



**AGENDA**  
**Town Council Meeting-Community Centre**  
**Monday March 1<sup>st</sup>, 2021**  
**7:00 p.m.**

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- 1) **Call to Order**
- 2) **Approval of Agenda**
- 3) **Approval of Minutes from the Council meeting held on February 16<sup>th</sup>, 2021.**
- 4) **Proclamations:**
  - a) International Women's Day – March 8th
- 5) **Delegations: None**
- 6) **Correspondence:**  
**Action Required: None**  
  
**For Information: None**
- 7) **Council Items:**
  - a) Smoke Free Outdoor Spaces Policy
  - b) Shelburne Historical Society
  - c) Shelburne Marine Terminal Fees
- 8) **Committee Reports: None**
- 9) **Staff Reports:**
  - a) Staff Report-Shelburne Welcome Sign
  - b) Staff Report- The Great Trail Network
- 10) **New Business:**
- 11) **In-Camera**  
  
**MGA Section 22: (a) acquisition, sale, lease and security of municipal property**
- 12) **Upcoming Meetings:**
  - a) Budget Workshop- Tuesday March 2<sup>nd</sup> at 6pm-Shelburne Community Centre
  - b) CP&V Committee-Thursday March 4<sup>th</sup>, 2021 at 6pm- Shelburne Community Centre
  - c) Budget Meeting-Monday March 8<sup>th</sup>, 2021 at 6pm-Shelburne Community Centre
  - d) Town Council-Monday March 15<sup>th</sup>, 2021 at 7pm-Shelburne Community Centre
- 13) **Adjournment**





**Town of Shelburne**  
**Minutes of the Regular Council Meeting**  
Tuesday February 16<sup>th</sup>, 2021  
Shelburne Community Centre, 63 King St., Shelburne, NS

**DRAFT**

**Council Members Present**

Mayor Harold Locke  
Deputy Mayor Elizabeth Acker  
Councillor Rick Davis  
Councillor Benjamin Nickerson  
Councillor Sheldon Ringer

**Staff Present**

Sherry Doane, CAO  
Robin Smith, Executive Coordinator

**Invited Guests:**

Karen Mattatall  
Nolan Young

**Call to Order**

Mayor Harold Locke called the Council meeting to order at 7pm.

At the start of the meeting Mayor Locke presented plaques to former Mayor Karen Mattatall and former Councillor Nolan Young. Mayor Locke thanked them both and recognized their years of service.

**Approval of the Agenda**

THAT Council approves the Agenda with the following additions as well as one amendment:

- Under Staff Reports
- (e) Budget Process: Preparing for Workshop
- (f) Smoke Free Outdoor Spaces Policy

That under Upcoming Meetings *the Special Town Council Meeting-Budget Process* on Monday Feb 22nd, 2021 at 7pm at Community Centre be listed as a *Budget Workshop*.

**Acker-Ringer**

**CARRIED**

**Approval of the Minutes**

THAT Council approves the Council minutes as presented from Monday February 1st, 2021.

**Davis-Nickerson**

**CARRIED**

**Proclamations**

None

**Delegations**

None

**Correspondence**

**Action Required:**

a) Shelburne Historical Society-Water Adjustment Request

THAT going by precedent Council direct staff to adjust the Shelburne Historical Society's water bill from Feb 4th, 2021 by 50%.

**Acker-Ringer**

**CARRIED**

b) Shelburne Historical Society-Lease approval request.

Discussion was held on the Quit Deed that was granted to the Shelburne Historical Society for the Cox Warehouse. There is a requirement in that lease that consent must be granted from the Town for any leasing, selling or agreement to sell. There is nothing in the Society's files or the Town's to indicate that consent was either requested or granted to allow the 2013 lease. The current Board of the Shelburne Historical Society are looking at the Town to retroactively grant permission for the leasing of the space now occupied by Shelburne Physiotherapy as well as looking to permit an extension to the terms of the existing lease to cover additional space at the south end of the ground floor.

Councillor Davis noted he was not in favour of granting the extension to the terms of the existing lease at this time. Councillor Ringer would like to have more information to ensure that by granting this extension does not defer from any further development for any business on the 2<sup>nd</sup> floor. CAO Sherry Doane committed to doing some more research and investigating before Council makes a motion on the second part of the request for permission of the expansion.

THAT Council retroactively grant permission for the 2013 leasing of the space now occupied by Shelburne Physiotherapy.

**Acker-Ringer**

**CARRIED**

**For Information:**

a) Safe Restart Agreement Letter

THAT Council acknowledges the letter from Minister Chuck Porter of Dept. Of Municipal Affairs and Housing for information.

b) Fisheries Letter-Bernadette Jordan

THAT Council acknowledges the letter from Fisheries Minister Bernadette Jordan for information.

**Council Items**

a) Region 6 Budget Approval

THAT Council approves the draft 2021/22 Region 6 Solid Waste - Resource Management Budget, as presented at the January 4th, 2021 Council Meeting, in the amount of \$913,830.00, with Eastern Shelburne County's contribution being \$5,244.14, which represents 7.25% of the municipal bill.

**Davis-Nickerson**

**CARRIED**

b) Plebiscite

CAO Sherry Doane spoke to this topic being delivered to the Council last Fall but was deferred to this meeting to allow new Council members some time to read through documentation and get feedback from citizens. There is a requirement for a decision to be made tonight regarding the Plebiscite question of "Should the rail trail as it passes through Town be open to off-highway vehicles?".

Councillor Acker put forward a motion that Council does not allow the use of OHV's on the trail from Falls Lane to Charlotte St. which was seconded by Councillor Davis. Councillor Acker spoke to her motion and wanted people to understand why she put forth that motion and detailed these reasons. Councillor Acker

stated again that it is the residents who have indicated in previous consultations, the recent Plebiscite as well this past Fall by email/letters that they do not want OHV's passing through the rail trail.

Councillor Nickerson spoke that he appreciated all the work Councillor Acker has put in researching and wanted to note that he does support the use of OHV's on the trail through Town.

Councillor Davis mentioned that we need to keep in mind the Pilot Project that the Province currently is working on is something he thinks would work great here. He indicated he is not against the OHV's on the streets if all guidelines were being followed.

Mayor Locke agrees with all of what is being said. He would like to see our support expressed to the Province regarding the Pilot Project.

THAT the Council does not allow the use of OHV's on the rail trail from Falls Lane to Charlotte St.

**Acker-Davis**

**CARRIED**

#### **Role-Call Vote:**

Councillor Acker voted Yes.

Councillor Ringer voted Yes.

Councillor Nickerson voted No.

Councillor Davis voted Yes.

Mayor Locke voted Yes.

Mayor Locke then spoke to whether a Committee should be formed at this time or wait to see what information comes from the Pilot Project. He indicated that we should give a voice of opinion to the Province indicating how we feel about use of OHV's on the Town streets. A motion was then made;

THAT the Town send a letter to the Province indicating that we are very much in favour of OHV's being permitted on Public highways and roads.

**Acker-Davis**

**CARRIED**

#### **Committee Reports**

a) CP&V Committee

THAT we accept the CP&V Committee Minutes from February 4<sup>th</sup> for Information. It was noted that this Committee is seeking an additional member from the public. Anyone that is interested can contact Executive Coordinator Robin Smith at [execoordinator@town.shelburne.ns.ca](mailto:execoordinator@town.shelburne.ns.ca)

**Davis-Nickerson**

**CARRIED**

#### **Staff Reports**

a) Review of Outstanding Council Motions

Executive Coordinator reviewed the Staff Report regarding the outstanding Council Motions. The following Motions from Appendix A had direction given by Council to Action.

*-January 20<sup>th</sup>, 2020-* That Council direct staff to schedule a meeting with representatives of the Dept. of Municipal Affairs and Housing to discuss water security.

*-June 17<sup>th</sup>, 2019-* Council approved the proposed amendments to the Parking By-Law to be added for when the By-Law is brought up for Summary Offence Amendments.

*-September 17<sup>th</sup>, 2018-* That staff present a staff report to set up a guideline for a municipal reserve for climate change to be discussed during the yearly budget meetings

The rest of the motions listed in Appendix A were all motioned to be Rescinded. The motions listed in Appendix B were reviewed and are outstanding motions recommended to still be actioned.

- b) Waste Diversion Coordinator Report  
THAT Council acknowledges the Waste Diversion Coordinator Report as presented.  
**Acker-Davis**  
**CARRIED**
  
- c) Shelburne Volunteer Fire Department Monthly Report  
THAT Council acknowledges the SVFD Fire Department Monthly Report as presented.  
**Davis-Ringer**  
**CARRIED**
  
- d) Monthly Building Report  
THAT Council acknowledges the Building Report from Andrew Goreham as presented.  
**Davis-Nickerson**  
**CARRIED**
  
- e) Budget Process: Preparing for Workshop  
CAO Sherry Doane reviewed the Staff Report from Interim CAO Ken Smith for Council in preparation of next week's Budget Workshop. Council is being asked to think about potential priorities to be considered. A sample Strategic Priorities chart from the Town of Oxford was also shared as an example.
  
- f) Staff Report-Smoke Free Outdoor Spaces Policy  
That Council intends to adopt the Smoke Free Outdoor Spaces Policy as presented at the March 1<sup>st</sup>, 2021 Council meeting.  
**Nickerson-Ringer**  
**CARRIED**

### **New Business**

- a) Councillor Acker put forth a suggestion for an NSFM topic regarding the By-Law Process as well as inquired as to why the SHYC would like to meet with Council next week. Mayor Locke indicated it was an informal meeting that had been happening once a year for a while now. Councillor Ringer suggested as a topic for NSFM- a review of the Airbnb's and their tax rates. There are many homes in Towns/Municipalities across the province that are operating Airbnb's and not paying Commercial taxes. CAO Sherry Doane will add these items to the list. Mayor Locke bought up the Fundraising for the new x-ray machine at Roseway Hospital. He suggested that Council meet with the Fundraising Committee as well as other units in the area and come up with ideas.

### **In Camera**

MGA Section 22 (e) Contract Negotiations  
THAT Council goes in-camera at 8:23pm  
Davis-Ringer  
**CARRIED**

Council came out of In-Camera at 8:32  
Direction was given to the CAO to negotiate the Port Manager contract.

**Upcoming Meetings**

- a) Shelburne County Mayors/Wardens & CAO's/Clerks-Wednesday February 17th at 10am-Shelburne Community Centre
- b) Port Committee Meeting- Thursday February 18th, 2021 at 7pm-Shelburne Community Centre
- c) Special Town Council Meeting-Budget Workshop-Monday February 22nd, 2021 at 7pm at Community Centre.
- d) Town Council-Monday March 1st, 2021 at 7pm-Shelburne Community Centre

**Adjournment**

**THAT the Regular Town Council Meeting of Tuesday February 16<sup>th</sup> ,2021 be adjourned at 8:33pm**

**Davis**

**CARRIED**

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**Mayor**

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**Executive Coordinator**



## TOWN OF SHELBURNE

### Smoke Free Outdoor Spaces

### DRAFT

#### 1. General Description

This policy is designed to ensure outdoor Town-owned Parks & Facilities are kept as Smoke Free Spaces.

#### 2. Purpose

The purpose of this policy is to keep outdoor spaces on property operated by the Town of Shelburne smoke free. This policy has been created to promote healthy lifestyles and community wellness by promoting smoke free outdoor recreational spaces with emphasis on playgrounds and all other outdoor recreational facilities owned by the Town of Shelburne.

*Smoke as defined in the *Smoke Free Places Act* by the Province of Nova Scotia requires that all indoor workplaces and public places, select outdoor public spaces, outdoor licensed areas and patios of all restaurants, lounges, beverage rooms and cabarets be smoke-free.*

#### 3. Objectives

- (a) To establish an education program which would include posting signage and promotion of the Smoke Free Outdoor Spaces Policy.
- (b) To post signage on areas such as parks, playgrounds, trails and open spaces which are owned by the Town of Shelburne.
- (c) Similar to the Provincial *Smoke-Free Places Act*, the objective of the Smoke Free Outdoor Spaces Policy is to eliminate the negative impact on youth of smoking at public facilities owned or operated by the Town of Shelburne.
- (d) The smoke-free outdoor spaces policy includes the use of tobacco, cannabis, electronic cigarettes and water pipes.
- (e) Emphasis will be placed on locations/facilities where youth are active participants and where people gather or congregate. (Grahams Park, George Street Park & Playground, Secret Park, Guild Hall, Trails)
- (f) The Town will not allocate resources for enforcement but will promote to the public through positive messaging the value of having these smoke-free outdoor spaces using signage and other communication methods.

Date of Notice of Council Member Intent to Adopt:

February 16<sup>th</sup>, 2021

Date of Adoption (approved):

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## Town of Shelburne

### Report to Town of Shelburne Council

### Shelburne Welcome Sign

7 January 2021

#### Overview:

This report is intended to offer Council an updated report on the Shelburne Welcome Sign submitted by Trans4M Group by their senior infrastructure engineer regarding the impact of the sign on transportation operations and safety.

#### Background:

Since the erection of the Shelburne Welcome Sign in late 2015, there has been on-going discussions and correspondence regarding the impact of the sign on transportation operations and safety. The full report consolidates and documents these past issues and provides professional transportation opinions based on recognized technical guidance and practices. The previous discussions and correspondence focused primarily on the impact the sign has on visibility and sight distance for users of the intersection in general and specifically for the nearby driveway at 5 Falls Lane (see Diagram 1 for an overview of the intersection).



Diagram 1

#### Senior Infrastructure Engineer's Overall Findings:

1. The Welcome Sign should remain at its existing location, and
2. Consideration should be given to a number of supplementary and cost-effective recommendations that will help improve overall operational and safety performance of the intersection and nearby driveways.

**Senior Infrastructure Engineer’s Recommendations:**

1. The Welcome Sign appears to be placed in a location that balances the various demands that are being placed on the intersection. It is recommended that the sign remain in its current location.
2. While having very limited impact on the safety and operations of the Falls Lane | Ohio Road intersection, it does have minor impacts to the existing movements from the driveway at 5 Falls Lane. To mitigate these impacts, it is recommended that the vegetation adjacent to the driveway (short shrubs), and select trees and branches behind the sign, are removed. This will allow a reasonable sight line both in front of and behind the Welcome Sign, improving the visibility to vehicles and pedestrians approaching from the west.
3. In recognition that some of the features of the Falls Lane | Ohio Road intersection are not optimal due to the limitations caused by property lines, roadway alignments, access requirements, traffic control, etc., consideration should be given to carrying out supplementary modifications to features at the intersection that may impact safety performance. These include but are not limited to:
  - remove pedestrian crossing signs from the intersection crosswalks to enhance visibility and recognition
  - move the existing post signage on the south side of the intersection (Park, Information, Hospital, and green guide sign) further south (approximately in line with the Welcome Sign) to reduce visual clutter at the intersection
  - remove or relocated the Deer Crossing warning sign, located just east of the 5 Falls Lane driveway to help improve recognition in the vicinity of the driveway
  - adjust flashing beacons to be perpendicular to the line of sight for vehicles upstream of the intersection (as apposed to being set perpendicular to the Stop sign face)
  - pursue opportunities to improve stopping compliance, particularly in the eastbound direction on Falls Lane, resulting in reducing safety risks for other vehicles and pedestrians using the intersection and for the downstream driveway
  - consider options to promote slower speeds on the westbound to northbound (Falls Lane to Ohio Road) right turn channelization, and
  - ensure snow is not piled near 5 Falls Lane that could further obstruct sight lines.

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**MOTION**

THAT Council accepts the updated senior infrastructure engineer’s report regarding the Shelburne Welcome Sign at Falls Lane and Ohio Road and directs Staff to complete the recommendations in a timely manner.

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**Strategic Plan Link(s):**

Objective 2.3 Grow Community: *Strengthening our community* – Maintain and improve public safety

Respectfully Submitted,  
Sherry Doane  
CAO, Town of Shelburne

# EXECUTIVE SUMMARY

## SHELburnE WELCOME SIGN PLACEMENT

The Trans4m Group carried out a transportation safety and operational review of the Shelburne Welcome Sign located on the south east side of the Ohio Road and Falls Lane (Highway 3) intersection. The review was prepared to specifically address a number of transportation safety and operational concerns that have been raised through past discussion, letters and reports received by the Town since the sign's erection in late 2015. The concerns focused primarily on the impact the sign has on visibility and sight distance for users of the intersection in general, and specifically for the nearby driveway at 5 Falls Lane.

As this review proceeded, three important points became evident:

1. Two separate issues associated with the sign placement have been identified: the impacts of the sign on users of the driveway at 5 Falls Lane; and, the impacts to the general public using the Falls Lane / Ohio Road intersection.
2. Past correspondence and reports appear to assume that an error was made and therefore it is a foregone conclusion that remedial measures are required.
3. There is an absence of sound technical information supporting the opinions provided.

It is important to note that this review was prepared from an independent professional standpoint, with no preconceived notions on whether this sign should remain where it is, or be modified in some manner. The intent of the review is to provide a practical, context appropriate, technical foundation on which to make an informed and defensible recommendation on the sign, driveway and intersection.

A site investigation was carried out in October 2020 where Trans4m met with various Town staff, local residents, and completed a comprehensive site investigation of the intersection, surrounding driveways and the associated approaches. The site investigation included consideration of both vehicle and active transportation traffic. Subsequently the Town completed weekday peak hour turning movement counts at the Falls Lane / Ohio Road intersection as input to the review.

The review of intersection operations suggest that the current 3-way stop intersection operates at a high Level

of Service (LOS) during the peak hours, typically with little delay (LOS "A" with average delays less than 10 seconds) and minimal queuing. It was noted that the intersection includes a number of horizontal curves within the intersection and on approach legs. While such curvature is generally undesirable, sight distances are ample, volumes are relatively low and reasonable speeds appear to be maintained near the intersection.

Past comments and discussion suggest that there is a propensity for eastbound vehicles on Falls Lane to perform a "rolling stop" at the intersection. This is likely related to a drivers acclimatization to the preceding highway driving environment, and therefore options could be explored to improve regulator compliance on this approach. The other notable observation are the relatively high speeds that drivers maintain through the eastbound to northbound right turn channelization. Collision risks with vehicles are mitigated to some extent as this turn movement has a dedicated receiving lane, through these higher speeds are considered to be a heighten risk for pedestrian crossing this channelized lane. Again, options to reduce speeds on this movement could be explored.

The safety evaluation suggests that the Welcome Sign does not have any negative impacts on sight distances or general intersection operations based on the typical three legs of the stop-controlled intersection. The only issue noted with respect to the Welcome Sign was the potential for the sign and the southbound stop sign to blend together when being viewed from a distance. This issues resolves itself in adequate time as a driver nears the intersection and reasonable separation between the Welcome Sign and stop sign is introduced. The advanced warning sign for the stop sign and the flashing beacon atop the sign further help mitigate any risks. A number of other minor intersection improvements have been identified in the conclusions to the report and are further addressed again below.

With respect to the driveway at 5 Falls Lane, it was noted that the driveway is reasonably within the functional operating area of the Falls Lane / Ohio Road intersection. This is generally considered undesirable, though guidance provided in design documents such as the Transportation Association of Canada's Geometric Design Guide includes

# EXECUTIVE SUMMARY

## CONTINUED

some provision for such driveways in rural, low volume and low speed environments. The only remedy for this situation is to relocate the driveway further from the intersection, though based on the remaining analysis, this does not appear to be a prudent recommendation. This preceding discussion would be relevant regardless of whether the Welcome Sign was present or not.

Right, and left turn movements from Falls Lane to the driveway can be made with relative ease as there is ample sight distance in all directions to see opposing vehicles or active transportation users along Falls Lane or Ohio Road. When exiting the driveway, sight distances to the right (east) and open and exceed all sight distance requirements including decision sight distance.

Visibility to the left (west) can be restricted by the Welcome Sign and existing vegetation while a vehicle is approaching Falls Road. While the placement of the sign is not considered optimal from the perspective of exiting the driveway, it must be evaluated in the context of reasonable and appropriate decision point responsibilities of the drivers exiting the property. This includes a requirement to stop prior to crossing the sidewalk / trail to ensure pedestrians or cyclists are not approaching the crossing, and again stopping prior to entering the Falls Lane travel lanes. These responsibilities would be consistent with most driveways located in developed areas.

In reviewing relevant guidelines and application heuristics in the TAC Geometric Design Guide, it is clear that there is not a specific set of guidelines that directly applies to this specific situation. As noted in the Guide for such situations, *"Engineering judgement and a good understanding of traffic operations are needed to determine the most suitable access layout and related roadway provisions for the prevailing conditions"* (TAC GDG Section 8.8.2). In the context of this review, such engineering judgement has been exercised to determine if the existing, established conditions reasonably meet expected safety and operational performance guidelines.

Based on the above noted reasonable decision points, it is our opinion that the driveway exiting movements meet the sight distance guidelines identified within the TAC Guide. Further, it appears that the safety and operational

characteristics of the driveway and intersection can reasonably meet public expectations based on the: very low volumes of traffic on the driveway; residents familiarity with the area; relatively low volumes and speeds near the intersection; and, presence of three-way stop control in close proximity to the driveway. The rationale for these opinions are documented in greater detail within the main body of the report.

That said, it is recognized that the sign placement is not optimal for sight distances, though the review suggests that there are no other reasonable alternatives that would improve the situation without either completely removing the sign, or moving the sign and introducing other detrimental impacts. This is discussed in further detail in the main body of the report. It is also recognized that the driveway is located within the functional area of the intersection.

To address these issues, the review resulted in two primary recommendations are made:

1. The Welcome Sign should remain at its existing location; and,
2. Consideration should be given to a number of supplementary and cost effective recommendations that will help improve overall operational and safety performance of the intersection and nearby driveways.

Additional details on both of these recommendations are provided within the main body of the report.

Should there be any questions, clarifications or further discussion required, please contact the undersigned.

Sincerely,

**Roger N. Boychuk, P. Eng.**  
Senior Infrastructure Engineer

Trans4m Development Group  
e: Roger@Trans4m.ca  
c: (902) 233-1152



**Town of Shelburne**  
Report to Town of Shelburne Council  
**Trans Canada Trail Registration**  
**1 March 2021**

**Overview:**

This report is intended to request Council consider the Rail Trail in the Town of Shelburne (from the Roseway River at Falls Lane to Charlotte Street) become part of the Trans Canada Trail.

**Background:**

The Trans Canada Trail seeks to promote and assist in the development and use of the Great Trail of Canada network. They are wishing to include a western loop of Nova Scotia and as such the portion of the trail we have a Letter of Authority from the NS Department of Natural Resources since 1985 that covers from Charlotte Street to the Roseway River at Falls Lane (see diagram below) aka the *Trail Section (TS)*.

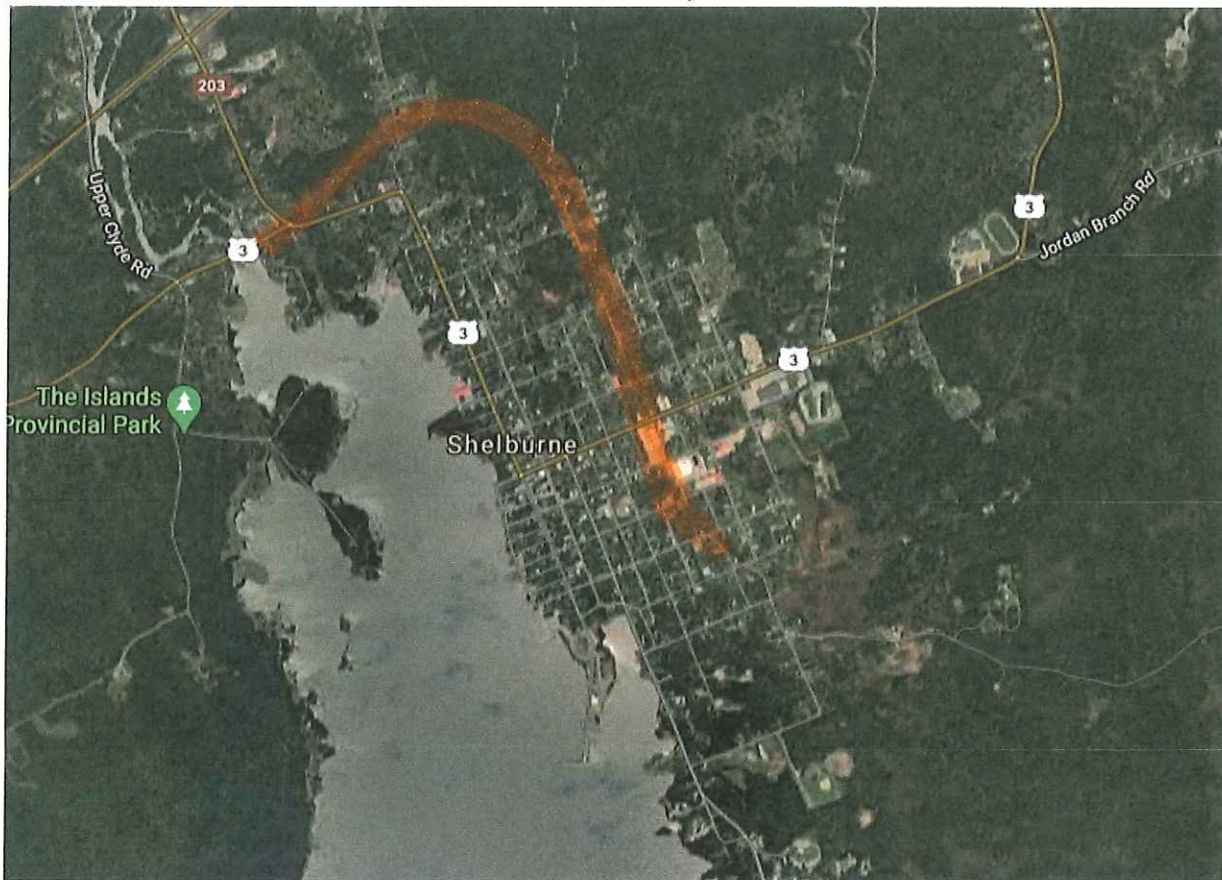


Diagram 1

**Requirements of Town:**

- Operate and maintain the TS in accordance with federal and provincial legislation and regulations (✓ this is a requirement of our agreement with the Department of Natural Resources)
- Obtain and comply with all necessary approvals and permits as prescribed under federal and provincial legislations and regulation (✓ this is a requirement of our agreement with the Department of Natural Resources)
- Comply with and respect TCTs standards, guidelines and policies, including trail quality, maintenance, connectivity, safety, signage and accessibility (✓ this is a requirement of our agreement with the Department of Natural Resources)
- Install and maintain TCT signage on the TS, following an approved signage plan (this will be at TCT's expense as we won't be adding their logo to our signs)
- The TS only be used for the category and type it was registered as (in our case, now that you have voted for no OHVs, it is for pedestrians and bicycles)
- Prepare, implement and keep up a Trail Management Objective document (this will be the most effort required in completing paperwork, highlighting safety rules, maintenance plans, signage upkeep, etc. This is in line with the requirements of the Department of Natural Resources)
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**MOTION**

THAT Council permits Staff to move forward with the application and commits the Town of Shelburne portion of the Rail Trail, as authorized by the Letter of Authority granted by the Department of Natural Resources, to become part of the Trans Canada Trail, Western Nova Scotia Loop.

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**Strategic Plan Link(s):**

Objective 2.2 Grow Community: *Contribute to our neighbourhoods* – Invest in Town parks/trails/greenspaces in all areas



Respectfully Submitted,  
Sherry Doane  
CAO, Town of Shelburne