

Region of Queens Municipality Regular Council

Tuesday, October 24, 2023 6:00 p.m.

Seaside Centre, 1066 Eastern Shore Road, Eagle Head

Minutes

Present: Mayor Darlene Norman, Chair
Deputy Mayor Jack Fancy
Councillor David Brown
Councillor Vicki Amirault
Councillor Kevin Muise
Councillor Ralph Gidney
Councillor Maddie Charlton
Councillor Carl Hawkes
Dan McDougall, Interim CAO
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

Mayor Norman added under Discussion, Item 8.3 Municipal Reform Bill.

It was moved by Councillor Gidney and seconded by Councillor Muise 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

Deputy Mayor Fancy stated a petition was received from residents from School Street in Milton, Queens County, who would like to have the road paved and repaired between #68 and #76 before winter 2023.

5.0 Public Question / Comment Session

Janice Wentzell – 52 Haughns Road, Brooklyn – Ms. Wentzell welcomed Council to the Seaside Center and for their support.

She commented that she heard that Mr. Kelly, who is building a house on Eagle Head Beach, is putting armour rock on the beach and is concerned about the impact this will have, not only to the beach but to the surrounding homes. She asked if the Region was aware of his intentions, if he is allowed to do this, and is he required to have a permit. Mayor Norman stated this is not in a municipal jurisdiction and suggested she contact Mike MacLeod, Director of Planning and Development.

6.0 Approval of Minutes

6.1 Regular Council – October 10, 2023

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

THAT the minutes of the Regular Council meeting held October 10, 2023 be approved as circulated.

MOTION CARRIED unanimously.

7.0 Recommendations

7.1 Fixed-roof Overnight Accommodation in South Brookfield

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

THAT Council of Region of Queens Municipality give notice of its intention to enter into a development agreement with Jasmine and Matthew Mallay to allow for a fixed-roof overnight accommodation operation, consisting of eight (8) rental units, on property identified as PID #70191937 and located on Highway 8 in South Brookfield.

AND THAT a Public Hearing be held on November 28, 2023 in the Council Chambers of the Municipal Building, 249 White Point Road in Liverpool, NS, at 6:00 p.m.

Mike MacLeod, Director of Planning & Development, stated an application to enter into a development agreement that would allow for the establishment of a new fixed-roof overnight accommodation on a vacant parcel of land in South Brookfield has been received. A copy of the application is attached to the staff report.

The property is zoned as Lakeshore Residential (SR) under the Land Use Bylaw (LUB). This use is not permitted as of right in this zone. However, Council has made provision in the Municipal Planning Strategy (MPS) to establish policies which states that Council shall consider proposals for accommodations and campgrounds in the Lakeshore Residential Zone by development agreement.

As with all development agreements, the MPS has also established criteria which Council takes into consideration when evaluating development agreement proposals. This policy is 6-21 and has been included in the staff report.

The subject property is approximately 19 acres with approximately 1,500 feet of frontage on Highway 8. The surrounding area is primarily low density residential and located on a provincially owned and maintained public road. There are no municipal services in this area. This development would require an on-site sewage disposal system and well.

Two options for Council's decision are:

1. Maintain status quo (deny development agreement request), or
2. Enter into a development agreement with Jasmine and Matthew Mallay to allow for a fixed-roof overnight accommodation operation, consisting of eight rental units, on subject property.

Staff are of the opinion that this development will have minimal impact and that sufficient terms and conditions can be incorporated into a development agreement to mitigate any issues.

The Planning Advisory Committee reviewed the application on October 11, 2023 and are in favour of entering into a development agreement. A copy of the Draft Agreement was included with the staff report.

MOTION CARRIED unanimously.

8.0 Discussions

8.1 Planning Advisory Committee Appointments 2023

Director MacLeod stated under the Municipal Government Act municipalities can establish a Planning Advisory Committee (PAC) by administer policy. Policy 60 – Planning Advisory Committee was adopted by Council in 2003.

The Policy sets out the criteria for membership of the Committee which is that there shall be three members of Council and one representative from each of the electoral districts. The Policy also sets out that initially the Committee appointments is half of the members shall be appointed for a one year term and the other half to be appointed for a two year term. This staggered appointment to the Committee was intended to maintain a degree of consistency and knowledge, and so we are not appointing a new committee every year.

Districts 2, 4 and 6 members were appointed for a one-year term in 2002 and members for Districts 1, 3, 5 and 7 were appointed for a two-year term. Committee members of Districts 2, 4 and 6 expire October 31, 2023.

There are two options for Council to consider:

1. Recommend that Zenia Horton – District 2; Mary White – District 4; and Pamela Brennan – District 6; each be appoint to the Planning Advisory Committee for a term to expire on October 31, 2025; or
2. Recommend that Staff advertise for expressions of interest to serve on Planning Advisory Committee to represent Districts 2, 4 and 6.

It is the opinion of Staff that the current Committee is a cohesive and productive group and the current members of Districts 2, 4, and 6 have only served a one-year term and a reappointment would be appropriate.

Councillor Gidney asked about the timeframe if we advertise to cover these positions. Director MacLeod stated it would be a minimum of two months.

Councillor Charlton stated she is currently Chair on the Committee and had been introduced to it as a resident. The Committee is complex and takes a long time to understand matters and feels it makes sense to keep these members until 2025. She further stated it is difficult to get members. Councillors Amirault and Brown, and Deputy Major Fancy agreed.

Councillor Hawkes suggested that next year when the other members' terms expire, that there be a posting for new members. Director MacLeod stated for clarity purposes to look at the Policy so that it's clear to limit the number of terms members can be appointed to the Committee. The current Policy has been in place since 2003.

Mayor Norman asked if there are any current members who have been on the Committee for more than 2 two year terms. Director MacLeod stated yes, Mary White – District 4. Everybody that is currently on the Committee went through the formal advertising selection. Councillor Charlton suggested seeking an expression of interest for District 4 only. Director MacLeod cautioned that there is currently nothing in the Policy that states after sitting on the Committee for a number of terms the need to advertise.

Council agreed to have this come forward at the next Council meeting as a recommendation for all three members to be reappointed.

8.2 Council Implementation Report

There were no questions or discussions arising from this report.

Councillor Muise noted the graffiti on the rocks in his area previously discussed has been completed and noted there is left over paint should the issue arise again.

8.3 Municipal Reform Bill

Dan McDougall, Interim CAO, reviewed the Provincial-Municipal Service Exchange Agreement summary proposal dated July 31, 2023

from the provincial government after having discussions and negotiations with the NSFM committee. The overall intent of the process was to consider the appropriate roles and responsibilities of the municipal and provincial government and to provide clarity, reduce overlap, and support shared jurisdictions.

The impact on the Region of Queens Municipality is broken down by each of the elements.

Municipal Financial Capacity Grant (MFCG) (formerly known as the Equalization Grant) – The changed the formula for how the grant was calculated but operates the same way as before. It looks at all municipalities and calculates what the standard expenditures for core municipal services look like for similar types of municipalities and then looks at the tax base. They look at the ability to pay those expenditures, compares the two, and determines if your tax base is strong enough to provide those services or needs operating funding to bring you up to the same tax base. It is a complex formula. It has been updated and have broken apart commercial assessment from residential assessment. Commercial is treated at a higher value. The impact for the new formula for RQM would be an annual funding amount of \$1.34 Million.

Corrections – RQM annually transfers money to the Province for Corrections. The Province will now absorb these costs and save the municipality approximately \$175,000 annually.

Obsolete Schools – Prior to 1981 schools were under the municipality. The Province will assume ownership of all pre-1981 schools closed after the Service Exchange is implement and Municipalities will give given first right of offer.

Housing – RQM annually transfers a percentage of the operating deficit to the Province for costs associated with public housing. The Province will now absorb costs associated with losses and will save the municipality approximately \$138,000 annually.

Infrastructure Funding – The Province proposed to create a new infrastructure fund which will be an application based program. The Province is proposing to put \$15 Million in for municipalities to apply to.

Roads – The Province is proposed two funding programs for roads. Stream A will be funded up to \$6 Million for 50-50 cost sharing for repaving trunks and routes which are municipally owned. This would be an application program that the municipality could apply for.

Stream B was eliminated but after consultation it was decided to be put aside for future discussion and consideration.

Legislation has been introduced and has generated a lot of interest.

A draft letter to Minister John Lohr, Municipal Affairs & Housing, was circulated for Council's consideration to submit, which provides Council's view on the proposal. The accumulative savings would have an impact of approximately \$440,000 which equates to 4 cents on the tax rate, both residential and commercial. Council can decide during budget discussions how to use these savings. Council agreed to have staff submit the letter.

9.0 In-Camera Items

It was moved by Councillor Gidney and seconded by Councillor Brown that the proceedings go In-Camera at 6:40 p.m. to discuss the following:

9.1 Contract Negotiations

MOTION CARRIED unanimously.

It was moved by Councillor Charlton and seconded by Councillor Hawkes that the proceedings exit In-Camera at 7:14 p.m.

MOTION CARRIED unanimously.

10.0 Adjournment

The meeting adjourned at 7:14 p.m.



Mayor Darlene Norman, Chair



Dan McDougall, Interim CAO



Christine Watson, Administrative Assistant – Planning & Development

Date Approved: November 14, 2023