

1. CALL TO ORDER1.1 O' Canada

Warden Al Gillis called the June 14, 2017 Council session of the Municipality of the County of Cumberland to Order at 5:45 p.m. The meeting was held in Council Chambers of the E.D. Fullerton Municipal Building. O'Canada was sung.

1.2 Roll Call

Municipal Clerk/Records Manager Brenda Moore, called the roll with the following Councillors present: Councillor Porter, Councillor Chase, Councillor van Vulpen Warden Gillis, Councillor Welton, Councillor Palmer, Councillor Rector, Councillor Gilbert, Councillor McLellan, Deputy Warden Fletcher, Councillor Williams, Councillor Jackson, and Councillor Rafuse

Staff present: Rennie Bugley, CAO; Steve Ferguson, Director of Community Development; Andrew MacDonald, Director of Finance; Justin Waugh-Cress, Director of Engineering and Operations; Brenda Moore, Municipal Clerk/Records Manager who recorded the meeting.

2. ADMINISTRATIVE AND PROCEDURAL ISSUES

2.1 The agenda was approved with the following deletions and additions:

Deletions:	6.5	Deferred until the first meeting in July.
Addition(s):	2.1a	Introduction of the CBC Executive Director
	4.1	Springhill Memorial Dam Pond

2.1a Mr. Stephen Ferguson introduced Mr. Johnathan McLellan, the newly hired Executive Director of the Cumberland Business Connector.

2.2 Approval of Minutes of May 17, 2017; May 24, 2017; and May 25, 2017 Council meetings.

The minutes of the May 17, 2017 Council meeting were approved with the addition of the word "Maccan" in front of "Tidal Bore Park" in 6.15.

The minutes of the May 24, 2017 Council meeting were approved as presented

The minutes of the May 25, 2017 Council meeting were approved as presented

2.3 Business Arising from the May 3, 2017 council meeting

The Business Arising and the On Going Business Arising were reviewed and Council was brought up to date on the status of the lists.

2.4 Delegations, Presentations, Petitions, Proclamationsi) Thinkers Lodge Climate Change Retreat

Mr. Robert Cervelli, Executive Director of the Center for Local Prosperity, spoke to Council about the plans for a working retreat being held at Thinkers Lodge in Pugwash on September 29-October 1, 2017 to discuss Climate Change. The Centre for Local Prosperity in collaboration with Project Drawdown and Thinkers Lodge, Pugwash, NS, will present a 2 1/2 – day working retreat to outline a collective strategy that identifies, explains and prescribes scientific, social and financial opportunities and risks of climate change for local municipalities throughout Atlantic Canada. This invitation-only retreat with international and local leaders is intended to lead to a White Paper that would be the topic for a larger conference at a later date. This retreat is being held 60 years after the historic Pugwash Conference in 1957 on nuclear proliferation.

ii) ENRICH EMO/Red Cross

Mike Johnson, EMO Coordinator for Cumberland County and Angie Lohnes from the Canadian Red Cross gave a brief presentation on the ENRICH Program.

Mike Johnson, thanked council for approving funding to support the ENRICH Program in the Municipal budget this year.

Allie McLean introduced two summer students William Balser and Haley Tattrie to Council. The students gave a brief update to Council on what they have done and will be doing this summer

2.5 Public Hearings

i) Pugwash Secondary Land Use Bylaw – Possible Amendment re: Drive-Throughs

Warden Gillis called the Public Hearing to Order at 6:43 p.m.

Nelson Bezanson, Municipal Planner provided background and a brief recap on this project to go along with the proposed amendments to the Pugwash Municipal Planning Strategy and the Pugwash Secondary Land Use By-Law included in the Council package.

Warden Gillis asked for comments from the public gallery and Council.

Hearing none, Warden Gillis closed the hearing at 6:49 p.m.

IT WAS MOVED by Councillor van Vulpen, seconded by Councillor Welton to adopt the amendment to the Pugwash Secondary Municipal Planning Strategy and the amendment to the Pugwash Secondary Land Use By-Law to permit drive through uses in the Village Commercial Zone and the Limited Rural Zone by Site Plan Approval.

Proposed Amendments to the Pugwash Secondary Municipal Planning Strategy

3.1.5 Village Commercial Centre Designation

Add: The area designated Village Commercial Centre is also designated as a site plan approval area.

3.1.7 Limited Rural Commercial Designation

Add: The area designated Limited Rural Commercial is also designated as a site plan approval area.

Proposed Amendments to the Pugwash Secondary Land use Bylaw

Add:

Definitions

In this Secondary Land Use Bylaw all words carry their customary meaning except for those words and phrases defined in the Municipal Land Use Bylaw, or as follows:

drive-through means a building, or part thereof, where the intent is to provide, either completely or in part, services or products to customers while they remain in their motor vehicles.

restaurant, means a building or part thereof where food and drink is prepared and sold to the public for consumption within the building, attached outdoor space or take-out service.

1.0 PERMITTED USES

Village Commercial Centre Zone

Add: Drive-Through Sales & Services, (subject to site plan approval).

Limited Rural Commercial Zone

Remove: Sit down restaurants

Add: Restaurant

Add: Drive-Through Sales & Services, (subject to site plan approval).

Add Section **3.14 Design Guidelines for Drive-Through Sales and Service.**

Drive-Through by Site Plan Approval

To minimize traffic problems, promote pedestrian access, minimize litter and interference with nearby residential uses, drive-through uses shall be strictly controlled. Where zoning permits drive-through uses by site plan approval, the Development Officer shall approve a site plan where the following matters have been addressed:

a) Layout and Design

- I. Only a single drive-through service is permitted on a property.
- II. Main structures associated with drive-through facilities shall have their primary facades oriented towards a public street;
- III. When a drive-through facility is within 60m of a dwelling, the intercom shall be located in a manner as to minimize noise.

b) Circulation

- I. Drive-through stacking lanes, and associated entrances and exits, shall be separated from parking areas, points of access, and the street using a combination of landscaped strips, islands, additional landscaping treatments, decorative pavement, or painted lines.
- II. Stacking lanes shall be located in rear and side yards only.
- III. Entrance to Stacking lanes shall be configured as to minimize conflict with vehicle access points from the street or on-site parking.
- IV. Directional signage shall be provided at entrances and exits to stacking lanes.
- V. Sufficient space shall be provided in stacking lanes to avoid spill over onto public streets. Restaurant uses shall require a minimum of 5 spaces in a stacking lane before a service window and at least two spaces after, all other uses require a minimum of 3 spaces in a stacking lane.
- VI. Stacking lane spaces shall be a minimum of 6.5 m in length and 3 m in width.
- VII. There shall be a clear and distinct separation of vehicular and pedestrian traffic to minimize potential conflicts. Pedestrian walkways shall be provided to allow safe access to the building entrance(s) from both the parking lot and the street/sidewalk. Landscaping, paving patterns, raised walkways, and/or other design treatments shall be used to differentiate pedestrian walkways to and from the building from driving surfaces.
- VIII. Signage shall not obstruct pedestrian routes.

c) Landscaping

- I. The developer shall maximize opportunities for on-site landscaping and vegetation both along the perimeter and within the site, to provide a litter barrier and minimize surface runoff.
- II. The view of drive-through lanes, menus, intercoms, and other related infrastructure shall be minimized from public right of ways and abutting properties by landscaping or other buffers.
- III. Vegetated buffers shall be established in the following possible locations, to the satisfaction of the Development Officer: Along the edge of the abutting side and rear yards; along the edge of boundary lines; along the perimeter of the drive-through; and/or along the edge of a public right of way when the drive-through is viewable from a public street or sidewalk.

d) Noise and Litter

- I. Locate noise-generating areas, including ordering board speakers, outdoor loading areas and garbage storage, away from sensitive uses such as residential areas and schools.
- II. Buffer potential noise impacts with solid attenuations. These could be building structures, landscaped berms or attenuation fencing (min 1.8m high) complemented with landscaping.
- III. At least two waste and recycling bins shall be placed outside a drive-through restaurant, with at least one in a visible/accessible area near the drive-through. The developer shall empty waste and recycling bins regularly and ensure litter is regularly removed from the property.

MOTION CARRIED #17-248

ii) Springhill and Parrsboro Deed Transfer Tax By-Laws Repeal By-Law

Warden Gillis called the Public Hearing to order at 6:51 p.m.

Warden Gillis called for any comments from members in the gallery or Councillors Hearing none the public hearing was closed at 6:51 p.m.

IT WAS MOVED by Councillor Welton, seconded by Deputy Warden Fletcher that Council adopt the Springhill and Parrsboro Deed Transfer Tax By-Laws Repeal By-Law.

Municipality of County of Cumberland By-Law 17-03
Springhill and Parrsboro Deed Transfer Tax By-Laws Repeal By-Law

1. This By-Law is entitled the "Springhill and Parrsboro Deed Transfer Tax By-Laws Repeal By-Law".
2. All Deed Transfer Tax By-Laws of the former Town of Springhill and the former Town of Parrsboro are hereby repealed.
3. This By-Law shall come into force upon publication.

MOTION CARRIED #17-249

- iii) Dangerous and Unsightly Premises – 19 and 41 Harbour Lane, Pugwash, AAN 01861956, PID 25147141.

Warden Gillis called the Public Hearing to Order at 6:52 p.m.

The Director of Engineering and Operations provided a verbal report to go along with the written report and photos included in the Council package.

Warden Gillis asked for comments of the property owner or representatives of the property owner, and Council. Hearing none, Warden Gillis closed the hearing at 6:54 p.m.

IT WAS MOVED by Councillor Chase, seconded by Councillor Williams that Council order demolition of the structures as well as the removal of all debris from the property at 19 Harbour Lane, Pugwash, and 41 Harbour Lane, Pugwash, AAN01861956, PID25147141, to an approved facility by July 14, 2017.

MOTION CARRIED #17-250

- iv) Dangerous and Unsightly Premises – 35 Eddy Street, Parrsboro, AAN 04066111, PID 25215120.

Warden Gillis called the Public Hearing to Order at 6:54 p.m.

The Director of Engineering and Operations provided a verbal report to go along with the written report and photos included in the Council package.

Warden Gillis asked for comments of the property owner or representatives of the property owner, and Council. Hearing none, Warden Gillis closed the hearing at 6:55 p.m.

IT WAS MOVED by Councillor Porter, seconded by Councillor Chase that Council order demolition of the structure and sheds as well as the removal of all debris from the property at 35 Eddy Street, Parrsboro, AAN 04066111, PID 25215120, to an approved facility by July 15, 2017.

MOTION CARRIED #17-251

- v) Dangerous and Unsightly Premises – 349 Lower Macan Road, Lower River Hebert, AAN 01116193, PID 25051467

Warden Gillis called the Public Hearing to Order at 6:56 p.m.

The Director of Engineering and Operations provided a verbal report to go along with the written report and photos included in the Council package.

Warden Gillis asked for questions of the property owner or representatives of the property owner, and Council. Hearing none, Warden Gillis closed the hearing at 6:58 p.m.

IT WAS MOVED by Councillor Jackson, seconded by Councillor van Vulpen that Council order demolition of two structures as well as the removal of all debris from the property at 349 Lower Macan Road, Lower River Hebert, AAN 01116193, PID 25051467 to an approved facility by July 15, 2017.

MOTION CARRIED #17-252

- vi) Dangerous and Unsightly Premises – 1679 Western Avenue Parrsboro, NS AAN, 01302493, PID 25332867

Warden Gillis called the Public Hearing to Order at 6:58 p.m.

The Director of Engineering and Operations provided a verbal report to go along with the written report and photos included in the Council package.

Warden Gillis asked for questions of the property owner or representatives of the property owner and Council. Councillor Welton requested that staff provide better more detailed pictures. Councillor Jackson stated that Council

should rely on recommendations from staff. Warden Gillis closed the hearing at 6:59 p.m.

IT WAS MOVED by Councillor Rafuse, seconded by Councillor Williams that Council order demolition of all structures as well as the removal of all debris from the property at 1679 Western Avenue Parrsboro, NS AAN 01302493, PID 25332867 to an approved facility by July 14, 2017.

MOTION CARRIED #17-253

3. STRATEGIC PRIORITIES ISSUES

- 3.1 Tender #T-MCC-1703 Pugwash Water Supply – Water Treatment Plant and Wellfield
The Tender for the above closes on June 8th at 3:00 p.m. Staff provided a memo, containing recommendations of award, to Council before the Council session.

IT WAS MOVED by Councillor Jackson, seconded by Councillor Porter to accept the submission from Dexter Construction for Tender T-MCC-1703 Pugwash Water Supply-Water Treatment Plant and Wellfield and to enter into a contract for the amount of \$1,610,000.00 plus HST.

MOTION CARRIED #17-254

- 3.2 Pugwash Water Utility – Water Rate Study
Mr. Isenor was in attendance to provide further information on the Water Rate Study prepared by G. A. Isenor Consulting Limited. Council accepted the Water Rate Study.

IT WAS MOVED by Councillor Welton seconded by Councillor Gilbert that the Municipality of the County of Cumberland, on behalf of the Pugwash Water Utility, apply to the Nova Scotia Utility and Review Board for rates for water and water service and for its rules and regulations for customers served by the Utility, as set out in the water rate study prepared by G.A Isenor Consulting Limited in association with Blaine S Rooney Consulting Limited accepted by the Municipal Council on June 14, 2017.

MOTION CARRIED #17-255

MOTION #17-255 WAS RESCINDED BY MOTION 17-262 on JULY 5, 2017.

4. MAJOR ORGANIZATIONAL ISSUES

- 4.1 Springhill Memorial Dam Park

IT WAS MOVED by Councillor Jackson seconded by Councillor Williams to accept the proposal presented by NSBI for the upgrade the Springhill Memorial Dam to meet current standards and upon completion of said work turn ownership over to the Municipality.

MOTION CARRIED #17-256

5. ORGANIZATIONAL POLICY/BY-LAW ISSUES

The bylaw issue for today's meeting is covered under Public Hearing.

6. BUSINESS ISSUES

- 6.1 Tax Collection Report

A tax collection report was included in the meeting material.

- 6.2 Grant Request(s)

IT WAS MOVED by Deputy Warden Fletcher seconded by Councillor Williams to approve a grant in the amount of \$500 to the Advocate District Development Association and a grant in the amount of \$1900 to the Village of Pugwash to assist with the cost of fireworks for Canada Day Celebrations. These funds to come from the Regional Grant Funds.

MOTION CARRIED #17-257

Council requested that more detail be brought to the July meeting regarding the request for a grant in the amount of \$650 from the Tidnish Bridge Fire Department to assist with the cost of liability insurance for the dock.

6.3 Oxford Home and School Funding

Oxford Home and School is requesting they be allowed to keep the funds remaining from their 2016/2017 grant which they did not have the opportunity to use due to the work to rule by the teachers.

IT WAS MOVED by Councillor Rector seconded by Councillor Palmer to allow the Oxford Home and School to keep the remainder of last year's grant funds which will enable them to provide this year, the programming missed last year.

MOTION CARRIED #17-258

6.4 Cumberland Business Connector

An email received from Sue McIsaac provided an update on the Cumberland Business Connector. They have requested that the Municipality appoint someone to their Board Nominating Committee, to help with the selection of new Board members.

It was the consensus of Council that correspondence be sent to the Cumberland Business Connector stating we respectfully decline their offer for us to appoint a member to their Board Nominating Committee.

6.5 Good Attendance

Deferred to July meeting..

6.6 Procurement

CAO Bugley briefly discussed the report provided by the Procurement Officer, Kellie Seaman.

6.7 Update – East Amherst Marsh Body Committee

An update of the most recent East Amherst Marsh Body Committee meeting was included in the meeting material for Council.

6.8 UNSM Colchester, Cumberland, Pictou, East Hants Regional Meeting

Notes of the above committee are included in the meeting material for Council.

6.9 CJSMA Board of Directors Meeting

The minutes of the May 25, 2017 CJSMA Board of Director Meeting were distributed to Councillors mailboxes.

It was the consensus of Council to invite A. J. Bird from Raven Skye Renewable Energy, and Kevin Cameron and Peter Vinall of Sustane Technologies Inc. to the joint Council meeting in September to make presentations.

6.10 Joggins Fossil Institute Association Board

The minutes of the March 30, 2017 Joggins Fossil Institute Association Board were distributed to Councillors' mailboxes.

6.11 North Tyndal Wellfield Advisory Committee

The Minutes of the April 25, 2017 North Tyndal Wellfield Advisory Committee meeting were distributed to Councillors' mailboxes.

7. **INFORMATION ITEMS**7.1 Thank You's

Correspondence was received from the "Sexual Health Centre for Cumberland County – Go Girls Program" and from the Nova Scotia Haflinger Club, thanking Council for grants received.

7.2 Demolition Order – Request to Rescind

Correspondence was received from the property owner of 94 Spring Street, Parrsboro. This request is on the agenda as an information item as staff have been in contact with Mr. Avery and the item is being dealt with.

Mr. Avery spoke to Council about the work he has been doing to this structure. He offered to put a fence up around the place where the foundation has collapsed. He indicated that he has been in touch with a structural engineer. Mr. Waugh-Cress indicated that Ron Moore will work with Mr. Avery and will bring this issue back to Council in the near future with a recommendation.

July meetings

Next month's meetings are scheduled for July 5 and the 19, 2017.

8. **ADJOURNMENT**

8.1 The Queen

The meeting was adjourned at 7:56 p.m. The Queen was sung.

Warden Alison Gillis

Municipal Clerk Brenda Moore