

1. **CALL TO ORDER**

1.1 O' Canada

Warden Hunter called the May 20, 2015 Council session of the Municipality of the County of Cumberland to Order. The meeting was held at the E. D. Fullerton Municipal Building. O'Canada was sung.

1.2 Roll Call

Executive Assistant to the CAO, Shelley Hoeg, called the roll with the following Councillors being present:
Councillor Smith, Councillor Kellegrew, Warden Hunter, Councillor Gillis, Councillor Welton, Councillor Rector, Deputy Warden Gilbert, Councillor McLellan, Councillor Fletcher and Councillor Snow.

Councillor Baker was absent due to serious illness.

2. **ADMINISTRATIVE AND PROCEDURAL ISSUES**

2.1 Approval of Agenda

The agenda was approved as circulated.

2.2 Approval of Minutes of May 4, 2015

The minutes of May 4, 2015 were approved as circulated.

2.3 Business Arising from the May 4, 2015 Council Session

There was no discussion on this item.

2.4 Delegations, Presentations, Petitions, Proclamations

(i) Introduction of New Staff

Steve Ferguson introduced new staff, Michelle Byers as the Community Economic Development Coordinator.

(ii) Staff Recognition

Mr. Bugley, CAO, recognized Kellie Seaman for achieving her Degree in Organizational Management from Crandall University and her completion of the Public Sector Procurement Program.

2.5 Public Hearings

(i) Amendment to the Central Area Land Use Bylaw that would allow Kennels in the Commercial Zone of the Central Planning Area.

Warden Hunter called the Public Hearing to Order at 1:55 p.m.

Mr. Fisher, Planner advised Council of the issue being considered today, which is Kennels being permitted in the commercial zone.

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' x 170' 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.

Recommendations

At First Reading Council approved the amendment as recommended by staff, and attached as Schedule A to this report.

The Warden then asked if there were any people in the gallery who would like to speak. Mr. Fisher read a letter that was received in response to the ad. Warden Hunter then asked if any Councillors wished to speak. The Municipal Clerk and Records Manager advised she had a call with concern to the wording and that the wording be more specific to dogs. Mr. Fisher advised that the document refers specifically to Kennel operations and thus would mean an animal that could be kennelled.

Warden Hunter then closed the Public Hearing at 2:08 p.m.

IT WAS MOVED by Councillor Welton, seconded by Councillor Snow to approve Second Reading of the Land Use ByLaw to Permit Kennels in the Commercial Zone.

MOTION CARRIED #15-093

- (ii) Dangerous and Unsightly Premise Order – AAN 03086135 – 28 Elgin Street
Warden Hunter Called to Order the Public Hearing at 2:12 p.m.

The first property is an unoccupied house at 28 Elgin Street, AAN 25227729 in the community of Springhill. Mr. Cottingham and Mr. Moore, Dangerous and Unsightly Administrator, provided photo and verbal descriptions of the condition of the property.

The Warden then asked for a representative of the property who wished to speak or any member of the gallery and there were none.

Warden Hunter then asked if any Councillors would like to speak to the issue.

The Public Hearing closed at 2:17 p.m.

IT WAS MOVED by Councillor Fletcher, seconded by Councillor McLellan to Order demolition of the house and removal of all debris of the property located at 28 Elgin Street, Springhill, AAN 03086135, on or before May 27, 2015.

MOTION CARRIED #15-094

- (iii) Dangerous and Unsightly Premise Order – AAN 06437931 – Fort Lawrence Rd.
Warden Hunter called to Order the Public Hearing at 2:18 p.m to deal with a dangerous and unsightly issue for AAN 06437931 – Fort Lawrence Rd.

Mr. Cottingham, advised Council of the condition of the property verbally and with photo's.

Warden Hunter then asked for any representatives of the Property who would like to speak. There were none.

Councillors were then asked for their input and Councillor Smith thanked Mr. Moore for his prompt attention to this matter as it was a great safety concern to the residents in that area.

IT WAS MOVED by Councillor Smith, seconded by Councillor Rector to Order demolition of the barn as well as removal of all debris from the property of AAN 06437931 – Fort Lawrence Rd. by May 30, 2015.

MOTION CARRIED #15-095

3. **STRATEGIC PRIORITIES ISSUES**

There are no Strategic Priority Issues for today's meeting.

4. **MAJOR ORGANIZATIONAL ISSUES**

There are no Major Organizational Issues for today's meeting.

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

There were no organizational Policy/By-Law Issues so this item was deleted.

6. **BUSINESS ISSUES**

6.1 Tax Collection Report

Mr. MacDonald, Director of Finance provided this report to Council. The total outstanding is a balance of \$2,176,571.05 compared to \$2,309,658 for the same period last year. A total of \$467,044 was collected in the month of April 2015. Collections are up \$133,087 or 1/1% overall compared to last year and up 3.2% from last month.

IT WAS MOVED by Councillor Kellegrew, seconded by Deputy Warden Gilbert, to accept the Tax Collection Report.

MOTION CARRIED #15-096

6.2 Community Development Grants
Springhill High Girls Softball

This team is requesting funding to ensure they have the appropriate equipment to participate in softball games and to represent the school and community with pride. The team is requesting **\$1,000** to help with this effort. The \$1,000 will cover the costs of uniforms, bats and balls, which totals \$1,095.

The youth believe in giving back to their community and would like, in exchange, to volunteer their services to help the Municipality with such things as park clean-up, spring clean-up projects, etc. I have contacted Scott for any thoughts on this.

Springhill	13
District 7	1
District 8	3

IT WAS MOVED by Deputy Warden Gilbert, seconded by Councillor Snow to provide a community development grant in the amount of \$1000 to the Springhill High Girls Basketball with the funds coming from District 11, 12, 7 and 8 proportionately.

MOTION CARRIED #15-097

Autism NS: Cumberland Chapter

The 6th Annual Walk the Walk for Autism event will be hosted on Saturday, June 13th. All funds raised stay in the community in which they were raised. They are requesting a **\$1,000** sponsorship – this would include a logo on all t-shirts; on all event posters and promotional material; logo on the Walk the Walk website with a link to the County website; recognition of sponsorship during announcements; recognition in additional thank you materials. We have funded this group for \$1,000 for the past 3 years.

IT WAS MOVED by Councillor Fletcher, seconded by Councillor Smith to provide a \$1,000 sponsorship to the Autism NS Cumberland Chapter with the funds divided at \$83.33 per district.

MOTION CARRIED #15-098

Northport Consolidated School - Grade 4/5/6 class

A grade 6 student at the school received a \$500 grant from the CCRSB to purchase jerseys for his school. These jerseys, as per the young boy’s request, will pink to convey the message that their students stand up against bullying and they will be labelled with a “Stop Bullying” sign, a school crest, and a team number. The \$500 grant from the school board will only cover 40% of the funds needed to purchase and label the jerseys, however. They are currently hosting fundraisers at school to support this endeavour, but are requesting further support. They are asking Council for **\$500** for this project.

IT WAS MOVED by Councillor Gillis, seconded by Councillor Kellegrew to provide \$500 from District 3 community development grant funds to the Northport Consolidated School.

MOTION CARRIED #15-099

Harbour Authority of Wallace

This group would like to be able to offer slipway usage to the public, free of charge throughout the season. In previous years there was a charge associated for the recreational boaters who used the slipway to launch their boats. This income was used to maintain the slipway, clearing it from debris that washed in and general maintenance of the area. Two years ago they introduced use of the slipway, free of charge to recreational boaters, and it was a great success. They saw increased usage of the slipway and an appreciation from the community for this service. They felt there was an increased sense of community between the community and the fishermen. They also saw an increase in the number of members for the Harbour Authority. They are requesting **\$1,500** from Council.

IT WAS MOVED by Councillor Welton, seconded by Councillor Gillis to approve a community development grant to the Harbour Authority of Wallace from District 5 funds in the amount of \$1,500.

MOTION CARRIED #15-100

Pugwash Harbourfest

The proposed project is assisting with hosting the Nova Scotia Boat Racers Association high-speed boat races in Pugwash Harbour during Harbourfest on July 25th. This event will draw thousands of spectators, and Harbourfest will be building a new audience with this particular event. They are requesting **\$1,900**. We supported this grant through Grants to Organizations for \$2,100.

IT WAS MOVED by Councillor Gillis, seconded by Councillor Kellegrew to provide a community development grant from district 4 funds in the amount of \$1,900 to the Pugwash Harbourfest for assistance with the Nova Scotia Boat Racers Association high speed boat races.

MOTION CARRIED #15-101

6.3 Unsightly Premises
Provided to Council.

6.4 Fire Protection Services Report
Provided as information.

6.5 CNTA Update
Councillor Fletcher has been signed up to attend the Annual Conference of CNTA.

7. **INFORMATION ITEMS**

There are no information items for today's agenda.

8. **ADJOURNMENT**

8.1 The Queen
The meeting was adjourned at 2:37 p.m. and The Queen was sung.

Warden Keith Hunter

Municipal Clerk Brenda Moore