

1. **CALL TO ORDER**1.1 O' Canada

Warden Hunter called to Order the April 1, 2015 Council session of the Municipality of the County of Cumberland to Order at 2:36 p.m. 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 and Councillor Snow.

Councillor Baker was absent due to serious illness.

Warden Hunter welcomed the many visitors in the gallery.

2. **ADMINISTRATIVE AND PROCEDURAL ISSUES**2.1 Approval of Agenda

Addition(s): 2.4 C Staff Recognition
3.3 Organization Chart
4.1 Award for RFP for Governance and Boundary Review

Deletion(s): 2.5

2.2 Approval of Minutes of March 23, 2015

The minutes of March 23, 2015 were approved as circulated.

2.3 Business Arising from the March 23, 2015 Council Session

There was no discussion on this item.

2.4 Delegations, Presentations, Petitions, Proclamationsa. Swearing in of Councillor Snow

Municipal Clerk, Brenda Moore, swore in the newly appointed Maxwell Snow, as a Councillor to the Municipality of Cumberland County. Councillor Snow will sit as a representative until after the special election in May, 2015 as a representative of the former Town of Springhill.

Councillor Snow gave brief remarks to those present.

Deputy Minister MacDougall also then provided regrets from Minister Furey and provided remarks for those present on the Dissolution, the leadership of the Springhill Council, Cumberland Council and the swearing in of Councillor Snow.

b. RCMP Staff Sergeant Introduction

Staff Sergeant Keith MacKinnon, the new Detachment Commander for Springhill RCMP was warmly welcomed to Cumberland and provided brief remarks.

c. Citizenship/Staff Recognition

Staff member, Ergin Nemburt, was welcomed and congratulated on receiving his Canadian Citizenship yesterday.

2.5 Public Hearings

There were no public hearings for today's meeting.

3. **STRATEGIC PRIORITIES ISSUES**3.1 Election 2015

IT WAS MOVED by Councillor Smith, seconded by Councillor Kellegrew to declare a special election on May 23rd, 2015 for Districts 11 and 12.

MOTION CARRIED #15-049

IT WAS MOVED by Councillor Gillis, seconded by Councillor Welton to approve the draft 2015 Tariff of Fees and expenses for the May, 2015 Special Election.

MOTION CARRIED #15-050

IT WAS MOVED by Councillor Kellegrew, seconded by Councillor Rector to appoint Rennie Bugley, CAO, as the Returning Officer and Shelley Hoeg and Cathy Coon as Assistant Returning Officers for the May 23rd, 2015 Special Election.

MOTION CARRIED #15-051

IT WAS MOVED by Councillor Fletcher, seconded by Deputy Warden Gilbert, to approve the date of the 2nd advance poll for the May Special Election as May 19th, 2015.

MOTION CARRIED #15-052

IT WAS MOVED by Councillor Fletcher, seconded by Councillor Snow to appoint CAO, Rennie Bugley as the Registrar of Voters for the May, 2015 Special Election.

MOTION CARRIED #15-053

3.2 Transition Update

This report was provided as information and will be circulated to staff and the public.

3.3 Organizational Chart

Mr. Bugley, CAO, presented this chart and advised it has been reviewed by all staff and Council.

IT WAS MOVED by Councillor Kellegrew, seconded by Councillor Welton, to approve the Organizational Chart as presented.

MOTION CARRIED #15-054

4. **MAJOR ORGANIZATIONAL ISSUES**

4.1 RFP For Governance and Electoral Boundary Review

The CAO, Mr. Rennie Bugley advised that this RFP closed two days ago. One reply was received and it was by Stantec. The cost is \$28,458 + \$12,875 for consultation work for a total of \$41,333 plus HST.

IT WAS MOVED by Councillor Smith, seconded by Councillor Kellegrew to award Stantec the RFP for Governance and Electoral Boundary Review in the amount of \$41,333 plus HST.

MOTION CARRIED #15-055

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

5.1 Policy to Repeal the Springhill Dangerous and Unsightly Policy

Notice was given on March 23, 2015 of Council’s intent to consider the Policy to Repeal

IT WAS MOVED by Councillor Rector, seconded by Councillor Snow to approve the Policy to Repeal the Springhill Dangerous and Unsightly Policy which is as such:

**Municipality of Cumberland Policy 15 – 05
Policy to Repeal the Town of Springhill Dangerous or Unsightly Premises Policy**

Whereas the former Town of Springhill (the “Town”) has been merged with the Municipality of the County of Cumberland (the “Municipality”);

And whereas the Town of Springhill Dangerous or Unsightly Premises Policy created a Committee with the power to issue demolition orders and to hear appeals from orders issued by the administrator;

And whereas the Municipality wishes to have the power to issue demolition orders and to hear appeals from orders issued by the administrator exercised by Municipal Council, as is now the case under the Municipality’s Dangerous or Unsightly Premises Policy;

Now therefore it is enacted that:

1. This policy is entitled the “Policy to Repeal of the Town of Springhill Dangerous or Unsightly Premises Policy”.
2. The Town of Springhill Dangerous or Unsightly Premises Policy is hereby repealed.
3. This Policy comes into force upon adoption.

<p><u>Clerk's Annotation for Official Policy Book</u> Date of Notice to Council Members of Intent to Consider: <u>March 23rd, 2015</u> Date of Passage of Current Policy: <u>April 1, 2015</u> I certify that this Policy was adopted by Council as indicated above.</p>	
<p>_____</p> <p>Clerk</p>	<p>_____</p> <p>Date</p>

MOTION CARRIED #15-056

5.2 Conflict of Interest Policy

This item will be added to the April 15, 2015 Council agenda.

5.3 By-Law Amendment – Land Use By-Law, Central Zone - Kennels

Andrew Fisher, Senior Planner, Town of Amherst advised Council of the background of this issue.

Issue

Amendments to the Land Use Bylaw that would allow kennels in the Commercial Zone of the Central Planning Area.

Background and Relevant Policy

A property owner in the Commercial Zone has made an application to operate a kennel. Kennels are a commercial operation essentially defined as the boarding of dogs and cats for remuneration, whether for overnight stays or what is commonly referred to as a “doggy daycare”. Within the Central Planning Area, kennels are not listed as a permitted use in the Commercial Zone or the Suburban Residential Zone. Although not specifically identified, Kennels could potentially be permitted in the Country Residential (R2) and the Rural Residential (RR) Zones by development agreement.

The Central Planning Area Commercial Zone consists of five relatively small areas near the entrances to Amherst. Section 1.3.1 of the Municipal Planning Strategy for the Central Planning Area describes the objectives of this zone as follows:

1.3.1 Objectives

- a) To identify potential prime commercial area 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 recognise the importance of the central area to the County's tax base and encourage further development.*

Other relevant policy includes the Municipality's Dog By-Law. The main focus of this Bylaw is to provide dog control, gives staff the authority to deal with nuisance dogs, and sets out the responsibilities of dog owners. As discussed below, this Bylaw is a potential mechanism with which the Municipality could further control Kennels.

Review and Analysis

Allowing a kennel operation in the Commercial Zone would conform with the general intent of the existing planning policies. From a planning perspective, the most significant concern with kennels is the potential for barking dogs to create a nuisance to neighbouring residential properties. As such, the draft amendments provided under Schedule A restricts kennels to properties with a minimum lot area of one hectare (2.5 acres), and separation distances from neighbouring dwellings and residential zones at a minimum of 150 metres (492 ft). Additional measures to mitigate potential impacts include a restriction on keeping animals outdoors overnight, and screening of outdoor areas where dogs will be present. These regulations generally reflect how kennels are regulated in other municipalities across Canada.

In terms of the ongoing operation, the draft amendment requires conformance with the, “Code of Practice for Canadian Kennel Operations”, produced by the Veterinary Medical Association. This document provides standards for interior and exterior environments, sanitation, feeding, and staff supervision. The draft amendment also requires conformity with the Municipality’s Dog By-Law, which gives municipal staff the authority to inspect the operation, and address nuisance complaints. If needed, the Municipality could look at amendments to the Dog-Bylaw to further regulate the kennel operations. In particular, such amendments could include specific hours when dogs are permitted outdoors.

Proposed Kennel

As shown on the preliminary site plan provided by the applicant, the proposed kennel consists of a building approximately 70’x170’ in size located on a 2.59 acre property. The majority of the interior space will be used as an enclosed training area. As shown on the location map, the building and outdoor fenced area would be approximately 174 metres (570’) from the nearest dwelling.

Conclusion

In review of a selection of kennel regulations across Canada, the degree to which kennels are regulated varies widely from one municipality to the next. This draft amendment is an attempt to allow kennels in commercial areas with a focus on minimizing impacts on nearby residential uses.

Options

1. Reject the amendment.
2. Defer the amendment, and direct Planning to provide an alternative amendment.
3. Amend the LUB as shown in Schedule A of this report.

Recommendations

Planning recommends **Option Three**.

IT WAS MOVED by Councillor Welton, seconded by Councillor Gillis to approve First Reading of Schedule A of the Land Use By-Law , Central Zone, regarding Kennels and hold a public meeting.

MOTION CARRIED #15-057

6. BUSINESS ISSUES

6.1 CJSMA Board Representation
It was agreed to address this issue at a later date.

6.2 Wentworth School
Correspondence was received from the CCRSB advising of their process for the Wentworth School.

IT WAS MOVED by Councillor Smith, seconded by Deputy Warden Gilbert to forward this correspondence to Andrea Rushton.

MOTION CARRIED #15-058

7. INFORMATION ITEMS

7.1 Tourism Central Update
Provided in Councillors boxes for information.

8. ADJOURNMENT

8.1 The Queen
The meeting was adjourned at 3:27 p.m. and The Queen was sung.