

1. **CALL TO ORDER**

1.1 O' Canada

Warden Hunter called the June 17, 2015 Council session of the Municipality of the County of Cumberland to Order. The meeting was held at the E. D. Fullerton Municipal Building. O'Canada was sung.

1.2 Roll Call

Executive Assistant to the CAO, Shelley Hoeg, called the roll with the following Councillors being present:

Councillor Smith, Councillor Kellegrew, Warden Hunter, Councillor Gillis, Councillor Welton, Councillor Rector, Deputy Warden Gilbert, Councillor McLellan, Councillor Fletcher, Councillor Williams and Councillor Jackson.

Councillor Baker was absent due to serious illness.

Swearing In and Oath of Office

At this point the meeting the Warden requested Municipal Clerk, Brenda Moore, to do the proceedings of the Declaration of Election and to Swear in newly Elected Councillors Doug Williams, District 11 and Maryanne Jackson, District 12.

Mr. Williams took the Oath of Office and was sworn in by the Municipal Clerk.

Mrs. Maryanne Jackson took the Oath of Office and was sworn in by the Municipal Clerk.

Warden Hunter then welcomed the two new Councillors and advised that Council looks forward to working with them in the coming months. Warden Hunter also thanked former Councillor Max Snow for his attendance at today's proceedings.

2. **ADMINISTRATIVE AND PROCEDURAL ISSUES**

2.1 Approval of Agenda

The agenda was approved with the addition(s) of:

6.11 Stairs at Joggins Fossil Centre

6.12 Tax Bill Due Date

Deletion(s): 3, 4,

2.2 Approval of Minutes of May 26, 2015

The minutes of May 26, 2015 were approved as circulated.

2.3 Business Arising from the May 26, 2015 Council Session

The Business Arising of the May 26, 2015 Council session was discussed.

2.4 Delegations, Presentations, Petitions, Proclamations

2.4 Mattatall Lake Presentation by Mattatall Lake Community Group

Sandy Welsh and Barb McKinnon were on hand for today's presentation. Mr. Welsh advised that in December of 2015 they had an expert in the field of Algae Bloom come to Mattatall Lake and do testing. The results of the testing caused great concern and a stewardship committee was formed. The first order of business was to develop a history of the situation. They had an algae bloom from 2005 to 2012. It would come and go as was normal with algae bloom. In 2014 the algae bloom showed up in June and dispersed throughout the entire lake and didn't disappear until the lake was frozen.

In the fall of 2014 Dr. Tri-Nguyen-Quang came and did the testing that they mentioned earlier. Their algae content was 4 times over the WHO Level 2 amount. PH level was 7.4 and the normal in NS is in the 4's.

The group discussed further testing and remediation and the costs of doing so. Council agreed to discuss providing funding for this project at it's next session.

Warden Hunter thanked the group for their presentation and advised a decision will be made at the July 8th, 2015 Council session.

It was agreed to forward a letter of support for Dr. Tri-Nyguen's research.

2.5 Public Hearings

- a) AAN 01934368, PID 25242223, 7 South Street, Springhill
Warden Hunter called to Order the Public Hearing at 2:48 p.m.

Mr. Ron Moore, Dangerous and Unsightly Administrator, provided written and photographic evidence to Council regarding the condition of the property.

Warden Hunter then asked if any members of the gallery would like to speak to this issue. There were none.

Hearing none, Warden Hunter then closed the public hearing at 2:49 p.m.

IT WAS MOVED by Councillor Fletcher, seconded by Councillor Rector to Order the demolition of the house as well as the removal of all debris from the property described as AAN 01934368, PID 25242223, 7 South Street, Springhill, to an approved facility, no later than June 30th, 2015.

MOTION CARRIED #15-122

- b) AAN 00323985, PID 25240771, 59 Pleasant Street, Springhill
Warden Hunter called to Order the Public Hearing at 2:50 p.m.

Mr. Ron Moore, Dangerous and Unsightly Administrator, provided written and photographic evidence to Council regarding the condition of the property.

Warden Hunter then asked if any members of the gallery would like to speak to this issue. There were none.

Hearing none, Warden Hunter then closed the public hearing at 2:52 p.m.

IT WAS MOVED by Councillor Welton, seconded by Councillor Williams to Order the demolition of the house as well as the removal of all debris from the property described as AAN 00323985, PID 25240771, 59 Pleasant Street, Springhill, to an approved facility, no later than June 30, 2015.

MOTION CARRIED #15-123

- c) AAN 03921424, PID 25244112, 15 South Street, Springhill
Warden Hunter called to Order the Public Hearing at 2:53 p.m.

Mr. Ron Moore, Dangerous and Unsightly Administrator, provided written and photographic evidence to Council regarding the condition of the property.

Warden Hunter then asked if any members of the gallery would like to speak to this issue. There was no person present wanting to speak.

Hearing none, Warden Hunter then closed the public hearing at 2:55 p.m.

IT WAS MOVED by Councillor Jackson, seconded by Councillor Kellegrew to Order the demolition of the house as well as the removal of all debris from the property described as AAN 03921424, PID 25244112, 15 South Street, Springhill, to an approved facility, no later than June 30, 2015.

MOTION CARRIED #15-124

3. **STRATEGIC PRIORITIES ISSUES**

There are no strategic priority issues for today's meeting.

4. **MAJOR ORGANIZATIONAL ISSUES**

There are no major organization issues for today's meeting.

5. **ORGANIZATIONAL POLICY/BY-LAW ISSUES**

5.1 Application for Development Agreement

Mr. Bezanson advised that an application has been received for a development agreement for a hobby kennel at 827 MacDonald Road, Brookdale.

IT WAS MOVED by Councillor Gillis, seconded by Councillor Kellegrew to give notice for a public hearing for a proposed development agreement for a hobby kennel at 827 MacDonald Road, Brookdale.

MOTION CARRIED #15-125

5.2 Expansion of Central Area Planning Zones

Mr. Fisher, Senior Planner advised Council of the following:

Issue

A request by residents in the Travis Road area of Hastings to extend the Central Area Rural Resource Zone (RR) southeast to the end of the public road.

Background

In response to a potential agricultural business locating in the area, residents have requested that the Rural Resource Zone be extended to the end of the paved portion of Travis Road, as shown on the enclosed map. Also enclosed is a letter from the residents.

Travis Road, intersecting with Hastings Road on the eastern edge of the Central Planning Area, is located partly within the Rural Resource Zone, and the General Zone. The land use around Travis Road is characterized as agricultural, some forestry, and very low density residential. There are approximately 18 homes on Travis Road.

Those properties located in the General Zone may be used for any use with few, if any, restrictions (except in the case of large scale wind turbines and salvage yards). On the other hand, land in the Rural Resource Zones may be used for commercial and agricultural uses, but with restrictions. Central Planning Area LUB Section 2.2.3 requires that new or expanding commercial and light industrial uses be subject to a development agreement. LUB section 2.2.4 requires that new or expanding agricultural uses be subject to an approved Environmental Farm Plan, and setbacks from watercourses, wells, dwellings, and the highway. This section also requires larger setbacks for hog, fur, and poultry operations, depending upon the number of animals.

Review and Analysis

To extend the Central Planning Area zone, amendments to the Municipal Planning Strategy, and the Land Use Bylaw are required. Within these documents, four maps must be changed:

1. Map 1: Generalized Future Land Use Map
2. Central Planning Area: Future Land Use Designations Map
3. Map 1: General Zone Map
4. Map 5: Central Plan Area Map

In general, it is not sound planning or a particularly good precedent to spot zone an area based on fear for a potential development. However, with no current application for a commercial, light industrial, or agricultural use in this area, there would be little to no impact on existing lands uses in the subject area as a result of this zoning change.

Options

1. Motion to give first reading to amend the maps of the Municipal Planning Strategy and Land Use Bylaw by extending the Rural Resource Zone on the Travis Road in Hastings as shown on the enclosed map.
2. Motion to defer a decision and direct Staff to provide more information.
3. Motion to reject the amendment.

Recommendations

Staff recommends Option 1 – Give first reading to the amendment and schedule a Public Hearing.

IT WAS MOVED by Councillor Kellegrew, seconded by Councillor Welton, to approve First Reading of the amendment to the Central Area Rural

Resource Zone (RR) southeast to the end of the public road and schedule a Public Hearing for the next Council session.

MOTION CARRIED #15-126

5.3 Amendment to the Central Area Planning Land Use Bylaw re: Landscaping Requirements

Mr. Fisher, Senior Planner advised of the following:

Issue

Landscaping requirements within the C-1 Commercial Zone of the Central Planning Area Land Use Bylaw.

Background

The C-1 Zone covers six relatively small areas within the Central Planning Area leading to the Town of Amherst entrances. The objectives of the Commercial Zone provided in the Central Planning Area MPS are as follows:

1.3.1 Objectives

- a) To identify potential prime commercial areas and protect those lands for such purposes.*
- b) To promote aesthetically pleasing commercial environments appropriate to the rural character of the area.*
- c) To ensure that commercial development is compatible with surrounding land uses.*
- d) To promote Route 2, between the Nova Scotia Tourist Bureau and the Town of Amherst, as a prime tourist related area.*
- e) To recognize the importance of the central area to the County's tax base and encourage further development.*

Further to Objective 1.3.1 b) noted above, Central Planning Area MPS Policy 1.3.2.7 indicates Council intention to control site features in the C-1 Zone:

CPA MPS 1.3.2.7 Parking and Landscaping

It shall be the intention of Council to include in the land use Bylaw provisions for the regulation of parking facilities and landscaping requirement within any commercial zone(s). Such regulations shall include, but not be limited to; number of parking space, access to the street, barrier free parking and amount of landscaped open space.

Within the C-1 Zone, the Bylaw requires that new development provide significant landscaping along the front of the property:

CPA LUB 3.2.2 Lot Requirements – Landscaping

Notwithstanding anything else in this bylaw, within the C-1 Commercial Zone a minimum of 6 metres of landscaped open space must be provided along entire street frontage of the property, minus driveways.

These areas are characterized as a mix of commercial, institutional, light industrial, agricultural, and residential uses. With few exceptions, the existing commercial and industrial uses in this zone are vehicle-oriented, with access and parking along the entire frontage of the property.

Review and Analysis

The LUB essentially establishes a required front yard. In addition to the aesthetic benefits of this landscaping provision, the use of driveways to control access to specific points is typically safer for pedestrians and vehicles. The landscaping requirement is partly intended to address some the commercial areas, Route 2 in particular, that have existing aesthetic challenges.

However, the aesthetic challenges in these area are more directly related to dilapidated buildings and heavy equipment, and outdoor storage of industrial material. The 6 metre landscaping requirement does not address these issues. A requirement for screening outdoor storage, and/or a dangerous and unsightly bylaw would be more effective means to improve aesthetic quality in these areas.

Moreover, the requirement for a 6 metre (20 ft) landscaped yard in front of new commercial developments could be considered onerous, and not conducive to the vehicle-oriented businesses in these zones. While defining the access to a property is generally a good site development principle, the 6 metre depth of the existing requirement may not leave sufficient space for parking in front of the business.

There is also an issue of consistent application of the landscaping requirement. The C-1 Zone consists of several existing commercial properties that are vacant or underutilized, and the majority of these properties do not conform to the landscaping requirement. Strict adherence to the 6 metre landscaping requirement means that new commercial uses of these properties would require a significant reconfiguration of the front yard. The requirement to reconfigure could be viewed as a barrier to business development.

Options

Given above discussion, planning propose four potential responses to this issue as follows:

1. **Reject the amendment** – motion to keep the existing requirement for a 6 metre wide landscaped open space along the frontage, minus any driveways.
2. **Middle ground** – motion to give first reading to amend section 3.2.2 of the Central Planning Area Land Use Bylaw by reducing the landscaping requirement from 6 to 3 metres (10 feet). This compromise provides the safety and aesthetic benefits of defined access points along a property frontage, but reduces the lot depth required to accommodate a 6 metre landscaped area and parking in front of the building.
3. **Remove the requirement** – motion give first reading to amend section 3.2.2 of the Central Planning Area Land Use Bylaw by removing the requirement for a 6 metre landscaped open space along the entire frontage, and simply state that all areas of a property not used for buildings, parking, and vehicle access must consist of landscaped open space.
4. **Defer a decision** – direct staff to provide more information.

Recommendation

Planning recommends **Option Two**.

IT WAS MOVED by Councillor Kellegrew seconded by Councillor Gillis to approve First Reading to amend section 3.2.2 of the Central Planning Area Land Use Bylaw by removing the requirement for a 6 metre landscaped open space along the entire frontage, and simply state that all areas of a property not used for buildings, parking, and vehicle access must consist of landscaped open space.

MOTION CARRIED #15-127

Staff were directed to visit the stretch of area from the Border to the Town of Amherst limits and provide information regarding and Dangerous and Unsightly Premises located along that stretch of highway.

6. BUSINESS ISSUES

- 6.1 Appointment of Development Officer(s), Fire Inspector(s) and Building Official(s)
IT WAS MOVED by Councillor Williams, seconded by Councillor Jackson to appoint Pat Boyce as one of the Municipality of Cumberland’s Development Officers, Fire Inspectors, and Building Official(s) and to appoint Steve Varner as one of the Municipality’s Building Officials.

MOTION CARRIED #15-128

- 6.2 Community Development Grants

IT WAS MOVED and seconded by Council to provide the following community development grants:

Group	Amount approved	Breakdown
Amherst & Area Girl Guides	\$600	\$200 each from districts 1, 2, 3
Amherst Army Cadet Corps 272	0	-
Amherst Community Garden	0	-
Amherst Powerlifting Club	\$1,000	Split between 1,2,3 (V to check old grants and see if any different breakdown – if so, bring back)
Canadian Cancer Society – Relay for Life	0	-

Canadian Pugwash Group	\$2,000	District 4
Church Mouse Players	\$1,500	All districts (\$125 each)
Cumberland Food Action Network	\$750	\$250 each districts 1,2,3
Oxford Area Skating Club	\$2,000	% breakdown according to addresses: District 6 – 10 youth = \$1,000 District 7 – 5 youth = \$500 District 5 – 5 youth = \$500
River Hebert & Area Garden Club	\$625	District 9
River Hebert District Christmas Hampers	\$2,200	\$550 each districts 1,2,8,9 Council instructed staff to wait until Oct/Nov to issue cheque
River Hebert District High School	\$1,500	\$750 – District 9 \$375 – District 2 \$375 – District 8
Sexual Health Centre for Cumberland County	\$750	All districts evenly
Ship's Company Theatre	\$1,000	All districts evenly
Springhill Centennial Golf Club	0	-
Village of Pugwash	\$1,100	District 4
Wentworth C@psite & community library	\$1,366	District 6
Town of Oxford (dugouts)	\$3,000	\$1,500 – District 6 \$1,500 – District 7

MOTION CARRIED #15-129

Councillor Welton suggested that the form be amended to include the question of how many participants are from the County and which districts they are from.

Town of Oxford – Zamboni and Dugouts

Community Development Grant

IT WAS MOVED by Councillor Rector, seconded by Councillor Smith to provide **\$3,000 (\$1500/ea from districts 6 and 7) for the dugouts located at the ballfields in Oxford.**

MOTION CARRIED #15-130

It was agreed to look at the request re the zambonie at a later date.

Tidnish and Area Crossroads Community Association

Grant to Organization

Requesting \$3500 for hiring summer students through grants to organizations

IT WAS MOVED by Councillor Kellegrew, seconded by Councillor Fletcher to provide a grant to Organization grant to the Tidnish Area Crossroads Community Association in the amount of \$3500.

MOTION CARRIED #15-140

6.3 Canine Control Report
Provided as information.

6.4 Corporate Compensation and Benefits Task Group Committee Report
Mr. MacDonald, Director of Finance, provided this report to Council. Two recommendations:

IT WAS MOVED by Councillor Kellegrew, seconded by Councillor Gillis that the Corporate Compensation and Benefits Task Group be authorized to undertake an RFP for a consultant to do the review and that council approve a budget of up to \$30,000 for the task group.

MOTION CARRIED #15-141

- 6.5 E-Voting Bulk Purchase
IT WAS MOVED by Councillor Smith, seconded by Councillor Jackson, to participate in the e-voting bulk purchasing project.

MOTION CARRIED #15-142

- 6.6 Safety Light Southampton
IT WAS MOVED by Councillor Kellegrew, seconded by Councillor Rector to accept the recommendation of the Emergency Measures Coordinator for a safety light located at the intersection of Lyn Mountain Road and Highway 2 in Southampton.

MOTION CARRIED #15-143

- 6.7 RCMP Lease – Springhill Service Centre Building
IT WAS MOVED by Councillor Rector, seconded by Councillor Kellegrew that the CAO be authorized to sign the lease between the Municipality and the RCMP for space rental at the Springhill Service Centre.

MOTION CARRIED #15-144

- 6.8 F6 Networks Inc. Lease
Council discussed this issue at this morning's in camera meeting.

IT WAS MOVED by Councillor Smith seconded by Councillor Welton that subject to minor adjustments, the warden and Deputy CAO be authorized to sign the lease with F6 Networks Inc.

MOTION CARRIED #15-145

- 6.9 UNSM Resolutions
For Information

- 6.10 Correspondence
Discussion was had on the closure of the Wentworth School. Staff will review the report provided by the School Board regarding the bus times.

- 6.11 Stairs at Joggins Fossil Centre
IT WAS MOVED by Councillor Fletcher, seconded by Councillor Kellegrew to approve awarding of the contract for remediation/repairs of the stairs at the Joggins Fossil Centre to RAFES Construction in the amount of \$8899.56.

MOTION CARRIED #15-146

- 6.12 Tax Bill Due Date
Staff are suggesting extending this year's tax due date until sometime in July.

IT WAS MOVED by Councillor Fletcher, seconded by Councillor to extend the tax deadline until July 15, 2015.

MOTION CARRIED #15-147

7. **INFORMATION ITEMS**

- 7.1 Update on Mini Excavator Purchase
This item was provided as information.

- 7.2 Tablet Training Session
Councillors were requested to provide their response to the HR Administrator for their availability for the training session.

- 7.3. YMCA Hostel in Vina del Mar
This was provided for information.

8. **ADJOURNMENT**

- 8.1 The Queen
The meeting was adjourned at 4:18 p.m. and The Queen was sung.

Warden Keith Hunter

Municipal Clerk Brenda Moore