



# Municipality of the District of St. Mary's

Committee of The Whole (COTW) Meeting

Wednesday, June 22<sup>nd</sup>, 2022

*We acknowledge that we are gathering in Mi'kma'ki the traditional unceded territory of the Mi'kmaq people.*

## 1. Meeting, Date & Time:

The COTW Meeting of the St. Mary's Municipal Council was called to order on Wednesday, June 22<sup>nd</sup>, 2022, at 4:00 pm in the Council Chambers, Sherbrooke, N.S.

## 2. Attending:

Warden Wier	Councillor Mailman
Deputy Warden Fuller	Councillor Malloy
Councillor Baker	Councillor Zinck
Councillor Harpell	

## Also Attending:

Marissa Jordan, Chief Administrative Officer (CAO)  
Marian Fraser, Director of Finance (DOF)  
Mallory Fraser, Municipal Clerk

## 3. Additions to the Agenda:

- Omit item 7b. St. Barbara Atlantic Operations Cochrane Hill Gold Mine.

## 4. Approval of the Agenda:

*On motion of Councillor Baker and seconded by Councillor Harpell, Council approved the agenda with the omission.*

***Motion approved.***

## 5. Approval of Minutes:

*On motion of Councillor Harpell and seconded by Councillor Malloy, Council approved the minutes of the COTW Meeting held Wednesday, June 1<sup>st</sup>, 2022.*

***Motion approved.***

## 6. Business Arising from the Minutes:

### a. Port Bickerton Lighthouse Road

- The Port Bickerton Lighthouse Road has been graded by the Provincial Department of Public Works. A cost share agreement with the Provincial Department of Public Works for this service is still being explored by staff.

### b. Eastern Counties Regional Library (ECRL) External Review

- The ECRL External Review Project is still in the first phase. The Province has noted that there are limited companies available to perform this type of work. There is one company that they are approaching during the procurement process.

## 7. Presentations

### a. Municipal Planning Strategy & Land-Use By-law First Reading – Ian Watson, Upland Consulting

- Ian Watson, Senior Planner introduced the Upland Consulting Team. Angharad Wylie is a GIS Analyst and Kevin Cooper is a Planner. Upland Consulting took the project over from the consulting firm, Fathom Studios.
- Within the MGA there are statements of provincial interest that plans must meet, and minimum planning requirements. The Municipal Planning Strategy is the vision, goals, context, and history behind the policies and the policies themselves. These policies are taken and given shape in the Land Use Bylaw.
- Planning is required by the MGA, and it is important to support community character and identity, to prepare for change, to protect sensitive environments and development, to set aside lands and resource for development, to use infrastructure efficiently, to separate incompatible uses and to bring together compatible uses.
- The process for this project included analysis such as looking at the demographics, the environment, and landscape of St. Mary's and understanding what they key issues are. Next, key priorities within the community were identified for planning. Next came collaborating with municipal staff to draft the document. It has gone to the province for an informal review to ensure it meets the requirements of the statements of provincial interests and provincial requirements. The last step is the formal approval process.
- The Formal Approval Process includes a first reading as a council, a public hearing for the public to submit feedback on the draft, only councillors at the public hearing may vote at the second reading. Once the public hearing has occurred Council must not receive any additional feedback concerning the documents. A second reading is held, if there are any significant changes to the documents following the second reading another public hearing must be held. Once the documents have had a second reading the documents will go to the Province for a formal review against the statements of provincial interest and minimum regulations. If the documents meet the requirements, then they will go into effect.
- Engagement included 25 one-on-one interviews with businesses and other stakeholders. An online survey was conducted, with a good response rate, a social media strategy, collaborating with council, the public, and interviews with other government bodies. Consulting with adjacent municipalities was complete as required.
- The vision within the Municipal Planning Strategy is "Our shared future is a vibrant place that offers lifelong opportunities to live, work and play. Thriving businesses and meaningful employment opportunities. Rural living with plentiful amenities that meets everyone's needs. Beautiful place that cares for and takes pride in its natural setting. Welcoming and supporting neighbours that take care of one another."
- Key housing directions from the document include a variety of housing permitted across the Municipality in the residential zone. Two units plus a secondary suite is widely permitted. Multi-units up to 20 units are permitted in Sherbrooke and Port Bickerton. Larger multi-units must follow the Development Agreement Process. There are no constraints on housing size or type. Mobile homes are considered the same as a dwelling. Mobile home parks are considered a separate use and are permitted in residential zone and rural resource zone.
- Key directions from the document permit home-based businesses everywhere a dwelling is permitted. A home-based business cannot be bigger than 25% of the dwelling area. The proprietor of the business must live on-site, and it must be located within the dwelling or within an accessory building.

- Key directions regarding infrastructure from the documents permit smaller lot sizes and frontages in areas with services such as Sherbrooke. There is policy guidance for when services can be expanded. There is also policy guidance for transferring roads from private to public. The documents require service connections where services are available for new developments.
- Key directions from the document related to drinking water permits a drinking water zone that applies to the watershed of Sherbrooke Lake and limits the development that can occur. Low density residential and community uses are permitted.
- Key directions from the document related to Renewable Energy permits accessory solar collectors and solar farms in the rural resource and industrial zones. Small scale wind turbines are permitted everywhere, but there are conditions that apply to them. Large scale wind turbines would be permitted only by a development agreement in rural resource and industrial zones.
- Key directions from the document for agriculture introduce a new agriculture zone, it is applied to existing farms in Goshen and Stillwater and can be applied elsewhere as others request it. This zone permits and prioritizes agriculture. Outside the agriculture zone 15 fowl and rabbits are permitted per lot. Hobby livestock is permitted in most zones. The number and type of animals permitted are dependent upon the minimum lot size. There are setbacks for the animals housing and manure and storage, and they must be enclosed.
- Key directions from the document for the environment include a parks and recreation zone applied to wilderness areas and provincial parks. The documents defer to the Coastal Protection Act regulations. The plan directs watercourse setbacks to protect the riparian area. The distance for this setback will need to be addressed.
- Key directions from the document related to economic development include a mixed-use zone on Port Bickerton and much of Sherbrooke, this zone allows residential and a reasonable scale of commercial development. There are areas of a general commercial zone which focuses on larger commercial development. The documents continue to support the fishery, there are allowances for the storage of fishing gear and boats on residential properties. Short term rentals are permitted in zones that permit dwellings. Aggregate-related industry is permitted in the industrial and rural resource zone only by development agreement.
- Key directions related to the Whale Sanctuary Project include a specific zone to enable uses related to the project. There is policy guidance to review the zoning after five years.
- Key directions related to industrial development from the document include an industrial zone on existing industrial uses. Light industrial uses such as warehouses and small manufacturing that is not high impact are permitted in industrial zone, rural resource zone and general commercial zone. Scrap yards and solid waste disposal is only permitted in the industrial zone.
- Key directions related to parks and recreation from the document include a parks and recreation zone, it is applied to provincial parks. There is policy supporting the Province in establishing additional provincial parks. There is a requirement for parkland cash dedication from subdivisions if Municipality establishes standalone subdivision bylaw. Park uses are permitted throughout most zones. Recreation uses are permitted throughout most zones.
- Key directions related to shipping containers in the document permit them as an accessory building. They count towards the maximum lot coverage and have a one metre setback from property lines. They are only permitted in rear and side yards and are subject to a one-time placement fee.
- Key directions related to RVs from the document define more than two RVs on a lot as a campground. Campgrounds are permitted in general commercial, parks and recreation, and

rural resource zone. Standards for a campground are not currently included and need to be added. The Senior Planner suggested including a minimum lot size, higher setbacks from property lines, and that campgrounds have proper sewage disposal.

- Key directions related to non-conforming uses and structures from the document includes that the non-conforming use sunset time is 12 months. Non-conforming structures are permitted to expand if expansion does not worsen the non-conformity.
- For simplification purposes at the front of the documents there are tools to help use the documents.
- The zoning has been updated from the existing plan. Most of the Municipality is in the rural resource zone.
- If Council is aware of agricultural land, they will let the CAO know so that it can be zoned appropriately.

*(Councillor Baker left the meeting at 4:52 pm)*

- Council asked what the typical setback is for watercourses. Mr. Watson suggested the typical setback is 50 feet, and there are usually exceptions for things such as boathouses, wharfs, etc.
- There are outstanding items that need to be addressed prior to the first reading including the watercourse setback, planning and development requirements for campgrounds, having internal setbacks between units in the mobile home parks, marinas and wharves uses permitted in the rural resource zone, standards for forestry setbacks in the rural resource zone and aggregate uses for those setbacks, the riparian zone, and RVs in the rural resource zone.
- Council asked to have the section taken out of the document about the number of Sherbrooke Village visitors and asked to reference to Sherbrooke Village's open time as seasonal instead of stating the specific months.

*(Councillor Baker returned to the meeting at 4:55 pm)*

- Council expressed concern relating to the usability of the map's images in the document.
- Council discussed the one-time fee and placement for shipping containers. Council decided not to charge a one-time fee for the placement of shipping containers and that they may be placed at the rear and side of a lot.
- Council agreed to receive an updated version of the MPS / LUB before moving ahead with a motion for first reading.

*On motion of Councillor Malloy, and seconded by Councillor Harpell, Council agreed to hold a ten-minute recess.*

***Motion approved.***

*(Council recessed at 5:09 pm)*

*(Council reconvened at 5:19 pm)*

## **8. Correspondence**

### a. Statement of Provincial Interest Regarding Housing and Small Options Homes – Department of Municipal Affairs and Housing (DMAH)

- Correspondence was received from the Department of Municipal Affairs and Housing outlining the planning regulations for small option homes. Small option homes are a type of home, licensed under the Homes for Special Care Act. They house three or four residents with developmental, mental health or physical disabilities. Residents live independently in the community and receive support services from staff. Nova Scotia is currently phasing out the use of large, institutional-style facilities like Regional Rehabilitation Centres (RRC) and Adult

Residential Centres (ARC) as housing for persons with disabilities. As a result, there is a need to expand the stock of small option homes available across the Province. Small option homes function in the same manner as any single-unit dwelling. Regulation that restricts access to classes of persons where the building use, land use, structure and lot geometry are the same as any other dwelling within a zone are not appropriate and, in the case of small option homes, would be considered inconsistent with the Statement of Provincial Interest regarding Housing.

b. Letter of Proposal – Waterfront Development Inc.

- Correspondence was received from Waterfront Development Inc. proposing that the Municipality share the collected property tax for the business's property as a 40-60 split between the business and the Municipality. The business would receive 60%. The money would be allocated for road maintenance.
- As per the Business and Industrial Development section 57 subsection 2 of the MGA, a municipality shall not grant a tax concession or other form of direct financial assistance to a business or industry. Council cannot permit this proposal.

**9. Other Matters of Business:**

a. Workplace Harassment and Discrimination Policy

- The Workplace Harassment and Discrimination Policy was developed by staff. The objective of the policy is to provide a healthy workplace environment. The authority of the policy is derived under section 48 subsection 3 of the MGA. The policy will apply to all council members, all employees, contractors, agents and applicants of the Municipality or anyone attending a Municipal workplace, including members of the public.
- Council requested staff to make grammatical changes to section 4.6 for easier readability.

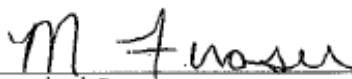
*On recommendation of Councillor Harpell, and seconded by Councillor Zinck, Council adopted the Workplace Harassment & Discrimination Policy with the amendment to section 4.6.*

***Recommendation adopted.***

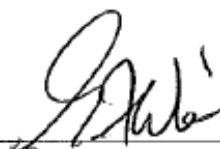
**Adjournment**

*On motion of Councillor Baker, and seconded by Councillor Malloy, there being no further matters of business, Council adjourned at 5:25 pm.*

***Motion approved.***



Recorded By  
Mallory Fraser, Municipal Clerk



Approved By  
Warden Wier