



**PUBLIC COUNCIL SESSION**

**AGENDA PACKAGE**

**For the meeting of**

Date: Wednesday, September 22, 2021

Time: 4:00 p.m.

Place: via Zoom

**AGENDA PACKAGE**  
**PUBLIC COUNCIL**

**Date: September 22, 2021**

**Time: 4:00 p.m.**

**Via Zoom**

**1. CALL TO ORDER**

**1.1 Territorial Acknowledgement**

*We acknowledge that we are in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq people*

**1.2 Roll Call**

**2. ADMINISTRATIVE AND PROCEDURAL ISSUES**

**2.1 Approval of Agenda**

**2.2 Approval of Minutes**

2.2.1 Approval of the September 8, 2021 Council Minutes

**2.3 Review of Business Arising**

Review of the Business Arising from the September 8<sup>th</sup>, 2021 Council meeting.

**2.4 Public Hearing(s)**

**2.4.1 Dangerous and Unsightly Hearing - 3086 Highway 302, Maccan (PID 25067851)**

Staff have provided a detailed report for this item.

**Action: Motion to order the demolition and removal of the structure and all debris located at 3086 Highway 302, Maccan (PID 25067851) to an approved facility by October 22, 2021.**

**2.4.2 Dangerous and Unsightly Hearing - 541 Wentworth Collingwood Road (PID 25085192)**

Staff have provided a detailed report for this item.

**Action: Motion to order the demolition and removal of the structure and all debris located at 541 Wentworth Collingwood Road (PID 25085192) to an approved facility by October 22, 2021.**

**2.4.3 Dangerous and Unsightly Hearing - 4497 Barronsfield Rd., Barronsfield (PID 25375619)**

Staff have provided a detailed report for this item.

**Action: Motion to order the demolition and removal of the structure and all debris located at 4497 Barronsfield Rd., Barronsfield (PID 25375619) to an approved facility by October 22, 2021.**

2.4.4 Dangerous and Unsightly Hearing - 1413 Murray Rd, Pugwash (PID 25148057)  
Staff have provided a detailed report for this item.

**Action: Motion to order the demolition and removal of the structures (excluding the mobile home) and all debris located at 1413 Murray Rd, Pugwash (PID 25148057) to an approved facility by October 22, 2021.**

3. **STRATEGIC PRIORITY ITEMS**

3.1 Coastal Protection Act Consultation

Nova Scotia Dept. of Environment and Climate Change are conducting public consultation on regulations for the Coastal Protection Act. Staff attended a consultation zoom meeting on August 19th and have prepared comments for the September 30th submission deadline.

**Action: Motion to approve staff's comments and forward them to the Province as our Council's submission.**

4. **MAJOR ORGANIZATIONAL ITEMS**

There are no major organizational items for this meeting.

5. **ORGANIZATIONAL POLICY/BYLAWS ITEMS**

5.1 Second Reading on amendment to Land Use Bylaw to rezone PID 25088626, 556 Valley Road, Westchester

Staff have compiled an extensive report for this item.

**Action: That Council approve second reading of the proposed amendment to rezone PID 25088626 and direct staff to advertise council's decision and the rights to appeal.**

5.2 Amendment to Personnel Policy – Section 57

Staff have provided a report requesting the amendment of the Municipality's Personnel Policy to include September 30<sup>th</sup>, the National Day for Truth and Reconciliation as a public holiday in our listing of recognized holidays. Notice of intent to consider approval of the amended Policy was provided at our September 8, 2021 Council session.

**Action: That Council approve the amendments to the Personnel Policy**

5.3 Second Reading Solid Waste and Solid Waste Collectors By-Laws

Staff have provided a report outlining this issue. First Reading has been approved at the July 27th, 2021 Council session.

**Action: That Second Reading of the proposed By-Law to Amend the Solid Waste By-Law and the Solid Waste Collectors By-Law be approved.**

**BUSINESS ISSUES**

6.1 Grant Request – Parrsboro Band Association

The Parrsboro band association is requesting an operational grant in the amount of \$3,000.

**Action: Motion approving a regional operations grant of \$3,000 to the Parrsboro Band Association.**

- 6.2 Grant Request – Wallace Area Community Centre  
The Wallace Area Community Centre is requesting an operational grant in the amount of \$3,000.

**Action: Motion approving a regional operations grant of \$3,000 to the Wallace Area Community Centre**

7. **INFORMATION ITEMS**

- 7.1 Proclamation - Rail Safety Week – September 20 – 26, 2021  
The Mayor has proclaimed Rail Safety Week in the Municipality of Cumberland in an effort to assist CN with their ongoing efforts to raise awareness, save lives and prevent injuries in our communities.

8. **ADJOURNMENT**

In March of 2020, in response to the Covid 19 Pandemic, the Minister of Municipal Affairs and Housing declared that Municipal Councils will not meet in person but will instead hold virtual meetings. Under this order Council of the Municipality of the County of Cumberland held Council video meetings via Zoom. This meeting was also streamed live on Facebook.

## 1. CALL TO ORDER

### 1.2 Roll Call

Mayor Scott acknowledged the Municipality of the County of Cumberland is in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq people.

The Mayor called the September 8<sup>th</sup>, 2021 Council session of the Municipality of the County of Cumberland to Order at 4:08 p.m.

Shelley Hoeg, Municipal Clerk called the roll with the following members of Council present: Mayor Murray Scott, Councillor Fred Gould; Councillor Rod Gilroy, Deputy Mayor Kathy Redmond, Councillor Jennifer Houghtaling, Councillor Angela McCormick, Councillor Mark Joseph, Councillor Dale Porter, Councillor Carrie Goodwin.

Staff present; Greg Herrett, CAO; Allie McCormick, Director of HR and Community Facilities; Steve Ferguson, Director of Community Development; Andrew MacDonald, Director of Finance; Justin Waugh-Cress, Director of Engineering and Operations; Amanda MacLeod, Corporate Communications Officer; Will Balser, Junior Planner; Sarah Leblanc, Executive Assistant to Administration and Shelley Hoeg, Municipal Clerk who recorded the meeting.

Media present in the meeting:

Bill Martin, Six Rivers News.

Maurice Rees,

## 2. ADMINISTRATIVE AND PROCEDURAL ISSUES

### 2.1 Approval of Agenda

**IT WAS MOVED by Councillor Gilroy, seconded by Councillor McCormick to approve the agenda as presented.**

**No Objections  
MOTION CARRIED**

### 2.2 Approval of the Minutes

**IT WAS MOVED by Councillor Gould, seconded by Deputy Mayor Redmond to approve the minutes of the July 27, 2021 Council meeting.**

**No Objections  
MOTION CARRIED**

### 2.3 Business Arising

The Chief Administrative Officer updated Council regarding actions completed and ongoing from previous Council sessions.

### 2.4 Public Hearing(s)

2.4.1) *Amendment to the Land Use Bylaw to rezone PID 25088626, 556 Valley Road, Westchester*

Mayor Scott opened the public hearing at 4:15 p.m.

Staff provided a detailed memo regarding the request to rezone PID 25088626, 556 Valley Road, Westchester

There were no submissions received from the public.

The Public Hearing was closed by Mayor Scott at 4:17p.m.

**IT WAS AGREED to approve the Public Hearing of amendment to the Land Use Bylaw to rezone PID 25088626, 556 Valley Road, Westchester and to hold Second Reading of the proposed amendment on October 27, 2021.**

**No Objections**

**3. STRATEGIC PRIORITIES ISSUES**

**3.1 Governance**

**IT WAS MOVED** by Councillor Gould, seconded by Councillor Joseph to approve the following list of standing committees of Council:

Fences Arbitration  
RCMP Advisory  
Regional Emergency Management Organization  
Audit/Financial Sustainability  
All Wellfield Advisory Committees  
Heritage Advisory Committee;

**And further that Council approve the following list of partnership committees:**

Cumberland Joint Services Management Authority  
Cumberland Regional Library Board  
Northern Region Solid Waste Committee  
Joggins Fossil Institute Board  
Cumberland YMCA  
Cliffs of Fundy Geopark Society  
Cumberland/Colchester Internet Committee  
Joint Tourism Committee  
Joint Poverty Committee  
Municipal Alcohol Project Committee  
Sunset Residential & Rehabilitation Services  
East Cumberland Lodge  
Springhill Institution CAB

**And further that the business of the following committees be incorporated into monthly Committee of the Whole meetings:**

Divestiture of Real Surplus Property  
Capital Investment Plan  
By-Law and Policy  
Communications  
Board of the now defunct Cumberland Energy Authority

**And further that all Committees and Boards not listed above be stricken from the list requiring annual appointment of members of Council**

**And further that business of Council going forward be addressed by having one regular monthly Committee of the Whole meeting on the 3<sup>rd</sup> Wednesday of each month and one regular monthly Council meeting on the 4<sup>th</sup> Wednesday of each month.**

**Staff are further directed to prepare the policy, bylaw and terms of reference changes necessary to give permanent effect to the changes above for Council's consideration at the September and October meetings of Committee of the Whole and to contact the various Boards/Committees to advise them of Council's decision.**

**No Objections  
MOTION CARRIED**

**4. MAJOR ORGANIZATIONAL ISSUES**

**4.1 Policing Review**

**IT WAS MOVED** by Councillor Houghtaling, seconded by Councillor Joseph that Council decline to approve any further reduction in members at this time due to service level concerns and due to the fact that the reduction would result in the closure of the Pugwash Detachment. Further, as it appears that the switch to the District Policing Model was brought about in anticipation of a reduction from the Review and that the reduction is not being approved, that Council formally request a return to the Detachment based Model of Policing in the Cumberland District.

**No Objections  
MOTION CARRIED**

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

- 5.1 First Reading on Amendment to Land Use Bylaw to rezone PIDs 25260043 & 25139593, 1072 Lynn Rd, Southampton

**IT WAS MOVED by Councillor Joseph, seconded by Councillor Porter that Council approve First Reading of the proposed amendment to rezone PIDs 25260043 & 25139593, 1072 Lynn Rd, Southampton and hold a public hearing on October 6, 2021, followed by Second Reading.**

**No Objections  
MOTION CARRIED**

- 5.2 Tax Reduction and Exemption Policy

This Policy is reviewed annually to determine if properties in the schedules still qualify for a tax reduction or exemption and also to add any new qualifying applicants.

Council provided notice of intent to consider adoption of this amended Policy at its' July 14, 2021 Council session.

**IT WAS MOVED by Councillor Porter, seconded by Councillor Gould that Council approve the Tax reduction and Exemption Policy with the amendments as set out in the provided documents.**

**No Objections  
MOTION CARRIED**

- 5.3 Amendment to Personnel Policy – Section 57

Staff have provided a report requesting the amendment of the Municipality's Personnel Policy to include September 30<sup>th</sup>, the National Day for Truth and Reconciliation and Nova Scotia Heritage Day as public holidays in our listing of recognized holidays.

**IT WAS MOVED by Councillor Houghtaling, seconded by Councillor Joseph that Council give notice of intent to consider adoption of the amendments to the Personnel Policy adding September 30<sup>th</sup>, National Day for Truth and Reconciliation and Nova Scotia Heritage Day to the listing of recognized holidays in the Personnel Policy at our September 22, 2021 Council session.**

**No Objections  
MOTION CARRIED**

**6. BUSINESS ISSUES**

- 6.1 Parrsboro Playgrounds and Park Project

A staff report for this item is included in your Council package. The report speaks of the 3 phases of this project and the fundraising and activities of the Parrsboro Playground Society. Staff have provided Council with information required to make several decisions regarding this project, the issuance of the RFP, etc.

**IT WAS MOVED by Councillor , seconded by Councillor that the Proposal of Cobequid Trail Consulting Ltd., in response to RFP - MCC - 2106, to design and build a natural playground and a traditional playground on lands of the Municipality in the community of Parrsboro, at a total cost not to exceed \$432,415.00 plus applicable HST, be accepted conditional upon Cobequid Trail Consulting Ltd. entering into a contract in a form acceptable to the CAO of the Municipality in his sole discretion, said contract to incorporate, in order of priority, RFP – MCC – 2106 and the Proposal of Cobequid Trail submitted in response thereto;**

**Further that Council authorize the CAO to execute any documentation required to apply for and receive funding for the project from other levels of government, corporations, or individuals, including an ACOA Contribution Agreement and conditional donations from private donors including the Parrsboro Playground Society;**

Further that Council commit, in addition to the \$50,000 Council has committed to the Parrsboro Playground and Park project in its 2021/22 Capital Budget, to including a further \$50,000 for the project in its 2022/23 Capital Budget, as currently included in the Five-Year Capital Investment Plan;

Further that Council authorize the CAO to appoint a Playground Project Manager to oversee and manage Phase 1 of the project, the Design and Construction of the Natural and Traditional Playgrounds called for in RFP - MCC - 2016, with authority to approve the design and any changes recommended during construction, as long as the budget does not exceed \$432,415 plus applicable HST;

Further that Council authorize the CAO to appoint a Playground Project Advisory Committee to advise and assist the Project Manager, with representation to include Municipal staff from the Community Development, Engineering and Operations, and HR and Community Facilities Departments, as well as the Accessibility Advisory Committee, and a representative from the Parrsboro Playground Society. The CAO may also appoint additional Committee members to represent community and First Nations organizations;

Further that Council authorize the CAO to appoint a Parrsboro Park Project Manager to oversee and manage the development of a final design for an inclusive park on lands that include and are adjacent to the site of the former Parrsboro Town Hall, said design to be presented to Council with cost estimates for approval before implementation;

Finally that Council authorize the CAO to appoint a Parrsboro Park Advisory Committee, to assist and advise the Parrsboro Park Project Manger with the development of a final design for an inclusive park, including facilities and other amenities, on lands that include and are adjacent to the site of the former Parrsboro Town Hall, with representation to include Municipal staff from the Community Development, Engineering and Operations, and HR and Community Facilities Departments, as well as the Accessibility Advisory Committee, and a representative from the Parrsboro Playground Society. The CAO may also appoint additional Committee members to represent community and First Nations organizations.

**No Objections  
MOTION CARRIED**

6.2 Parrsboro Backhoe – RFP Award

Staff provided a report regarding the results of RFP-MCC-2105 Supply of one Backhoe – Parrsboro.

**IT WAS MOVED** by Councillor Goodwin, seconded by Councillor Gilroy that Council approve the award of RFP-MCC-2105 to Maritime Case for a value of \$179,106.00, to be funded \$90,000.00 from Parrsboro Area Rate long term debt and \$89,106.00 from General Reserves.

**No Objections  
MOTION CARRIED**

6.3 Purchase of Cumberland Art Bank Reproductions

The Municipality has received a request from Parrsboro Creative (administrators of the Cumberland Art Bank) to purchase limited edition prints of the three paintings that currently comprise the Art Bank Collection.

**IT WAS MOVED** by Councillor Houghtaling, seconded by Councillor Goodwin that Council approve the purchase of three framed limited edition prints from the Cumberland Art Bank for a total cost of \$995 plus applicable HST.

**No Objections  
MOTION CARRIED**

6.4 Donation Request – Fundy Winds Marsh Organization

The Municipality received correspondence from the Dr. and Mrs. H.E. Christie Community Foundation advising that their Board approved a grant in the amount of \$8,348 to the Fundy Winds Marsh Organization. The Foundation is asking Council to accept the donation from them, issue an official tax receipt and then provide the grant to the Fundy Winds Marsh Organization.

**IT WAS MOVED by Councillor Gould, seconded by Councillor Gilroy that Council approve receipt of funds from the Dr. & Mrs. H.E Christie Community Foundation in the amount of \$8,348.00 to be dispersed as a grant to the Fundy Winds Organization.**

**No Objections  
MOTION CARRIED**

6.5 Surplus Property – 115 McGee Street, Springhill

At our June 16, 2021 Council meeting Council approved the recommendation of the Divestiture of Surplus Property Committee to offer the property known as 115 McGee Street to abutting land owners. That offer was accepted.

**IT WAS MOVED by Councillor Joseph, seconded by Councillor Gould that Council approve the sale of PID 25238379, 115 McGee Street, Springhill, to Mr. Larry Manzer for \$1500 plus migration and legal fees.**

**No Objections  
MOTION CARRIED**

6.6 Indigenous Flag

The Municipality received a request to fly the Indigenous Flag year round. This would be made possible by the erection of a new flag pole and amendments to our current Flag Policy.

**IT WAS MOVED by Councillor Houghtaling, seconded by Councillor McCormick that Council direct staff to provide a report on the cost of erecting an additional flag pole; and further to request a staff report on recommended revisions to our Flag Policy.**

**No Objections  
MOTION CARRIED**

6.7 Signage re: Slow Down, Move Over Law

Councillor Joseph has requested correspondence be forwarded to the N.S. Department of Transportation and Infrastructure Renewal requesting signage at the N.S. Border advising motorists of Nova Scotia's Slow Down, Move Over Law.

**IT WAS MOVED by Councillor Joseph, seconded by Councillor Gould that Council forward correspondence to the N.S. Department of Transportation and Infrastructure Renewal requesting signage to be posted at the N.S./N.B. border reminding motorists entering NS of the "Slow Down, Move Over" law.**

**No Objections  
MOTION CARRIED**

7. **INFORMATION ITEMS**7.1 Fetal Alcohol Spectrum Disorder Awareness Week (Sept 6-10)

Mayor Scott will declare September 6 – 10, 2021 as Fetal Alcohol Spectrum Disorder Awareness Week in the Municipality of Cumberland. Fetal Alcohol Spectrum Disorder (FASD) is the leading cause of developmental disability with approximately 1.4 million Canadians impacted. By promoting awareness of FASD and its related issues, it is hoped this will aid in the prevention of FASD as well as increase support and functioning for those affected by this disorder. For more information please visit: [www.fasdnl.ca](http://www.fasdnl.ca)

7.2 Year of the Garden

Mayor Scott will declare 2022 as Year of the Garden in the Municipality of Cumberland. The Canadian Garden Council has proclaimed 2022 as Year of the Garden in celebration of the contributions of gardeners, our local gardening organizations, horticulture professionals, and anyone who contributes to Garden culture. For more information on this please visit: <https://gardenscanada.ca/year-of-the-garden/>

8. **ADJOURNMENT**

8.1 Adjournment

On motion by Councillor McCormick the meeting was adjourned at 4:10 p.m.

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Mayor Murray Scott

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Municipal Clerk Shelley Hoeg

<b><u>Action List from The Wednesday, September 8, 2021 Public Council Meeting</u></b>	<b><u>Responsibility</u></b>	<b><u>Status</u></b>
1. Complete and distribute Action List.	Shelley	Completed
2. Complete Minutes.	Shelley	Completed
3. Hold Second Reading of proposed amendment to LUB to rezone PID 25088626, 556 Valley Road, Westchester on September 22, 2021	Will	Completed On the September 22 <sup>nd</sup> , Council agenda
4. Amend Council Committee Listing as per Council's motion	Shelley	Completed
5. Advise Committees that will no longer have a Councillor representative of that fact.	Shelley	Completed
6. Amend policies, bylaws and terms of reference necessary to give permanent effect to the changes in Committee's and our schedule of Council meetings.	Steve Shelley	Ongoing
7. Advise N.S. Dept. of Justice that Council declines any further reduction in RCMP members and also that Council requests a return to the Detachment based model of policing in Cumberland.	Greg Shelley	Completed
8. Hold Public Hearing of proposed amendment to rezone PID's 25230043 and 25139593, 1702 Lynn Road, Southampton at our October Council session.	Nelson Will	Ongoing Will be on the October 27 <sup>th</sup> Council agenda
9. Follow up on approval of the amendments to our Tax Reduction and Exemption Policy.	Andrew Shelley	Completed
10. Have approval of the amended Personnel Policy to include September 30 <sup>th</sup> , National Day for Truth and Reconciliation and Nova Scotia Heritage Day in our listing of recognized holidays on the September 22, Council agenda.	Allie	Completed On the September 22 Council agenda
11. Advise Cobequid Trail Consulting Ltd. They are the successful proponents of RFP – MCC – 2106.	Steve	Completed
12. Include a further \$50,000 for the Parrsboro Playground project in the 2022/23 capital budget.	Andrew Justin	Completed
13. Appointment of a playground Project Manager to oversee and manage Phase 1 of the project, the design and construction of the natural and traditional playgrounds.	CAO	Ongoing

14. Appoint a Playground Project Advisory Committee to advise and assist the Project Manager.	CAO	Ongoing
15. Appoint a Parrsboro Park Project Manager to oversee and manage the development of a final design for an inclusive park on lands that include and are adjacent to the site of the former Parrsboro Town Hall.	CAO	Ongoing
16. Appointment of a Parrsboro Park Advisory Committee to assist and advise the Parrsboro Park Project Manager with the development of a final design for an inclusive park.	CAO	Ongoing
17. Advise Maritime Case they are the successful proponent for RFP-MCC-2105, Supply of one backhoe.	Justin	Completed
18. Purchase 3 framed limited edition prints from the Cumberland Art Bank for a total cost of \$995 plus HST.	Steve	Ongoing
19. Advise the Dr. and Mrs. H.E. Christie Community Foundation that the Municipality will accept a donation in the amount of \$8,348.00 and will disperse that donation to the Fundy Winds Organization.	Andrew	Completed
20. Advise Mr. Larry Manzer that Council has approved the sale of 115 McGee Street to him for \$1500 plus migration and legal fees.	Justin	Letter has been sent advising of Council's approval and next steps
21. Provide a report on the cost of erecting an additional flag pole.	Justin	Completed
22. Prepare a staff report on recommended revisions to our Flag Policy to allow the flying of the Mi'kmaq flag year round.	Steve Shelley	Ongoing
23. Forward correspondence to N.S. Department of Public Works requesting signage at the NS/NB Border regarding the "Slow Down, Move Over" law.	Shelley	Completed
24. Forward copies of the proclamations for September to their respective organizations.	Shelley	Completed

**ONGOING ACTION LIST**  
**(Public Council Meetings)**

<b><u>Ongoing Action Lists From Previous Public Council Meetings</u></b>	<b><u>Responsibility</u></b>	<b><u>Completion</u></b>
1. Follow up on the Order for 46 McGee Street, Springhill for the property to be secured and prepare a report for Council containing information such as whether the property is salvageable at a reasonable cost, the amount of outstanding taxes, when is it eligible for tax sale and when is the next tax sale.	Justin	Ongoing Property is in probate. There has been an offer to purchase. Structural inspection has been completed
2. Follow up on Demolishing Order for 7691 Highway 209, Joggins.	Ron	No response to RFQ. Owner awaiting a machine to do demo himself
3. Create a report recommending any possible changes regarding outdoor burning in the Municipality.	Steve	November 17, 2021
4. Staff to investigate the feasibility of applying for funding under the municipal adoption funding program through Divert NS to install ReUse centers at the transfer stations in Cumberland County.	Justin	Ongoing
5. Move the Springhill Salt Storage project from year 2 to year 1 of our Capital Investment Plan and fund this project from the Springhill Area Rate Reserve.	Justin	Work assigned, preparing procurement documents
6. Hold Second Reading of the By-Law to Amend the Municipality's Solid Waste By-Law and the Solid Waste Collectors By-Law.	Steve	On Sept 22, 2021 Agenda
7. Follow up on approval of second reading of the Public Highway Signage Bylaw	Will	Waiting on DOTIR approval, then will advertise
8. Pursue Town of Amherst water extensions to 4 specific areas of the county.	CAO Justin	Ongoing Consultant hired to conduct preliminary engineering and cost estimate. Report due late September
9. Refer the draft Youth Council Policy to the Policy and Bylaw Committee	Steve	On the June 22 <sup>nd</sup> bylaw and policy committee meeting agenda

<p>10. Follow up on the approval of a development agreement for 14 Chambers Blvd., Parrsboro</p>	<p>Will</p>	<p>Development Agreement has been sent for legal review by the proponent and then our Solicitor will review before it is signed off on.</p>
<p>11. Authorize the CAO to continue to work with the Town of Amherst regarding a request from a County resident to connect to the Town of Amherst sewer system, which runs past their property.</p>	<p>Greg</p>	<p>An Agreement has been drafted. We hope to conclude this in Sept.</p>

**CUMBERLAND COUNCIL****RFD# 20210012****Date: Sept. 15, 2021**


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**TO:** Mayor Scott and Members of Council
**SUBMITTED BY:** Justin Waugh-Cress, P.Eng.**DATE:** *September 15, 2021***SUBJECT:** Demolition Hearings

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**ORIGIN:** Demolition hearings are held for properties that the Administrator of Dangerous and Unightly Premises has deemed a danger to the community.

**LEGISLATIVE AUTHORITY:** Nova Scotia Municipal Government Act Part XV

**RECOMMENDATION:**

Motion to order the demolition and removal of the structure and all debris located at 3086 Highway 302, Maccan (PID 25067851) to an approved facility by October 22, 2021.

Motion to order the demolition and removal of the structure and all debris located at 541 Wentworth Collingwood Road (PID 25085192) to an approved facility by October 22, 2021.

Motion to order the demolition and removal of the structure and all debris located at 4497 Barronsfield Rd., Barronsfield (PID 25375619) to an approved facility by October 22, 2021.

Motion to order the demolition and removal of the structures (excluding the mobile home) and all debris located at 1413 Murray Rd, Pugwash (PID 25148057) to an approved facility by October 22, 2021.

**BACKGROUND:** Properties that have been allowed to decline to a condition that would pose a danger to those accessing the property are investigated by the Administrator of Dangerous and Unightly Premises.

**DISCUSSION:** The following properties are unsecured, in a state of disrepair, and would pose a danger to those accessing the property:

3086 Highway 302, Maccan (PID 25067851)  
 541 Wentworth Collingwood Road (PID 25085192)  
 4497 Barronsfield Rd., Barronsfield (PID 25375619)  
 1413 Murray Rd, Pugwash (PID 25148057)

Photographs of the sites will be presented during the hearing.



**CUMBERLAND COUNCIL**

**RFD# 20210012**

**Date: Sept. 15, 2021**

**FINANCIAL IMPLICATIONS:** If Council issues a demolition order for a property, quotations for the demolition are requested from Contractors. Cost of demolition ranges from \$3,000.00-\$10,000.00 plus tipping fees. The costs associated with demolitions are assigned to the tax account of each property.

**ENVIRONMENTAL IMPLICATIONS:** Debris is hauled to a facility approved to receive construction and demolition debris.

**HOW WILL IT BE COMMUNICATED?** Any demolition orders issued will be posted per the requirements of the Municipal Government Act. A copy of the order will be sent by registered letter to the address attached to the property's tax account.

**ALTERNATIVES:** Do not order the demolitions.

**ATTACHMENTS:** Copy of Notice of Hearings for each property.

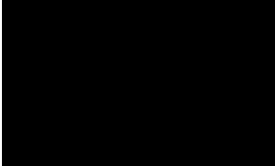
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Report prepared by: Justin Waugh-Cress  
Report and Financial approved by:

## NOTICE OF HEARING

### DANGEROUS or UNSIGHTLY PREMISES

To:



TAKE NOTICE that pursuant to the provisions of Part XV of the Municipal Government Act regarding Dangerous or Unsightly Premises, the Council of the Municipality of the County of Cumberland will consider ordering you, as the Registered Owner of the property described below, to remedy the dangerous and unsightly condition of the property, at a **ZOOM** meeting to be held at **3:30 pm Wednesday September 22, 2021**.

TAKE NOTICE Council will consider ordering the demolition of the residence, the leveling of the lot to acceptable standards applicable to that particular area of the County, and the removal of all debris from the property to an approved facility.

TAKE NOTICE you can attend the meeting, in which case you will be given the opportunity to speak and be heard, before any Order is made. In order to be heard you must register with the Municipality in order to gain speaking rights. You also have the right to send a written brief or letter to the Municipality, in advance of the Hearing.

TAKE NOTICE the property Council will consider making an order with respect to is identified as follows:

**3086 Highway 302, Maccan, NS  
AAN: 04760069  
PID: 25067851**

If you require further information please contact the undersigned at the aforesaid Municipal Building or by telephone (902) 667-3747.

Handwritten signature of Ron Moore in blue ink.

Ron Moore

Administrator of Dangerous or Unsightly Premises

Posted upon the property this 13 day of Sept, 2021 at the hour of 2:11<sup>PM</sup> by

Handwritten signature of Michelle Conforti in black ink.

By-Law Enforcement Officer

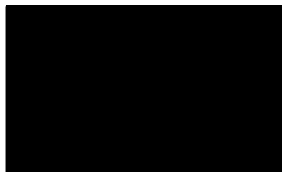
**DO NOT REMOVE THIS NOTICE**

Any person who removes this notice may be prosecuted pursuant to the Municipal Government Act.

## NOTICE OF HEARING

### DANGEROUS or UNSIGHTLY PREMISES

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TAKE NOTICE the property Council will consider making an order with respect to is identified as follows:

**541 Wentworth Collingwood Road, Williamsdale, NS**  
**AAN: 02574187**  
**PID: 25085192**

If you require further information please contact the undersigned at the aforesaid Municipal Building or by telephone (902) 667-3747.

Handwritten signature of Ron Moore in blue ink.

Ron Moore

Administrator of Dangerous or Unsightly Premises

Posted upon the property this 13 day of Sept, 2021 at the hour of 10:23 by

Handwritten signature of Jaime Spear in black ink.

By-Law Enforcement Officer

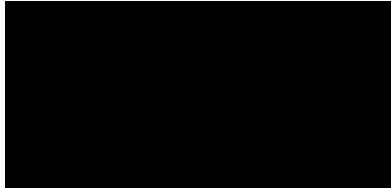
**DO NOT REMOVE THIS NOTICE**

Any person who removes this notice may be prosecuted pursuant to the Municipal Government Act.

## NOTICE OF HEARING

### DANGEROUS or UNSIGHTLY PREMISES

To:



TAKE NOTICE that pursuant to the provisions of Part XV of the Municipal Government Act regarding Dangerous or Unsightly Premises, the Council of the Municipality of the County of Cumberland will consider ordering you, as the Registered Owner of the property described below, to remedy the dangerous and unsightly condition of the property, at a **ZOOM** meeting to be held at **3:30 pm Wednesday, September 22, 2021**.

TAKE NOTICE Council will consider ordering the demolition of the residence, the leveling of the lot to acceptable standards applicable to that particular area of the County, and the removal of all debris from the property to an approved facility.

TAKE NOTICE you can attend the meeting, in which case you will be given the opportunity to speak and be heard, before any Order is made. In order to be heard you must register with the Municipality in order to gain speaking rights. You also have the right to send a written brief or letter to the Municipality, in advance of the Hearing.

TAKE NOTICE the property Council will consider making an order with respect to is identified as follows:

**4497 Barronsfield Road, Barronsfield, NS**  
**AAN: 00545589**  
**PID: 25375619**

If you require further information please contact the undersigned at the aforesaid Municipal Building or by telephone (902) 667-3747.

Handwritten signature of Ron Moore in blue ink.

Ron Moore

Administrator of Dangerous or Unsightly Premises

Posted upon the property this 13 day of Sept, 2021 at the hour of 2:40 <sup>PM</sup> by

Handwritten signature of Jaime Spicer in black ink.

By-Law Enforcement Officer

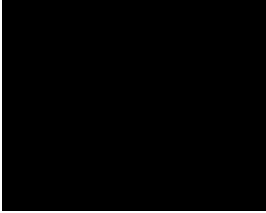
**DO NOT REMOVE THIS NOTICE**

Any person who removes this notice may be prosecuted pursuant to the Municipal Government Act.

## NOTICE OF HEARING

### DANGEROUS or UNSIGHTLY PREMISES

To:



TAKE NOTICE that pursuant to the provisions of Part XV of the Municipal Government Act regarding Dangerous or Unsightly Premises, the Council of the Municipality of the County of Cumberland will consider ordering you, as the Registered Owner of the property described below, to remedy the dangerous and unsightly condition of the property, at a **ZOOM** meeting to be held at **3:30 pm Wednesday September 22, 2021**.

TAKE NOTICE Council will consider ordering the demolition of the residence, the leveling of the lot to acceptable standards applicable to that particular area of the County, and the removal of all debris from the property to an approved facility.

TAKE NOTICE you can attend the meeting, in which case you will be given the opportunity to speak and be heard, before any Order is made. In order to be heard you must register with the Municipality in order to gain speaking rights. You also have the right to send a written brief or letter to the Municipality, in advance of the Hearing.

TAKE NOTICE the property Council will consider making an order with respect to is identified as follows:

**1413 Murray Road, Pugwash, NS**  
**AAN: 01480944**  
**PID: 25148057**

If you require further information please contact the undersigned at the aforesaid Municipal Building or by telephone (902) 667-3747.

Handwritten signature of Ron Moore in blue ink.

Ron Moore

Administrator of Dangerous or Unsightly Premises

Posted upon the property this 13 day of Sept, 2021 at the hour of 11:19<sup>am</sup> by

Handwritten signature of Michelle Corfield in black ink.

By-Law Enforcement Officer

**DO NOT REMOVE THIS NOTICE**

Any person who removes this notice may be prosecuted pursuant to the Municipal Government Act.

# Public Hearing

**3086 Highway 302, Maccan**

**AAN: 04760069**

**PID: 25067851**

**May, 2021**



**May, 2021**



**May, 2021**



**Part XV of the Municipal Government Act gives Council the authority to order the demolition of the structure.**

**This burnt house has been abandoned for several years with no attempts to repair or demolish. It presents an unsightly and dangerous situation should anyone venture onto the property.**

**With the potential safety hazard to the public, Staff recommends that Council consider ordering the demolition and removal of the structure and all debris, to an approved facility by October 22, 2021.**

# Public Hearing

**541 Wentworth Collingwood Road**

**AAN: 02574187**

**PID: 25085192**

May, 2021



May, 2021



May, 2021



**Part XV of the Municipal Government Act gives Council the authority to order the demolition of the structure.**

**This structure has been abandoned for several years and has recently been reported as having people accessing the interior. It presents a dangerous situation should anyone venture onto the property.**

**With the potential safety hazard to the public, Staff recommends that Council consider ordering the demolition and removal of the structures and all debris, to an approved facility by October 22, 2021.**

# Public Hearing

**4497 Barronsfield Road, Barronsfield**

**AAN: 00545589**

**PID: 25375619**

May, 2021



May, 2021



**Part XV of the Municipal Government Act gives Council the authority to order the demolition of the structure.**

**This structure has been abandoned for several years and is beyond any acceptable expectation of repair. It presents a dangerous situation should anyone venture onto the property.**

**With the potential safety hazard to the public, Staff recommends that Council consider ordering the demolition and removal of the structures and all debris, to an approved facility by October 22, 2021.**

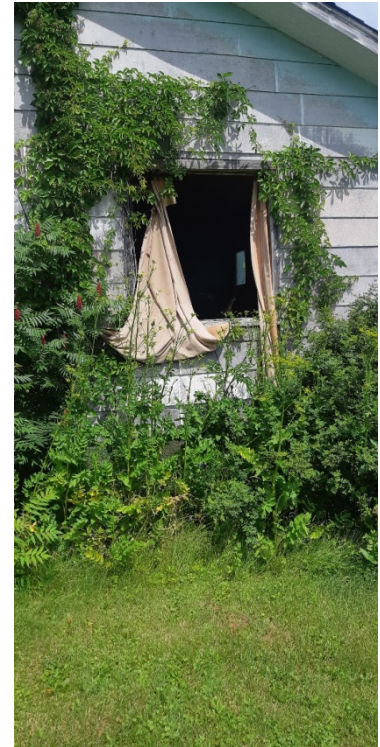
# Public Hearing

**1413 Murray Road, Pugwash**

**AAN: 01480944**

**PID: 25148057**

May, 2021



May, 2021



**Part XV of the Municipal Government Act gives Council the authority to order the demolition of the structure.**

**This structure has been abandoned for several years and is beyond any acceptable expectation of repair. It presents a dangerous situation should anyone venture onto the property.**

**With the potential safety hazard to the public, Staff recommends that Council consider ordering the demolition and removal of the structures (excluding the mobile home) and all debris, to an approved facility by October 22, 2021.**

**CUMBERLAND COUNCIL****RFD# 20210018****Date: Sept. 22, 2021**


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**TO:** Mayor and Council, CAO  
**FROM:** Nelson Bezanson, Municipal Planner & Will Balsler, Junior Planner  
**DATE:** September 22, 2021  
**SUBJECT:** **Coastal Protection Act Consultation**

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**ORIGIN:** Nova Scotia Dept. of Environment and Climate Change are conducting public consultation on regulations for the Coastal Protection Act. Staff attended a consultation zoom meeting on August 19<sup>th</sup> and have prepared comments for the September 30<sup>th</sup> submission deadline.

**LEGISLATIVE AUTHORITY:** N/A

**RECOMMENDATION:** Approve staff's comments and approve submission to the province.

**BACKGROUND:** The purpose of the Coastal Protection Act is to mitigate impacts from sea level rise, coastal flooding, and coastal erosion. The Act was passed in 2019 and will come into effect with the approval of accompanying regulations. This will apply new requirements when constructing houses and other structures in a Coastal Protection Zone which will extend around the coast of Nova Scotia. The regulations will outline the protections for sensitive coastal ecosystems and ensure construction is at a safe height and distance from coastal shorelines.

The proposed Coastal Protection Zone will extend inland from the high-water mark by 80 to 100 metres with a single consistent distance determined following consultation. The zone will also include islands and river estuaries.

Site-specific horizontal setbacks will be determined by a designated professional hired by landowners to determine the necessary setback and submit a report to the Municipality when applying for a building permit. Municipalities will be responsible for ensuring the proposed construction is consistent with the submitted report before approving permits. The regulations will also include minimum building elevations above mean sea level for new construction for different areas along the coast. Repair and maintenance of existing structures will not be affected by the regulations unless the footprint or existing interior volume of the structure increases.

Developed Downtown Waterfronts – the province is exploring definitions for these areas to avoid putting any more structures at risk from flooding due to sea level rise. A possible definition could be, "developed downtown waterfront areas as dominated by mixed-use structures with a public amenity or multi-unit residential component where there are no gaps of greater than 75 meters between existing mixed-use structures, or where the area was zoned for commercial, mixed use or equivalent prior to the Act coming into effect".



**CUMBERLAND COUNCIL**

**RFD# 20210018**

**Date: Sept. 22, 2021**

**DISCUSSION:**

The overall goals and reasoning for the regulation is sound and reflect the actions already taken by Cumberland in the Land Use Bylaw. Staff support the use of designated professionals depending on the execution of the program.

**Planning Concerns:**

- The majority of the municipality's development pressure is along our shores and estuaries, and we have over 850 km of coastline, far more than most Municipalities. We also have over 7500 properties within 100m of the coastline and a very large portion of our assessment.
- A shoreward coastal zone of 80 to 100m would have a disproportionate impact on development in the Municipality and is in our opinion, unwarranted. In 2018 the Municipality of Cumberland adopted comprehensive coastal protection measures accounting for sea-level rise, the susceptibility of different areas to storm surges and tidal influences based on coastal protection research conducted on by CBCL. We feel these measures are adequate to protect both properties and the environment with coastal setbacks ranging from 15m from the OHWM to 30.5m from the top of banks in areas that are more susceptible to coastal action.
- Where Cumberland already has such regulations in place, we recommend that these regulations only be applied where a municipality doesn't have adequate coastal protection measures in place not supersede or duplicate municipal regulations.
- The approach suggested in the proposed regulations for "Developed Downtown Waterfronts" will create large disparities between coastal communities. Basing possible future development on existing zoning and only permitting a 75m gap in current waterfront development rather than considering the overall nature of development in the area could mean that some coastal communities such as Pugwash and Parrsboro be unable to expand their waterfronts while others such as Windsor and Mahone Bay flourish.
- The province is suggesting that the administration and enforcement of these regulations be downloaded onto Municipalities; this raises many concerns beyond the obvious increased workload. The documents provided fail to answer many questions relating to liability for errors, a variance or appeal process, certain types of development that aren't mentioned and terms that are used inconsistently with the Municipal Government Act. These measures will also add significant costs and processing time to the permitting process.
- We recommend that administration and enforcement not be downloaded to Municipalities. Where this is an Act of The Province and not a regulation made subject to the MGA, Municipalities shouldn't be asked to administer the regulations. The act should be regulated by NS Environment and the process be virtually identical to that for on-site sewage where during permit approvals, municipalities only confirm that the applicant / designated professional has received approval from the province.



**CUMBERLAND COUNCIL**

**RFD# 20210018**

**Date: Sept 22, 2021**

**FINANCIAL IMPLICATIONS:** Increased permit processing time - possible decrease in building and development activity in coastal areas.

**ENVIRONMENTAL IMPLICATIONS:** Possible increase in shoreline and watercourse protection from development.

**COMMUNITY ENGAGEMENT:** As this is an act and regulation developed by the province, they are carrying out the community and stakeholder engagement. The comments and concerns in this memo will be our submission.

**ALTERNATIVES:** N/A

**ATTACHMENTS:** Existing municipal regulations:

*Land Use Bylaw Schedule C: Watercourse and Shoreline Buffer* – This map indicates the areas covered by the Increased Shoreline Buffer (30.5m from the top of the bank) and the Increased Watercourse Buffer (30.5m from the Ordinary High Water Mark).

*Land Use Bylaw Schedule D: Coastal Elevation* – This map indicated the 3 different regions and minimum distance specified in our Coastal Elevation requirements.

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Report prepared by: Will Balsler, Nelson Bezanson.

Report and Financial approved by:

# Schedule C: Watercourse and Shoreline Buffer

Last Updated: 2018.03.18

-  Increased Shoreline Buffer (30.5m from Bank)
-  Increased Watercourse Buffer (30.5m from OHWM)
-  Towns and FN Reserves
-  Cumberland County

 1:500,000

0 5 10 20 km

*plan*  
cumberland

municipality of  
cumberland



# Schedule D: Coastal Elevation

Last Updated: 2018.03.18

- Cumberland County
- Towns and FN Reserves
- Chignecto Bay (8.7m)
- Minas Basin (7.1m)
- Northumberland (2.6m)

1:500,000

0 5 10 20 km

*plan*  
cumberland

municipality of  
cumberland

NEW  
BRUNSWICK

Northumberland Coast

Northumberland Coast

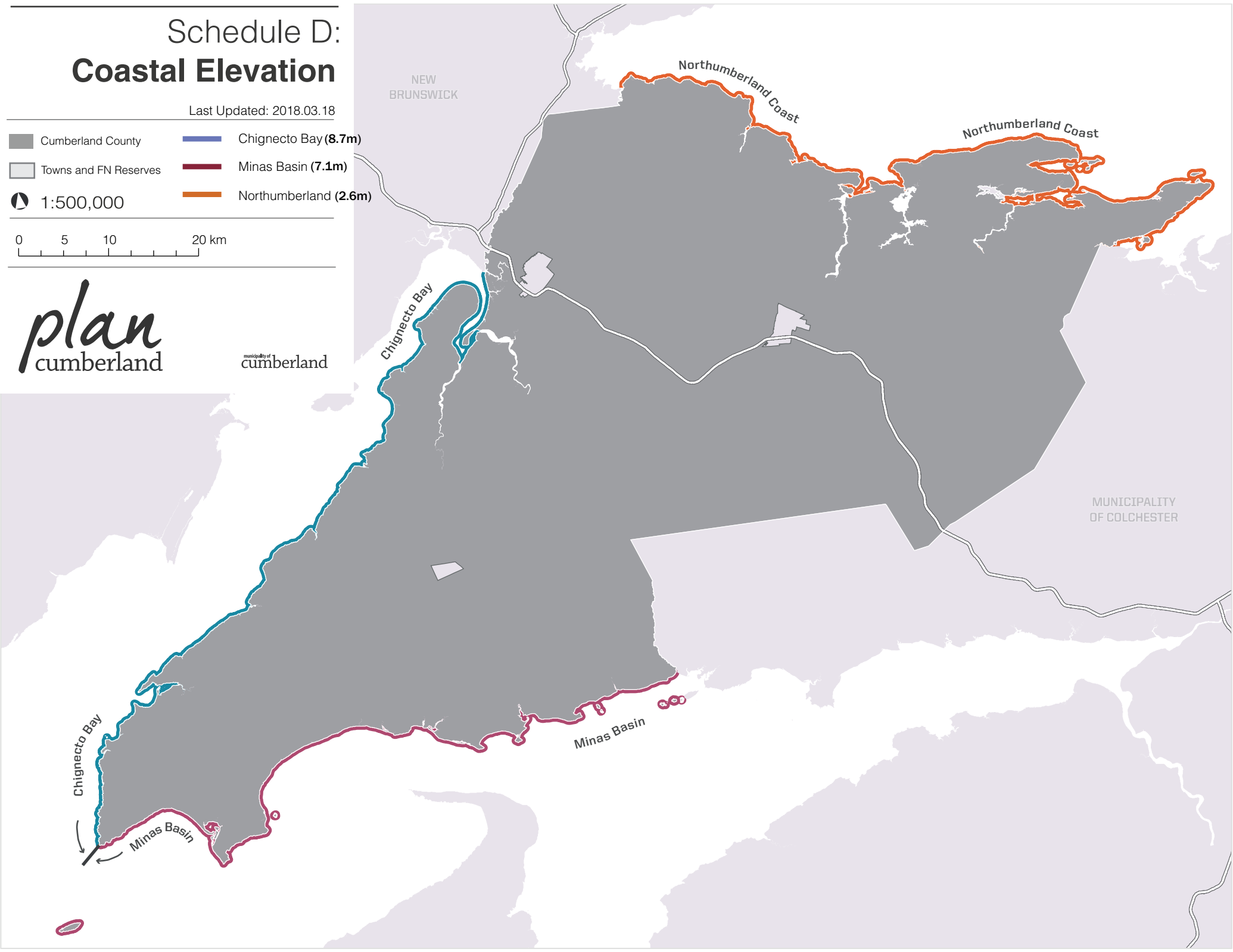
Chignecto Bay

MUNICIPALITY  
OF COLCHESTER

Chignecto Bay

Minas Basin

Minas Basin





**CUMBERLAND COUNCIL**

**RFD# 20210013**

**Date: Sept. 15, 2021**

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**TO:** Mayor and Council  
**FROM:** Will Balsler, Junior Planner, Development Officer  
**DATE:** September 22, 2021  
**SUBJECT: Second Reading of amendment to Land Use Bylaw to rezone PID 25088626, 556 Valley Road, Westchester**

---

**ORIGIN:** On July 5th, 2021, Planning and Development staff received an application regarding the property at 556 Valley Road, Westchester - PID 25088626 (the "subject property").

**LEGISLATIVE AUTHORITY:** MGA PART VIII PLANNING AND DEVELOPMENT

MGA Section 205: Requirements for Adoption of Planning Documents

Municipal Planning Strategy Policy 4-7:

*Council shall, through the Land Use By-law and Subdivision By-law, prohibit development on new private roads except on lands in the Lower Density Residential Zone in locations where new public roads are not permitted and on lands in the Recreational Residential Zone, Parks and Open Space Zone, Country Residential Zone, and Commercial Recreation Zone.*

Municipal Planning Strategy Policy 5-33:

*Council shall, in the Land Use By-law, create the Recreational Residential Zone, intended to permit lower density residential uses on existing public roads and on existing or new private roads, and to address environmental constraints and concerns in areas that are often attractive to recreational development. Permitted uses shall include lower density residential development and agricultural uses. Zone standards shall include large lot sizes and setbacks as a means to reduce the intensity of development and its impact on the natural environment.*

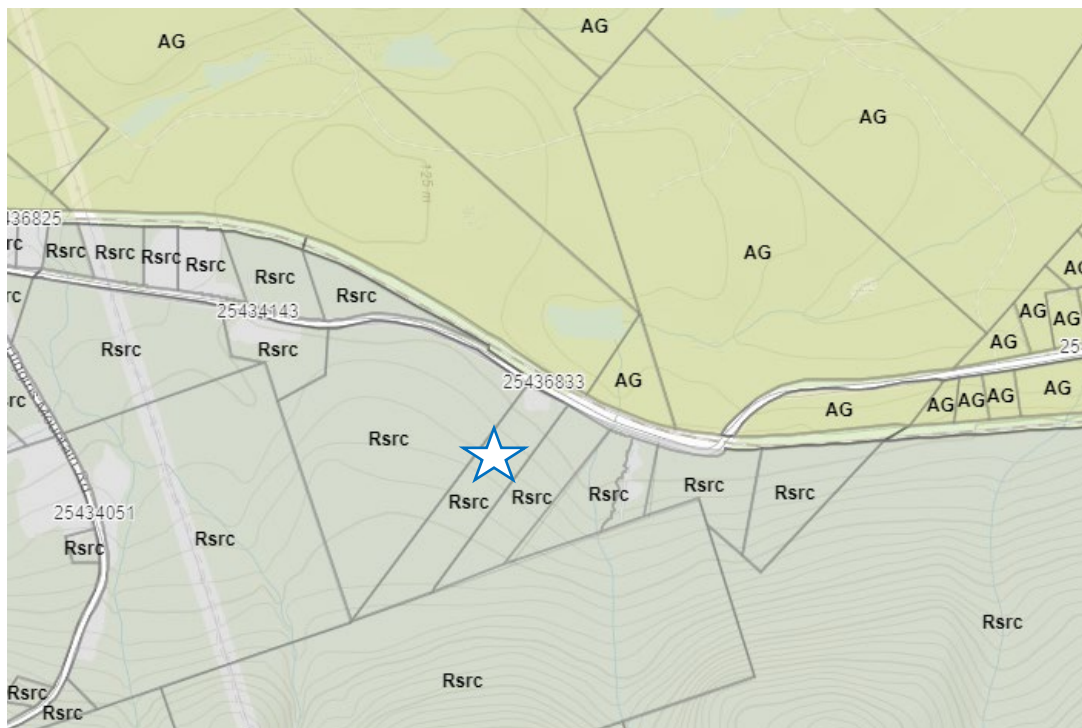
**RECOMMENDATION:** That Council approve second reading of the proposed amendment to rezone PID 25088626 and direct staff to advertise council's decision and the rights to appeal.

**BACKGROUND:** The subject property is located along the Valley Road, just East of Westchester Station. The application is for a rezoning to permit the development of a new private road which would allow the subdivision of 7 residential lots. The neighboring properties are forested lots with very few neighbouring dwellings, zoned as Agriculture (AG) and Rural Resource (Rsrc).



Current Zone: Rural Resource (Rsrc)

Proposed Zone: Recreational Residential (RRec)





**CUMBERLAND COUNCIL**

**RFD# 20210013**

**Date: Sept. 15, 2021**

**DISCUSSION:** The subject property is designated as Resource on Schedule A of the Municipal Planning Strategy (MPS). The current Rural Resource (Rsrc) zoning does not permit the development of new private roads. Rezoning the subject property to Recreational Residential (RRec) would allow the development of a new private road and enable the subsequent subdivision.

**FINANCIAL IMPLICATIONS:** None specific to this matter.

**ENVIRONMENTAL IMPLICATIONS:** Increased residential development and land cleared.

**COMMUNITY ENGAGEMENT:** This is the scheduled public hearing held on the above matter. In accordance with MGA Section 206, Notices were placed in the Cumberland Wire, a locally circulated newspaper, on August 25<sup>th</sup> and September 1<sup>st</sup>. There were no submissions received for the public hearing.

**ALTERNATIVES:** Council can request more information from staff or applicant prior to second reading.

**ATTACHMENTS:** None.

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Report prepared by: Will Balsler, Junior Planner, Development Officer  
Report and Financial approved by:



**CUMBERLAND COUNCIL**

**RFD# 202100014**

**Date: September 15, 2021**

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**TO:** Mayor Scott and Members of Council

**SUBMITTED BY:** Allie McCormick – Director of Human Resources & Community Facilities

**DATE:** September 15, 2021

**SUBJECT:** Amendment to the Personnel Policy – Section 57

---

**ORIGIN:** The Government of Canada formally designated September 30 as a public holiday: National Day for Truth and Reconciliation.

**LEGISLATIVE AUTHORITY:** MGA sections 47(1) states “The council shall make decisions in the exercise of its powers and duties by resolution, by policy or by by-law”.

**RECOMMENDATION:** That Council approve the amendments to the Personnel Policy as attached.

**BACKGROUND:** On July 20, 2021, the Government of Canada formally designated September 30, National Day for Truth and Reconciliation, as a public holiday. National Day for Truth and Reconciliation was designated to honour First Nations, Inuit, and Métis survivors, their families, and communities, and to ensure the public commemoration of their history and the legacy of residential schools.

Staff are recommending Council designate National Day for Truth and Reconciliation as a recognized holiday.

For Council’s consideration, the following municipalities will be either recommending their organizations designate National Day for Truth and Reconciliation as a recognized holiday, or have already designated it as a recognized holiday:

- Municipality of the District of East Hants
- Town of Amherst
- Municipality of the County of Kings
- Cape Breton Regional Municipality
- Halifax Regional Municipality
- Town of Westville
- Municipality of the County of Annapolis

As for the addition of Nova Scotia Heritage Day in the Personnel Policy, this will serve to update the Policy to include a previously recognized statutory holiday.



**CUMBERLAND COUNCIL**

**RFD# 202100014**

**Date: September 15, 2021**

For Council's reference, Nova Scotia Heritage Day is a statutory holiday that is celebrated the third Monday in February. It serves as an annual reminder of our storied past and an opportunity to honour the remarkable people, places and events that have contributed to Nova Scotia's unique heritage.

This Policy was presented at the September 8, 2021 Council Meeting at which time Council gave notice of intent to consider the *Personnel Policy* for adoption at the September 22, 2021 Council Meeting.

**DISCUSSION:** The attached draft Policy contains the following changes:

**Part VI Paid Holidays, Vacations and Volunteer Paid Days**

**Paid Holidays**

57. The following are recognized as paid holidays:
- b. Nova Scotia Heritage Day
  - i. National Day for Truth and Reconciliation

**FINANCIAL IMPLICATIONS:** Employees that are required to work on paid holidays will be compensated holiday pay as outlined in the Personnel Policy and the Collective Agreement.

**ENVIRONMENTAL IMPLICATIONS:** There are no environmental implications anticipated at this time.

**COMMUNITY ENGAGEMENT:** Social media will be used to communicate the changes to the Policy. A copy of the new Policy will be sent to all employees of the Municipality.

**ALTERNATIVES:**

- 1. Direct staff to draft further changes to the Policy;
- 2. Do not amend the Policy.

**ATTACHMENTS:** Revised Personnel Policy

Report prepared by: Allie McCormick – Director of Human Resources & Community Facilities  
Report and Financial approved by:

- attending evening and weekend meetings.
- d. Directors will be compensated on a straight time basis or time and one-half for other work activities outside regular hours not specifically addressed in this section, on approval by the CAO.

## **Part VI Paid Holidays, Vacations and Volunteer Paid Days**

### **Paid Holidays**

57. The following are recognized as paid holidays:
- a. New Year's Day
  - b. Nova Scotia Heritage Day
  - c. Good Friday
  - d. Easter Monday
  - e. Victoria Day
  - f. Canada Day
  - g. Civic Holiday (first Monday in August)
  - h. Labour Day
  - i. National Day for Truth and Reconciliation
  - j. Thanksgiving Day
  - k. Remembrance Day
  - l. Christmas Day
  - m. Boxing Day
58. In the event that one of these paid holidays fall on a Saturday or Sunday, a day off with pay will be provided the following weekday.
59. The Municipality will not provide additional leave with pay if an employee experiences circumstances on a paid holiday that would otherwise have led to a claim or application for sick or emergency leave.
60. In order to qualify for payment for holiday leave, temporary employees must work the regular working days prior to and following the holiday, unless they are absent on approved paid leave.

### **Paid Vacations**

61. All vacation entitlements shall be calculated based on the Municipality's fiscal year (April 1 to March 31), and shall be prorated in accordance with commencement, anniversary and end of employment dates.
62. Temporary employees shall receive vacation time or pay in accordance with the Labour Standards Act. Term employees shall receive vacation time or pay in lieu in accordance with the Labour Standards Act unless they have been provided additional benefits in an employment agreement with the Municipality.
63. Vacation entitlement up to a maximum of five days may be carried forward to the next year.
64. Employees on leave of absence without pay, maternity leave, workers' compensation, parental leave or long term disability do not accumulate vacation entitlement.
65. Permanent full time employees and probationary employees shall be entitled to vacation in accordance with the following schedule:



**CUMBERLAND COUNCIL**

**RFD# 20210017**

**Date: September 22, 2021**

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**TO:** Mayor Scott and Members of Council

**SUBMITTED BY:** Greg Herrett, CAO

**DATE:** September 17, 2021

**SUBJECT:** Second Reading of Solid Waste and Solid Waste Collectors By-Laws

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**ORIGIN:** First Reading of Amendment to the Solid Waste and Solid Waste Collectors By-Laws approved by Council on July 22, 2021 and the sale of the assets of the Cumberland Central Landfill.

**LEGISLATIVE AUTHORITY:** MGA sections 47(1) states "The council shall make decisions in the exercise of its powers and duties by resolution, by policy or by by-law".

**RECOMMENDATION:** That Second Reading of the proposed By-Law to Amend the Solid Waste By-Law and the Solid Waste Collectors By-Law be approved. ( Attached )

**BACKGROUND:**

The partner municipalities of the CJSMA have agreed to sell the assets of the Cumberland Central Landfill and the agreement specifically allows the purchaser to export solid waste. This is required as part of the purchaser's business plan.

**DISCUSSION:**

The proposed By-Law repeals sections 29 and 30 of the current Solid Waste By-Law, which now provide as follows:

*29. No person shall export or remove solid waste material generated within Municipality outside the boundaries of Cumberland County and all such solid waste shall be disposed of within the boundaries of Cumberland County and in accordance with this By-law, unless permission is granted by a Resolution of Council.*

*30. For the purpose of the previous section, solid waste means solid waste materials, including but not limited to, residual waste, ICI waste, construction and demolition waste, mixed waste, and organic*



**CUMBERLAND COUNCIL**

**RFD# 20210017**

**Date: September 22, 2021**

*materials but does not include recyclable materials from ICI sector premises, pathogenic or biomedical waste, or hazardous waste, materials.*

As Council is aware, the proposed Agreement to Transfer the Little Forks Facilities specifically allows the purchaser to export such solid waste. This is required as part of the purchaser's business plan. The proposed By-Law therefor repeals sections 29 and 30 of the current Solid Waste By-Law.

The proposed By-Law also repeals section 23 of the current Solid Waste Collectors By-Law, which now provides as follows:

*35. Collectors shall be charged a tipping fee on C&D waste if required by the Municipality's Policy Respecting Solid Waste Disposal Fees.*

The Municipality does not now, and as far as we can tell never did, have a "Policy Respecting Solid Waste Disposal Fees". Such fees have been determined by the Facility operator on the past and will be levied in accordance with the proposed Agreement to Transfer the Little Forks Facilities in the future. The current section in this By-Law therefore has no application and is contrary to the proposed Agreement. The proposed By-Law therefore repeals section 35 of the current Solid Waste Collector's By-Law.

**FINANCIAL IMPLICATIONS:** The changes are necessary to complete the agreement to sell the assets of the Cumberland Central Landfill.

**ENVIRONMENTAL IMPLICATIONS:** The sale of the landfill assets ensures ongoing compliance with the regulatory requirement of landfill operation set out by Nova Scotia Environment.

**HOW WILL IT BE COMMUNICATED?** An ad will be placed in the local newspaper advising of the approval of these amendments as well as forwarded to the media via our Council Media Release and the information will also be contained on our website.

**ALTERNATIVES:** Although the alternative exists to decline to approve the amendments, it would put the Municipality and its partners in the position of failing to honor the terms of the agreement with the purchaser.



**CUMBERLAND COUNCIL**

**RFD# 20210017**

**Date: September 22, 2021**

**ATTACHMENTS:** Bylaw

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Report prepared by:

Report and Financial approved by:

Municipality of Cumberland By-Law 21-04

**By-Law to Amend the Solid Waste By-Law (By-Law 18-02) and the  
Solid Waste Collectors By-Law (By-Law 06-15)**

1. This By-Law is entitled the By-Law to Amend the Solid Waste By-Law and the Solid Waste Collectors By-Law.
2. Sections 29 and 30 of By-Law 18-02, the Solid Waste By-Law, are repealed.
3. Section 35 of By-Law 06-15, the Solid Waste Collectors By-Law, is hereby repealed.
4. This By-Law comes into force upon publication.

*(Municipal Clerk's annotation for Official By-Law Book to be added)*



**CUMBERLAND COUNCIL**

**RFD# 20210015**

**Date: September 22, 2021**

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**TO:** Mayor Scott and Members of Council

**SUBMITTED BY:** Melanie Prendergast

**DATE:** *August 31, 2021*

**SUBJECT:** Grant Request for Parrsboro Band Association

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**ORIGIN:** Regional Grant Application from Parrsboro Band Association.

**LEGISLATIVE AUTHORITY:** The general authority for the Municipality to provide grants to community organizations is found in sections 2, 9A, and 14A of the Municipal Government Act.

Section 2 provides that the purpose of the MGA is to “give broad authority to councils... and to respect their right to govern municipalities in whatever ways the councils consider appropriate within the jurisdiction given to them...”.

Section 9A provides “The purposes of a municipality are to (a) provide good government; (b) provide services, facilities and other things that, in the opinion of the council, are necessary or desirable for all or part of the municipality; and (c) develop and maintain safe and viable communities.”

Section 14A provides “The powers conferred on a municipality and its council by this Act must be interpreted broadly in accordance with the purpose of this Act as set out in Section 2 and in accordance with the purposes of a municipality as set out in Section 9A.”

As a result of amendments made to the MGA in 2019, the Act no longer provides specific authority to municipalities to provide grants to non-profit community organizations, however that specific authority did exist prior to the amendments, and section 65A(5) provides: “In the event of ambiguity in whether or not the municipality has the authority under this or any other Act to spend money or to take any other action, the ambiguity may be resolved so as to include, rather than exclude, powers the municipality had on the day before this Section came into force.”

**RECOMMENDATION:** Staff recommends a Regional Operations grant of \$3000.



**CUMBERLAND COUNCIL**

**RFD# 20210015**

**Date: September 22, 2021**

**BACKGROUND:** The Hall is open and accessible to members of the community of all ages. It is widely used for various things such as concerts, music lessons, films meeting, workshops and meeting space amongst other uses.

**DISCUSSION:** The costs to operate The Hall is \$10,500. The Municipality has provided operational grants of \$3000 for the last three years. The Association holds fundraisers to assist with costs, but they have been dependent on Covid restrictions. They hope to be in a better financial situation in the future to not require assistance.

**FINANCIAL IMPLICATIONS:** The current "Regional Funds" remaining balance is \$1328.25. However, the approved reserve of \$25,000 remains untouched.

**ENVIRONMENTAL IMPLICATIONS:** N/A

**COMMUNITY ENGAGEMENT:** Support from the community at large is widespread and consistent. The Parrsboro Band Association has a large membership of over 100 paying members in Covid times. There is a membership committee in place which is actively recruiting new members and volunteers.

**ALTERNATIVES:** N/A

**ATTACHMENTS:** None. Application can be provided upon request.

---

Report prepared by: M. Prendergast  
Report and Financial approved by:



**CUMBERLAND COUNCIL**

**RFD# 20210016**

**Date: September 22, 2021**

---

**TO:** Mayor Scott and Members of Council

**SUBMITTED BY:** Melanie Prendergast

**DATE:** *August 31, 2021*

**SUBJECT:** Grant Request for Wallace Area Community Center

---

**ORIGIN:** Regional Grant Application from the Wallace Area Community Center Society

**LEGISLATIVE AUTHORITY:** The general authority for the Municipality to provide grants to community organizations is found in sections 2, 9A, and 14A of the Municipal Government Act.

Section 2 provides that the purpose of the MGA is to “give broad authority to councils... and to respect their right to govern municipalities in whatever ways the councils consider appropriate within the jurisdiction given to them...”.

Section 9A provides “The purposes of a municipality are to (a) provide good government; (b) provide services, facilities and other things that, in the opinion of the council, are necessary or desirable for all or part of the municipality; and (c) develop and maintain safe and viable communities.”

Section 14A provides “The powers conferred on a municipality and its council by this Act must be interpreted broadly in accordance with the purpose of this Act as set out in Section 2 and in accordance with the purposes of a municipality as set out in Section 9A.”

As a result of amendments made to the MGA in 2019, the Act no longer provides specific authority to municipalities to provide grants to non-profit community organizations, however that specific authority did exist prior to the amendments, and section 65A(5) provides: “In the event of ambiguity in whether or not the municipality has the authority under this or any other Act to spend money or to take any other action, the ambiguity may be resolved so as to include, rather than exclude, powers the municipality had on the day before this Section came into force.”

**RECOMMENDATION:** Staff recommends a Regional Operations grant of \$3000.

**BACKGROUND:** The Society owns and operates the Community Center in Wallace. Their mandate is to keep the community asset in safe and good condition, administer its use and



**CUMBERLAND COUNCIL**

**RFD# 20210016**

**Date: September 22, 2021**

raise the funds needed to keep it in operation.

**DISCUSSION:** Without municipal support, they would have to rely more heavily on donations, especially during public health restrictions. Most of their revenue comes from rentals of the building and fundraisers. If those donations are not received, they will be forced to consider closing the facility. The Municipality has provided grants throughout the years, most recently \$3000 in the fall of 2020.

**FINANCIAL IMPLICATIONS:** The current "Regional Funds" remaining balance is \$1328.25. However, the approved reserve of \$25,000 remains untouched.

**ENVIRONMENTAL IMPLICATIONS:** N/A

**COMMUNITY ENGAGEMENT:** Primarily this is a location where members of the community can gather and socialize. It fosters the fabric of the community.

**ALTERNATIVES:** N/A

**ATTACHMENTS:** None. Application can be provided upon request.

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Report prepared by: M. Prendergast  
Report and Financial approved by:

## RAIL SAFETY WEEK PROCLAMATION

**Whereas** *Rail Safety Week* is to be held across Canada from September 20 to 26, 2021;

**Whereas** it is in the public's interest to raise citizens' awareness of the dangers of ignoring safety warnings at level crossings and trespassing on rail property to reduce avoidable deaths, injuries and damage caused by incidents involving trains and citizens;

**Whereas** Operation Lifesaver is a public/private partnership whose aim is to work with the public, rail industry, governments, police services, media and others to raise rail safety awareness;

**Whereas** CN has requested Municipal Council adopt this resolution in support of its ongoing efforts to raise awareness, save lives and prevent injuries in communities, including our municipality;

**Therefore**, I Mayor Murray Scott hereby proclaim *Rail Safety Week* to be held from September 20 to 26, 2021 in the Municipality of the County of Cumberland.

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Mayor Murray Scott