

A regular public meeting of Truro Town Council was held Monday, May 7, 2007, at 1:00 PM in the Council Chambers of the Truro Civic Building.

Present: Mayor W.R. (Bill) Mills; Deputy Mayor C. Cox; Councillors S. Byers, B. Kinsman, D. Bennett Cook and R. Tynes

Regrets: Councillor G. MacArthur

In Attendance: CAO J. Langille, Director of Public Works A.J. MacKinnon, Director of Finance R. Putnam, Director of Planning J. Fox, Parks and Recreation Director D. MacKenzie, Police Chief K.C. MacLean, Fire Chief T. Bremner and J.T. Rafferty, Town Solicitor

APPROVAL OF AGENDA

On motion of Councillors S. Byers and D. Bennett Cook it was moved to approve the agenda as circulated. Motion carried.

APPROVAL OF MINUTES

On motion of Deputy Mayor C. Cox and Councillor D. Bennett Cook it was moved to approve the minutes of the Public Hearing and Public Council Meetings held during the month of April 2007 as circulated. Motion carried.

MOTIONS & NOTICES OF MOTIONS

Development Agreement Application – 265 Young Street

During the Public Hearing portion of the Public Council Meeting, a staff report dated May 3, 2007, was presented by Director of Planning J. Fox. Discussion was held regarding an application from S & B Apartment Holdings to enter into a development agreement with the Town of Truro to permit the construction of an 18 unit residential building at 265 Young Street.

Deputy Mayor C. Cox expressed his concern with the parking arrangements, which will not require the existing development to provide parking based on current standards, only the new development will fall under the current parking regulations.

On motion of Councillors D. Bennett Cook and S. Byers it was moved to enter into a development agreement with S & B Apartment Holdings to permit the construction of an 18 unit residential building at 265 Young Street, as recommended in the Staff Report dated May 3, 2007. Motion carried.
This agreement is subject to a fourteen day appeal period.

By-law to Amend Taxi By-law – 1st Reading

A copy of the draft amendments proposed for the *Taxi By-law* was circulated to Council for their review. The objective of these amendments is to place stricter conditions on the issuing of taxi licenses. Council was asked to pass first reading of the by-law amendments and schedule a second reading to consider their adoption.

On motion of Councillors D. Bennett Cook and S. Byers it was moved to pass first reading of the draft amendments proposed for the Taxi By-law and to schedule second reading for the June Public Council Meeting. Motion carried.

Draft Firearms By-law – 1st Reading

A copy of the draft *Firearms By-law* was circulated to Council for their review. The main purpose of this by-law is to prohibit the discharge of firearms within the Town of Truro. Council was asked to pass first reading of the draft by-law and schedule a second reading to consider adoption of the by-law.

Councillor S. Byers raised concerns with bee bee guns and air rifles not being included in the by-law.

On motion of Councillors S. Byers and D. Bennett Cook it was moved to pass first reading of the draft Firearms By-law and to schedule second reading for the June Public Council Meeting. Motion carried.

80 King Street, Development Agreement Application

Council was advised that Mr. Calder Creelman has requested a postponement of his application to enter into a development agreement with the Town to permit the construction of a 12 unit residential building at 80 King Street. Council will be advised once the amended application has been reviewed by the Planning Advisory Committee and is ready for public hearing.

576 Prince Street, Development Agreement Application

The CAO read correspondence from J. Bigelow, Secretary for the Town Planning Advisory Committee, regarding an application from Gremer Investments Limited to enter into a development agreement to permit the development of 14 new residential units in an existing mixed use building at 576 Prince Street. The Committee recommended that Council establish a hearing date for the application, and consider entering into a development agreement as outlined in the Staff Report dated April 24, 2007.

On motion of Councillors B. Kinsman and S. Byers it was moved to establish a hearing date for Monday, June 11, 2007, at 1 pm, to consider the application from Gremer Investments Limited to permit the development of 14 new residential units in an existing mixed use building at 576 Prince Street. Motion carried.

Tax Exemption Resolution

Deputy Mayor C. Cox read the resolution establishing the property tax exemption levels for the 2007/2008 fiscal year (a copy of the resolution is attached to these minutes).

On motion of Deputy Mayor C. Cox and Councillor R. Tynes it was moved to approve the resolution to establish the property tax exemption levels for the 2007/2008 fiscal year. Motion carried.

PETITIONS AND DELGATIONS

Mr. Laurence Nason – NS Federation of Agriculture

Mr. Laurence Nason, Chief Executive Officer of the Nova Scotia Federation of Agriculture spoke before Council regarding the impact that the agricultural industry has on Truro and the surrounding area, and province wide as well. Mr. Nason provided Council with an overview of what the NS Federation of Agriculture does, facts about the industry, challenges facing the industry and the impact of the increasing level of investment required to meet these challenges. Mr. Nason emphasized that there is interdependence between the urban and rural communities and that a decline in development in Truro means a corresponding decline in the agricultural industry.

Mayor Mills thanked Mr. Nason for his presentation and invited Councillors to ask questions. A discussion was held relating to issues of increased costs to adhere to new stricter water regulations and farmers in Nova Scotia developing new capabilities such as producing alternate fuels. Mr. Nason also noted that the Nova Scotia agricultural industry has a comparative advantage in that it has not left the environmental footprint that other areas of the country have.

Town Of Truro Water Utility Budget

At the request of staff, Council agreed to postpone presentation of the Truro Water Utility Budget to a public council meeting scheduled for May 22, 2007, at 6:30 pm.

OLD BUSINESS

Truro Tree Committee Re Amendments to Land Use By-law

Council was advised that a letter had been received from the Truro Tree Committee requesting that the Town of Truro's *Land Use By-law* be amended to require mandatory tree planting, particularly street side planting, on all new developments regardless of zoning.

Council agreed to forward the request to the Town Planning Advisory Committee for review and recommendation at their next meeting.

Joint Use Agreements for Truro West and Truro South Elementary Schools

Council was advised that an update had not yet been received from the Chignecto-Central Regional School Board in regard to concerns raised by the Town of Truro concerning the draft joint use agreements for the Truro West and Truro South Elementary Schools.

Footprint Developments Ltd. – Request for Extension

Council reviewed correspondence from Footprint Developments Ltd. and Ramar Construction Ltd. requesting that Council reconsider their recent decision to impose a deadline of January 2008 for the completion of all street servicing and approvals in the Victoria Village mini-home park. It was requested that Council grant the development an extension to January 30, 2009, with an absolute final date of January 30, 2010 for final endorsed approval.

Council discussed the request and debated the merit of providing the Victoria Village development a further extension. The CAO clarified that if the required street servicing and approvals are not completed by the deadline imposed by Council, the developers will be required to pay an amount of \$36,090.69 which the Town had agreed to forgive provided that these conditions were met.

On motion of Councillors R. Tynes and D. Bennett Cook it was moved to grant an extension for the completion of all street servicing and approvals for the Victoria Village mini-home park to a final date of January 30, 2009. The motion carried by a vote of four in favour of the motion and two nay votes cast by Councillors S. Byers and B. Kinsman.

Nature Conservancy of Canada – Layton Nature Preserve

Council was advised that the Nature Conservancy of Canada had forwarded a copy of the Management Plan for the Layton Nature Preserve and also a copy of the report on the biological inventory of the Preserve, as had been requested by Council. This information will be taken into consideration when Council begins discussions as to the future use of the property off Willow Street formerly belonging to CN.

Condominium Corporation – Garbage & Recyclable Collection

Director of Planning J. Fox presented a report to Council relating to correspondence from the Colchester County Condominium Corporation No. 1 requesting that the Town assume garbage and recyclable collection for the 18-unit condominium at 403 Robie Street. The staff report recommended that Council include garbage, compost and recyclable collection for residential condominiums and small apartments in the waste collection tender when it comes up for renewal in 2008.

It was agreed that staff will prepare a report for Council's consideration during budget deliberations. This report will include clarification on what additional charges the Town will incur in adding residential condominiums and small apartments to the waste collection tender.

NSURB Decision Re Boundaries and Polling Districts

Council was advised that the Nova Scotia Utility and Review Board had approved the Town's application to confirm the number of Councillors at six, and the number and boundaries of the polling districts at three, each electing two Councillors.

CNIB Re Accessible Pedestrian Signals

The CAO read correspondence from Mr. Peter Parsons, an Orientation and Mobility Specialist with the CNIB, thanking the Town of Truro for the four Audible Pedestrian Signals that have been installed and requesting that Council consider planning for additional units in the annual budget.

Council agreed to forward the correspondence to the Public Works Department for review and consideration.

Planning Appeal – Ron Wallace Realty Ltd., 16 Park Street

Town Solicitor J. Rafferty declared a conflict of interest and removed himself from the Council Chambers.

Council was advised that Ron Wallace Realty Ltd. is appealing Council's refusal of the development agreement application that would permit the development of three apartment buildings containing 114 dwelling units at 16 Park Street. The Review Board will notify the Town of Truro once a date, time and location have been confirmed.

J. Rafferty returned to his seat in the Council Chambers.

INCAMERA SUMMARY REPORT

The CAO advised that an incamera session of Council was held on Monday, April 16, 2007, at which time four legal matters and three personnel issues were discussed. Two of the legal matters pertained to property negotiations and would be before Council at an upcoming public meeting for approval. In addition, there were three legal matters and two personnel issues scheduled for discussion by Council following the adjournment of the Public Council Meeting.

COMMITTEE REPORTS

Finance Report

The Finance Report was submitted to Council for the month of April 2007.

On motion of Councillors D. Bennett Cook and B. Kinsman it was moved to receive the Finance Report for the month of April 2007 as submitted. Motion carried.

Fire Report

The Fire Report was submitted to Council for the month of April 2007.

On motion of Councillors D. Bennett Cook and S. Byers it was moved to receive the Fire Report for the month of April 2007 as submitted. Motion carried.

Planning and Development Report

The Planning and Development Report was submitted to Council for the month of April 2007.

Councillor R. Tynes informed Council that he had received correspondence in response to an order from the Development Officer that a car wash business located at 451 Robie Street cease operation as the property is not zoned to permit such a use. Councillor Tynes requested that staff review the letter and provide a response to the property owner's concerns.

On motion of Councillors R. Tynes and D. Bennett Cook it was moved to receive the Planning and Development Report for the month of April 2007 as submitted. Motion carried.

Police Report

The Police Report was submitted to Council for the month of April 2007.

Council members held a brief discussion relating to the number of speeding tickets that were issued for the period and noted that the large majority of tickets issued are by Cst. Graham Purvis of the Traffic Division.

On motion of Councillors D. Bennett Cook and R. Tynes it was moved to receive the Police Report for the month of April 2007 as submitted. Motion carried.

Engineering Report

The Engineering Report was submitted to Council for the month of April 2007.

In response to a question from Councillor R. Tynes, Director of Public Works A. MacKinnon stated that in cooperation with the Truro Police Service the Public Works Department was planning to replace yield signs with stop signs on a Town wide basis. Councillor R. Tynes also raised an issue with the timing for the road replacement in the West Prince Street area. A. MacKinnon stated that if it appears that the schedule for the road replacement is going to interfere with the annual Apex Golf Tournament it will be moved ahead.

In response to a question from Councillor S. Byers, A. MacKinnon stated that when water main breaks occur on Robie Street within Colchester County, it is the Town's responsibility to repair the water main because it belongs to the Truro Water Utility. Any sidewalk or street repairs that are necessary as a result of the water main break must also be completed by the Town in accordance with Department of Transportation standards.

It was noted that a response has not yet been received from the County of Colchester in regard to the Town's request to cost-share the water project linking Lower Truro Road, Wade Road and Robie Street.

On motion of Councillors R. Tynes and D. Bennett Cook it was moved to receive the Engineering Report for the month of April 2007 as submitted. Motion carried.

Parks & Recreation Report

The Parks & Recreation Report was submitted to Council for the month of April 2007.

On motion of Councillors S. Byers and D. Bennett Cook it was moved to receive the Parks & Recreation Report for the month of April 2007 as submitted. Motion carried.

QUESTIONS BY MEMBERS

Councillor D. Bennett Cook reiterated that she had raised concerns at the last Council Meeting regarding the 1:20 and 1:100 floodways and the affect that global warming and rising water tables will have in these areas. Councillor Bennett Cook recommended that the Town investigate how it can be proactive in dealing with these issues.

The CAO stated that staff are currently in the process of preparing a report for Council's consideration and will be looking to get a further definition from Council on what areas should be investigated as part of the study on the effects that global warming will have on flooding in the Town of Truro.

It was also agreed that the CAO and Councillor Bennett Cook will coordinate to draft a letter to the province encouraging them to research what changes may need to be made to provincial mapping and to the dykes in order to address these concerns, if this is not already being done.

NEW BUSINESS

Truro Police Board Re Parking Meters

Council was informed that a recommendation had been received from the Truro Police Board that parking meters be placed in the Downtown area based on a contract with the supplier to share meter revenues as a means of paying for the meters and associated equipment.

Based on the recommendation of the CAO, Council agreed to consider regulating downtown parking and directed staff to prepare a report with other options to consider along with the installation of parking meters. It was noted that if a parking system is implemented in the downtown, Council would bear the responsibility for setting the rate.

Normal College Restoration Committee Re Committee Mandate

The CAO advised that the Normal College Restoration Committee had developed a Committee Mandate and were recommending that it be approved by Council. The CAO read the mandate which stated that the Committee will act in an advisory capacity to Council to develop a strategic approach for an adaptive sustainable reuse of the Normal College, to identify potential funding sources and to assist in educating the community of the building's cultural and heritage value.

On motion of Deputy Mayor C. Cox and Councillor S. Byers it was moved to approve the mandate of the Normal College Restoration Committee as submitted. Motion carried.

Sewer Account Write-offs

Council was presented with a recommendation from staff to write-off four old sewer accounts for which documentation cannot be located for the billings.

On motion of Councillors D. Bennett Cook and B. Kinsman it was moved to write-off the four old sewer accounts totaling \$1,822.50 as recommended by staff. Motion carried.

National Defence Public Affairs Office

The CAO advised Council that correspondence had been received from the National Defence Public Affairs Office detailing the work carried out by the office on behalf of Canada's military and Defence department within the Atlantic Region. The letter also stated that the Office could be contacted for further information.

Downtown Truro Partnership Re Downtown Safety

The CAO read correspondence from Ms. Debbie Elliott, Executive Director of the Downtown Truro Partnership, expressing concern for public safety in the Urban Regional Core of Truro. The letter

advised that due to these concerns Downtown Truro Businesses were requesting that a permanent, dedicated police officer be placed in the Urban Regional Core.

Council was advised that a letter had been sent on behalf of the Truro Police Board in response to Ms. Elliott's letter advising that it is the opinion of Police Administration and the Board that based on calls for service and complaints, the police presence in the downtown is satisfactory. Police Chief K. MacLean confirmed that according to police logs there has not been an increase in complaints in the downtown core.

Canada World Youth Re Support for Exchange Program

The CAO read correspondence from Mr. François Tardif, Program Manager for the Canada World Youth organization. The organization was again seeking the support of the Town of Truro for a youth exchange program to take place in Truro this year.

Council agreed to support in principle the plans of Canada World Youth for a youth exchange program to take place in Truro this year; this will take the form of a letter in support of the project.

Library Facilities Committee Re Library Replacement Project

The CAO read correspondence from R. Putnam, Secretary for the Library Facilities Committee, regarding the proposals submitted for the preparation of a conceptual plan and cost estimates to replace the existing Branch Library Facility. It was the recommendation of the Committee that the contract be awarded to MacKay-Lyons Sweetapple Architects Limited, in partnership with Shoalts & Zaback Architects Limited, at a cost of \$76,590.00 plus HST.

Councillor D. Bennett Cook reviewed with Council the process that was followed in evaluating the proposals that were submitted. It was noted that the cost of the proposal from MacKay-Lyons Sweetapple was \$6,590.00 more than what was budgeted for; however, the submission with the lower bid did not include all aspects that had been requested.

On motion of Councillors R. Tynes and D. Bennett Cook it was moved that the contract for preparation of a conceptual plan and cost estimates to replace the existing Branch Library facilities be awarded to MacKay-Lyons Sweetapple Architects Limited, in partnership with Shoalts & Zaback Architects Limited, at a cost of \$76,590.00 plus HST, as recommended by the Library Facilities Committee. Motion carried.

ACCOUNTS

On motion of Deputy Mayor C. Cox and Councillor D. Bennett Cook it was moved to pay the accounts for the month of April 2007. Motion carried.

ADJOURNMENT

On motion of Deputy Mayor C. Cox and Councillor S. Byers the meeting adjourned at 4:20 PM. Motion carried.

W. R. (Bill) Mills
Mayor

J. K. Langille
CAO