



AGENDA
Town Council Meeting-Council Chambers
June 3rd, 2024
6:00 p.m.

Doc Ref:

- 1) Call to Order
- 2) Approval of Agenda
- 3) Approval of Minutes from the regular Town Council meeting held on May 21st, 2024.
- 4) Proclamations and Announcements:
 - a) Volunteer of the Month – June
 - b) Wildfire Prevention
 - c) World Ocean Day – June 8th, 2024
 - d) National Blood Donor Week – June 9 – 15, 2024
 - e) Volunteer of the Year Representative for the Town of Shelburne, 2024
- 5) Delegations/Presentation: **NONE**
- 6) Correspondence:

Action:

Information:
- 7) Council Items:
 - a) First Reading – Road Trails By-law D24-363
 - b) First Reading – Sewer Charges By-law D24-364
 - c) Roseway Manor Board
 - d) Request for Video Conferencing Policy
- 8) Committee Reports: **NONE**
- 9) Staff Reports:
 - a) Landfill Remediation - Update
- 10) New Business:
- 11) Upcoming Meetings/Events:
 - a) Town Wide Yard Sale, Saturday, June 8th, 2024, 9am-2pm, All over town
 - b) First Farmer’s Market of the season, Sunday, June 9th, 2024, 12-3pm. Guild Hall
 - c) Public Hearing re: 194 Rodney Street, June 17th, 2024, 5pm, Shelburne Community Centre, Mt. Rm. A
 - d) Next Town Council Meeting, Monday, June 17th, 2024, 6pm, Shelburne Community Centre, Mt. Rm. A
- 12) Adjournment



Town of Shelburne
Minutes of the Regular Council Meeting
May 21st, 2024

Council Members Present

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

Regrets

Councillor Ben Nickerson

Staff Present

Chief Administrator Officer, Sarah Mattatall
Deputy CAO, Ken Smith
Executive Coordinator, Jill Webb
Senior Planner, Mike Khan

Call to Order

Mayor 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 history, contributions, and legacies of the African Nova Scotian people and communities.

Approval of the Agenda

THAT Council approves the agenda for May 21st, 2024.

Ringer-Acker

CARRIED

Approval of the Minutes

THAT Council approves the minutes from the regular Town Council Meeting held on May 6th, 2024.

Davis-Acker

CARRIED

THAT Council approves the minutes from the Special Town Council Budget Meeting held on May 9th, 2024.

Acker-Ringer

CARRIED

Proclamations and Announcements:

a) Accessibility Awareness Week May 26th – June 1st, 2024

Councillor Ringer Read: This year's theme, "Communities for All: Taking Action on Access Awareness," underscores the importance of accessibility. Ensuring equal access to services and spaces is a cornerstone of building inclusive communities. In 2017, The Government of NS passed The Accessibility Act, aiming to ensure our province becomes accessible to people with disabilities by 2030. In line with this, municipalities across the province have developed Accessibility Plans. During Access Awareness Week, we're proud to spotlight the collaborative effort of the Town of Shelburne, Municipality of Shelburne, and the Town of Lockeport through their joint Accessibility Plan, known as the Eastern Shelburne County Accessibility Plan. Additionally, the Town of Shelburne has its own individual Accessibility Action Plan. For more information, please visit The Town of Shelburne website or explore the Access Awareness website at aawns.ca.

b) Red Shirt Day – May 29th, 2024 Action for Accessibility and Inclusion

Mayor Locke read: Red Shirt Day, an initiative by Easter Seals, was first celebrated in 2019 and takes place on the Wednesday of National Accessibility Week each year. This year, we ask you to wear a red shirt on Wednesday, May 29th, to support Canadians with disabilities and promote a more accessible and inclusive Canada for people of all abilities.

c) National Indigenous History Month – June

Councillor Davis read: June marks National Indigenous History Month in Canada, a time to honor and celebrate the rich cultures, traditions, and contributions of First Nations, Inuit, and Métis peoples. This month provides an opportunity for all Canadians to learn about the histories, heritage, and diversity of Indigenous communities, as well as to reflect on the ongoing challenges they face. By engaging in educational activities, supporting Indigenous-led initiatives, and promoting reconciliation, we can contribute to a more inclusive and respectful society. Let us come together this June to recognize and appreciate the invaluable impact of Indigenous peoples on the fabric of our nation.

d) Pride Month - June

Councillor Acker read: June is Pride Month, a time to celebrate the LGBTQ+ community and recognize their contributions, struggles, and achievements. This month serves as a reminder of the importance of diversity, inclusion, and the ongoing fight for equality and human rights. Across the country, people come together to participate in parades, events, and educational activities, fostering a sense of community and solidarity. As we celebrate Pride Month, let us commit to supporting LGBTQ+ individuals and advocating for a society where everyone can live authentically and without fear of discrimination.

Councillor Acker questioned if we will be flying the Pride flag, and it was stated that yes, we will.

Delegations/Presentations: NONE

Correspondence

Action:

a) Email – Tasha Roscoe, transportation/access to essential services.

Councillor Davis asked if we could contact her and provide her with information on the items she was concerned about. Councillor Acker mentioned that she did respond to Ms. Roscoe's concerns providing her with information such as Sou'West Transit as well as Mobile Clinics that come to Town, etc. No further discussion was had.

Information:

- b) Letter – Shelburne Volunteer Fire Department, request Use of Lands

This was to provide Council with an update for information only.

Council Items:

- a) Operating Budget

The budget was presented to Council, Harold asked if there were any changes or if anyone had any questions. Councillor Acker commented that she was very please with the budget, however, she did hear from one individual who was concerned about the businesses in town and tourism. Councillor Acker explained that we are dropping the Commercial Tax Rate which should help those businesses.

Mayor Locke said what a great job staff did with this budget and thanked them for all their hard work.

THAT Council approve the 2024/25 General Operating Budget which includes the following:

Residential/Resource Tax Rate for 2024/25 is \$1.99 per \$100 of assessment.

Commercial Tax Rate for 2024/25 is \$3.86 per \$100 of assessment.

Wastewater (Sewer) Charge for 2024/25 is \$260.00/unit.

Solid Waste Charge for 2024/25 is \$363.85/unit.

Interest Rate on all outstanding amounts is 10% annual, calculated and posted daily for General, Water Utility and Shelburne Marine Terminal.

Acker-Ringer

CARRIED

M24-217

- b) Soccer Field

Councillor Ringer told Council that he has been approached by two different organizations explaining their need for an additional field in Town. There was some discussion, and it was suggested that it might be something to refer to the Municipality as the Town doesn't have the amount of land needed for a facility and parking.

- c) Barrington Lake Wildfire After Action Review

This is just for Councils information.

Committee Reports: NONE

Staff Reports

- a) CAO Update

CAO Mattatall provided a verbal update to Council on several matters. She explained that Town staff, along with staff from MDS and the Town of Lockeport, are undergoing additional training for emergency preparedness. CAO Mattatall noted that we are in the early stages of rolling out the Voyent Alert program and encouraged those who haven't yet signed up to do so.

Mayor Locke mentioned that there is no confirmation email sent after signing up for the alert. The Executive Coordinator will investigate this issue.

CAO Mattatall also discussed the Clean Foundation and the Community Climate Capacity (CCC) program, providing background information. She announced that we have been invited to apply for

the CCC program and have been accepted. There are no associated costs for the Town. We will have a community lead for the three units (Town, MDS, and the Municipality of Barrington), and we have just begun this program. Some examples of initiatives include improving asset management and developing a climate plan.

CAO Mattatall also reported that the Town Hall bids have closed, a bid has been accepted, and we are currently working on a purchase agreement, aiming for completion by the end of the summer. Additionally, we have officially closed on the Heritage Hall property and are in the process of removing our insurance from that property. We are collaborating with Canada Student Jobs and Tourism NS for funding opportunities for our Visitor Information Centre (VIC), with a goal of opening by the end of June for the summer season.

b) Election Update

Ken provided an update on the election process. He reviewed our Election Deposit By-law, which specifies a \$100 deposit, though Council has the authority to modify this amount if desired. The second item concerns the Alternative Voting By-law; although we made some revisions in 2020, it currently defines normal business hours as 8:30am-4:30pm, Monday to Friday. After consulting with a Municipal and Election advisor, we need to amend this to more flexible wording, reflecting the hours publicized on our Facebook and website. The third point involves involving more staff in the election process for succession planning. This time, we have appointed Jill Webb as the Assistant Returning Officer, and Deputy CAO Smith also wants to appoint Janice MacKinley and Jessie Dyer as Assistant Returning Officers, with Janice MacKinley additionally serving as the Revising Officer. The Deputy CAO also mentioned the need to authorize telephone voting alongside our e-voting methods and informed the Council about the voting start times.

THAT Council give notice that the alternative voting by-law will be amended at the June 3rd, 2024, Council meeting.

Ringer-Acker

CARRIED

M24-218

THAT Council appoint Janice MacKinley as the revising officer as per Section 1.1.2.6 and both Jessie Dyer and Janice MacKinley as assistant returning officers as per Section 1.1.2.3. of the Election Act.

Acker-Ringer

CARRIED

M24-219

THAT Council authorize voting by telephone and by personal computer devices commencing 8am (AST) on Tuesday, October 8th, 2024, and terminating at 7pm (AST) on Saturday, October 19th, 2024.

Davis-Ringer

CARRIED

M24-220

c) 194 Rodney Street Proposed Amendment Land Use By-law

Mike Khan provided Council with an update on the 194 Rodney Street development. This is a rezoning process which is an amendment to the Land Use By-Law regarding first reading and public hearing.

THAT Council approve First Reading to amend the Land Use By-law Zoning Map (schedule B) for PID 82539990 changing the land use from Residential Mobile Home (R-M) to Residential General (R-1), and direct staff to prepare for a public hearing and second reading.

Davis-Ringer

CARRIED

M24-221

d) Public Participation Program Policy Amendments

Mike Khan updated Council on the two main changes of the policy.

THAT Council amend the Public Participation Program Policy with respect to placing advertisements on the Town's website and changing how the public is engaged on Land Use By-Law amendments.

Acker-Davis

CARRIED

M24-222

e) Event Proposal

Executive Coordinator updated Council on the proposed event. The Shelburne Events Committee will be meeting with Mr. Spillner in the coming days and the Executive Coordinator will provide updates as needed.

f) By-law Officer Report - April

g) Water Report - April

h) Wastewater Utility Report – April

i) SVFD Report - April

The above reports were reviewed for information only.

New Business:

Councillor Davis wanted to mention he had received some concerns from individuals in the community regarding and individual setting up a campground in town and he was wondering if this is something Mike Khan can look into before it goes any further.

No further new business.

Upcoming Meetings/Events

- a) Accessibility Awareness Week, May 29th – June 1st, 2024.
- b) Deadline for the Town's SRHS Bursary is May 31st, 2024, please see Mrs. Rankin for more information.
- c) Firefighter Volunteer Tribute, Saturday, June 1st, 2024, 12pm, Atlantic House Park
- d) Shelburne County Lobster Festival, June 3rd, 2024, visit shelburnecountylobsterfestival.com for more information or find them on Facebook.
- e) Town Wide Yard Sale, Saturday, June 8th, 9am-2pm, all over town.
- f) Next Council Meeting, Monday, June 3rd, 2024, 6pm, Council Chambers.

Adjournment

THAT the Regular Town Council Meeting of May 21st, 2024, be adjourned at 6:43pm.

Davis

WHEREAS the *Road Trails Act, SNS 2023, c.4* permits the Town of Shelburne by By-Law to designate a highway or part of a highway as a road trail.

Short Title

1. This By-Law shall be cited as the "*Road Trails Designation By-Law*".

Definition

2. In this By-Law:
 - (a) "**Highway**" means a public highway, street, lane, road, alley, park, beach, or place, including the bridges thereon and private property that is designated to be and is accessible to the general public for the operation of a motor vehicle; and
 - (b) "**Road Trail**" means the shoulder and travelled portion of a highway designated under this By-Law but does not include a ditch.

Designation

3. The Town hereby designates approximate 208 meters of Spa road, King Street to corner of water, all of Water street, all of Falls Lane and Ohio road not beyond the highway 103 intersection as a Road Trail within the meaning of Section 5 of the *Road Trails Act*.

Document #	D24-363
Rec'd by	gw
Date	May 28/24
COPIES TO:	
Council	<input checked="" type="checkbox"/>
Agenda	<input checked="" type="checkbox"/>
Committee	<input type="checkbox"/>
	<input type="checkbox"/>

Sewer Charges Bylaw Amendments

Document # D24-364	
Rec'd by JW	
Date May 29/24	
COPIES TO:	
Council	✓
Agenda	✓
Committee	

General Overview

The Town is facing increased infrastructure costs stemming from new growth.

Background

As with many Town's in Canada, Shelburne is facing issues with aging infrastructure combined with new development pressures.

Specifically looking at the Town's sanitary sewer system, there have been areas identified as needing improvement. Several of the lift stations are near capacity, with expected development potentially pushing infrastructure beyond its capacity, in particularly during major storm events. There is also a need for pre-treatment of some wastewater stemming from commercial or industrial processes that could incur costs to the Town.

There are also the potential impacts of future growth on the Town's wastewater infrastructure that may require additional infrastructure improvement projects.

One tool municipalities can use is development charges. Development charges are fees, levies or other charges that the Town requires payment of to fund infrastructure needed to support the new or expanded development. These charges are only payable by landowners who make application for permit; existing landowners are not charged.

Commonly, on-site costs and connection costs (from the property to the nearest sewer main) are covered mostly if not entirely by the landowner. Off-site infrastructure charges are less common, and refers to the sewer main, lift stations and treatment plant.

There is significant variation between what municipalities charge for sewer connections and related off-site impacts as shown below:

	Sewer Connection (on-site/connection)	Additional charges (off-site)
Town of Shelburne	Actual Cost	None
Halifax Regional Municipality	Actual Cost	\$2103-\$6126 per unit; \$30.24 per m ² non-residential
Town of Bridgewater	\$600 (pre-1991 lot) or Actual Cost	\$1,500 per residential unit; \$20 per m ² non-residential
MD of Pictou	Actual Cost	Usage estimate by use/user
Town of Lunenburg	Actual Cost	None
Town of Mahone Bay	Actual Cost	None

Proposed Amendments

Staff are proposing a new Wastewater Improvement Levy, for large development and/or high intensity users. Application for development permit where the gross square footage exceeds 900m² (Approx. 9,700 square feet) or are high intensity use (Car washes, laundromats, microbreweries and water intensive industrial uses) would be required to provide additional information to staff to determine if a Wastewater Improvement Levy should be charged.

This information require would include number of fixtures or flow and volume estimates. If the information provided showed low impact, for example a 1,000 m², (~11,000 square foot) warehouse with only two washrooms, no levy would be charged.

Where there is an expected significant impact on Town infrastructure the Town Engineer would then determine what mitigative action is needed, for example: larger pipe, additional lift/pump capacity, incremental plant expansion, or pre-treatment. The Town Engineer would also determine associated capital costs needed to mitigate the impact of the development and ensure efficient sanitary sewer system.

The Town Engineer would inform the applicant of the additional charge, if any, in writing.

The proposed Sanitary Sewer Improvement Levy are permitted under section 81 (1) a of the *Municipal Government Act* and is not subject to approval by the Utilities and Review Board (UARB), unless those charges are levied outside of the municipality's boundaries.

Staff are also proposing amendments to clarify that costs related to on-site connections are entirely borne by the landowner and to align the bylaw with the Municipal User Fees Policy.

Future Work

Initially, staff would determine the impacts on a case by case basis. As the capacity and costs are better understood, staff hope to bring forward future amendments to add clarity on what potential charges might be. This work is closely related with amendments to the Land Use Bylaw and Municipal Planning Strategy.

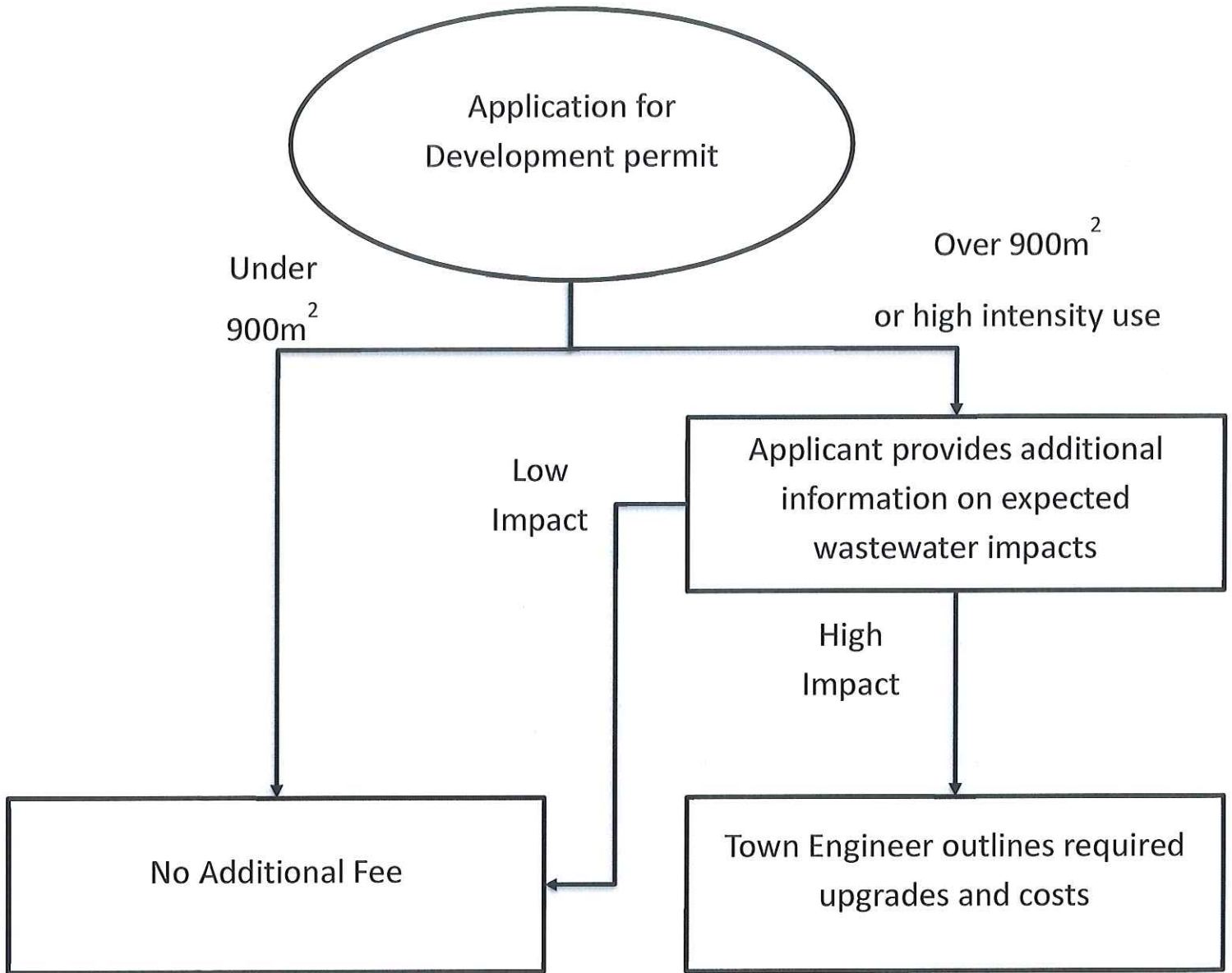
Options

	Pros	Cons
Give First Reading to Sewer Charge Bylaw amendments	<ul style="list-style-type: none"> Enables cost recovery for larger/high impact developments 	<ul style="list-style-type: none"> May increases cost of some developments
Defer First Reading of Sewer Charge Bylaw amendments and provide feedback	<ul style="list-style-type: none"> Enables cost recovery for larger/high impact developments Allows for more input and consideration 	<ul style="list-style-type: none"> May increases cost of some developments
Do not amend Sewer Charges	<ul style="list-style-type: none"> Keeps development costs low 	<ul style="list-style-type: none"> Town will need to absorb costs related to growth

Recommendation

That Council give First Reading to the amended Sewer Charges Bylaw.

Process Chart



Appendix A – Draft Sewer Charge Bylaw Amendments

SEWER CHARGES BY-LAW

THIS BY-LAW SHALL REPEAL AND SUPERCEDE ANY AND ALL PREVIOUS REGULATIONS AND/OR BY-LAWS HELD BY THE TOWN OF SHELBURNE REGARDING THE DETERMINATION OF SEWER CHARGES.

WHEREAS Section 79 of the *Municipal Government Act* provides that a Municipality may by by-law, prescribe charges for the provision of services for persons who use or benefit from the service, on a basis to be set out in the by-law.

WHEREAS Section 81 of the *Municipal Government Act* provides that a Municipality may by by-law, imposing, fixing and providing methods of enforcing payment of charges for wastewater facilities, the use of wastewater facilities and connecting to wastewater facilities.

AND WHEREAS the Town of Shelburne has enacted that user charges and connection fees prescribed under the *Public Sewer By-Law* will be in such amounts as determined from time to time by the Council by By-Law.

THEREFORE be it enacted by the Council of the Town of Shelburne, as follows:

1. Short Title

This By-Law shall be cited as “Sewer Charges By-Law”.

2. Purpose

The purpose of this By-Law is to establish the amounts of user charges and connection fees prescribed under the *Public Sewer By-Law*.

3. Charge Imposed

As per the provisions of the *Public Sewer By-Law* every owner of land which is serviced by a public sewer or is fronting on any street or highway within the Town, which street or highway has a sewer line installed as directed by Council pursuant to this By-Law shall pay to the Town an annual charge, known as the Sewer Service Charge, for both the construction and maintenance of such sewage works, and the operation of any sewer treatment facilities in the amount determined from time to time by the Council by By-Law.

The Sewer Service Charge is established according to the schedule below:

Fiscal Year Sewer Service Charge

2017-18 \$219 /unit

2018-19 \$240 /unit

2019-20 \$260 /unit

4. Connection Fee Imposed

As per the provisions of the *Public Sewer By-Law* any person requesting a sewer permit, ~~after the original sewer line has been installed, for connecting to connect~~ a building ~~service connection with to an existing~~ public sewer shall pay a fee determined from time to time by the Council by By-Law.

The connection fee is established at ~~\$200 per connection~~, the actual costs incurred by the Town in connecting the building to the public sewer plus:

Wastewater Hook-Up (Residential) \$400.00

Wastewater Hook-Up (Commercial) \$1,000.00

5. Wastewater Improvement Levy

An additional charge may be applied for larger scale and/or high intensity development, which includes:

- Developments over 900m²; and/or
- Car washes, laundromats, microbreweries and water intensive industrial uses.

Where application for development permit or sewer connection is made for a larger scale and/or high intensity development, the applicant will provide the Town Engineer with expected sanitary sewer flows and volumes or number of fixtures.

The Town Engineer will determine an additional charge, if any, based on expected impacts to the sanitary sewer system resulting from the proposed new development and costs associated with mitigating those impacts.

The Town Engineer will inform the application of the additional charge, if any, in writing. The Applicant must pay the Wastewater Improvement Levy as outlined by the Town Engineer.

