

**REGION OF QUEENS MUNICIPALITY  
REGULAR COUNCIL  
TUESDAY, OCTOBER 24, 2017  
9:00 a.m.**

**PRESENT:** Mayor David Dagley, Chair  
Councillor Heather Kelly  
Councillor Brian Fralic  
Deputy Mayor Susan MacLeod  
Councillor Jack Fancy  
Councillor Raymond Fiske  
Councillor Gilbert Johnson  
Jennifer Keating-Hubley, Interim CAO  
Christine Watson, Recording / Management Secretary

**REGRETS:** Councillor Kevin Muise

**1.0 CALL TO ORDER:**

Mayor Dagley called the meeting to order at 9:00 a.m.

**2.0 CHANGES / APPROVAL OF AGENDA**

**It was moved by Councillor Fiske and seconded by Councillor Fancy that the Agenda be approved as presented:**

**MOTION CARRIED unanimously.**

**3.0 PRESENTATION(S):**

**3.1 Nova Scotia Nature Trust – Karen McKendry / Ross Firth**

Mayor Dagley welcomed Ross Firth, Director of Conservation, and Karen McKendry, Conservation Coordinator, Nova Scotia Nature Trust to present to Council (copy of presentation attached to original set of Minutes).

For more information check out their website at [www.nsnt.ca](http://www.nsnt.ca).

**3.2 Nova Scotia Fisheries and Aquaculture – Bruce Hancock**

Mayor Dagley welcomed Bruce Hancock, Director of Aquaculture, Nova Scotia Fisheries and Aquaculture to present to Council (copy of presentation attached to original set of Minutes).

Mr. Hancock noted the license to run a trout/salmon farm off Carter's Beach is approved but has not been in operation the last two years.

He stated that to date no fish farms have had their licenses revoked, but the power does exist to do so. There have been summary offence tickets issued.

For more information check out their website at [www.novascotia.ca/fish/aquaculture.ca](http://www.novascotia.ca/fish/aquaculture.ca).

**4.0 TABLING OF PETITIONS:**

There were no petitions to come before this meeting.

**5.0 PUBLIC QUESTION / COMMENT SESSION:**

Leon Robertson, 45 College Street, Liverpool – Mr. Robertson commented on the condition of highway signage being obstructed with overgrown bushes.

Bill Cox, 121 Bog Road, White Point – Mr. Cox stated that he was pleased with Item 9.1 Flag Policy.

**6.0 APPROVAL OF MINUTES:**

6.1 Council Minutes – October 10, 2017

**It was moved by Councillor Fralic and seconded by Councillor Fancy:**

**THAT the minutes of the Regular Council meeting held October 10, 2017 be approved as circulated.**

**MOTION CARRIED unanimously.**

6.2 Public Hearing – October 5, 2017

**It was moved by Deputy Mayor MacLeod and seconded by Councillor Fiske:**

**THAT the minutes of the Public Hearing meeting held October 5, 2017 be approved as circulated.**

**MOTION CARRIED unanimously.**

**7.0 DANGEROUS OR UNSIGHTLY PREMISES:**

7.1 118 Milford Street, Milton, Queens County

**It was moved by Councillor Fancy and seconded by Councillor Fiske:**

**THAT the Council of the Region of Queens Municipality declare the property located at 118 Milford Street, Milton, Queens County, Nova Scotia and identified as PID #70076906 as dangerous and unsightly as defined in the Municipal Government Act of Nova Scotia;**

**AND THAT the Council of the Region of Queens Municipality cause an Order to be served upon the owner of the property requiring that, within seven (7) days of the date of the service of the Order, the following work be carried out:**

- (1) Demolition of the dwelling;**
- (2) Source-separation of construction and demolition materials and delivery to Region of Queens Municipality's Landfill; and**
- (3) Leveling of property.**

**AND THAT, if the owner fails to comply with the Order, the Administrator may cause the requirements of the Order to be carried out and all expenses incurred by the Region of Queens Municipality become the responsibility of the owner.**

Kelley-Anne Hurley, Bylaw Enforcement Officer, presented background on the property located at 118 Milford Street, Milton, PID #70076906 recommending a full demolition due to the state of the dwelling which is in a state of disrepair and may be a fire hazard.

**MOTION CARRIED unanimously.**

**8.0 ECONOMIC DEVELOPMENT:**

There were no items to come before this meeting.

**9.0 CORPORATE SERVICES:**

9.1 Flags Policy

**It was moved by Councillor Fiske and seconded by Deputy Mayor MacLeod:**

**THAT the Council of the Region of Queens Municipality adopt Operational Policy 84 – Flag Flying Policy providing protocol for flying flags on Municipal property, a process for flag flying requests from non-profit groups, and protocols for flying flags at half mast.**

**MOTION CARRIED unanimously.**

9.2 Queens Community Aquatic Society Grant Request

**It was moved by Councillor Kelly and seconded by Councillor Fiske:**

**THAT the Council of the Region of Queens Municipality approves a \$6,000.00 grant to be paid from prior year's operating surplus, to assist Queens Community Aquatic Society with proceeding with their consulting report.**

Jennifer Keating-Hubley, Interim CAO, stated following an in-depth presentation at the October 17, 2017 Committee of the Whole meeting, the information to be provided in the consulting report will be necessary for Council to make an informed decision going forward with the pool project.

**MOTION CARRIED unanimously.**

**10.0 ENGINEERING AND WORKS:**

There were no items to come before this meeting.

**11.0 FINANCE:**

There were no items to come before this meeting.

**12.0 RECREATION AND COMMUNITY FACILITIES:**

12.1 Community Recreation Assistance Program – Yoga in North Queens

**It was moved by Councillor Johnson and seconded by Councillor Fiske:**

**THAT the Council of the Region of Queens Municipality approve a Community Recreation Assistance Program Grant in the amount of \$640.00 to United Church Women to be funded from the Community Grants and Programs budget line of the Recreation and Healthy Communities Department.**

**MOTION CARRIED unanimously.**

**13.0 PLANNING**

13.1 Dog Kennel at 380 Brooklyn Shore Road by Development Agreement

**It was moved by Deputy Mayor MacLeod and seconded by Councillor Fancy:**

**THAT the Council of the Region of Queens Municipality adopt an administrative policy respecting a development agreement to allow for dog boarding kennel on property identified as PID #70089065 and located at 380 Brooklyn Shore Road in Brooklyn.**

Mike MacLeod, Planner, stated an application was received to operate a dog boarding kennel at property located at 380 Brooklyn Shore Road, Brooklyn. The property is located in the General Residential (R2) zone and under the provision of the Region's Land Use Bylaw (LUB) Council can consider allowing this operation by way of a development agreement.

A copy of the draft Development Agreement (attached to the original set of Minutes) sets out conditions to which the operation must comply.

**MOTION CARRIED unanimously.**

**14.0 REPORTS**

- 14.1 Building Official's Monthly Report – September 2017
- 14.2 Bylaw Enforcement Officer's Report – September 2017

**15.0 OTHER:**

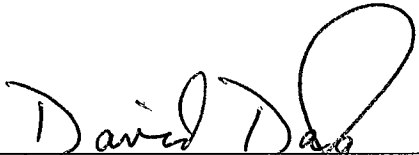
There were no items to come before this meeting.

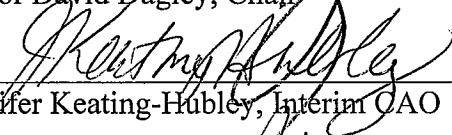
**16.0 IN-CAMERA ITEMS**


There were no items to come before this meeting.

**17.0 ADJOURNMENT**

There being no further business, the meeting adjourned at 11:45 a.m.

  
\_\_\_\_\_  
Mayor David Dagley, Chair

  
\_\_\_\_\_  
Jennifer Keating-Hubley, Interim CAO

  
\_\_\_\_\_  
Christine Watson, Recording / Management Secretary

Date Approved: November 14, 2017



## Our current and future work in the Region of Queens

October 24, 2017

Ross Firth, Director of Conservation  
Karen McKendry, Conservation Coordinator




## Nova Scotia Nature Trust's Mission


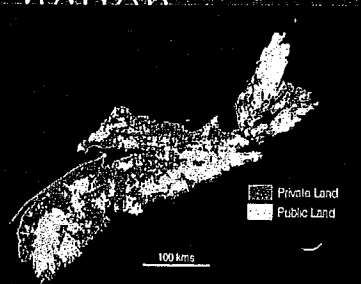
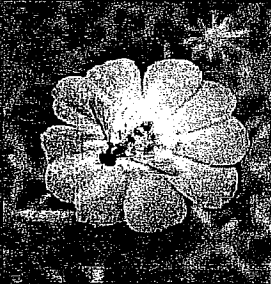

To protect Nova Scotia's outstanding natural heritage through land conservation.

## Nova Scotia Nature Trust's Vision

We envision a future in which Nova Scotia's native species, unique habitats and natural landscapes are protected in perpetuity, and in which this natural legacy is appreciated and actively stewarded.



## Private ownership patterns – our call to action

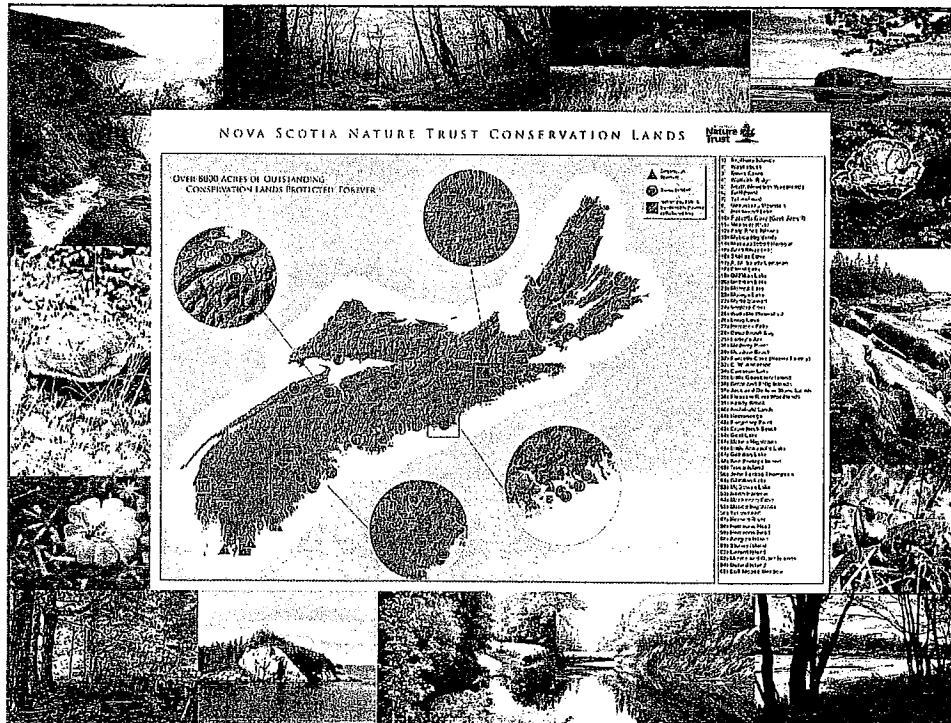


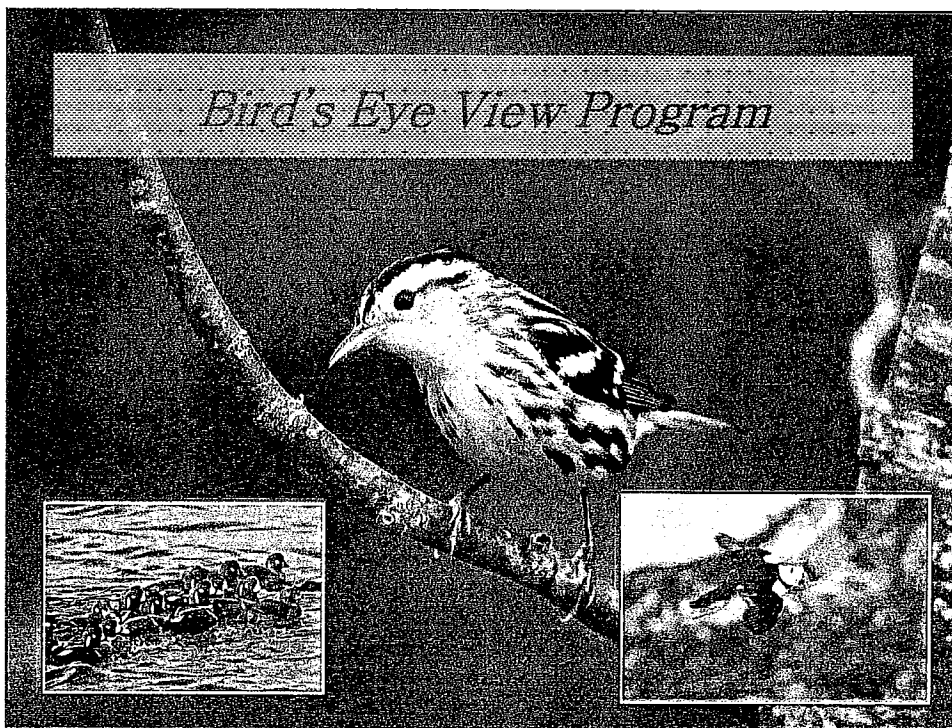
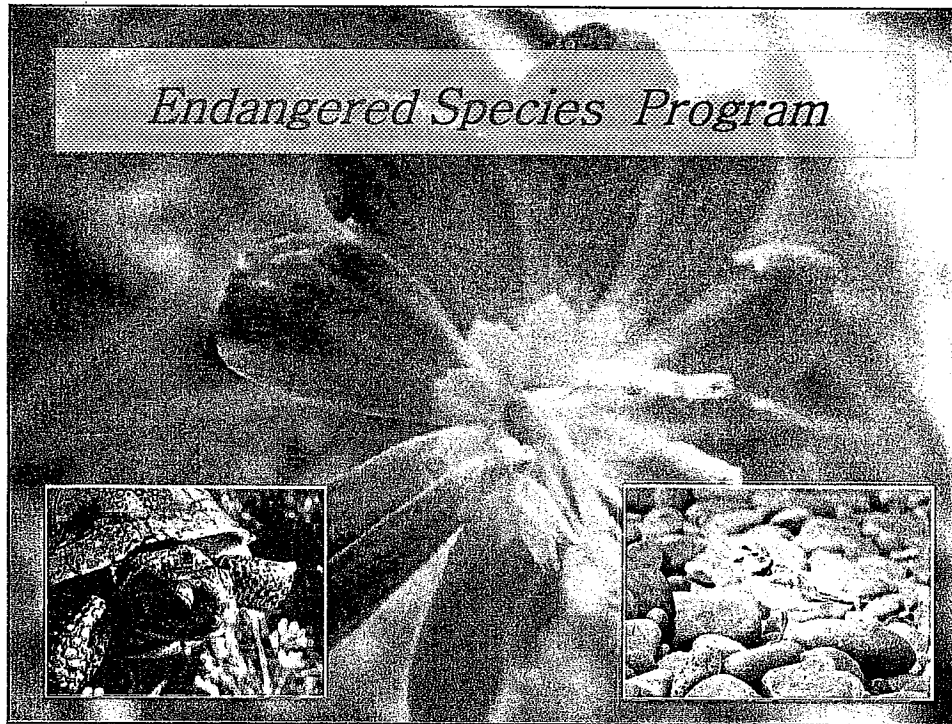
- 70% of Nova Scotia is privately owned
- Over 85% of Nova Scotia's coast is privately owned
- Private land encompasses:
  - Critical habitat for endangered species
  - Rare ecosystems, such as old-growth forests, undeveloped coastal headlands, and islands
  - Increasing development and pressure on natural habitats
  - Landowners who want to leave a legacy and contribute to conservation

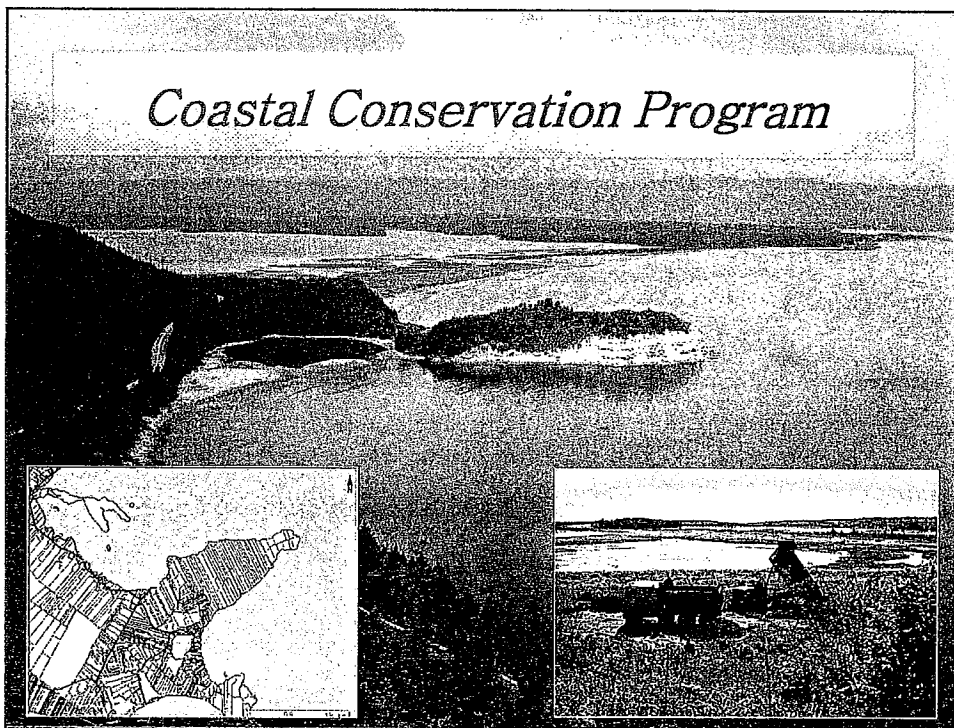
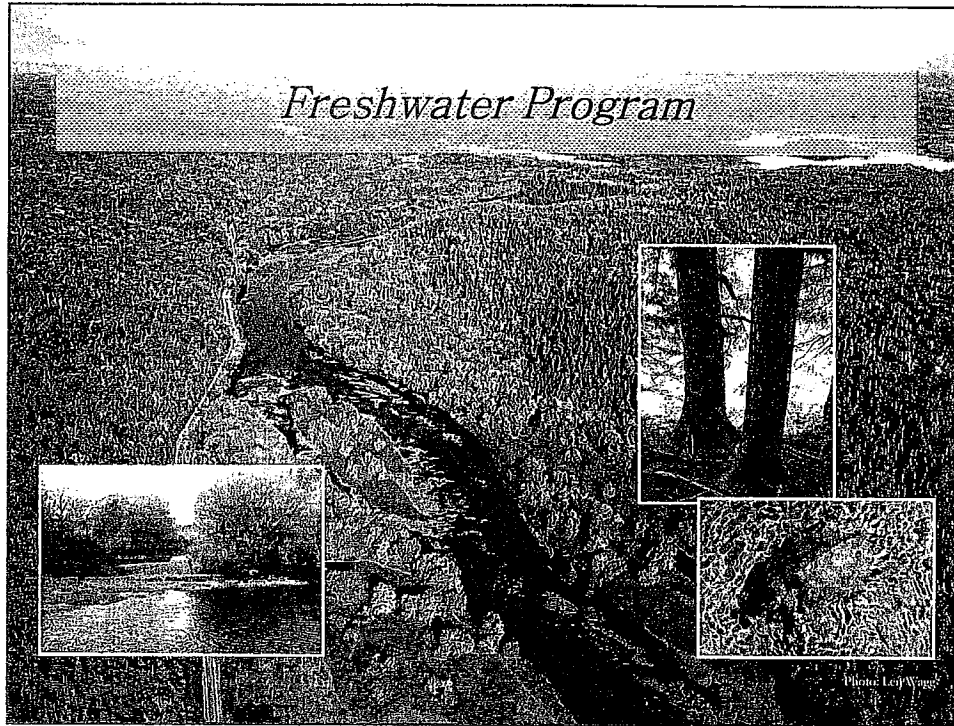


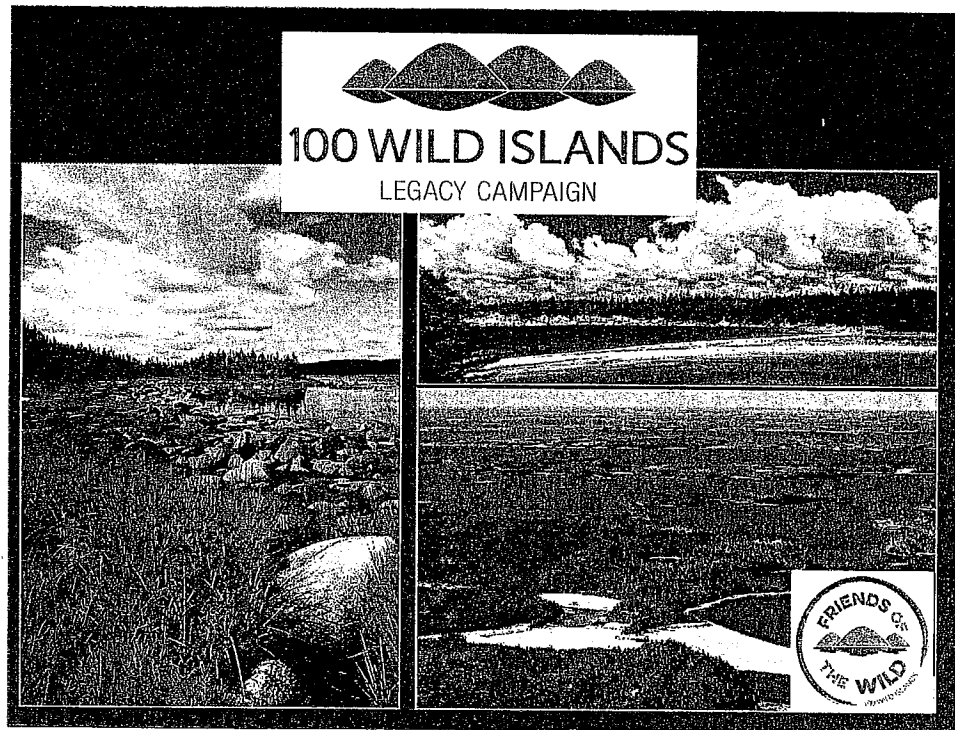
# Our work

- Education and Outreach – engaging local communities and landowners in conservation
- Land Securement – acquisition by purchase, donation, or conservation easement
- Stewardship – actively caring for the





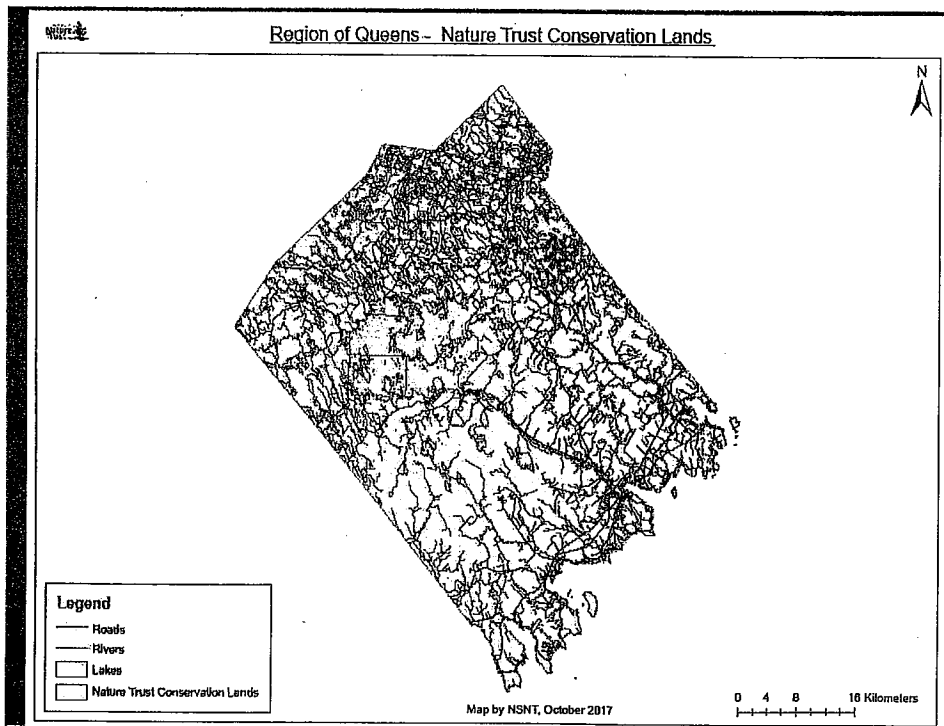


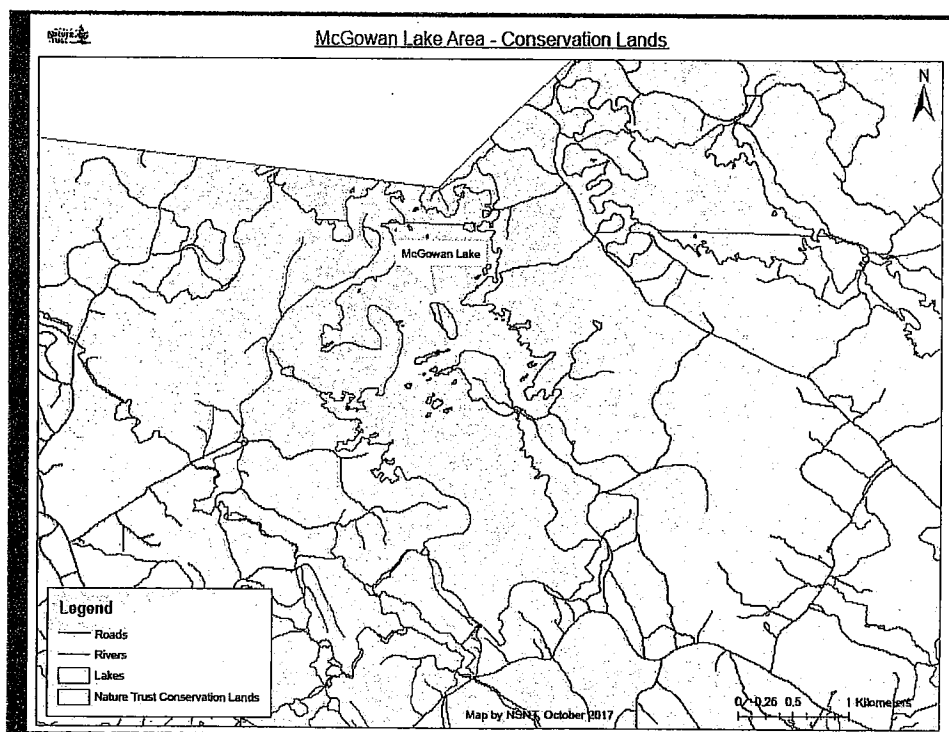
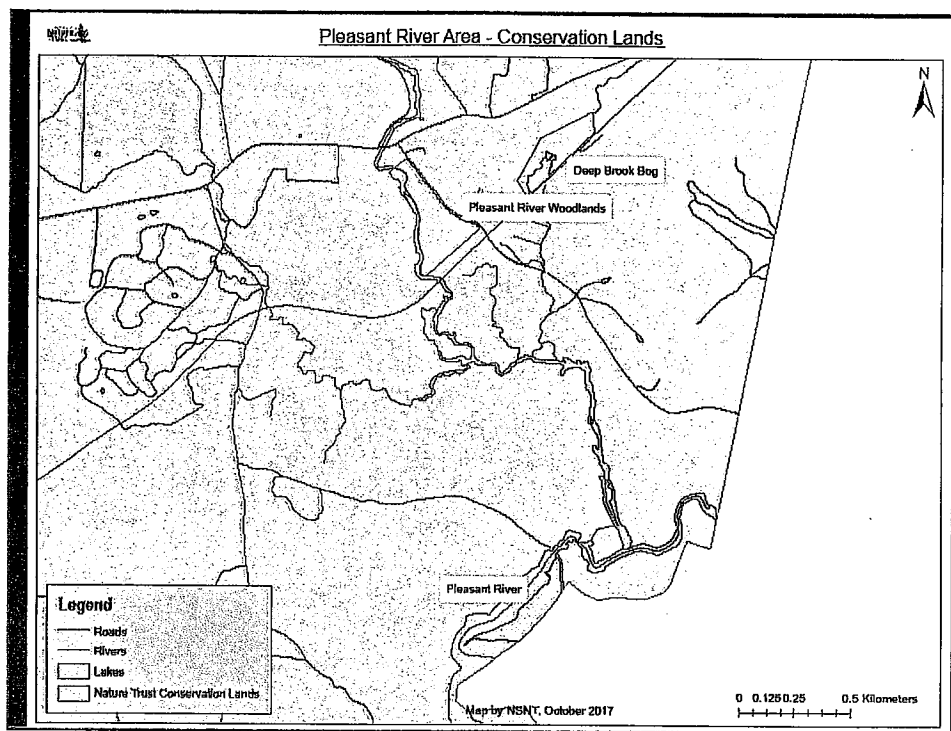


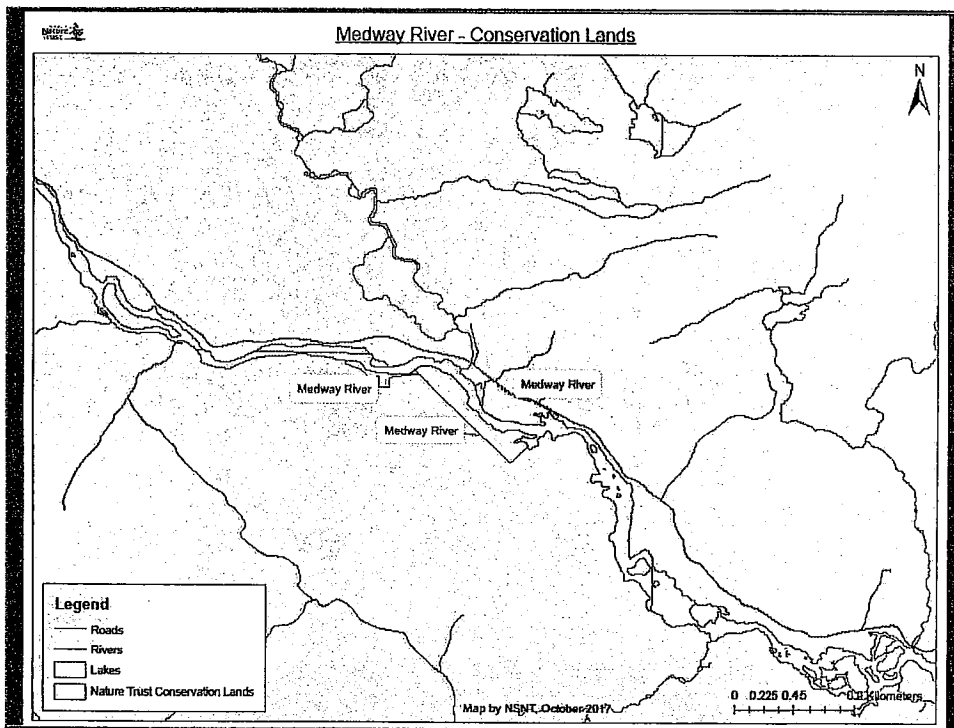
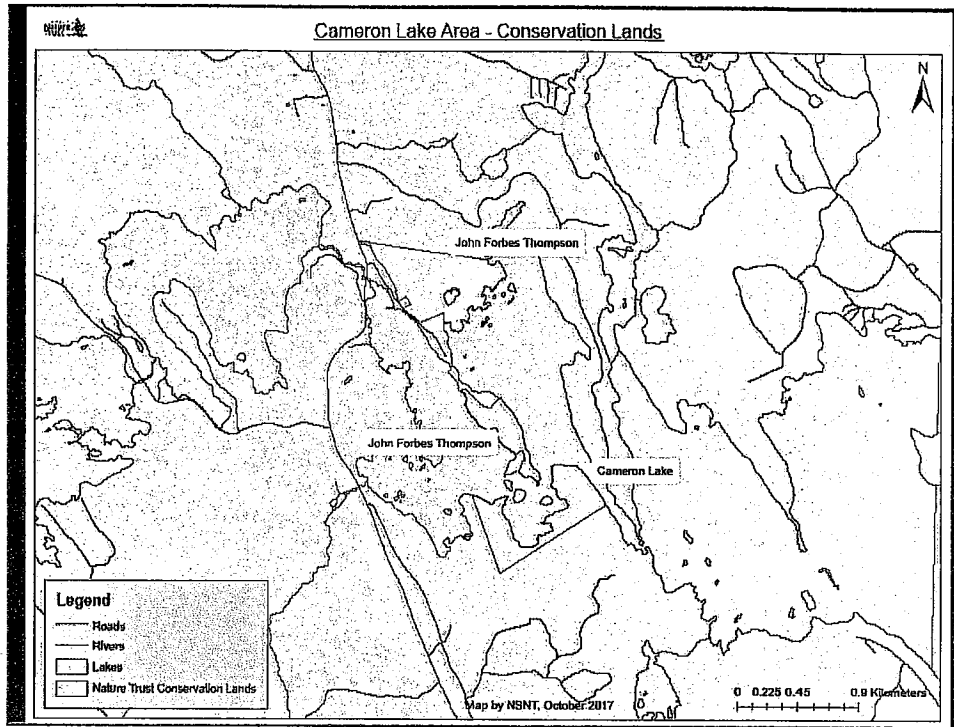
## Property Guardian Volunteer Program

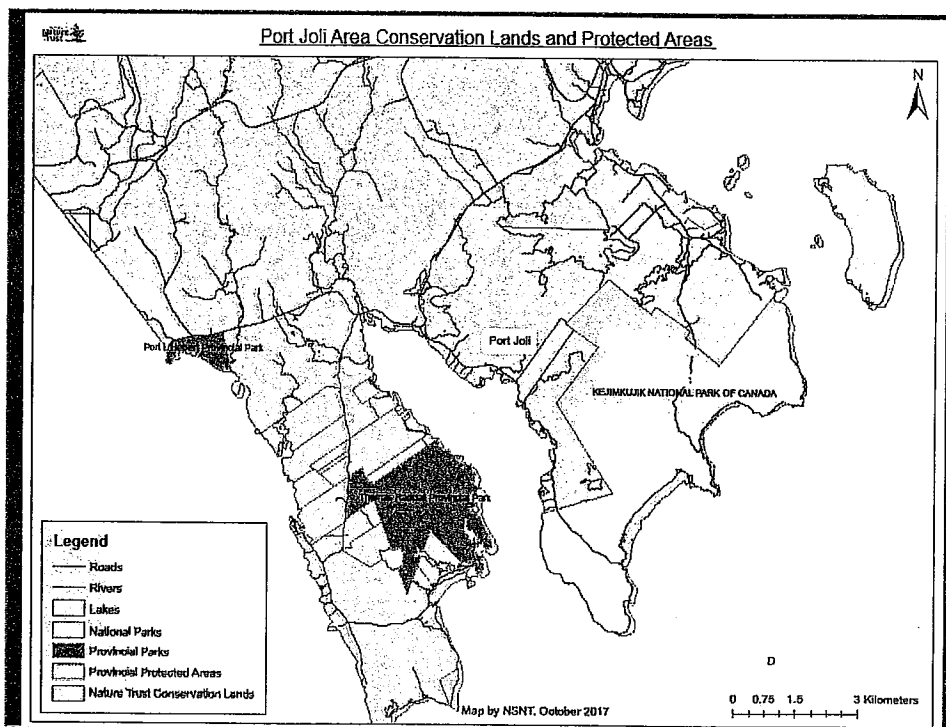
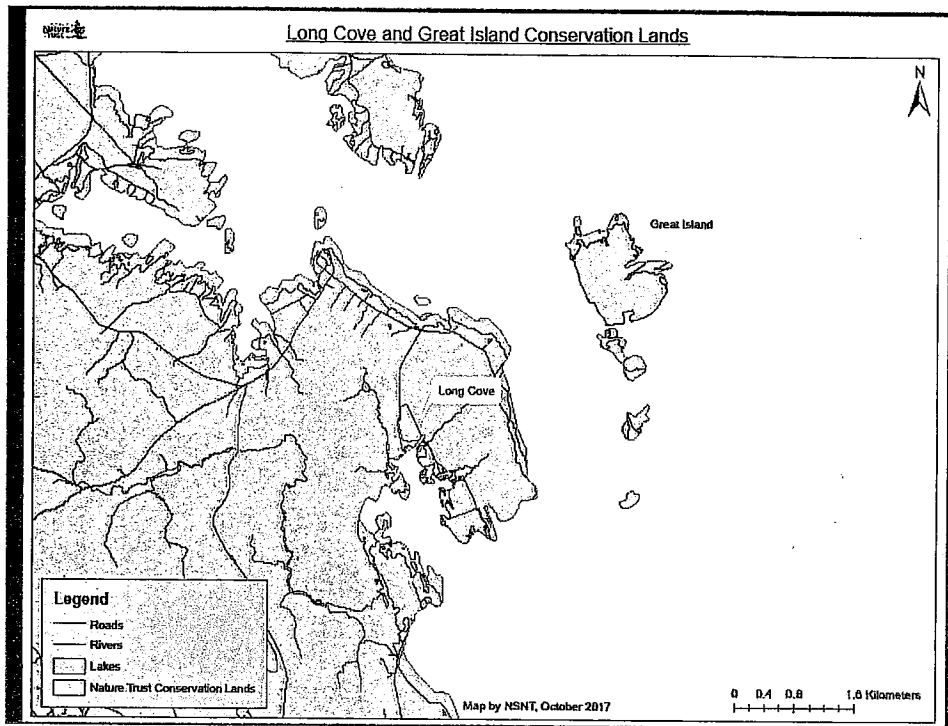


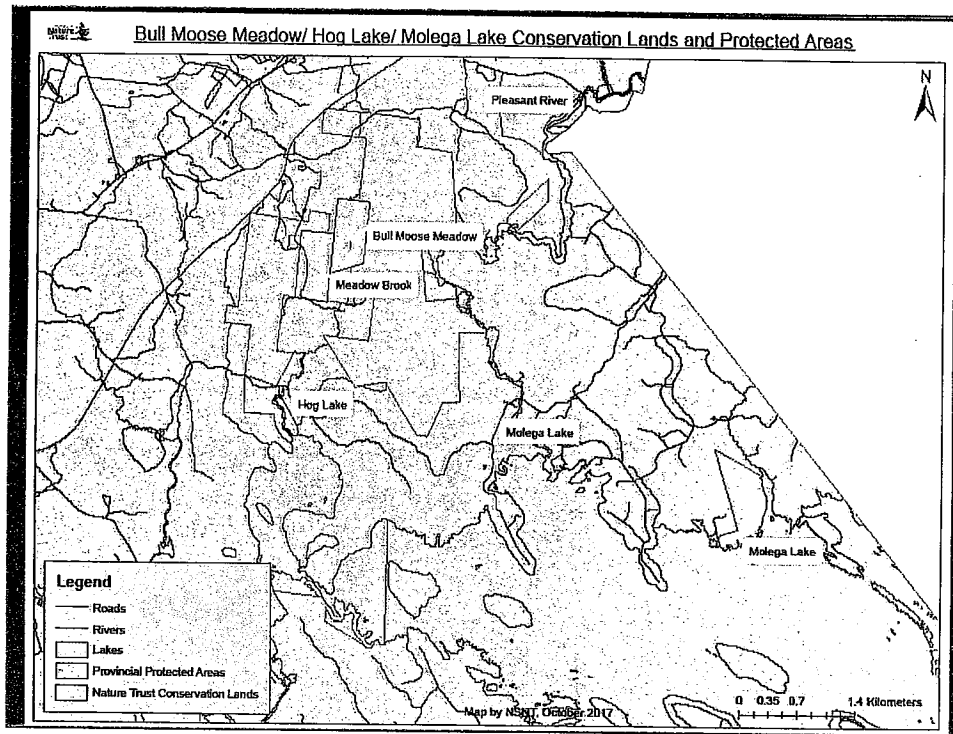
# Bird's Eye View Volunteer Program

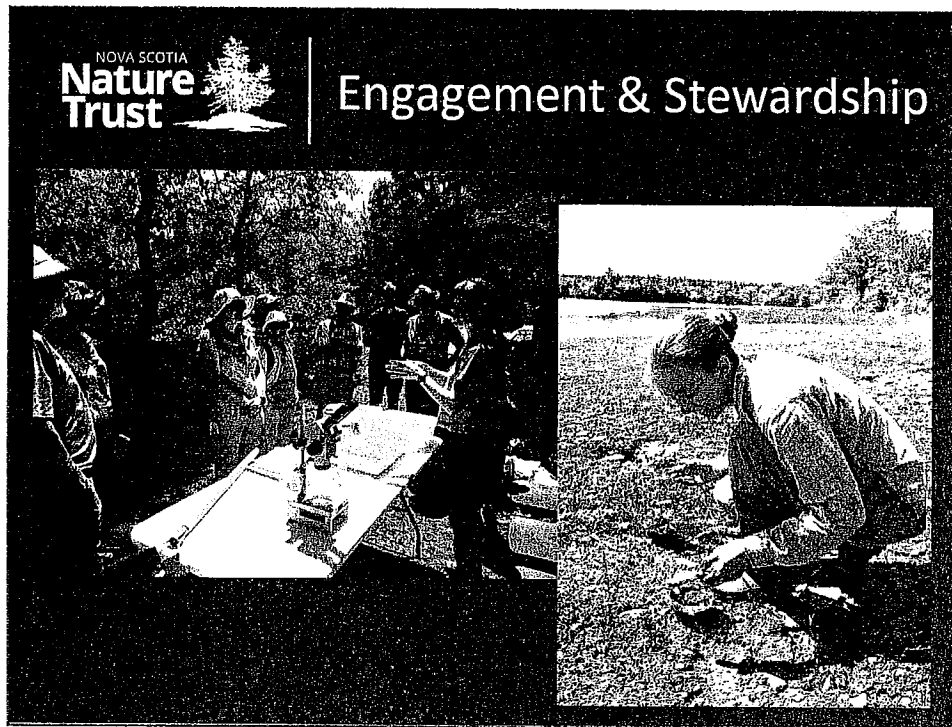




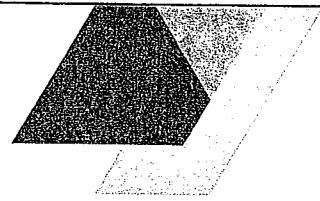








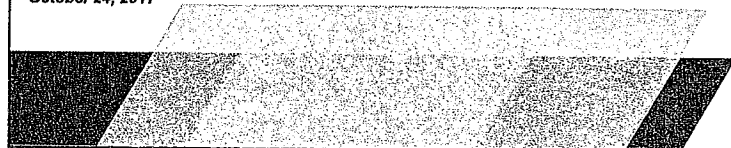
# NOVA SCOTIA AQUACULTURE



## New Regulatory Framework



Region of Queens Municipality  
October 24, 2017



## Background

### May 2012

Release of NS Aquaculture Strategy

### May 2013

Freeze on accepting new applications & independent review of regulations announced.

### December 2014

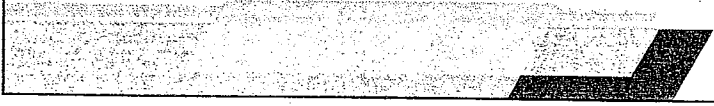
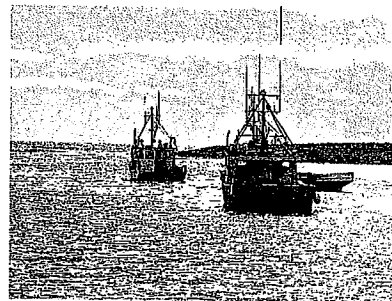
Report of the Independent Panel released.

### June 2015

Report of the Auditor General released.

### October 2015

New regulations and amendments to the Act implemented.



## A New Direction

- ONE Nova Scotia –  
*Now or Never an Urgent Call to Action*
- Independent Report –  
*New Regulatory Framework for Low-Impact/High Value Aquaculture in Nova Scotia*
- Auditor General's Report 2015



- Aquaculture Regulatory Advisory committee.
- Aquaculture Science Advisory Committee
- Mi'kmaq consultations.
- Other technical committees.



## Key Recommendations

- More transparent, less discretionary and subject to standardized safeguards.
- The public will have multiple opportunities to contribute to licensing decision making.
- Increased regulatory capacity (hiring of staff, access to vessels etc.).
- Regulation should be separated from the promotion of the industry.



## The New Regulatory Framework

- Significant amendments to the Fisheries and Coastal Resources Act.
- Two new sets of regulations:
  - Aquaculture Licence and Lease Regulations and
  - Aquaculture Management Regulations
- Create a new regulatory management & enforcement model with increased capacity.
  - Department of Fisheries and Aquaculture maintains aquaculture management and development responsibilities.
  - Aquaculture compliance and enforcement has been moved to the Department of Environment.
  - Summary offence tickets regulations.



## Licensing and Leasing

***A transparent and predictable process that provides public and investor confidence.***

- *Decisions based on regulated factors.*
- *Increased opportunity for meaningful public input.*
- *Increase license and lease tenure.*
- *Require performance bonds.*
- *Site reallocation process.*
- *Transparency throughout the process.*
- *Fundamental changes to decision making.*



## Factors to be Considered

1. The optimum use of marine resources.
2. The contribution of the proposed operation to community and Provincial economic development.
3. Fishery activities in the public waters surrounding the proposed operation.
4. The oceanographic and biophysical characteristics of the public waters surrounding the proposed operation.
5. The other users of the public waters surrounding the proposed operation.
6. The public right of navigation.
7. The sustainability of wild salmon.
8. The number and productivity of other aquaculture sites in the public waters surrounding the proposed operation.



### Lease Application Process

#### Old Process



#### New Process



## Aquaculture Management

### **Fish Health Management**

- o Reportable diseases.
- o Disease management.
- o Authority to control the outbreak of reportable disease.
- o Biosecurity
- o Certificate of health for the movement of fish.

### **Environmental Monitoring**

- o Move benthic monitoring requirements into regulation.
- o More sampling with greater transparency

### **Farm Operations**

- o Regulated best industry practices.

### **Containment Management**

- o Mandatory escape reporting.
- o Engineer approved design.
- o 3rd Party Audits



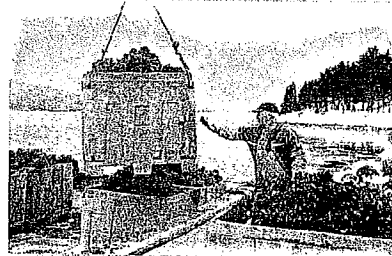
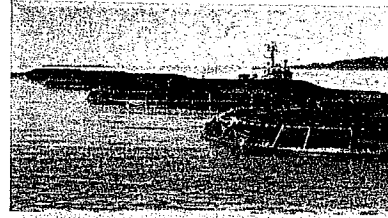
## Research & Development

- Environmental interactions.
  - Cape Breton MSX oyster project.
  - Lobster interaction project.
- Enhanced data collection and advanced planning.
  - Biophysical data collection initiatives.
  - LIDAR mapping
- Technical challenges and innovation
  - Tunicate remediation.
  - Seaweed culture.



## Next Steps

- Further develop policy and guidance documents to support the new regulations.
- Educate industry regarding the new regulatory framework.
- Continue advanced planning to support development.
- Begin processing new applications.



NOVA SCOTIA

## Discussion

NOVA SCOTIA

# Appendix B

THIS AGREEMENT made this            day of            , A.D., 2017.

BETWEEN:

KIRK SHELDON MITTON of Brooklyn, in the County of Queens and Province of Nova Scotia, hereinafter referred to as the "Developer"

OF THE ONE PART

-and-

THE REGION OF QUEENS MUNICIPALITY, a municipal corporation, duly incorporated under the laws of the Province of Nova Scotia and having its office in Liverpool in the County of Queens and Province of Nova Scotia, hereinafter referred to as the "Region"

OF THE SECOND PART

WHEREAS the Developer has requested that the Region enter into a Development Agreement, pursuant to Sections 225 and 230 of the Municipal Government Act of Nova Scotia, and Policy 3.3.42 of the Region of Queens Municipality Municipal Planning Strategy, so that the Developer may use the subject property in a manner which is not presently provided for under the Region's Land Use Bylaw;

AND WHEREAS the Region is prepared to enter into such an agreement on the terms and conditions hereinafter set forth;

NOW THEREFORE, in consideration of the benefits which flow to both parties as a result of the covenants contained herein, the parties hereto agree by and between themselves as follows:

1. THAT the Developer is the registered owner of the Lands described in Schedule "A" attached hereto (hereinafter referred to as "the Lands"); and shown on Schedule "B" attached hereto (hereinafter referred to as "the Plan");
2. THAT the developer shall not develop or use the Lands, including buildings located on the lands, for purposes other than those described in this Agreement;
3. THAT the proposed uses permitted under this Development Agreement are the following:
  - a) Dog Boarding Kennel;
  - b) General Residential (R2) Zone Uses
4. THAT any outdoor storage of materials shall be screened from view by an opaque fence;
5. THAT the Developer shall provide a minimum of three (3) off-street parking space for the commercial business;
6. THAT the proposed parking area shall be maintained with a stable surface, that is treated to prevent the raising of dust or loose particles;
7. THAT any lighting for proposed parking area shall be directed away from abutting properties;
8. THAT vegetative screening or opaque fencing be installed around the outdoor dog run area as shown in Schedule B;
9. THAT the dog boarding kennel operation, including buildings and the outdoor dog run area, shall be maintained in a neat and tidy manner;

10. THAT dog feces be cleaned up and properly disposed of through Municipal solid waste collection;
11. THAT the maximum number of dogs to be permitted on the property, as part of the kennel operation, shall be fifteen (15);
12. THAT the building to be utilized for the kennel operation shall be insulated to a minimum sound transmission rating of 55, as part of the Developer's noise mitigation measures;
13. THAT the hours of operation for the daytime boarding of dogs shall be from 7:00 am to 7:00 pm;
14. THAT for overnight boarding dogs are to be kept inside the kennel building between the hours of 8:00 pm and 7:00 am;
15. THAT notwithstanding any other provisions of this Development Agreement, the Developer shall not undertake or carry out any development on the Lands which does not comply with:
  - (a) this Development Agreement;
  - (b) any statutes and regulations of the Province of Nova Scotia to the extent that the same are properly the subject of a development agreement; and
  - (c) appropriate Municipal Bylaws, including without restricting the generality of the foregoing, the Bylaw Respecting the Building Code Act.
16. THAT in the event of a dispute, the decision of the Development Officer of the Region as to whether the development is in conformance with the terms of this Agreement shall be conclusive;
17. THAT notwithstanding the provisions of the Region of Queens Municipality Municipal Planning Strategy and Land Use Bylaw, the Developer shall be permitted to seek substantial or non-substantial amendments to this Development Agreement, subject to the procedure as set forth in Section 230 of the Municipal Government Act of Nova Scotia;
18. THAT amendments which shall be considered substantial are any affecting the following:
  - (a) A change in the number of dogs permitted on the property;
  - (b) Any increase in the size of the building utilized for commercial purposes;
19. THAT any amendment whether substantial or otherwise must be approved by both parties in writing;
20. THAT the Developer agrees to pay for all legal costs, advertising and expenses incurred by the Region that have originated from its application for this Development Agreement;
21. THAT this Agreement shall be binding upon the parties hereto, their heirs, successors and assigns and shall run with the land which is subject to this Agreement;
22. THAT this Agreement is not assignable without the written consent of the Region;
23. THAT enforcement and rights and remedies on default of this Agreement shall be as follows;

- (a) The Developer agrees that the Development Officer appointed by the Region to enforce this Agreement shall be granted access onto the lands during all reasonable hours without obtaining consent of the Developer. The Developer further agrees that, upon receiving written notification from the Development Officer to inspect the interior of any building located on the lands, the Developer agrees to allow for such inspection during any reasonable hour within two (2) days of receiving such notice.
- (b) If the Developer fails to observe or perform any condition of this Agreement, after the Region has given the Developer thirty (30) days written notice of the failure or default, then in each such case:
  - (1) the Region shall be entitled to apply to any court of competent jurisdiction for injunctive relief including an order prohibiting the Developer from continuing such default, and the Developer hereby submits to the jurisdiction of such Court and waive any such defense based upon the allegation that damages would be an adequate remedy;
  - (2) The Region may enter upon the lands and perform any of the covenants contained in this Agreement, whereupon all reasonable expenses whether arising out of the entry on the lands or from the performance of the covenants may be recovered from the Developer; if unpaid within 30 days of billing by the Region, by direct suit and such amount shall, until paid, form a lien upon the lands and be shown on any tax certificate issued under the Municipal Government Act;
  - (3) The Region may by resolution discharge this Agreement, upon providing the Developer sixty days (60) written notice, whereupon this agreement shall have no further force or effect and henceforth the development of the lands shall conform with the provisions of the Region of Queens Municipality Land Use Bylaw;
  - (4) In addition to the above mentioned remedies, the Region reserves the right to pursue any other remediation under the Municipal Government Act or common law to ensure compliance with this Agreement.

24. THAT the entering into of this Agreement was approved by the Council of the Region of Queens Municipality at a duly held meeting of Council convened on the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

- (a) This Agreement shall not be entered into, or signed by the parties, until the time for Appeal under Section 228 of the Municipal Government Act of Nova Scotia has elapsed, any appeals which have been lodged have been disposed of and the required resolution of Council has been affirmed by the Nova Scotia Utility and Review Board;
- (b) This Agreement does not come into effect until it is filed, by the Region of Queens Municipality, in the Registry of Deeds as set out in Section 228 of the Municipal Government Act of Nova Scotia.

IN WITNESS WHEREOF the parties have hereto set their hands and affixed their Corporate seals the day and year first above written.

SIGNED, SEALED AND DELIVERED  
in the presence of

_____	)	Per: _____
Witness	)	Kirk Sheldon Milton
	)	REGION OF QUEENS MUNICIPALITY
	)	Per: _____
	)	Mayor
_____	)	Per: _____
Witness	)	Chief Administrative Officer

PROVINCE OF NOVA SCOTIA  
COUNTY OF QUEENS

ON this \_\_\_\_ day of \_\_\_\_\_, 2017, before me, the subscriber personally came and appeared \_\_\_\_\_ a subscribing witness to the foregoing Indenture, who having been by me duly sworn, made oath and said that Kirk Sheldon Milton signed, sealed and delivered the same in his/her presence.

\_\_\_\_\_  
A Commissioner of the Supreme Court of Nova Scotia

PROVINCE OF NOVA SCOTIA  
COUNTY OF QUEENS

ON this \_\_\_\_ day of \_\_\_\_\_, 2017, before me, the subscriber personally came and appeared \_\_\_\_\_ a subscribing witness to the foregoing Indenture, who having been by me duly sworn, made oath and said that the Region of Queens Municipality, per its authorized officers, David Dagley and Richard MacLellan, signed, sealed and delivered the same in his/her presence.

\_\_\_\_\_  
A Commissioner of the Supreme Court of Nova Scotia

Schedule A

All that certain lot, piece or parcel of land situate, lying and being at Brooklyn, in the County of Queens and Province of Nova Scotia and being more particularly bounded and described as follows:

BEGINNING at a survey marker on the southern sideline of the Shore Road between Beach Meadows and Highway No. 3 at the northwest corner of lands conveyed by the Grantor to Paul Shot and Shirley Shot, the said survey marker being 40 feet on a course of north 70 degrees 11 minutes 00 seconds west from the survey marker on the northwestern corner of lands now or formerly of Atwood Dexter;

THENCE south 18 degrees 03 minutes 00 seconds west 253.55 feet to a survey marker;

THENCE north 70 degrees 11 minutes 00 seconds west 226.63 feet to a survey marker at a wire fence marking the eastern boundary of lands of Elizabeth Falic;

THENCE northeasterly following the said wire fence and stonewall marking the eastern boundary of said lands of Elizabeth Falic to the southern sideline of the said highway;

THENCE southeasterly along the southern sideline of the said highway to the place of beginning;

THE same being shown as lands being retained by Gifford Falic in a certain Plan of Survey No. B-003 by Marvin W. Harter, NSLS No. 365 dated May 4, 1982 (Plan P-1569).

# Schedule B

BROOKLYN SHORE ROAD

