



Town of Shelburne
Minutes of the Regular Council Meeting
Monday, September 5th, 2023
APPROVED

Council Members Present

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

Staff Present

Sarah Mattatall, Chief Administration Officer
Candy Venning, Executive Coordinator
Jane Crowell, Manager of Finance
Andrew Goreham, Development Officer
Ken Smith, Interim CAO

Regrets

Councillor Ben Nickerson

Call to Order

Mayor Harold Locke called the Council meeting to order at 6:00pm.

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 September 5th, 2023.

Davis-Ringer
CARRIED

Approval of the Minutes

THAT Council approves the Minutes from the regular Council Meeting held on July 17th, 2023.

Acker-Ringer
CARRIED

Proclamations & Announcements

- a) "Volunteer of the month for September, The CP&V Committee, along with Town Council have decided to recognize Pat Chute as the Volunteer of the Month for September.

Pat joined Shelburne County Tourism Association and became a director promoting tourism in Shelburne County, combined with her previous experience in Ontario for a total of over 30 years in hospitality. During that time, she purchased the iconic 'Coopers Inn' in 2005, running it while meeting her now husband in 2014 and selling it in 2022.

Instrumental in the inception of Shelburne 'Boomerang Bags' pre-covid, which flooded the town with Re-useable cloth bags made of donated materials & continues to sell beautifully crafted bags and hand-crafted items at The Guild Hall Market today.

Pat joined the Roseway Hospital Auxiliary and began volunteering at the NU2U. Noticing the quality of items being donated, she created an online auction for NU2U. It quickly became very popular with over 2000 members, raising \$300+ per week!

For all that Pat has done and continues to do for her community, the CP&V Committee and Town Council recognize Pat Chute as the Volunteer of the Month for September. Thank you!"

Delegations

Mr. Chris Sharpe President of the Shelburne Historical Society, made a presentation to Town Council, regarding the new construction of an outbuilding behind the Shakespear House at 17 George Street. He began his presentation by noting the historical significance of the neighbourhood, noting that the intersection of Water and George Street is a "corner unique in North America with it's pre-1785 wooden houses". He noted that the new build violated the Town's Land Use By-Law and referenced the Municipal Planning Strategy, the Heritage Property Act, and the Town's Heritage Waterfront zones. Concerns highlighted in his presentation included the following:

- a) Was the new build an accessory building or not if it's current use could be an Airbnb,
- b) the allowance of a building permit for any new development on the site not meeting the minimum lot area, the minimum side yard, etc.
- c) Architectural features not aligning with that of the existing historically significant building
- d) Height of the new build

Copy of his presentation is attached to the minutes for further detail.

He finished his presentation by stating that the society requests that an immediate stop work order be issued, that the application for a development permit be re-examined and cancelled if the concerns outlined in this presentation are validated. He asked that Council give this time sensitive nature of the project we ask that Council consider the motion at this meeting.

Questions from Council to the Development Officer included the following:

1. Is this classified as an Accessory building?
2. How high is the structure?
3. The lot square footage is less than the minimum?
4. Was there any variance given for this development?
5. Encroachment on the south side?
6. What type of building is it?
7. Is it hooked up to water or sanitary sewer?
8. Does the structure have a basement or a concrete slab or a crawl space?
9. Is there an engineering report about the stability in relationship to the stone wall?
10. Has there been any contact with the Provincial government regarding this property?

Chris finished his delegation presentation by summarizing that the salient question is whether this is a new building or a renovation of an existing building.

Correspondence

Action:

None

Information

- a) Nova Scotia Fire Marshall Amendments to the Nova Scotia Building Code.

- b) Municipality of the District of Shelburne Thank You letter regarding Dock St. Days.
Council received the letter as presented and thank the Municipality for an excellent event.

THAT Council accepts the information as presented.

Council Items

- a) Status of Two By-Laws, update

M23-089 **THAT** the “feeding of deer, waterfowl and pigeons By-law” amendment be addressed at the September 18th, 2023, Council Meeting for a second reading.

Acker-Davis

CARRIED

M23-090 **THAT** Council defer the proposed Town of Shelburne Road Trails Designation By-Law to the October 2nd, 2023 Council meeting with a staff report being an agenda item for the next Council meeting on September 18th, 2023. It was the consensus of the Council members that the proposed Road Trails Designation should be brought to the September 18th, 2023, meeting to make public aware before going to a Second Reading.

Ringer-Davis

CARRIED

- b) Grovestine Recreation Complex Update

The Council members discussed their desire to improve the facilities at the Roger Grovestine Complex. It was reported the notes prepared by Jerry Locke were helpful in moving forward. It was also noted the importance in mobilizing the Community, particularly the use groups, to work with the Town to achieve the significant funding objective needed to carry out the observations noted in Mr. Locke’s report plus ideas from the public works staff including a significant upgrade to the ballfield and the resurfacing of the tennis/pickleball courts.

M23-091 **THAT** staff meet with the Regional Recreation Manager to seek funding to assist in carrying out comprehensive upgrades to the facility.

M23-092 **THAT** Council utilize the currently budgeted \$5000 to carry out “must do now” fixes, prior to winter and defer the balance to next year’s budget to go towards cost sharing with a Provincially funded recreation grant.

Davis-Acker

CARRIED

- c) Request to purchase PID 82553371

Council members reviewed a request from a developer Mr. Paul Khangura, to purchase the 2.2 acres between the Yacht Club property and Port Authority property with 82553371 as the PID#. The developer is interested in developing the property overlooking the harbour. It was noted that Council’s intention was to utilize the property to further enhance the Port’s growth.

M23-093 **THAT** Council denies the request to purchase PID 82553371 as the property is to be set aside for Port Authority use.

Acker-Ringer

CARRIED

Committee Reports

None

Staff Reports

a) IT 'Townsuite' Cloud Hosting, Staff Report

M23-094 **THAT** Council approves the proposed changes to server hosting from MJSB to Townsuite.
Ringer-Davis
CARRIED

b) Capital Projects Update

It was noted that that the report was very informative for the Council Members and the public. It was suggested that it would be beneficial to update Council quarterly when practical.

M23-095 **THAT** Council accepts the report on updates to the 2023/24 Capital Projects as presented.
Acker-Davis
CARRIED

c) Beautification Staff Report

Council members discussed the pros and cons of carrying out the Beautification project at \$20,000, while staying within the budgeted amount of \$10,000 from Council or carrying out the project at a cost of \$24,000 while optimizing the grant of \$12,000 from the province.

M23-096 **THAT** Council approves the Beautification project budget at \$24,000 with \$12,000 funded by \$2,289 from General Operating Budget, \$4,101 from General Operating Reserve and \$5,610 from Sustainable Services Growth Fund (SSGF).
Davis-Ringer
CARRIED

d) Provision of Water and Sewer Services to MDS, Staff Report

Staff noted that the purpose of the item being placed on the agenda was to ratify the decision made at the in-camera meeting held on August 3, 2023. It was also noted that by placing the topic on tonight's agenda, the staff report would be public document. It was further noted that Council members had been forwarded an e-mail from the Municipality of the District of Shelburne requesting that Council re-consider its decision for sewer hook-up at PID #80111818 on Spa Road for future housing development only. Although this email was not received in time for the Council package, it was circulated for their consideration prior to making the notification motion.

M23-097 **THAT** Council ratifies its in-camera, August 3rd, 2023, direction in the form of a motion that sewer and water lines not be extended.
Acker-Davis
CARRIED

New Business

None

Upcoming Meetings / Events

- a) Shelburne Whirligig Festival, September 16th and 17th, Dock St. waterfront
- b) Next Town Council meeting, Monday September 18th, 6pm, Council Chambers, preceded by Audit Committee at 5pm, Council Chambers
- c) Cruise Ship 'Vista' September 23rd, 7am

In-Camera

MGA 22(2)(g) - Legal Advice

MGA 22(2)(c) – Personnel

THAT we move in Camera under *MGA 22 (2)(g) Legal Advice* and *MGA 22(2)(c) Personnel*.

Davis-Ringer

CARRIED

Council Came out of In Camera at 7:01pm.

Adjournment

THAT the Regular Town Council Meeting of July 4th be adjourned at 7:02pm

Davis

Mayor

Executive Coordinator