



AGENDA
Town Council Meeting-Council Chambers
April 3rd, 2023
6:00 p.m.

Doc Ref:

1) Call to Order

2) Approval of Agenda

3) Approval of Minutes from the Town Council meeting held on March 20th, 2023

4) Proclamations & Announcements:

- a) Passing of former Town Mayor, William (Bill) Cox
- b) Town of Shelburne Incorporation Birthday, April 4th
- c) Earth Day, April 22nd
- d) Volunteer of the Month, April

5) Delegations:

None

6) Correspondence:

Action:

- a) Letter requesting a memorial plaque D23-A137
- b) Letter requesting re-zoning, PID #80144355 / 37 Bulkley St. D23-A136

Information:

None

7) Council Items:

- a) *Land-Use By-Law* First Reading of PID #80144355 D23-A138
Rezoning from Residential (R-1) and Commercial (C-1) to fully Commercial (C-1)
- b) Rescind Motion M23-052 of 6 February 2023 regarding a fencing exemption request by the land owner as the now installed fencing meets the *Land-Use By-Law*, Section 14 requirements

8) Committee Reports:

- a) Community Participation & Volunteerism Committee minutes, February D23-A140

9) Staff Reports:

- a) Amendment to *Land-Use By-Law* re Pocket Communities, First Reading D23-A139

10) New Business:

11) Upcoming Meetings/Events:

- a) Town Council meeting, April 17th, 6pm, Council Chambers
- b) CP&V Meeting, April 12th, 6pm, Council Chambers
- c) Spring Clean-Up / Earth Day, April 21st, (Rain date April 24th)

12) Adjournment



Town of Shelburne
Minutes of the Regular Council Meeting
Monday March 20th, 2023

Council Members Present

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

Staff Present

Sherry Doane, CAO

Call to Order

Mayor Harold Locke called the Council meeting to order at 6pm.

The Town of Shelburne is located on the ancestral and unceded territory of the Mi'kmaq, (Mi'kma'ki), in the District of Kespukwitk, home to Acadia First Nation. We are all Treaty people.

We also acknowledge the histories, contributions, and legacies of the African Nova Scotian people and communities.

Approval of the Agenda

THAT Council approves the Agenda for March 20th, 2023, as presented, with the removal of Staff Report, Shelburne County Arena Association.

Davis-Ringer

CARRIED

Approval of the Minutes

THAT Council approves the Minutes from the Town Council Meeting held on March 6th, 2023.

Acker-Nickerson

CARRIED

Proclamations & Announcements

a) Celebrated annually on March 26, Epilepsy Awareness Day, or Purple Day, was created by Cassidy Megan from Nova Scotia. Motivated by her own diagnosis and struggles she wished to increase the public's understanding of this brain disorder and to eliminate the fear and stigma surrounding it.

b) World Autism Awareness Day is observed on April 2nd every year and was created by the United Nations General Assembly and adopted on December 18 of 2007, to encourage members to take action in raising awareness about people with autism spectrum disorder and support the research in finding new ways to improve wellness and inclusion.

c) To go along with World Autism Awareness Day, the whole month of April is observed as Autism

Acceptance Month Autism Spectrum Disorder is a neurodevelopmental disorder affecting one in every 66 Canadian children, as well as their friends, family, and community.

d) National Volunteer Month, in April, celebrates the incredible impact volunteers have on our lives and encourages active volunteerism in generations to come. The Town of Shelburne Council thanks all the wonderful volunteers we have in our community & urges everyone to get involved.

Delegations

D23-A135

Shelburne Harbour Yacht Club, Rear Commodore Mike Turney & Commodore Andy Blackmer
A request was made to Council regarding converting a presently-unkept area to dry dock smaller boats near the south boat launch /break wall /art exhibit area. Council members were pleased that this may alleviate some congestion caused by albacores and dinghies in the area around the Mill building/fire route. As this spot is within the marina area and a bit of an eyesore that would benefit from the effort, Council thanked the SHYC for given them the courtesy of updating them with their intensions, directing them to reach out to the CAO on specifics.

Correspondence

Action:

None

Information

None

Council Items

None

Committee Reports

None

Staff Reports

- | | |
|--|-----------|
| a) By-Law Officer Monthly Report, February, 2023 | D23-A133 |
| b) Building Inspector Monthly Report, February, 2023 | D 23-A132 |
| c) SVFD, Monthly Report, February, 2023 | D23-A131 |

THAT Council accepts the above Staff Reports as presented.

Nickerson-Davis

CARRIED

New Business

Councillor Acker – Given that more MDS citizens utilize the facility than that of the Town, Council asked staff to work with MDS administration to consider cost sharing the operational costs of the McKay Memorial Library/

Councillor Ringer – Council asked staff to work with the mall tenants more diligently to have shopping carts scattered through out town (including in ditches) picked up more regularly.

Mayor Locke commented that the arena received a provincial grant for \$255,000 to go towards the roof repair or replacement and that Council was very pleased with the province's commitment, thanking our local MLA.

In-Camera

MGA Section 22(2)(e) Contract Negotiations

M23-064 *THAT* Council directs staff and the Port Manager to negotiate a one-year berthing lease with Fisheries and Oceans for their 45-foot vessel.

Acker-Davis

Upcoming Meetings

- a) Town Council meeting Monday April 3rd at 6pm, in Council Chambers
- b) Spring Clean-up / Earth Day, April 21st, rainy day April 24th

Adjournment

THAT the Regular Town Council Meeting of March 20th, 2023, be adjourned at 6:57pm.

Davis

CARRIED

Mayor

Executive Coordinator

Sherry Doane

From: Harold Locke
Sent: March 14, 2023 4:55 PM
To: Sherry Doane
Subject: Fwd: Info on Request to Council

Document # D23-A137	
Rec'd by C.V.	
Date March 17/23	
COPIES TO:	
Council	✓
Agenda	✓
Committee	

Sent from my iPhone

Begin forwarded message:

From: Yvonne Colbert <yvonne.colbert@eastlink.ca>
Date: March 13, 2023 at 11:45:48 PM ADT
To: Harold Locke <Harold.Locke@shelburnens.ca>
Subject: Info on Request to Council

CAUTION: This email originated from an external sender.

Hello Mayor Locke,
I trust this finds you well.

I am hoping you can point me in the right direction. My grandfather was the late George Ferretti, who raised his family of 9 children in Shelburne and owned and operated a successful business, Ferretti's Garage, for decades. I suspect you remember him. My grandfather was a remarkable man who came to Canada from Italy as a young man with nothing and unable to speak English. If ever there was an immigrant success story it was my grandfather. He was sweet, kind and generous and contributed to the hospital when it was built. He also quietly helped those in need.

I am writing on behalf of his descendants who are planning a family reunion in Shelburne in June. His two remaining children and many grandchildren and their children will be there from across Canada

There is a memorial stone on the waterfront marking the first female Harbour Master in Shelburne. We are hoping to do something similar. We are looking for permission to do the same. Can you advise me of the best way to seek approval? I am happy to appear before council to make the request and understand any marker would need Council's approval.

Thank you in advance for any direction you can provide.

Regards,
Yvonne Colbert
[902-478-6425](tel:902-478-6425)



Waterfront Investment Ltd.
#6 Dock St. Box 1461
Shelburne N.S.
BOTFWO
902-874-0166

Document #	D23-A136
Rec'd by	C.V.
Date	MAR 8/23
COPIES TO:	
Council	<input checked="" type="checkbox"/>
Agenda	<input checked="" type="checkbox"/>
Committee	
	8014 4355

March 6th/2023

To the Town of Shelburne,

Waterfront Investments Ltd, which formally owned and operated The Sea Dog Restaurant and The Inner Harbour Inn, recently purchased 37 Bulkley Street in Shelburne, Nova Scotia.

Waterfront Investments Ltd. would like to open a small dog-oriented beverage room of about 800sqst on the main floor of this new location. There is a large fenced in area that we are exploring ways to incorporate into the idea. "Paws for a Beer" is a name we are considering.

This location will be a meeting place for locals and dog lovers including our Sea Dog customers that miss the atmosphere The Sea Dog offered in this town. We had a mature customer base and hope to keep that focus so we intend to keep early hours. Proposed hours would be Mon-Sat 11am to 8pm.

The building is a large two-story building. On the second floor an antiques, curiosities and consignments shop is being proposed as well.

This location has a large parking lot, it is classified commercial and it was previously licensed.

During discussions with the CAO, Sherry Doane, on March 3rd it was discovered that although the property is classified commercial it is located in a residential area.

Waterfront Investments would like to request rezoning the area to commercial to align with the property classification, which is needed for this project to move forward.

Yours sincerely,

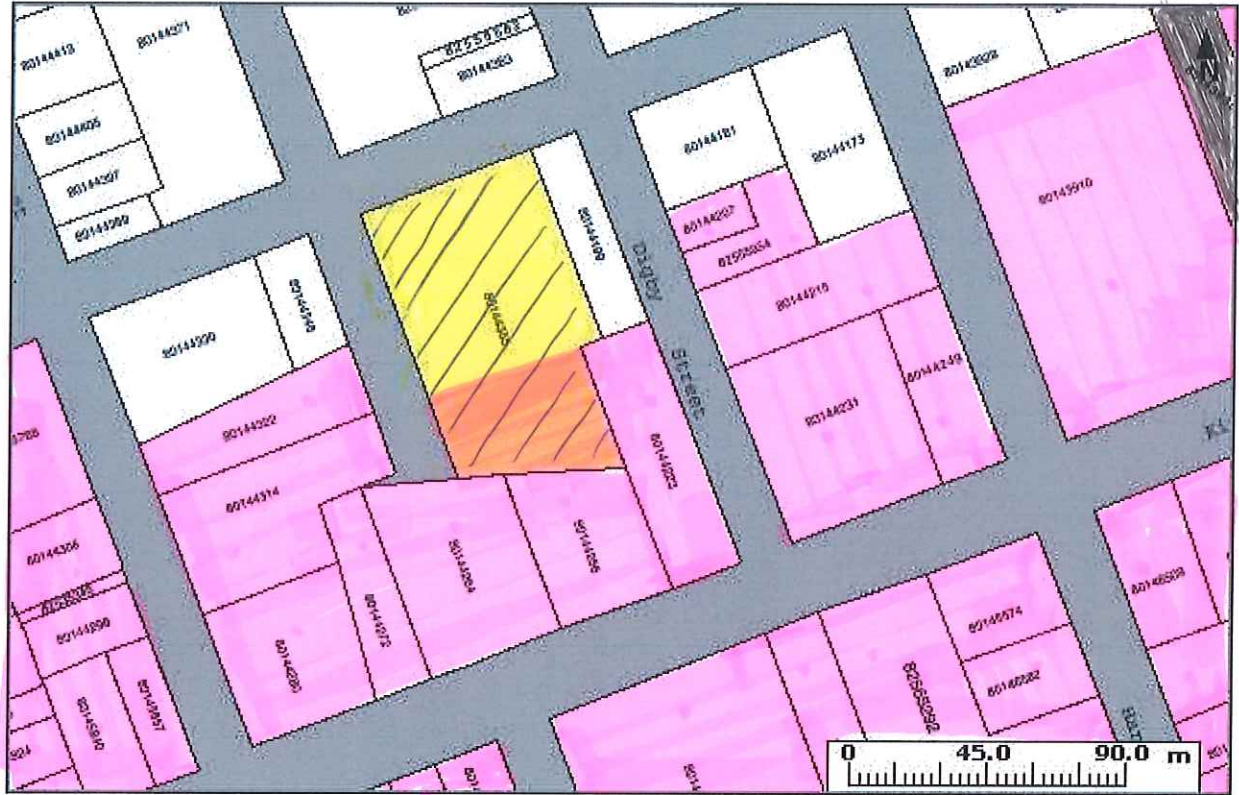
C. Allan Reid – CEO

Waterfront Investments Ltd.



Property Online Map

Date: Mar 29, 2023 1:38:42 PM



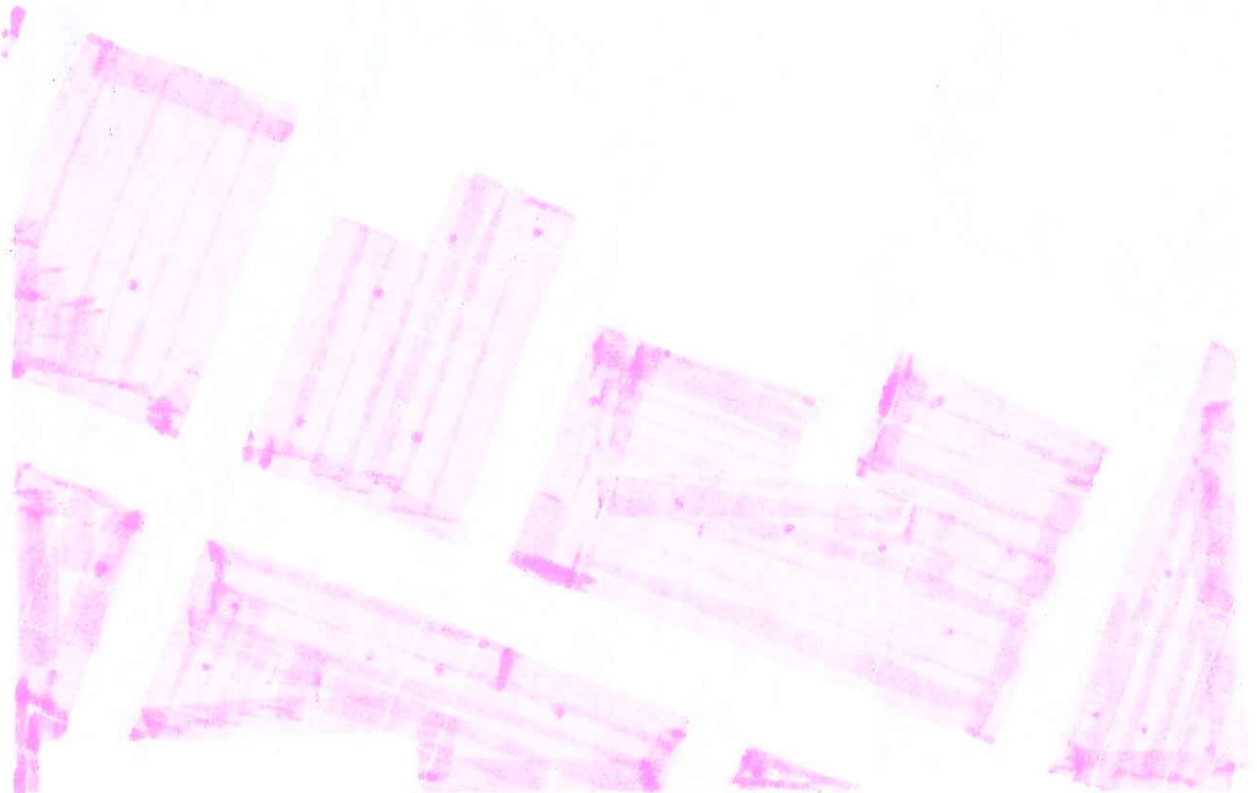
PID: 80144355 Owner: WATERFRONT INVESTMENTS LTD. AAN: 02377225
 County: SHELBURNE COUNTY Address: 37 BULKLEY STREET SHELBURNE Value: 589,300 (2023 COMMERCIAL TAXABLE)
 LR Status: LAND REGISTRATION

The Provincial mapping is a graphical representation of property boundaries which approximate the size, configuration and location of parcels. Care has been taken to ensure the best possible quality, however, this map is not a land survey and is not intended to be used for legal descriptions or to calculate exact dimensions or area. The Provincial mapping is not conclusive as to the location, boundaries or extent of a parcel [*Land Registration Act* subsection 21(2)]. THIS IS NOT AN OFFICIAL RECORD.

Property Online version 2.0

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Document #	
D23-A138	
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Date	March 29/23
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Document	
Date	
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Meeting Minutes
Community Participation & Volunteerism Committee
Wednesday February 22nd, 2023
6pm- Council Chambers, 168 Water St.

Committee Members Present:

- Bonnie Mahaney, Chair / Public Member
- Mary Ayer / Public Member
- Jill Webb / Town Staff Member
- Harold Locke / Council Member
- Ben Nickerson/Council Member
- Holly Renaud / Public Member
- Candy Venning/Town Staff Member

Regrets:

- Andrea Huskilson/Public Member
- Deby MacAlpine/Public Member
- Cheryl Bower/Public Member

Document # D23-A140	
Rec'd by C.V.	
Date MARCH 29 TH /23	
COPIES TO:	
Council	✓
Agenda	✓
Committee	

1. Call to Order

Chair Mahaney called the meeting to order at 6:06p.m.
 Chair Mahaney welcomed Candy Venning and Jill Webb to the meeting. Jill has taken over as Town Staff support person for the Committee and Candy has been handling all Grants to Organization items.

2. Approval of Agenda

Nickerson-Locke
 THAT the Agenda for the Regular Meeting of the Community Participation & Volunteerism Committee for February 22nd, 2023, be approved as presented.
CARRIED

3. Approval of Minutes

Renaud-Nickerson
 THAT the Minutes of the Regular Meeting of the Community Participation & Volunteerism Committee held on November 9th, 2022, be approved as presented.
CARRIED

4. Business Arising

None

5. Delegations

None

6. Correspondence

Chair Mahaney presented an email from Cheryl Bower asking that we accept her letter of resignation from the Community Participation & Volunteerism Committee effective February 8th, 2023. Cheryl wanted to thank the committee for five wonderful years serving on the committee and mentioned that will still be around to help. Candy to post that we are looking for one more

member of the public to join the committee. Jill to create a letter of thanks to Cheryl for her time on the committee.

7. CP&V Items

a) Volunteer of the Month

The Committee discussed some names for the upcoming months for Volunteer of the Month. We will continue recognizing a volunteer that is a resident of the Town or the Municipality that volunteers actively in our community.

b) Who-Ville/Shelburne Celebrates Christmas

The Committee discussed each event and how they were received. A great turnout from the community for both events. Who-Ville was well received, and everyone loved the lights around town. The Committee would like to thank everyone for donations of lights and a big THANK YOU to the Shelburne Stevedores for getting those up for us. Bonnie did mention that the lights went out a few times, but Harold did speak to the fact that the new electrical panel will be in operation for next year which will fix that problem.

Mary wanted to let everyone know that there were a few plaques missing from the tree this year and mentioned that the plaques as well as the stand-up decorations will need to be looked at in the future as some will need some refurbishment done. Jill to ask Public Works to pull these out for us so we can take a day to look at these and see what needs to be done.

c) Christmas Light Contest

Discussion was held about the Christmas Light Contest and the winners. Some suggestions were made for next year. All the winners, except one family has picked up their prize so Jill will get that out to them this week. Overall, everyone was very pleased with the participation and would like to thank everyone who took the time to light up their homes.

8. New Business

a) Grants to Organization

Chair Mahaney thanked Candy for doing the spreadsheet with all of those who applied to the Grants to Organizations this year. The Community Participation & Volunteerism committee will meet in March to vet the applications.

b) Cruise Discussion

Holly Renaud told the committee that she has been chosen as Peer Coordinator for the upcoming Cruise schedules with Ambassador Tours. Congratulations to Holly. The cruise ship schedule was reviewed and the committee briefly discussed things needed. We will be looking for more volunteers as we have several cruise ships scheduled for port this year.

9. Next Meeting:

March 22nd, 2023, at 6pm, Town Hall

Adjournment

Ayer

THAT the CP & V Meeting for Wednesday February 22nd, 2023, be adjourned at 6:49pm.

CARRIED



Town of Shelburne
 Staff Report to Council
 3 April 2023

**Amendment to Land-Use By-Law
 regarding Pocket Communities**

Document # D23-A139	
Rec'd by C.V.	
Date MARCH 20/2023	
COPIES TO:	
Council	✓
Agenda	✓
Committee	
Shelburne's Land-Use By-Law	

General Overview:

This staff report is intended to gain Council approval to amend the Town of Shelburne's *Land-Use By-Law* to include a definition and description of Pocket Community requirements for first reading.

Background:

Although the potential for the Town of Shelburne to be included in a future Regional Planning Initiative with seven other nearby municipalities is still moving forward, the Town is being asked to allow for pocket community developments to occur sooner than the timeline of the Initiative has determined.

Presently, no section of the *Land-Use By-Law* (LUB) describes or includes parameters for such a development as the LUB was originally written in 1988 whereby pocket communities were not in existence as of yet. As per *MGA Part VIII Planning and Development* and the requirements for *Land-Use By-Law* amendments, this is step one in multi-step process that will include advertisements and a public hearing prior to the second reading where Council may approve or decline the amendments.

In reviewing our *Municipal Planning Strategy* (MPS) both in original form and all amendments, Staff believes this LUB amendment does not impact the MPS as written however, the Department of Municipal Affairs and Housing will determine the validity of the assumption. Attached as *Appendix A* is the proposed update of our *Land-Use By-Law* wording that incorporates common terminology sourced from other southwest municipalities that have pocket communities/neighbourhoods already established.

Recommendation:

THAT Town Council gives first reading to the amendment of the *Land-Use By-Law* for the Town of Shelburne to include a new section for Pocket Communities under *Part 6 - Residential General (R-1) zone* and reference such in *Part 7 – Residential Mobile (R-M) zone*.

Respectfully Submitted,

Sherry Doane, CAO

Appendix A

Amendments to the Town of Shelburne Land-Use By-Law regarding Pocket Communities

Add the following definition in **Part 2 – DEFINITIONS**

POCKET COMMUNITY means four (4) or more buildings, which can contain up to two (2) dwellings each, located on one lot under one ownership. The number of dwellings per lot cannot exceed the equivalent of 6,400 square feet of land per single dwelling units or 3,600 square feet for two-dwelling buildings, per dwelling unit. Dwellings will all face towards the common area, NOT the abutting streets.

Add the following bullet point to **Part 6 – RESIDENTIAL GENERAL (R-1) ZONE**

Section 38

- Pocket Community dwellings (subjected to requirements of Section 43A)

Special Requirements – Pocket Community

- 43A. In addition to all other requirements, where a proposed development is for a pocket community, such development shall:
- each cluster of dwellings shall have a common area to provide a sense of openness and function as a shared front yard
 - each dwelling unit shall be located no further than 10 feet from the common area
 - A cluster in a pocket community may not be subdivided
 - a system of continuous walkways, no less than four (4) feet wide, shall connect each dwelling to each other and to the common area, as well as to the parking area and to the property line that abuts an open public street bordering the development
 - each dwelling shall connect via continuous walkways being no less than 4 feet width
 - no part of any dwelling shall be further than 180 feet from the parking lot
 - no less than one (1) parking space per unit plus one (1) accessible parking space per four (4) dwellings located closest to the dwellings
 - the parking lot area, at the centre of the common space, shall allow for at least a twenty-five (25) foot wide opening for emergency vehicles to access the common space
 - attached garages are not permitted in pocket communities
 - if detached garages are provided, they must be designed similar to or compatible with the dwelling design(s)
 - community amenity buildings are permitted as an accessory building to serve the needs of the residents and their guests for incidental use and must be designed similar to or compatible with the dwelling design(s)
 - architectural requirements include:
 - dwellings will be designed to have a cottage-like appearance, avoiding taller-than-wide designs
 - each dwelling must have a different appearance whether colour, materials or design
 - dwellings shall be clustered around and orientated towards the common frontal area
 - it is encouraged that dwellings have covered front porches at least 60 square feet (the porch does not contribute to the maximum floor area of the dwelling)

(submitted as Appendix A in Staff Report 3 April 2023)

Add the following bullet point to **Part 7 – RESIDENTIAL MOBILE (R-M) ZONE**

Section 44

- Pocket Community dwellings (subjected to requirements of Section 43A)

Add the following to the chart of **Schedule D** under a new column heading **Pocket Dwellings**

Minimum Lot Area: see definition

Minimum Lot Frontage: shared frontal common area no less two (2) times the total dwelling square footage

Minimum Front Yard: not applicable

Minimum Rear Yard: 20 feet

Minimum Side Yard: 10 feet

Maximum Lot Coverage by Dwellings: 35%

Maximum Building Height: 35 feet