

1. **Council Convenes - O Canada** –Warden Keith Hunter called to order the July 7, 2010 session of Cumberland Municipal Council at 1:00 p.m. The meeting was held in the Council Chambers of the E. D. Fullerton Municipal Building, Upper Nappan. O Canada was sung.
2. **Roll Call** - The roll was called by Shelley Hoeg, Executive Assistant to the CAO. All Councillors were in attendance excepting Councillor Redmond. Also in attendance were Rennie Bugley, CAO, Stephen Ferguson, Director of Policy and Research, Penny Henneberry, Director of Planning and Development, and Robert Streach, Director of Public Works.
3. **Approval of Agenda (Additions/Deletions)** - The agenda was approved with the following additions and deletions:

Additions: 13.3 – Notice of Intent to Consider Work Clothing Policy; 16.3 – Order of Canada Recipient

Deletion: #9, 10 and 15
4. **Approval of Minutes**
 - 4.1 **Minutes from June 9, 2010 Council Session** – The minutes of the June 9, 2010 Council session were approved as circulated.
5. **Business Arising from the Minutes** -
 - 5.1 **Action List, June 9, 2010** – This will be discussed at a future meeting.
6. **Delegations and Presentations**
 - 6.1 **Pugwash Master Plan** – Gwen Zwicker, Amanda Marlin, and Cheryl Veinotte were on hand. Ms. Marlin and Ms. Veinotte provided an overview of the document. They noted that this report summarizes a review of 12 plans and documents. They went over the list of documents reviewed.

Following a detailed review of each document they looked at 2 common areas.

Common Proposed Projects:

 1. Marina/Waterfront Development, 2. Eaton Park/Thinker’s Lodge, 3. Peach Exchange, 4. Tourism Information Centre and Village Marketing, 5. Community Centre, 6. Sidewalks and parking.

Priorities and Development Issues consideration for moving forward 1- Funding, 2 - Water and Sewer, 3 – A wide range of projects, 4 – Previous Studies/Reports, 5 – It’s Time for Action.

The next steps will be:

Step 1 – Host public forums and key informant interviews for further community discussions

Step 2 - Re-establish priorities and current status of ongoing projects.

Step 3 - Create a bond between community groups to come together to work on the most feasible and prosperous plan.

At this point the floor was opened for questions.

Warden Hunter thanked the presenters for their work and presentation.
7. **Public Hearings**

Warden Hunter opened the public hearing at 1:36 p.m.

 - 7.1 **Application to Amend the Central Planning Area Land Use By-Law** – Ms. Henneberry explained the proposal to those present. This is a housekeeping issue. The Warden requested comments/questions from members of the public or Council. There were none.
 - 7.2 **Application to Amend the Municipal Planning Strategy and Land Use By-Law** - This amendment was due to a request to reduce the 100 ft buffer. Ms. Henneberry advised

that she has received six written submissions all supporting the proposed amendments. They are attached to this document and form part of these minutes.

The Warden requested comments/questions from members of the public or Council. Three members of the public had comments. Council was encouraged to take more of a comprehensive approach. One resident opposed the buffer for inland water and the other two were not opposed. A comment from Councillor MacNutt is that he is supporting this amendment at this time. Deputy Warden Gilbert also is in favor of this amendment. A member of the public gallery suggested Council take a more systematic approach on how to assess the buffers.

Warden Hunter closed the public hearing at 1:59 p.m.

IT WAS MOVED by Councillor Read, seconded by Councillor Merriam, to give Second Reading to adopt amendments to the Central Planning Area Land use By-Law that are as follows:

SCHEDULE "A"

BYLAW 10-05

AMENDMENT TO THE CENTRAL PLANNING AREA LAND USE BYLAW

Insert new text under Section 1.2 - Suburban Residential Zone (R-1)

1.2.1 j) *Accessory Uses and Buildings*

Insert new text under Section 1.3 - Country Residential Zone (R-2)

1.3.1 m) *Accessory Uses and Buildings*

Insert new text under Section 2.1 – Rural Resource Zone

2.1.1 m) *Accessory Uses and Buildings*

Insert new text under Section 3.1 Commercial Zone 1 (C-1)

3.1.1 v) *Accessory Uses and Buildings*

Create and insert a new Section following Section 3

4. Special Requirement for All Zones

4.1 Accessory Uses and Buildings

4.1.1 *Accessory uses and buildings* are permitted in all *zones* of this bylaw.

a) "*Accessory use*" means a use subordinate and naturally incidental to a main use of land or *building* located on the same *lot*, such as the storage of firewood, compost material and the hanging of clothes by the residents of the property or the temporary storage of waste and recyclable material by the operator of a business.

b) "*Accessory building*" means a subordinate *building* or *structure* on the same *lot* as the *main building*, devoted exclusively to an *accessory use*, such as garden sheds, workshops and storage *buildings*.

4.1.2 *Accessory buildings* shall not:

- a) be located in the front yard or flanking yard on a corner *lot*;
- b) be more than 4 meters in *height*;
- c) be built closer than 2 meters of other *structures*; and,
- d) exceed 10 percent of the *lot area*.

4.1.3 Accessory uses and buildings for agricultural, forestry, commercial and light industrial uses are not subject to 4.1.2 (b), (c) and (d), but must abide by all other requirements of the Land Use ByLaw regarding appropriate lot coverage and setback requirements for lot development for these uses.

MOTION CARRIED #10-111

IT WAS MOVED by Councillor MacNutt, seconded by Councillor Reid, to give Second Reading to the proposed amendments to the Municipal Planning Strategy and Land use By-Law that are as follows:

SCHEDULE "A"

BYLAW 10-04

**AMENDMENT TO THE
MUNICIPAL PLANNING STRATEGY
And
LAND USE BYLAW**

Municipal Planning Strategy

Deleting the first sentence of paragraph 3.5.1.1(a)

~~to require the establishment, retention or restoration of a 30.5m (100 ft.) shoreline buffer adjacent to all watercourses, coastlines and wetlands.~~

and replacing it with

to require the establishment, retention or restoration of a 30.5m (100 ft.) shoreline buffer along all coastlines and wetlands and areas prone to seasonal flooding or flooding due to high tides or storm surges and to require the establishment, retention or restoration of a 15.24m (50ft.) shoreline buffer along all lakes, rivers (not prone to flooding), streams and intermittent streams.

Deleting paragraph 3.5.1.1(f)

~~to empower the Development Officer to grant variances in accordance with Section 235 of the Municipal Government Act.~~

Land Use Bylaw

2.1 Definitions

Following 2.1.1(j) *Clerk* insert the following definition as 2.1.1(k) and renumber all subsequent definitions accordingly:

"Coastline/Shoreline" – A lot line or portion thereof which abuts the high water mark of a watercourse.

Following 2.1.1(oo) *Watercourse* (as renumbered above) insert the following definition as 2.1.1(pp) and

renumber all subsequent definitions accordingly:

“Wetland” – Lands seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface which results in a rich combination of environmental features that contain a wide variety of plants and wildlife.

3.13 Shoreline Buffer

Delete the first sentence of the first paragraph

~~Shoreline buffers of 30.5 m. (100 ft.) in depth shall be established, retained or restored along all watercourse, coastlines, and wetlands. Within shoreline buffers, all development and outdoor storage shall be prohibited.~~

and replace it with

Shoreline buffers of 30.5 m. (100 ft.) in depth shall be established, retained or restored along all coastlines and wetlands and areas prone to seasonal flooding or flooding due to high tides or storm surges. Additionally, shoreline buffers of 15.24m (50ft.) in depth shall be established, retained or restored along all lakes, rivers (not prone to flooding), streams and intermittent streams. Within shoreline buffers, all development and outdoor storage shall be prohibited.

MOTION CARRIED #10-112

8. Correspondence

8.1 **IT WAS MOVED** by Councillor Kellegrew, seconded by Councillor Reid to forward correspondence to UNSM in support of the Municipality of the District of Barrington’s request to have UNSM approach Nova Scotia Power on behalf of all taxpayers in the province in an attempt to reduce the cost of these lights.

MOTION CARRIED #10-113

IT WAS MOVED by Councillor Merriam, seconded by Councillor Gillis to forward correspondence advising his concerns will be considered in our solid waste deliberations.

MOTION CARRIED #10-114

9. Planning Issues

This item was deleted.

10. Strategic Planning

This item was deleted.

11. Financial Reports/Issues

11.1 Recreation Grant Request – Amherst Rambler Alumni Scholarship Golf Tournament – A recreation grant request was received from the Amherst Rambler Alumni Scholarship Golf Tournament Committee. They are requesting \$150 to assist them.

IT WAS MOVED by Councillor Read, seconded by Councillor Kellegrew to approve a recreation grant for \$150 to the Amherst Rambler Alumni Scholarship Golf Tournament with \$75 from District 1 and 2.

MOTION CARRIED #10-115

IT WAS MOVED by Councillor Read, seconded by Councillor Kellegrew to provide \$150 from District 3 Recreation Funds to the Continuing Care Golf Tournament.

MOTION CARRIED #10-116

Blueberry Harvest Festival -

IT WAS MOVED by Councillor MacNutt, seconded by Councillor Read to provide a Grant to Organization Grant in the amount of \$1000 to the Blueberry Harvest Festival.

MOTION CARRIED #10-117

12. **Operational Services Reports/Issues**

This item was deleted

13. **Committee/Other Reports**

13.1 Cumberland Regional Library Board – This was circulated to Council.

13.2 PSAC Committee - These will be provided to Council.

13.3 Notice of Intent to Consider a Work Clothing Policy – **IT WAS MOVED by Councillor Kellegrew, seconded by Councillor Gillis to give notice that the Work Clothing Policy will be considered for adoption at the Council session of July 21, 2010.**

MOTION CARRIED #10-118

14. **Old Business**

14.1 CIP Criteria – Council was advised by the Director of Public Works, Robert Streach, that the CIP Committee recommends the following changes to the CIP Evaluation criteria:

1. Currently the criterion titled “Project supports actions of the ICSP” ranks a project as supporting (10 points) or not supporting (0 points). During discussion the Committee recommends this be revised to the following: Does not support the ICSP – 0 POINTS; supports the principles of the ICSP however is not specifically noted as a project within the ICSP – 5 points; and supports the principles of the ICSP and is identified as a strategic project in the ICSP – 10 points.
2. The criterion “sustainability” the Committee recommends this be a neutral midpoint scale: if it is as of yet undetermined if a project will be sustainable – 5 points; the number declines from 5 for less sustainable with 0 being unsustainable; the rank increases for projects as they are considered more sustainable with a 10 issued if the project is sustainable in the foreseeable future.
3. Under “Distribution Effects” revised to read “Population served **or benefitted** by the project”.

This was unanimously agreed to by Council.

14.2 Biggs Drive WWTP –

IT WAS MOVED by Deputy Warden Gilbert, seconded by Councillor Donkin to revert back to a traditional single tender process to employ a general contractor to complete construction activities required for the Biggs Drive WWTP Upgrade.

MOTION CARRIED #10-119

14.3 Biggs Drive WWTP Construction – Tender Award -

IT WAS MOVED by Deputy Warden Gilbert, seconded by Councillor Read to authorize the CAO to execute contract documents necessary for the construction of the Biggs Drive WWTP, conditional on an acceptable tender submission being received which is within the approved capital budget for this project.

MOTION CARRIED #10-120

15. **New Business**

This item was deleted.

16. **Information Items**

- 16.1 Cumberland Pride Week – Warden Hunter advised that the Municipality of Cumberland has Proclaimed Pride Week for Cumberland County as July 12, to July 17, 2010.
 - 16.2 Continuing Care Month – Warden Hunter will proclaim the month of September as Continuing Care Month.
 - 16.3 Companion of the Order of Canada – Councillor MacNutt advised that Dr. Willard S. Boyle was awarded the highest award in Canada when he received the Companion of the Order of Canada.
 - 16.4 Shad Valley Organization - Councillor MacNutt advised Council that the Shad Valley Organization is an organization that brings in students who are the highest achievers from Grades 10, 11 and 12 from all over the world. Last year 20 countries were represented. These students will be visiting the Wallace and Pugwash area and touring points of interest in those areas.
17. Adjournment
The meeting adjourned at 2:46 p.m.
 18. God Save the Queen

DRAFT