



## **Village of Alma – Regular Council Meeting** **February 16, 2021**

The regular monthly Council meeting of the Alma Village Council was held on February 16, 2021, at 7:00 pm via Zoom communications. **Deputy Mayor Casey, Councillor MacCallum, Councillor Bowron,** and **Kim Beers** (Assistant Clerk) were present.

**Deputy Mayor Casey** called the meeting to order and welcomed everyone at 7:00 pm.

### **Motions**

It was moved by **Councillor MacCallum** and Seconded by **Councillor Bowron** to remove from the agenda, crosswalks, and sidewalks as this project is complete and high-speed internet all listed under old business. **Motion Carried.**

It was moved by **Councillor Bowron** and Seconded by **Councillor MacCallum** to approve the Minutes from the regular council meeting on January 18, 2021. **Motion Carried.**

It was moved by **Councillor MacCallum** and Seconded by **Councillor Bowron** to accept the Financial Statements for November 2020 for both General Operating and Water & Sewer Accounts. **Motion Carried.**

### **RCMP Report**

No update.

### **Committee Reports**

#### **Deputy Mayor Casey**

**Southeast Regional Service Commission:** Discussed the Pan Acadie trail which is a 1.1 million trail project. This trail system is a project of the regional service commission with the hopes to link Alma to Shediac in the future.

**Vision Alma:** Deputy Mayor Casey regrettably reports Candies & Kites will not be renewing their lease. The Village of Alma will be marketing the space available soon. The leases are currently with the Lawyer.

**Covid-19:** Public Health reported and an individual from zone 4 (Edmundston region) has died as a result of underlying complications, including Covid-19. The Village of Alma expresses their sincere condolences to this person's family and friends. Our zone is happy to be in the orange phase of recovery. Public Health reported there were 3 new cases reported February 16, 2021 zone 1 (Moncton region) and two cases in zone 4 (Edmundston region).

**Councillor Bowron** reported the following details:



### **Fundy National Park:**

Fundy National Park hopes to have more operational info next month on the 2021 season. On February 9, 2021, New Brunswick's Zone 1 (which includes Fundy National Park) moved to the orange phase of the province's COVID-19 Recovery Plan, which means that Fundy National Park resumed some of its winter activities and services including:

- Camping and winter accommodations (yurts, oTENTiks, rustic cabins);
- Equipment rentals.

Overall visits to the Park for January were up 25% over last year!

Fundy National Park's website provides detailed information on what locations are open, what visitors can expect, how to prepare for a visit and what services may be available.

**Councillor MacCallum** reported the following details:

### **Alma Volunteer Fire Department**

The fire chief reports that everything has been pretty quiet since the last report. The department has purchased new flashlights for the side of the truck as well as a new air compressor.

### **Friends of Fundy (FOF)**

There have been no Board meetings since the last report.

### **Climate Leadership Course**

Two of the three modules for the last section of this course took place in the last month and consisted of tips, strategies, and practice via breakout sessions around becoming a clear and effective communicator about climate change and adaptation strategies. The last module next week will have David Miller, a former mayor of Toronto, speaking about his book "Solved. How the world's great cities are fixing the climate crisis". Councillor MacCallum is looking forward to hearing what he has to say and seeing if his analysis will work in a small village.

### **New Village of Alma website**

Thanks to those of you who submitted photos for our new website. We were supposed to receive some draft pages for our review last week but we haven't seen anything yet although we know David is working on this project for us.

### **Local Government reform**

At a recent Zone 2 meeting, there was a presentation by Minister Daniel Allain about local government reform, which the provincial government has committed to completing by the end of 2021.

A Green Paper will be released by the end of March which will:



- propose some reform options for New Brunswick
  - provide some examples of models from across the country
  - get the conversations going with any municipality that would like to provide some input
- There will be four working committees that elected officials will be invited to sit on:
- Structure
  - Finance
  - Regional collaboration
  - Land use planning

Our provincial government is committed to making Local Government reform happen.

## **Water Report**

No update.

## **Old Business**

**Water Exploration:** The engineering company is waiting for the Department of Environment to approve the target site. The Dept. of Environment needs to confirm there are no wetlands before proceeding. The adjacent landowners will be made aware in the coming weeks.

**Noise By-law 63A:** *Deputy Mayor Casey* stated that Maritime Enforcement Services has the original By-law and the re-written version of the Noise By-law 63A. Maritime Enforcement Services is comparing this By-law to other municipalities.

**Code of Conduct By-law:** *Deputy Mayor Casey* stated the Code of Conduct By-law is rescheduled until further notice.

**Clerk Report:** Kim Beers reported the following

- Continuing working with IT professional Ian Owens regarding a more efficient online backup system for the Village.
- Applied for a summer student (maintenance helper) through the Canada Summer Jobs program.
- Applied for a grant through Scotts Canada 2021 Gro Good initiative - this grant provides financial support valued at \$2,500.00 (plus in-kind product donation) to develop community gardens and green spaces. Grant recipients will be announced in April 2021.
- Started the application process to obtain a Commissioner of Oaths license.
- There were no building permit reports for January.

## **New Business**

**Maritime Enforcement Services:**



Motion

### APPOINTMENT - BY-LAW ENFORCEMENT OFFICER

WHEREAS the Council has adopted various By-Laws;

WHEREAS Council may appoint By-Law Enforcement Officers for the Local Government and determine their mandate;

BE IT RESOLVED that the following person is appointed a By-Law Enforcement Officer of the Local Government in accordance with the Local Governance Act (Act), the Police Act and the Community Planning Act:

**Mr. Colin Cochrane**

BE IT ALSO RESOLVED THAT the appointment includes all generalities as prescribed by Section 3.2 of By-Law #99, the Act, the Regulations of the Act and the Police Act;

BE IT ALSO RESOLVED THAT the position of By-Law Enforcement Officer is employed for the preservation and maintenance of the public peace;

BE IT ALSO RESOLVED THAT the By-Law Enforcement Officer of the Local Government exercise their discretion according to the files given to them by the Clerk or during patrols of the Local Government;

BE IT ALSO RESOLVED THAT the above-mentioned appointment continue as long as an officer is an employee or is retained by the Local Government.

Proposed by **Councillor Bowron**, seconded by **Councillor MacCallum**.

**Motion Carried.**

### **Building inspectors with Southeast Regional Service Commission:**

#### Resolution

**WHEREAS**, Mélanie Chiasson and Josée Vautour have been accepted by the Southeast Regional Service Commission as Building Inspectors;

**BE IT RESOLVED** that Council appoint Mélanie Chiasson and Josée Vautour as Building Inspectors for the Village of Alma.



**BE IT FURTHER RESOLVED** that Council hereby gives authority to the Building Inspectors to issue orders and to lay information for offences under and pursuant to the provision of Section 134 of the Community Planning Act and the Regional Service Delivery Act.

MOVED BY **Councillor MacCallum**; and

SECONDED BY **Councillor Bowron**

**Motion carried.**

**Motion of Rezoning:**

Joshua Adams, Planner with Southeast Regional Service Commission was in attendance and provided a short presentation regarding an Amendment to allow shipping containers.

Peter Grandy (Holy Whale Brewing Corp.) Request: Allow two shipping containers as accessory structures for storage related to the Holy Whale Brewing Corp.

The applicant is looking for permission to locate two shipping containers to be used as accessory structures for storage in conjunction with an existing brewery.

While reviewing the proposal, SERSC staff identified the following issues:

1. Shipping containers in the Alma Rural Plan are only permitted as accessory structures in the Intensive Resource Development (IRD) Zone and the Rural Area (RA) Zones. The property in question is zoned Commercial;
2. Locating an accessory structure on the same lot as the brewery is difficult due to the constrained nature of the lot. The applicant is proposing to locate the shipping containers on an adjacent lot that is owned by the applicant, but the registered owner is under a different name than that of the brewery. An accessory use (storage) is not permitted unless the main use (brewery) is occurring on the same lot;
3. The proposed location of the shipping containers does not appear to meet existing siting and screening standards for shipping containers described in Section 7.5.2 in Alma's Rural Plan.

SERSC identified three potential options for Council to consider:

1. Rezone the property to Integrated Development

An integrated development zone is intended to be used in special circumstances for a specific proposal that is not encompassed in any existing zone. In this case, the storage in the shipping containers would be considered a main use as the brewery is on a separate lot, and there is a residential use on the property as well. Storage and the single unit dwelling are both permitted uses in the commercial zone, but shipping containers are not permitted. An integrated



development zone is an option for Council to allow the proposal by the applicant and impose site-specific conditions. The drawback of this approach is that it will be very narrow in the scope of permitted uses, and as the general provisions of the Rural Plan do not apply to an Integrated Development Zone, strict conditions will be recommended to Council to permit what is proposed today. Although this option can be used to accommodate the proposal, it may be problematic in the future as different development proposals may not be permitted without a rezoning process, which includes a \$2000 fee and a 3–4-month process. The resale value of the property may also be negatively affected by this zoning.

## 2. Conditional rezoning to invoke a 'notwithstanding' clause

Another potential route that Council could take would be keeping the zone of the property the same (Commercial) but going through the amendment process to add a notwithstanding condition to the property which would ultimately allow the shipping containers. As the notwithstanding clause would exclude the shipping container requirements in the By-Law, Council may also impose additional screening conditions through this process. The regulations established in the Rural Plan are a result of an extended period of consultation between various stakeholders and local citizens. The Rural Plan, in effect, represents the community's public interest in terms of how development should take place. The notwithstanding clause is a powerful tool that can exclude certain sections of the By-Law on a site-specific basis. It may lead to precedents for future requests and should be used sparingly.

## 3. Amend the By-Law to permit shipping containers in the Commercial Zone

Another option is to allow the proposal and to modify the language in the Rural Plan to permit shipping containers for storage as a main use in the commercial zone. This modification would potentially allow the proposal without requiring consolidation of the property. However, the proposal may not be meeting the screening requirements for shipping containers established in the rural plan, meaning the applicant may need to apply for an additional variance before the request would be granted. This approach would result in more broad changes by allowing shipping containers on all properties that are zoned Commercial. If this is Council's preferred option, additional screening standards could be implemented as well to help mitigate the visual impact.

Council decided to proceed with option #1 (Rezone the property to Integrated Development)

Resolutions for an amendment to the Rural Plan for a rezoning:

- Resolution to set the date of the Public Hearing
- Resolution to set the date of the public notices for the Public Hearing
- Resolution requesting the written views of the Southeast Regional Service Commission



### **Motion for Rezoning**

**WHEREAS** Council has received a request from Peter Grandy to rezone the property located on 8572 Main Street, Alma and bearing the PID 00608943 from the Commercial Zone (C) to the Integrated Development Zone (ID) to allow shipping containers as the main storage use;

**AND WHEREAS** Council wishes to review the matter to determine if it is in the public interest to amend the Rural Plan By-Law;

#### **BE IT RESOLVED THAT:**

1. The clerk is responsible, in the name and on behalf of the council, to publish public notices in accordance with the requirements of Section 111 of the Community Planning Act;
2. The public hearing to consider objections to the draft by-law is scheduled for April 6, 2021, at 7 pm in council chambers located at 8 School Street in Alma or via Zoom depending on Covid-19 restrictions.
3. The clerk is responsible in the name and on behalf of the council to seek the written views of the Southeast Regional Service Commission, with an extension to **March 29, 2021**, to receive these views, on the proposed by-law under Section 110 of the Community Planning Act; and
4. The draft by-law shall be available for consultation by the public at the municipal office during business hours from the day of publication of the first public notice.

Proposed by **Councillor MacCallum**, seconded by **Councillor Bowron**

**Motion Carried.**

**Deputy Mayor Casey** confirmed with Joshua Adams the methods of publishing public notices are: website and social media. Publishing in newspapers is no longer a requirement.

### **Correspondence**

Kim Beers advised the following correspondence was received:

New Brunswickers are invited to participate in a virtual engagement process on the future of health care in New Brunswick which will inform the creation of the provincial health plan. Health Minister Dorothy Shephard will conduct a virtual provincial tour to talk about the challenges facing the health-care system and receive input from medical professionals, community leaders, and the public on Striving for Dependable Public Health Care: A discussion paper on the future of health care in New Brunswick.

Members of the public are encouraged to submit feedback by emailing [healthplansante@gnb.ca](mailto:healthplansante@gnb.ca).



All sessions will be held online using Zoom, and anyone interested in attending a session **MUST** register online in advance.

Public engagement for Sussex will take place on Thursday, March 18th from 6:30-8:30 pm and Moncton March 30th from 6:30-8:30 pm.

Public consultation sessions on the future of health care in the province are planned in several communities across New Brunswick.

Kim will create a post on Facebook.

### **Paying of Bills**

Kim Beers advised that all bills have been paid.

### **Questions and Answers**

Opportunity for community members to ask questions to members of Council.

### **Adjournment**

***Councillor Bowron*** adjourned the meeting at 7:55 pm.

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Deputy Mayor Andrew Casey

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Kim Beers, Assistant Clerk/Treasurer