

Region of Queens Municipality Regular Council

Tuesday, March 14, 2023

9:00 a.m.

Agenda

1.0 Call to Order

2.0 Changes / Approval of Agenda

3.0 Presentation

3.1 Queens Care Building Society

4.0 Tabling of Petitions

5.0 Public Question / Comment Session

6.0 Approval of Minutes

6.1 Regular Council – February 28, 2023

7.0 Recommendations

7.1 Tax Exemption Bylaw, second reading

7.2 Road Naming, Serenity Now Lane, Western Head

7.3 Rescinding of Motion – Proposed New Library Site

7.4 Community Investment Fund Request – CJQC Radio Society

7.5 Town Hall Arts & Cultural Center HVAC Study

8.0 Discussions

8.1 Administrative Policy 9 – Property Tax Exemption

8.2 Grant Writing

8.3 Library

9.0 In-Camera Items

10.0 Adjournment

**Region of Queens Municipality Regular Council
Tuesday, February 28, 2023 6:00 p.m.**

Minutes

Present: Mayor Darlene Norman, Chair
Deputy Mayor Jack Fancy
Councillor David Brown
Councillor Maddie Charlton
Councillor Ralph Gidney
Councillor Vicki Amirault
Councillor Kevin Muise
Councillor Carl Hawkes
Chris McNeill, CAO
Eric Levy, Municipal Clerk
Christine Watson, Admin. Assistant – Planning & Development

1.0 Call to Order

Mayor Norman called the meeting to order at 6:00 p.m.

2.0 Changes / Approval of Agenda

Councillor Amirault requested Item 8.6 Policy 23 – Request an Area Rate to be discussed prior to Item 8.2.

Councillor Charlton requested Item 8.8 Budget Meeting be added.

It was moved by Councillor Charlton and seconded by Councillor Hawkes that the Agenda be approved as amended.

MOTION CARRIED unanimously.

3.0 Presentation

There were no presentations to come before this meeting.

4.0 Tabling of Petitions

There were no petitions to come before this meeting.

5.0 Public Question / Comment Session

Robert Dexter, 79 Richardson Street, Brooklyn – Mr. Dexter stated he wished to discuss the proposed pool. He provided his background stating he was a member of Council before amalgamation. His daughter was involved in the Dambusters swim team. He was also involved with the QCCRS committee.

He further stated he is a regular user of pool at the LCLC and the Milton pool. He is in favour of a 6 lane pool or a 5 lane minimum. He commented that following his attendance at the January 24th Council meeting he felt Council was leaning toward an indoor pool, but after reading the agenda for the February 14th Council meeting, it indicated there would be an outdoor pool, but the recommendations did not indicate either way and wanted to know if the plans were for an indoor or outdoor pool.

He further enquired who the members of the Pool Committee are; do they include external members? He feels that the interest of the public was not consulted prior to moving forward with the project.

He suggested holding public meetings to engage residents on what they wish to have and how it is paid for. He would like to see preliminary costing on construction and operations and suggested using existing facilities within the province as a gauge.

He suggested the installation of a water slide and diving board which would be better revenue generator. He commented that he hoped the 0 entry proposal was not beach front style and suggested looking into the kiddy ramp used at the LCLC.

He questioned solar heat and enquired what happened to using heat from when ice is being made to heat the pool.

He further questioned where the money was coming from for operating costs and suggested investing in an offsite solar/wind farm, which would help to reduce operating costs.

He stated he is not interested in an outdoor pool.

Robin Anthony, 532 Brooklyn Shore Road, Brooklyn – Mrs. Anthony offered comments on the Brooklyn area rate stating following amalgamation when responsibilities of the Brooklyn Village Commission shifted to the Region. For the past 26 years, area rates set at amalgamation, 4.5 cents per \$100 of assessment for Brooklyn Recreation and 1.5 cents per \$100 of assessment for Brooklyn Cemetery which has been submitted to and approved by Council and Brooklyn rate payer meetings were no long held.

In the spring of 2022, the board of the Brooklyn Recreation Committee resigned, and no meeting had been held for some time prior. Volunteers took over, and an application for an area rate was submitted to the Region.

She further stated rate payers should approve area rates and hold meetings and not be to Council referred directly. This was recently done in Beach Meadows, why not for Brooklyn?

Many residents have modest incomes, some are on a fixed incomes, and should have a right to choose. She urged Council to consider holding meeting sessions and allowing residents to vote.

Terry Feener, 212 Beech Hill Road, Hunts Point – Mr. Feener enquired about a study being prepared for water and sewer extension for the proposed developments in Mount Pleasant, and why this is just being done now and not already done and feels that there should already be plans in place for the county.

He further enquired about the proposed library design and the cost. In addition, he enquired if there have been surveys done to see how many people visit the library, and if not, is there a way to find out?

Robert Dexter, 79 Richardson Street, Brooklyn – Mr. Dexter stated he is Chair of the Brooklyn Cemetery Committee and was previously on the Village Commission.

The Recreation Committee was a committee of the Village Commission, not a separate entity. The Brooklyn Cemetery committee was a separate entity that came to the Village Commission asking for money to help maintain the cemetery.

The Brooklyn Cemetery advertises for meetings two weeks in advance of them being held with newspaper ads and posters. The meetings are held annually for the rate payers to decide what they want. It is up to the residents of Brooklyn to decide if they want an area rate and at what rate for the cemetery.

Prior to the new Brooklyn Recreation Committee, Region staff told them they did not have to hold annual meetings.

He further stated he disagrees with a lot of what is in Policy 23. He stated the Committee has been established for 26 years. He disagrees with the wording around accountability and the dates that information is required by.

Noel Smale, 97 Brooklyn Shore Road – Mr. Smale stated he does not believe they should be held to what the previous Board has done and that they do wish to have accountability on how the money is being spent.

The Community Hall is very busy with lots of bookings. If the community loses the hall they will never get it back.

He stated they are an established group and have been since 1995 and have had the area rate since then and does not believe they need to go through the process of applying.

6.0 Approval of Minutes

6.1 Regular Council – February 14, 2023

It was moved by Councillor Brown and seconded by Councillor Muise:

THAT the minutes of the Regular Council meeting held February 14, 2023 be approved as circulated.

MOTION CARRIED unanimously.

7.0 Recommendations

- 7.1 Bylaw No. 4 – A Bylaw Respecting Emergency Management, first reading

It was moved by Councillor Hawkes and seconded by Councillor Brown:

THAT Council of Region of Queens Municipality give first reading to Bylaw No. 4 – A Bylaw Respecting Emergency Management.

Eric Levy, Municipal Clerk and Diversity Coordinator, stated Bylaw No. 4 was adopted in 2006 and was reviewed as part of the ongoing policy and bylaw review.

He noted the major changes included:

- Removal of definitions that are redundant and not necessary in the new document.
- Emergency Management Advisory Committee
- Emergency Management Planning Committee
- Duties of Council

MOTION CARRIED unanimously.

- 7.2 Public Committee Appointments

It was moved by Councillor Muise and seconded by Councillor Brown:

THAT Council of Region of Queens Municipality approve the following public member committee appointments:

Planning Advisory Committee:

Deanna Armstrong, District 7, for a term expiring October 31, 2024

Heritage Advisory Committee:

Michael Vandale, for a term expiring October 31, 2024

Norma Lenco, for a term expiring October 31, 2024

John Druzina, for a term expiring October 31, 2024

Tara Druzina, for a term expiring October 31, 2024

MOTION CARRIED unanimously.

7.3 Development Agreement – Beach Meadows Beach Road, Beach Meadows

It was moved by Councillor Amirault and seconded by Councillor Charlton:

THAT Council of Region of Queens Municipality give notice of its intention to enter into a development agreement with Albert and Paula Doucet to allow for a three (3) unit fixed-roof overnight accommodation on property identified as PID #70260948;

AND THAT a public hearing be scheduled for Tuesday, March 28, 2023 in the Council Chambers of the Municipal Building, 249 White Point Road in Liverpool, NS, at 6:00 pm.

Mike MacLeod, Director of Planning & Development, stated an application was received to rezone property off Beach Meadows Road in Beach Meadows from Hamlet Residential (HR) zone to Hamlet Core (HC) zone. The applicant wishes to construct a triplex dwelling to use as either short term or long term rentals.

A triplex dwelling is a use permitted in the HR zone if used as a long term rental. Short term rentals are permitted with only one unit on a lot. The proposed use is for three units is not permitted under current regulations.

One option for consideration to meet the needs of the applicant is to amend the LUB to change the zoning of the property from Hamlet Residential (HR) to Hamlet Core (HC). Section 5.48 Rezoning in the MPS sets out boundaries of zones for consideration. Through Policy 6-21, Council can amend the LUB if all criteria have been met.

Changing the zoning for a parcel of land from Hamlet Residential to Hamlet Core, would open up the parcel of land for any other use permitted, so it's not just short term rentals permitted, and may be less compatible with the surrounding residential area.

Another option Council could consider to permit this use is through a development agreement. The MPS contains a policy for Council to consider specific uses.

The lot area is 1.64 acres is in a mix of residential, parkland, and open space. The proposal for a new build would not impact the existing housing supply. There are no Municipal sewer or water services in this area; they would utilize a private on-site system.

The property abuts Beach Meadows Beach Road which is a provincially owned and maintained public road with access approved by Department of Public Works. While the property does not abut the coast, it is located within the vertical elevation buffer area, and is subject to minimum elevation standards. The setbacks from the identified wetland and watercourse exceed minimum development setbacks.

Potential options for consideration are:

1. Maintain status quo (deny request);
2. Amend the LUB to rezone property from Hamlet Residential (HR) to Hamlet Core (HC); or
3. Enter into a development agreement with the owners to allow for a three unit fixed-roof overnight accommodation.

Staff have reviewed the application and are of the opinion that the proposal is consistent with policy and the planning strategy and would best be addressed through a development agreement to reduce potential impacts on surrounding areas.

The Planning Advisory Committee met and reviewed the application on February 15, 2023. They are in favour of entering into a development agreement for this use.

MOTION CARRIED unanimously.

7.4 Policy 77 – Tangible Capital Assets

It was moved by Councillor Brown and seconded by Councillor Hawkes:

THAT the Council of Region of Queens Municipality adopt revised Policy 77 – Tangible Capital Assets be adopted as presented and recommended by the Audit and Internal Control Committee.

Joanne Veinotte, Director of Corporate Services, stated she requested the Audit and Internal Control Committee prioritize review of Policy 77 where it involves over \$10 Million in assets.

The most significant change is the increase to the capitalization limit from \$25,000 to \$50,000 which is more in keeping with the financial conditions in the terms of what things cost. Minor changes were made to wording and references to professional organizations.

The AICC requested the Director of Engineering and Public Works review the useful life parameters being used. Changes were suggested, however, per Public Service Accounting Standard the criteria must be met in order to revise the useful life, and these criteria have not been met.

The purchased vehicles already will be amortized at 10 years from the date they were purchased but the new vehicles will be amortized at 5 years.

In terms of operational expenses, the increase is the short term assets before that cost \$25,000-\$50,000 would have been capitalized and expensed; now, they are going to be expensed in one year rather than amortized over their useful life.

MOTION CARRIED unanimously.

7.5 Policy 42 – Economic Development and Tourism Loans

It was moved by Councillor Brown and seconded by Councillor Charlton:

THAT the Council of Region of Queens Municipality repeal Policy 42 – Economic Development and Tourism Loans as recommended by the Audit and Internal Control Committee.

Ms. Veinotte stated this policy was from 2004. She spoke with Richard Lane, Director of Economic Development for confirmation that this policy is no longer relevant as these items are no longer available for loan.

MOTION CARRIED unanimously.

7.6 Insurance and Risk Management Services RFP

It was moved by Councillor Charlton and seconded by Councillor Brown:

THAT Council of Region of Queens Municipality contract the Municipality's full Insurance and Risk Management Services with AON Reed Stenhouse Inc. for the fiscal year from April 1, 2023 to March 31, 2024 with an option to renew for each of four subsequent years.

Ms. Veinotte stated our current policies have multiple providers and multiple renewal dates. The RFP was written so that each section of coverage required could be bid on separately or as a group.

Three submissions were received and scored. One submission bid on all of our insurance lines, and is our current insurance carrier. One bid on just our fire departments and one for just the Region of Queens.

By combining all the policies together, which include the Region of Queens (all municipally owned), ground search and rescue, and the first responders, and the fire departments all under one policy, there is a savings of \$60,000 in liability insurance.

She further stated currently we have a separate policy with BFL that covers our fire policy. We pay liability insurance for all fire departments so if we combine them, this will be covered under the existing policy. If we continue with the fire services through BFL, their insurance premiums will increase to \$83,387 versus the proposed provider for \$82,600.

The deductible is significantly more for the fire departments with the AON proposal than with the BFL proposal. The BFL proposal had a deductible of \$5,000 and AON of \$25,000 per incident. In reviewing the claims history there have been very few. The fire chiefs had inquired about replacement value. The BFL policy provides replacement value of the trucks. AON policy provides replacement value for twenty five years on trucks that are new and pay actual cash value for used trucks. This only happens if the truck is destroyed completely. There is also a provision provided that if there is a disagreement on the replacement value there is an arbitration system.

Councillor Amirault enquired if the fire chiefs were informed of the proposed changes. Mrs. Veinotte stated no they have not due to the

timing of the policies expiring March 31st and with the preparation of the budget, which was prepared to include the \$60,000 in savings.

Councillor Muise stated the fire departments should be informed of the proposed changes before Council votes on this motion.

Mayor Norman stated she feels the fire chiefs will accept the proposed changes.

Councillor Charlton suggested holding a special meeting with the fire chiefs to review this with them and agreed with Councillors Muise and Gidney. Councillor Brown agreed.

It was moved by Councillor Charlton and seconded by Councillor Brown:

THAT the recommendation be withdrawn.

MOTION CARRIED unanimously.

8.0 Discussions

8.1 Road Naming Serenity Now Lane

Mike MacLeod, Director of Planning and Development, stated a request for the naming of a private road has been submitted which would name a new off Shore Road in Western Head as Serenity Now Lane.

This name is acceptable to the Planning Department as this named road currently does not exist in Queens County.

It was moved by Councillor Charlton and seconded by Councillor Brown:

THAT this issue be referred to the next Council meeting for a recommendation.

MOTION CARRIED unanimously.

8.2 Policy 23 – Request for Area Rate – Councillor Vicki Amirault

Councillor Amirault stated in discussions with the Brooklyn Cemetery and Brooklyn Recreation committees there are issues with the policy. The date of January 15th to have statements completed and information for the application does not give them enough time, and suggested maybe changing to the middle or end of February.

She further stated the need for clarification on 'notice to reader level', which is not listed in the definitions. She discussed with a Chartered Professional Accountant, and was informed that notice to reader is no longer used and is now called compilation engagement report. It is costly to have a chartered accountant prepare the income statements and do the reconciliations, so he suggested have a financial statement which includes a statement of receipts and disbursements.

Mayor Norman stated there needs to be a policy as Council is responsible to all of our taxpayers to justify why we are setting a tax rate and what it is needed for. It is important that when groups apply for an area rate that the finance department of the Region has a full understanding of the financial status of an organization.

She suggested if Councillor Amirault needed clarification on the policy to speak to the Municipal Clerk or Director of Corporate Services.

Mrs. Veinotte stated the policy requests the most recent financial statements be independently reviewed to a notice of reader level. She explained the terminology, notice to reader, as a third party with no vested interest within the organization to review the statements. A copy of the budget is to be included, most recent bank statement, incorporation documentation, written statement for request, etc.

She further explained "the most recent financial statements" to be submitted with the application would be those ending December 31, 2021, not 2022 if they were not completed.

She suggested meeting with organizations to explain the policy who apply for an area rate.

Councillor Gidney enquired if a chartered accountant is required to review their documents. Mrs. Veinotte stated yes. Councillor Gidney voiced his concerns over the cost of having this done, which may be a burden to these organizations.

Chris McNeill, CAO, stated this came about from past experience for area rates when the information provided was lacking, so it was suggested asking for a notice of reader, so that someone independent from the organization reviews the financial statements. That is what we are asking for. The idea of statement of receipts and disbursements seems like an income statement with no balance sheet. It is not up to staff or Council to audit someone's financial situation.

He further stated if the date for submission is delayed until the end of February, the meetings and decisions would not be done in time for budget deliberations.

Mayor Norman asked for consensus to have the Municipal Clerk review the policy, with input from Councillors, and be brought back for further discussion at a future meeting. Council gave consensus.

8.3 Area Rate Requests – Brooklyn Cemetery Association and Brooklyn Recreation Association

Ms. Veinotte stated two applications were received for an area rate; one from the Brooklyn Cemetery Association for 1.5 cents and one from the Brooklyn Recreation Association for 4 cents. Their request was not in cents but a financial request for \$32,000. The financial reports that were submitted as part of the application were not prepared at the Notice to Reader level as prescribed by the policy by either organization.

Council can consider if they want to hold an area rate meeting public consultation or refer it directly to budget deliberations.

Councillor Amirault thanked the Brooklyn Cemetery Association and Brooklyn Recreation Association for their detailed financial statements. There was low attendance at their meetings; 15 – 20 in attendance. There are approximately 883 properties involved with

this area rate request. She asked to have an area rate meeting with both Brooklyn Recreation and Brooklyn Cemetery in attendance as well as the public and Council, as there hasn't been an area rate meeting in twenty five years. There are new residents to the area and they should be included to make a decision on how their money is spent. There needs to be a meeting and a vote. Councillors agreed.

Mayor Norman stated there are costs for advertising associated with to holding public session and voting. She noted that Council is not bound by the vote.

Councillor Amirault requested that the voting be held on a separate day. Mr. McNeill stated staff will reach out to the organizations to pick a date to hold the public meeting and will then advertise as we usually do. A facility will be booked to hold a day long vote.

Mayor Norman announced a 5 minute break at 8:06 p.m.

8.4 Library Discussion

Councillor Muise stated he looked at the expense of the installation of new road for the library and does not believe the taxpayers should be paying for it.

He further stated he sees no benefit in having a separate building for the library and should be attached to QPEC.

Deputy Mayor Fancy stated the proposed library site is in a convenient spot. Since going forward with the construction of a pool, which was not part of the discussion, he enquired if it should be there or if it would be more cost effective having it combined.

Mayor Norman stated the discussion is not on the location of the library as there is already a motion on the floor. If Council wishes to have a discussion on the stand alone library and the location, the motion needs to be rescinded.

Councillor Charlton stated at the last meeting there was a discussion on the water, sewer and sidewalks. Mayor Norman stated this can be discussed but not the location as it has already been determined.

Mr. McNeill stated eight sites were looked at for the location with the Steering Committee's criteria. Having the library built at Queens Place was an option.

He further stated a past Council had set out that any money from a sale at the Queens Place site would be put into a reserve for future infrastructure on properties there. There have been several discussions on selling the lot next to Best Western to the Queens Care Building Society with the expectation that they want sewer and water extended, and a roadway. There would be no impact to the taxpayers because we would sell it to them at fair market value and part of that money would then be used to extend the infrastructure. The Society is working on their plans and is waiting on us to tell them our plans. The idea that it's going to cost an additional \$1 Million for the library is not a fair suggestion. Our Engineering department have come up with a preliminary budgetary number of the costs associated and will be discussed at the upcoming budget meeting; i.e. \$950,000 to extend the road to the end. The extra costs to hook the library into the lateral based on preliminary figures would be minimal. If Council chooses not to extend, the library would need to install an onsite septic and well, and incorporate that into the budget that has already been established.

Councillor Muise stated he does not remember there ever being any discussion on using the sale of the lands for infrastructure.

Councillor Charlton stated with the new information being brought forward she feels that it a valid reason to have these conversations.

Adam Grant, Director of Engineering & Public Works, stated as a member on the Queens Care Building Society, he has not met with them since June they provided preliminary layouts, showing going from the cul de sac to their facility with no intention to require any street or service extension in January.

Councillor Charlton gave notice to rescind the motion on the library site. Councillor Gidney supported the notice.

8.5 Sidewalks – Councillor Maddie Charlton

Councillor Charlton distributed copies of a site plan to Councillors.

She stated a resident contacted her regarding the new apartment buildings being constructed on Cobbs Ridge. In addition to what is presently there, with the addition of two buildings, there will be 48 units in total. The residents are supportive of the developments but because of these developments traffic has increased. The sidewalk ends on Crowell Street and does not have a sidewalk until College Street. She is seeking input from other Councillors and perhaps looking at allocating money in the budget for sidewalks.

Mr. McNeill stated the Region presently has a sidewalk reserve of approximately \$50,000 and will come forth at the budget meeting this week.

Councillor Gidney enquired if sidewalks could be built in sections. Mr. Grant stated if looking at roads in Cobbs Ridge, you would have to identify and do it all at once otherwise doing in phases would accomplish nothing.

Councillor Muise enquired to cost. Mr. Grant stated the formulations takes into many factors, i.e. storm water in the street. Both Barss Street and College will be assessed in the coming years and before investing in sidewalks you would need to assess what's underneath the streets and suggested the cost would be substantial.

Mayor Norman stated this could be part of the discussions for our 5-year capital plan.

8.6 Live Streaming – Councillor Maddie Charlton

Councillor Charlton stated we've had many challenges recording our meetings. Challenges for viewers and Councillors as well as staff who spends time after council meetings downloading and getting it ready for the public, which results in the public having to wait a few days to see it. At our last meeting we had to stop recording a few times and has not been the first time.

She further stated once the audio improvements are completed that our meetings could be livestreamed. It would allow residents at home to watch Council meetings in real time and create equal opportunity for everyone. Not everyone has the opportunity to attend where day or evening meetings. When investigating other municipalities there were very few that did not do livestreaming. Almost all of our neighbouring municipalities do. Several utilize different streaming i.e. Facebook and You Tube.

Councillor Brown stated he feels it should be taken to the Communications Committee for discussions to come up with some ideas before moving forward.

Mayor Norman enquired if this issue has been brought before the Communications Committee, as this is something that they should be involved in. The Committee was established to review all our communications and this is an important part of it. Councillor Charlton stated no and that she realizes it will take time so start with the basics. Deputy Mayor Fancy agreed that we do not need to make it something bigger than what it is.

Mayor Norman enquired if this issue should go to the Communications Committee for further discussion. The majority of Council agreed.

8.7 Town Hall Arts and Cultural Center HVAC Study

Adam Grant, Director of Engineering and Public Works, stated he has been aware of the heating issues at the Astor Theater for quite some time and was made aware that Council is looking at a cooling unit system to be installed.

He further stated discussions were held with DUMAC Energy Limited with the intention of reducing heating costs and to undertake an assessment study of the facility.

Councillor Gidney stated this is a good first move and the fee is reasonable. Mr. Grant stated the fee is for preliminary work, to identify the existing conditions before moving forward with a more in-depth design.

Councillor Charlton stated in discussions with the Astor Theatre Society they have been working with an engineer to apply for a grant. She enquired if he had discussions with them. He stated yes, with Lynn Cochrane, and she confirmed they were in discussions to secure technical information for the grant and are potentially looking at the energy audit that would need to be undertaken as part of the grant process. Some of the work may overlap to a minor degree.

Councillor Charlton further enquired if DUMAC has experience in dealing with arts and cultural buildings especially with the aspect of the acoustics. Mr. Grant stated yes and have a good track record.

Councillor Charlton stated she understood the Society was undertaking a study as part of the grant process. She enquired if they could be consulted in this, as they have concerns about the acoustics. Mr. Grant stated any design DUMAC comes up with would be consistent within the arts.

It was moved by Councillor Gidney and seconded by Councillor Charlton:

THAT this issue be referred to the next Council meeting for a recommendation.

MOTION CARRIED unanimously.

8.8 Budget Meetings – Councillor Charlton

Councillor Charlton asked that the budget meetings be recorded as they are meetings of Council. Residents should have the opportunity to watch them. Councillors agreed.

9.0 In-Camera Items

It was moved by Councillor Gidney and seconded by Councillor Amirault that the proceedings go In-Camera at 9:08 p.m. to discuss the following:

- 9.1 Contract Negotiations**
- 9.2 Lease of Municipal Property**
- 9.3 Personnel**

MOTION CARRIED unanimously.

Mayor Norman announced a 5 minute break at 9:08 p.m.

It was moved by Councillor Gidney and seconded by Councillor Hawkes that the proceedings exit In-Camera at 10:10 p.m.

MOTION CARRIED unanimously.

- 9.2 Lease of Municipal Property

It was moved by Councillor Muise and seconded by Councillor Amirault:

THAT Council of Region of Queens Municipality enter into the proposed lease agreement with Nova Scotia Drag Racers Association for their continued use of South Shore Regional Airport.

Mayor Norman stated negotiations with the NSDRA was successful and a mutual agreement was reached.

MOTION CARRIED unanimously.

10.0 Adjournment

The meeting adjourned at 10:15 p.m.

Mayor Darlene Norman, Chair

Eric Levy, Municipal Clerk

Christine Watson, Administrative Assistant – Planning & Development

Date Approved: _____

Region of Queens Municipality Staff Report

7.1

To: Council

From: Mallory Plummer, Manager of Finance

Date: March 14, 2023

Re: **Tax Exemption Bylaw, second reading**

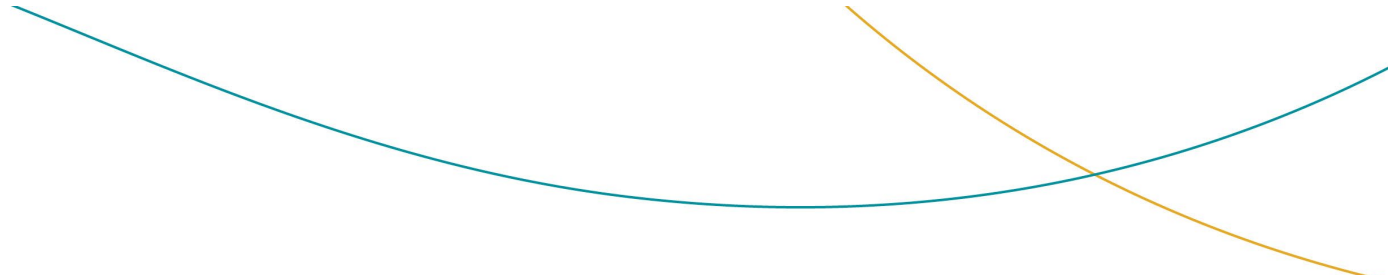
Background

Each year, Council reviews properties listed in *Bylaw No. 14 Tax Exemption Bylaw* for possible additions and deletions of properties to be exempt from taxation. Attached is the proposed bylaw for 2023-2024, with a list of the associated exempted properties.

Details

Since the last review and approval of the *Tax Exemption Bylaw*, requests have been made by the Anglican Parish of South Queens, Native Council of Nova Scotia as well as Queens General Hospital Foundation. The Anglican Parish of South Queens is looking for exemption on two pieces of vacant un-cleared land. Native Council of Nova Scotia put in requests for exemptions on two properties, however, housing is not eligible for an exemption under legislation therefore we are only able to add their Office to this exemption list. Queens General Hospital Foundation has requested an exemption on vacant land behind the hospital.

This bylaw was given first reading on February 14, 2023 and published in the Breaker and the Chronicle Herald. We have received three additional additions since then. Two additions for the North Queens Board of Trade for land donated for the purpose of creating a community park. The other addition was a piece



of resource land assessed to Southwest Nova Scotia Biosphere Reserve Association. These properties have been added to “Schedule A” in the proposed bylaw.

Applicable Legislation

Section 71 (1) of the *Municipal Government Act* (MGA) states

(1) The council may, by policy, exempt from taxation, to the extent and under the conditions set out in the policy

(a) property

- (i) of a named registered Canadian charitable organization, and
- (ii) that is used directly and solely for charitable purpose;

(b) property of a nonprofit community, charitable, fraternal, educational recreational, religious, cultural or sporting organization if, in the opinion of the council, the organization provides a service that might otherwise be a responsibility of the council;

(e) the buildings, pump stations, deep well pumps, main transmission lines, distribution lines, meters and associated plant and equipment of a municipal water utility.

Budget Impacts

The total amount in residential and commercial exempt taxes under this bylaw is approximately \$241,000.

Recommendation

That Council of the Region of Queens Municipality give second reading to Bylaw No. 14 respecting Tax Exemptions.



Communications

The approval of this Bylaw will be advertised in a local paper and on our website.

BYLAW NO. 14

A BYLAW RESPECTING TAX EXEMPTIONS

BE IT ENACTED by the Council of the Region of Queens Municipality, under the authority of the *Municipal Government Act, S.N.S. 1998, Chapter 18*, as follows:

1. This Bylaw shall be known as Bylaw Number 14 and may be cited as “The Tax Exemption Bylaw”.
2. The property of the organizations, or institutions named in Schedule “A” that would otherwise be classified as commercial, residential or resource property shall be totally exempt from taxation, including area rates, in the Region of Queens Municipality and the property of the organizations, or institutions named in Schedule “B” that would otherwise be classified as commercial property shall be partially exempt from taxation, including area rates, and will be required to pay the residential rate of taxes in the Region of Queens Municipality.
3. Where a property or part thereof, listed in Schedule “A” or “B”, ceases to be occupied by the association or for the purposes set out in the Schedule, partial or total exemption from taxation shall cease and the owner of the property shall immediately be liable for the real property tax on such property or part thereof for the portion of the year then unexpired.
4. This bylaw shall be reviewed on an annual basis, to examine the tax-exempt status of the properties exempted by this bylaw.
5. This bylaw shall have effect in the municipal taxation year commencing on April 1, 2023.

REPEAL

6. The Tax Exemption Bylaw adopted by the Council of the Region of Queens Municipality on 22nd day of March 2022, is hereby repealed.

THIS IS TO CERTIFY THAT this Bylaw was passed by the Council of the Region of Queens Municipality at a duly constituted meeting of said Council held the 14th day of March, 2023.

SIGNED by the Mayor and Municipal Clerk this 23rd day of March, 2023.

MAYOR

MUNICIPAL CLERK

READINGS: First: February 14, 2023

Second: March 14, 2023

Date of Publication: February 22, 2023

Newspaper: March 22, 2023

Office of the Minister of Municipal Affairs and Housing

Filed / Approved: March 23, 2023

SCHEDULE "A"
Non-Profit Organizations

<u>Assessment District</u>		<u>Assessment Account Number</u>
1	Hunts Point Community Hall	02116774
	Anglican Parish of South Queens	00756776
	Mersey Point Community Association	03217167
	District No. 3 Athletic Association	06018025
	Hollow Log Rifle & Pistol Association	02060078
	White Point Community Association	04905504
	Genesis Christian Ministries Inc	04605802
	Harbour Authority Moose Harbour	03389111
	Queens Archers Association	01641832
	Queens Archers Association	01641859
	Queens Archers Association	00197254
	Queens Archers Association	06466613
	Queens Day Care Association	03377768
	Queens Day Care Association	04918665
2	Port L'Hebert Community Hall	00889555
	Port Joli Community Association	03788946
	Spectacle Light Society	01763709
	SW Port Mouton Women's Community Assoc.	04499182
	West Queens Recreation Association	04918053
	West Queens Recreation Association	04318137
	West Queens Coastal Community Devel Assoc	03400611
3	Milton Community Association	03257665
	Milton Community Association	10740215
	Milton Community Association	10740223
	The Milton Canoe and Camera Club	04924037
	Queens Association for Supported Living	03012212
4	Queens Association for Supported Living	00583405
5	Brooklyn Recreation Committee Society	04764269
6	Brooklyn Recreation Committee Society	00484806
	Brooklyn Recreation Committee Society	04764323
	Brooklyn Recreation Committee Society	10495318
	Queens Recreational Boating Assoc	08373183
	Queens Recreational Boating Assoc	00424897
	Queens Recreational Boating Assoc	00424501

7	Seaside Recreation & Community Center Assoc	03401324
	Medway Head Lighthouse Society	10573548
	Medway Head Lighthouse Society	01763776
	Anglican Parish of South Queens	01230557
8	Mill Village Community Hall	00889563
	Danesville Community Hall	01080687
9	Twinfields Community Association	08360510
	Greenfield First Settlers Place	01502379
	Greater Molega Lake Lot Owners Association	01796356
10	Westfield Community Club	04877047
	Trustees Community Club Pleasant River	00888877
	Southwest Nova Biosphere Reserve Association	10293367
11	North Queens Historic Society	03539091
	Mechanics Lodge #78 AF	03189317
	North Queens Medical Centre Association	03562956
	Roman Catholic Episcopal Corporation	00759538
	Margaret Stanhope (Hunt Park)	02110393
	North Queens Board of Trade	03539059
	North Queens Board of Trade	00650587
	North Queens Board of Trade	01543814
12	Kempt Community Hall	02331578
	New Grafton Community Assoc	03491048
	Mersey Toboatic Research Institute	06470548
13	Hank Snow Museum	08400113
	Astor Theatre	04645693
	Parking Lot/Veteran's Park	04645995
	Friends of Hank Snow Society	02578204
	Hines Proguide Ltd	04645766
	Queens Association for Supported Living	02950529
	Queens Association for Supported Living	04026489
	Queens Association for Supported Living	08375305
	Liverpool Baseball Club (1982)	05172322
	Liverpool Baseball Club (1982)	08390274
	Liverpool Baseball Club (1982)	01317288
	Liverpool Curling Club	02571358
	Region of Queens Water Utility	04645774
	Native Council of Nova Scotia	03934934

SCHEDULE "B"

Non-Profit Organizations

Assessment District		Assessment Account Number
13	Vishwa Nirmala Dharma Educational Society (50% value)	01885987
13	Queens General Hospital Foundation (50% value)	02912058

Region of Queens Municipality

7.2

Staff Report

To: Council
From: Mike MacLeod, Director of Planning and Development
Date: March 14, 2023
Re: Road Naming – Serenity Now Lane

Background

A request for the naming of a private road has been submitted to the Planning Department, which would see the naming of a new road off Shore Road in Western Head named as **Serenity Now Lane**.

The first name choice, **Serenity Now Lane**, is acceptable to the Planning Department, as this named road currently does not exist in Queens County. Refer to map attached as Appendix A.

The Region's Policy respecting Naming and Renaming of Roads sets out that:

At the request for a road (private or public) name change or the naming of an unnamed road, a petition (Schedule "A") must be submitted by the owner of the road. However, if no specific owner can be determined, a petition signed by seventy percent (70%) of the persons that own land abutting the road may be submitted. This includes owners of both developed and vacant land on the road.

The new road is owned by the applicants and they have submitted a petition for road naming. The petition is attached as Appendix B.

The Region of Queens also has a policy, Private Road Name Signage – Policy 69, which sets out that the Municipality will purchase and install private road name signs in an effort to ensure that proper signage is in place for emergency service purposes. This is a one-time purchase and install, after which, the responsibility for the signage becomes the responsibility of the road owner.

Applicable Legislation

Region of Queens Municipality *Policy Number 6 – Naming and Renaming of Roads* and *Policy Number 69 – Private Road Name Signage*.

Budget Impacts

Costs to purchase and install the signage is approximately \$200, which is provided for in the 2022/ 2023 Planning budget.

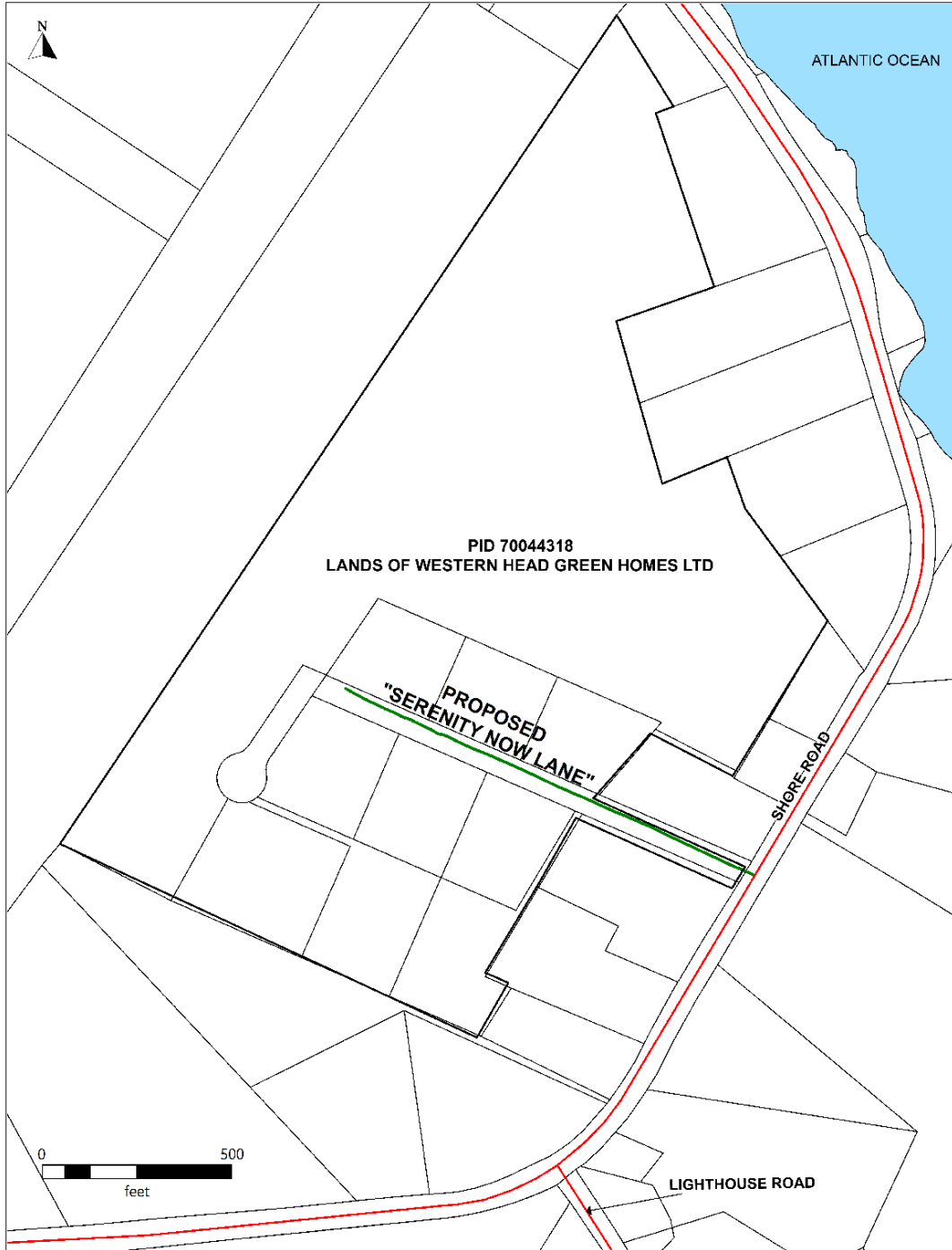
Recommendation

THAT Council of Region of Queens Municipality approve the naming of a new road off Shore Road in Western Head as **Serenity Now Lane**.

Communication

The applicant will be advised of Council's decision.

Appendix A



Region of Queens Municipality Staff Report

7.3

To: Council

From: Eric J. Levy, Municipal Clerk and Diversity Coordinator

Date: March 14, 2023

Re: Rescinding of Motion Passed January 10, 2023

Background


At the January 10, 2023 Regular Council Meeting, Council of Region of Queens Municipality adopted the following motion:

“THAT the Council of Region of Queens Municipality approve the placement of the new Thomas H. Raddall Library on the lands of the Municipality adjacent to the sliding hill at the end of Queens Place Drive, Brooklyn.”

Bourniot's Rules of Order, 4th Revised Edition p. 47 provides the following:

Once decided a question cannot be brought up again at the same meeting, but if it should become necessary to rescind a motion that has been passed, notice of intention to do so can be given at one meeting or in advance in some way. A motion for rescinding is then introduced and dealt with at a subsequent meeting.

Rules and Forms of Procedure of Council – Region of Queens Municipality (2015, p.13) states:



A Motion to Rescind has the effect of annulling a previous motion. Such motion is debatable. If due notice has been given prior to the day of consideration, it requires a simple majority to be carried in the affirmative. Should a Motion to Rescind be made without due notice, a two-thirds majority is required to carry the motion in the affirmative.

At the February 28, 2023 Regular Council Meeting, Councillor Charlton provided notice of intention to rescind.

Motion

THAT Council of Region of Queens Municipality rescind the motion adopted at the January 10, 2023 Regular Council Meeting approving the placement of the new Thomas H. Raddall Library on the lands of the Municipality adjacent to the sliding hill at the end of Queens Place Drive, Brooklyn.

Communications

Notification will be sent to South Shore Regional Library Board and Thomas H. Raddall Library Steering Committee.

Region of Queens Municipality Staff Report

7.4

To: Council

From: Dana Henley, Community Development Coordinator

Date: March 14, 2023

Re: Community Investment Fund 2022-2023

Background

The Community Investment Fund (CIF) is in its fourth year. It was initially approved by Council on November 27, 2019, and amended by Council on January 14, 2020.


Total funding available in the 2022-2023 budget year is \$175,000, in addition to the reserve funds for Community Investment Fund.

The deadline for operational funding was January 31, 2022, all other funds are available for application throughout the year beginning April 1 until all funds have been exhausted.

Details

The funding request for consideration today is for Capital Upgrade Investment Fund application that has provided a complete application.

Organizations are eligible for Capital Investment Funds under three categories:

- 
- a) Up to twenty-five percent (25%) funding of eligible expenses for new capital community infrastructure, to a maximum of \$250,000;
 - b) Up to fifty percent (50%) funding of eligible expenses for alterations or improvements to existing community infrastructure that will prolong the life of the facility at least 10 years or significantly increase usage, to a maximum of \$50,000; or
 - c) Up to twenty-five percent (25%) funding of eligible expenses for new capital community infrastructure planning or feasibility studies, to a maximum of \$10,000.

CJQC Radio Society

Request: \$ 2,800.00

CJQC Radio Society, also known as Queens County Community Radio (QCCR) operates a community radio station serving the citizens of Queens County, which is available 24/7/365. The Society's request is for a capital upgrade investment to replace and upgrade their main broadcasting studio with a mixing board, distribution amplifier and accompanying software. Eligible costs total \$5,550.30. All required documentation was provided, and the request meets Policy 11 – Community Investment Fund's criteria.

Applicable Legislation

Municipal Government Act (MGA) authorizes Council to expend money under:

Authorized municipal expenditures

65A (1) Subject to subsections (2) to (4), the municipality may only spend money for municipal purposes if:

- (a) the expenditure is included in the municipality's operating budget or capital budget or is otherwise authorized by the municipality;
- (b) the expenditure is in respect of an emergency under the *Emergency Management Act*; or
- (c) the expenditure is legally required to be paid.

(5) In the event of ambiguity in whether or not the municipality has the authority under this or any other Act to spend money or to take any other action, the ambiguity may be resolved so as to include, rather than



exclude, powers the municipality had on the day before this Section came into force.

Budget Impacts

This report is seeking approval to expend money from Community Investment Fund budget line. All funding will be distributed as per guidelines set out in Operational Policy 11 – Community Investment Fund.

Recommendation

That the Council of Region of Queens Municipality provide grant funding to CJQC Radio Society in the amount up to \$ 2,775.15 from the 2022-2023 Community Investment Fund.

Communications

The funding applicants will be notified of a decision following Council. Approved applicants will be included in the 2022-2023 Grant Disclosure per Policy 89.

Region of Queens Municipality Staff Report

7.5

To: Council

From: Adam Grant, Director of Engineering and Public Works

Date: March 14, 2023

Re: Town Hall Arts and Cultural Center HVAC Study

Background


The former Town Hall Arts and Cultural Center, 219 Main Street, Liverpool utilizes a pair of oil-fired hot water boilers to provide radiant heat but does not offer any means of cooling or ventilation through the facility.

Details

Over the facility's more than century long operation as the Astor Theatre and original Liverpool Town Hall, the facility has seen a variety of upgrades and facility modifications. It is understood the facility was originally fueled by coal and adapted to oil, boilers were replaced approximately 15 years ago, and in the last decade the two separate operations were joined into one open structure.

The facility has never had comprehensive heating, ventilation and air conditioning and has been reliant on passive air ventilation.

Discussion with DUMAC Energy Limited began in December 2022 with the intention of reducing the growing heating costs, providing cooled air, and also ensuring the facility has acceptable indoor air quality. It was determined the best approach would be to undertake an assessment of the facility, examining



current conditions and provide recommendations to satisfy the above criteria. The fee for this service is \$10,975 plus HST, with work to begin upon approval.

Applicable Legislation

Section 47 (5) of the *Municipal Government Act* sets out that council may make and carry out a contract, perform an act, do any thing or provide a service for which the municipality or the council is authorized by an Act of the Legislature to spend or borrow money.

Budget Impacts

It is recommended that it be funded the 2023-2024 operating budget for the facility.

Recommendation

THAT the Council of Region of Queens Municipality approve entering into a contract with DUMAC Energy Limited to conduct a HVAC investigation at the Town Hall Arts and Cultural Center 219 Main Street, Liverpool, at a cost of \$10,975 plus HST, to be budgeted in the 2023-2024 fiscal year.

Communications

DUMAC Energy will be advised following approval from Council. Building tenants will be made aware of the contract and contract will be facilitated so as to not interfere with their normal building operations.

Region of Queens Municipality Staff Report

8.1

To: Council

From: Mallory Plummer, Manager of Finance

Date: March 14, 2023

Re: **Administrative Policy 9: Property Tax Exemption**

Background

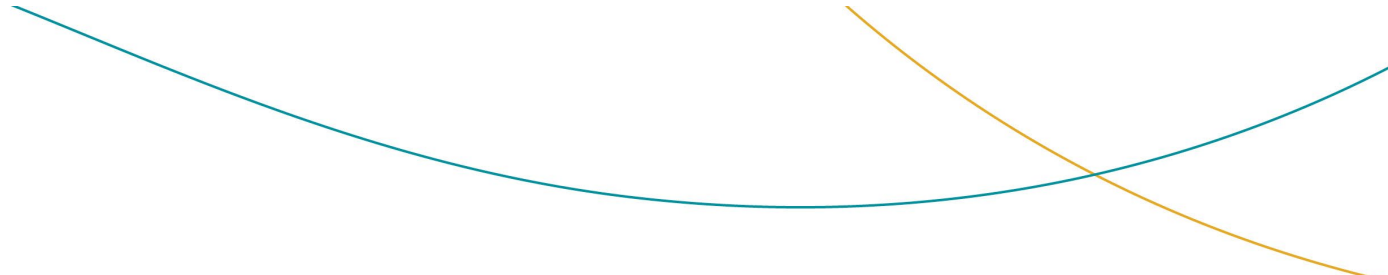
Administrative Policy 9: Property Tax Exemptions allows for a property tax exemption to residents whose income is below a certain amount. The applicable income level for 2022/2023 fiscal year to qualify for exemption was \$30,000, with the exemption amount of \$300. As of February 28, 2023, staff have received 350 qualified applications.

Details

At the February 14, 2023 Council meeting, Council asked staff to research tiered tax exemption models. The following is a breakdown of Region of Queens tax exemptions based on a tiered model.

Income Level	Number of Exemptions	Amount of Money Distributed	Number not Receiving Full Amount*
Less than \$20,000	121	\$35, 459.93	8
\$20,000-\$24,999	159	\$47,067.31	7
\$25,000-\$30,000	70	\$20,440.51	4

*If a tax bill is less than \$300, Region of Queens Municipality pays the entirety of the bill under this program.



It was suggested at the February 14, 2023 Council meeting the exemption amount be increased to \$350. Using the current income range (of up to \$30,000 household income) staff would anticipate \$122,500 in tax exemptions.

Based on the information presented above, and a review of other municipal tax exemption structures, staff have developed the following tiered structure:

<u>Income Level</u>	<u>Exemption</u>
\$0 to \$20,000	up to \$400.00
\$20,001 to \$25,000	up to \$350.00
\$25,001 to \$30,000	up to \$300.00

Based on the 2022/2023 uptake of the exemptions it would cost the following:

\$0 to \$20,000:	121 @ \$400= \$48,400
\$20,001 to \$25,000:	159 @ \$350= \$55,650
\$25,001 to \$30,000	70 @ \$300= \$21,000

Total cost \$125,050

Applicable Legislation

Municipal Government Act section 69 (2)

The Council may, by policy, (a) grant an exemption from taxation, in the amount or to the extent set out in the policy, for a person whose income is below the amount set out in the policy.



Discussion

In preparation of the 2023/2024 fiscal budget, staff are seeking direction from Council on how to proceed with the property tax exemption structure, specifically the use of a flat rate or tiered model, income cut off levels and exemption amounts.



CURRENT

ADMINISTRATIVE POLICY NO. 9

RESPECTING TAX EXEMPTIONS

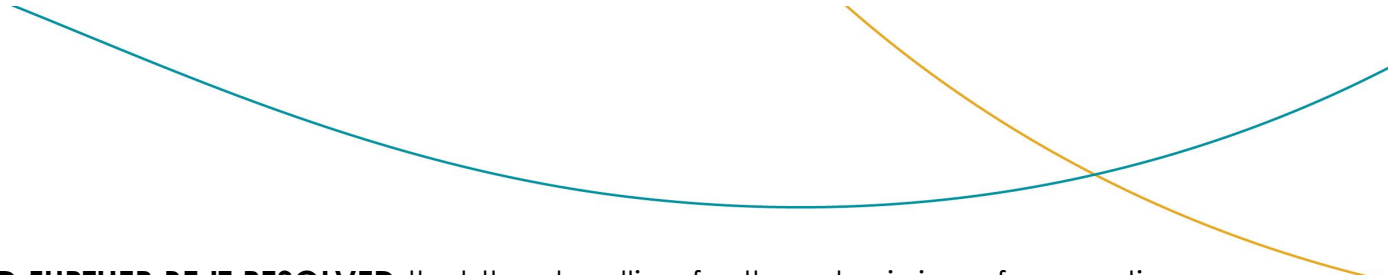
WHEREAS the Municipal Government Act states that a municipality may grant an exemption from taxation, in the amount set out in the policy, for a person whose income is below the amount set out in the policy; and

AND WHEREAS Region of Queens Municipality is desirous of establishing a system of tax exemption for low income residents throughout Queens County;

THEREFORE BE IT RESOLVED that Region of Queens Municipality grant an exemption of **\$300.00** for all assessment districts upon the property owned by a person whose total income from all sources, which income includes income of all other members of the same family residing in the same household, for the calendar year preceding the fiscal year for which the exemption is sought, is \$30,000 or less.

AND FURTHER BE IT RESOLVED that this exemption only extend to persons who are residents of the Region of Queens Municipality and apply to property of a ratepayer occupied by them as their home;

AND FURTHER BE IT RESOLVED that where two or more persons, one or more of whom are entitled to an exemption, are by interest the owners of taxable property together, the person so entitled to that portion of the amount of exemption by their assessment with respect to the property bears to the total assessment for the whole property, and where the owners are not separately assessed for their interest in the property then to the portion determined shall be final;



AND FURTHER BE IT RESOLVED that the deadline for the submission of exemptions is the end of February, and if the end of February is a Saturday, Sunday or a Holiday, that application may be made on the business day directly following the Saturday, Sunday or Holiday.

AND FURTHER BE IT RESOLVED that the exemption is only available to those supplying the Treasurer a copy of their previous year's income tax assessment or other proof of income satisfactory to the Treasurer.