



Peggy's Cove Commission (PCC)
Annual General Meeting
Minutes (Adopted)
Tuesday, June 25, 2024
6:30 p.m. – 8:30 p.m.
St. Peter's Church Hall, Hackett's Cove

Commissioners in Attendance:

Nicole Campbell – Chair
Maria Bartholomew - Vice Chair
Judy Dauphinee
Karren Fader
David Mitchell, Dept. of Economic
Development

Graham Fisher – Dept. of Municipal Affairs and Housing –
non-voting member

Absent: Christina Lovitt – Dept. of Municipal Affairs and Housing, Pam Lovelace, HRM Councilor

Community Attendance: 15

Questions proposed: 5

Agenda Items:

1. Meet and Greet & Question Sign Up Sheet available 6:30 – 6:45
2. Call to Order – Chair Campbell called the meeting to order at 6:45 p.m., quorum achieved.
3. Approval of Agenda
Chair Campbell made a **Motion** to approve the Agenda, seconded by Commissioner Fader. Upon ***motion and duly seconded***, the Commission majority approves the Agenda. **Motion carried.**
4. Approval of June 19, 2023 AGM Minutes
Chair Campbell made a **Motion** to approve the June 19, 2023 AGM Minutes, seconded by Commissioner Mitchell. ***Upon motion and duly seconded***, the Commission majority approves the Minutes. **Motion carried.**
5. Remarks from Chair & Introductions
Chair Campbell provided a few remarks.
 - It has been a busy year for the Commission with increased interest in development in the Cove, we held 23 additional meetings to complete Land Use Bylaw (LUB), subsequently submitting the LUB to the Department of Economic Development in Nov 2023 (it was approved in April 2024). Thank you to all that participated in the LUB process.
 - Introduction of Commissioners: Chair-Nicole Campbell, Vice Chair-Maria Bartholomew, Judy Dauphinee, Karren Fader, David Mitchell, Department of Economic Development (acting Commissioner) and who has been the Department's Liaison, missing today is Christina Lovitt, Provincial Director Planning, Department of Municipal Affairs and Housing and Councillor Lovelace. Thank you to outgoing Commissioner Jeannie Chow who had returned to the Commission to support the work of the LUB and now has retired from her role.
 - Introduction of support staff: Graham Fisher, Department of Municipal Affairs and Housing, and Lorraine

6. Meeting Terms of Conduct

Chair Campbell read the meeting format and terms of conduct.

- Meeting will be Chaired, and notes taken
- Treat everyone in the room with respect
- The meeting will stay on agenda and efforts will be made to end on time
- We will have a period of time for questions so try to keep the questions to 2-3 minutes in length

7. Report on Commission's Budget

Commissioner Mitchell provided the report on the Commission budget.

- Chair receives \$50 per meeting; Commissioners \$35 per meeting.
- Annual expenditures are posted on the Commission website.
- Other expenses are covered by the Department of Economic Development.
- The Commission makes a request to Department of Economic Development, it is reviewed and prior to its approval.

8. Report of the Chair on Commission activities for 2023-2024

Chair Campbell provided the activities report.

- Held 35 meetings over the fiscal year (12 regular, 22 Land Use Bylaw, 1 AGM)
- Oversight of the Land Use Bylaw
- Ombudsman Review - Complete
- Judicial Review – the application for Judicial Review to the Supreme Court of Nova Scotia was dismissed (by consent) at the end of April.
- Development Permit applications in 2023 - 10; 2024 – 2 (as of June)

9. Land Use Bylaw Processes and Website Updates

Graham Fisher, Planning Support, Department of Municipal Affairs and Housing provided the report.

- Land Use Bylaw
 - Approved and came into effect on April 17, 2024
 - LUB is now adopted and steps are being taken to update various materials like flow charts, applications, steps to take to apply for a development permits etc.
 - UPLAND, the consultants that worked on the LUB, are working on updating and creating the previously mentioned materials which will assist you with applications, amendments, variances, appeals to PCC and/or Development Officer decisions. Forms are currently in draft and are not ready to share at this time. When they are ready, they will be placed on the website.
 - New LUB is designed to be more user friendly with good definitions. When considering an application take a look at the LUB first, it will take you to the areas that are applicable for you.

Development Officer

- The Department of Economic Development is determining the best steps to hire a Development Officer. In lieu of a Development Officer, the Commission acts in that role. I am a Planner and I review the Development Permit applications and create a report that is presented to the Commission and then a decision is made. While we wait for a skilled Development Officer to be hired, this is the process.
- HRM handles some permitting, eg. indicating you are permitted to this action in this zone. What HRM planners are looking for are three steps (PCC development permit/building permit/then an occupancy permit). There has been some staff changes in the HRM planning department, so rebuilding connections is occurring at this time. There also is a period of increased activity in HRM

and the LUB serves to help show the uses in the Cove.

10. Remarks from Commissioners

- Commissioner Fader provided an overview
- Non-compliance
 - When an issue of non-compliance is identified, the Commission looks at the flow sheet, sequence and order of things, discusses the matter and the next steps for addressing the matter.
 - Letters are sent to the property owners flagging the non-compliance and requesting the owner remedy the situation. It is left up to the property owners to decide how to resolve the non-compliance issue.
 - There is various communication back and forth with the property owner as there is no Development Officer in place at the moment.
 - As found in the PCC Governance Complaints policy section 15.
 - Complaints need to be in writing, made within one year of the event, and it can't be anonymous.
 - The Commission keeps complaints confidential, they will confirm that the situation exists, they will review within 90 days, and they will provide a written response back to the complainant containing the actions or decision made.
- Structure, Roles and Responsibilities
 - The structure, roles and responsibilities of the Peggy's Cove Commission (PCC) are set out under the Peggy's Cove Commission Act.
 - The PCC is tasked in legislation to "preserving the unique scenic beauty, character and atmosphere of the area for the enjoyment of both residents and visitors".
 - The PCC membership includes 4 members of the public that are appointed, 3 residents from the Peggy's Cove Preservation Area which includes the Community of Peggy's Cove, the Provincial Director of Planning, and a representative from the Department of Economic Development.
 - Fulfilling this duty involves reviewing development applications against the Land Use Bylaw, which sets out land use and building design requirements aimed at preserving the scenic beauty and character of the area.
 - Recent call for ABC applications closed on May 22, 2024 as three Commissioner terms will expire in July and August 2024 (one non-resident and two residents). The Commission looks forward to working with any new members.
 - Thank you to outgoing commissioners (Fader, Dauphinee, Campbell) looking forward to working with the incoming Commissioners.

11. Questions from the floor

- 5 people signed the Q & A sheet noting 5 questions to put forward. Several additional questions were asked as the meeting continued.

Q1 – Judy Morash – Property lines

- Bought her land in 1968 at 95 Church Road, it was surveyed at the time and all was in order. The neighbour wanted to build a road over the hill which would have been over her property. When looking into the property lines again it was discovered that the east side was okay, the west side boundary was not what she thought and the north part had an expropriated piece taken by the government. MLA Barkhouse has been helping her for about 1.5 years to figure out the owner of the expropriated piece of land and the proper zoning as it was for residential and now they learn it is commercial.
- A. Please provide the research and contacts from Public Works to the Commission and we will look into it.

Q2 – Eliza Manuel – Enforcement and update the PCC Act

- What is the process of the enforcement that the Commission follows? Who makes the decision of what

steps will be taken related non-compliance?

- A. The Department of Economic Development is building a process with Department of Justice as well as options for enforcement. We are looking into additional steps to enforce the PCC Act and mechanisms are being developed.

Q3 – Eliza Manuel - What is the status of the PCC Act being updated?

Comment - Non-compliance is an issue that affects the lives of a few and it is not reasonable to hear since 2021 the Minister said it is important to look at this, but nothing more has been done.

- A. This is not a new ask, it has been sent to Department of Economic Development before the LUB was updated.

Q4– Fred Dolbel – Help for siding on the church

- He is the Chair of the Anglican Church. There is a lot of deterioration of the Church on the north wall. He went to MLA Barkhouse and Councillor Lovelace looking for heritage support. He wants to add vertical aluminum siding for durability on the Church and help preserve and protect the deGarthe murals on the walls on each side of the altar. It is a significant cost and they are looking for financial support.

Q5 – Laurie Roy-Girard – Status and process for the Development Officer

- Here representing Eleanor McCain and we want to know the status on the hiring?
- A. No one has been hired yet. Department of Economic Development is exploring best options for that.

Q6 - what will their role be?

- A. LUB speaks to Development Officer role. They do the reviewing of applications.

Q7- When process to hire is completed?

- A. No date to offer

Q8 – Julia Manuel – Non-compliance – what to do about it?

- Q. What do we do with non-compliant people that continue to be so for many years?
- A. Will take that back to Department of Economic Development that figuring out enforcement is extremely important for the Community!

Q9 - Community member - What is the timing for fines? Daily, monthly?

- A. This has been looked at by the Commission and Department of Justice is looking into the process.
- Comment by PCC – We recognize that the LUB will be better when these things are determined. Enforcement is important and there is work being done behind the scenes. There are things that happen in parallel in the enforcement process, and so no timeline can be attached to this.

Q10 - Why is there busking happening?

- A. Under the current LUB no busking is permitted under its mandated land area, Federal lands are not under the LUB rules.

Q11 – J. Steeles – What can we do to help?

- The PCC is for the community and thank you for the work on the LUB
 - What can we (the public) do to help the Commission to get government to do these things (Development Officer and enforcement) for us? We need a voice.
- A. You showing up helps show you are concerned and that you want to impress the importance to the Department of Economic Development. You can write to the government to impress your opinion. The Commission has indicated an urgency behind these issues, and your help on compliance issues

may help move this along.

PCC Comment-The Commission is working hard to convey what is brought to us by the community, it does not hurt the community to address this as a united voice. With no Development Officer, there is no mechanism for enforcement which is frustrating. We can appreciate the frustration and with us sitting on the Commission we are frustrated too. Thank you for bringing these comments to us to see the gap and how it affects the community.

Q12 – Eliza Manuel - Explain the procedure for complaints as related to one year timeframe.

A. The complaint is made within one year of the event or incident in question. We will look at the wording of this one year timeframe on non-compliance so it can be better understood.

12. Adjournment - Meeting adjourned at 7:35 pm.