give second reading to amendments to the Municipal Planning Strategy and Land Use Bylaw which change the Mixed Use Centre (MC) Designation and Zone by restricting the height of new buildings in a prescribed area to 3 storeys; and require a minimum of 50% of the ground floor area of all new buildings be commercial.

MOTION CARRIED

Warden Roulston concluded the Public Hearing.

WARDEN'S REPORT

Deputy Warden Perry assumed the Chair.

The Warden provided a verbal report on her recent activities and shared concerns with the planned meeting of the Nova Scotia Federation of Municipalities (NSFM) tomorrow given the poor weather forecast.

BUSINESS FROM COUNCILLORS

Councillors provided verbal reports on their recent activities. Staff addressed questions from Councillors. The following motions came forward:

BLASTING IN MOUNT UNIACKE

C23(21) On the motion of Councillors Moussa and Tingley: [64:00]

Moved that Council direct staff to bring back a report to introduce a Blasting Bylaw in East Hants. J. Woodford

MOTION CARRIED

PETITION FROM RESIDENTS OF THE UNZONED AREA OF EAST HANTS

Councillor Rhyno formally submitted and presented a petition on behalf of 543 residents against "The Introduction of Zoning in the Northern Section of the Municipality of East Hants". The main area of concern was with the proposed Agricultural Reserve (AR) Zone.

C23(22) On the motion of Councillors Rhyno and Garden-Cole: [94:20]

Moved that Council direct staff to remove the AR (Agricultural Reserve) Designation in the unplanned area of East Hants from the Community Planning Review and replace it with RU-2 (Rural Use North) Zone Designation. J. Woodford

Discussion was held. Council had their questions answered by staff.

MOTION CARRIED

C23(23) On the motion of Deputy Warden Perry and Councillor Greene: [105:00]

Moved that Council repeal Motion C23(8), and send out the final letter to residents in the currently unplanned area, after first reading of the final Community Plan.

Discussion was held. Council had their questions answered by staff.

MOTION CARRIED

(IN CAMERA) SESSION - LAND ISSUE

C23(24) On the motion of Councillors Greene and Moussa:

Moved that Council go In Camera at 9:05 p.m. to discuss a land issue.

MOTION CARRIED

The Council returned to open meeting at 9:36 p.m.

The Warden reported that Council met in-camera to discuss a land issue. No motions resulted.

SETTING DATE & TIME OF NEXT REGULAR MEETING OF COUNCIL

C23(25) On the motion of Councillors Rhyno and perry

Moved that the Regular Meeting of Council (Policy & In Camera) be held February 14, 2023 and the Regular Meeting of Council be held on February 22, 2023.

MOTION CARRIED

ADJOURNMENT

C23(26) On the motion of Councillors Rhyno and Greene:

Moved that Council adjourn at 9:36 p.m.

MOTION CARRIED

S MacEwan

Approved By: Sheralee Mitchell-MacEwan, Assistant Municipal Clerk

Date: January 26, 2023

Eleanor Roulston

Approved By: Eleanor Roulston, Warden

Date: February 22, 2023

/AR