



Peggy's Cove Commission Meeting

Minutes

Wednesday, March 25, 2020

2:00 – 4:00 p.m.

Via Conference Call

Members in Attendance

John Campbell - Chair
Gary Logan – Vice Chair
Aonghus Garrison
Peter Richardson
Pamela Branton – Dept. of Justice

Matt Whitman – HRM Councilor
Jeannie Chow – Dept. of Business
Gordon Smith – Dept. of Municipal Affairs
Graham Fisher – Dept. of Municipal Affairs
Nick Barr – Dept. of Municipal Affairs

Member Regrets - None

Agenda Items

1. Call to Order

Meeting was called to order at 2:15 pm

1.1. Approval of Agenda

Motion to approve the March 25, 2020 agenda with the exception of addressing item 4. due to availability of guests, **upon motion, duly seconded, Motion carried.**

4. By-law Enforcement/compliance

Potential options brought forward previously around enforcement of bylaws through HRM or RCMP. Pamela Branton (DOJ) and Nick Barr (DMAH) joined the meeting to provide potential solutions. Discussion ensued on how Commission could proceed with authority to issue Summary Offence Tickets (SOT) and who would do so on their behalf. RMCP vs. HRM, process for each, cost implications and collection of fines to better understand how to proceed. P. Branton outlined process of R & R submission, reviewed by Registry of Regulations and to the Minister of DOB and then for Cabinet approval to amend legislation to allow issuance of SOT's – this could take many months.

Motion that Commission will pursue ability to issue Summary Offence Tickets to enforce bylaws **Upon motion, duly seconded**, the Commission agrees to proceed. **Motion carried.**

2. Approval of Board Minutes of February 13, 2020

Motion to adopt the minutes of February 13, 2020 **Upon motion, duly seconded**, the Commission approves the minutes as distributed. **Motion carried.**

3. Declaration of Conflicts of Interest

Conflicts to declare per agenda item 5.2 -P. Richardson and 5.3- J. Campbell

5. Other Business

5.1 New Applications – One Application submitted.

Chairperson John Campbell exited meeting due to declared conflict. Vice Chair- Gary Logan took over the meeting.

Application received just before the meeting date so noted that there was insufficient time for the Commission to review in advance of meeting. However, due to the 30-day decision guideline, G. Fisher will review and provide recommendations to the Commissioners and a vote via email or conference call on April 1 will occur, without Chairman Campbell due to conflict.

Motion that Commission will defer decision until April 1, 2020 meeting. ***Upon motion, duly seconded,*** the Commission to consider recommendation and provide decision to applicant. ***Motion carried.***

5.2 Correspondence

- Anonymous letter re: mobile vending received

Complaint policy doesn't recognize anonymous letters – issues raised to be discussed as part of mobile venting discussion 5.3.

- Term Rotation Letter

Letter to Minister was drafted for review to address keeping one existing Commissioner on the Commission by permitting one member to re apply. The purpose is to keep corporate memory and continuity of work after terms expire within 3-4 months. Minister could issue extension of terms or Commission would cease to exist if new commissioners are not appointed before end of terms in August 2020. Department of Municipal Affairs and Housing would field phone calls in that case.

J. Chow reached out to confirm that Executive Council are working on both issues of ad campaign and expectations of ABC appointments under current and short-term foreseeable conditions. Update issued that ECO is looking to collect info, by March 31, on any expirations and desired appointments by Sep 30 this year, to send to their senior management team. DOB will submit the requested data for our ABCs.

- Paruch letter and survey (Commissioner Richardson in conflict so he exited phone conference)

The Commission has previously responded to concerns raised by the Paruch's but G. Fisher to draft another response for the Commissions review at the next meeting.

Discussion continued whether it would be appropriate to include correspondence received on the Peggys Cove Commission website. Commissioner Logan to report back next meeting on governance of public website.

5.3 Mobile Vending Follow-up Resolution from 6 April 2019 (Commissioner Richardson declared a conflict and exited phone conference)

The commission has agreed that a decision on this matter will be held in abeyance due to the evolving circumstances with the completion of the master plan until the end of 2019. During this period, the master plan recommendations will be reviewed, the bylaws will be reviewed, and a survey will be conducted to understand current compliance of the bylaws. A response to the applicant will reflect the same.

Original decision to defer, DNS Master Plan and possible approaches to resolution were discussed. Commissioner Smith to provide options for meeting April 1 including how best to advance to extend current policy, make a new policy or enforce bylaws as currently written.

5.4 Report on Develop Nova Scotia meeting

Meetings postponed until further notice or perhaps the next mtg may be held virtual.– Commissioner Logan has agreed to continue to represent PCC at these meetings and will update the commission once meetings resume.

5.5 Consideration of Public Meeting/Surveys

Total of 13 responses received to date. The surveys were to form the basis of the workshops for the public meeting. Due to current circumstances, decision deferred to later date.

6. New Business

List of Commissioner expenses to be posted to the website.

7. Adjournment

Meeting was adjourned at 4:15 pm. Next meeting Wednesday, April 1, 2020 via conference call.

Follow-ups....

Table at the next meeting the following 3 questions for discussion:

1. How does the Commission want to enforce the by-laws?
2. Are there parts of the by-laws that enforcement should be focused on?
3. Are there parts of the by-law that need to change to protect sensitive parts of the cove?

Discussion ensued around submissions for new businesses to ensure compliance.

5.6 Consideration of By-Law Review

Commission to have RFP prepared and ready starting with the by-law review, when budget approved in March.

Motion Commission to request a meeting of the Chair/Vice Chair with the Deputy Minister to discuss the role of the Commission as well as Ministerial appointments, ***upon motion, duly seconded***, the Commission agrees to proceed. ***Motion carried.***