

MUNICIPALITY OF THE COUNTY OF ANTIGONISH

**Council Chambers
Municipal Building**

**Tuesday
May 21, 2013**

A Meeting of Municipal Council for the Municipality of the County of Antigonish was held on Tuesday, May 21, 2013 at 7:30 p.m. in the Council Chambers of the Municipal Administration Centre, 285 Beech Hill Road, Antigonish, NS.

Present were: Warden Russell Boucher
Deputy Warden Owen McCarron
Councillor Mary MacLellan
Councillor Donnie MacDonald
Councillor Bill MacFarlane
Councillor Rémi Deveau
Councillor Angus Bowie
Councillor Hughie Stewart
Councillor Pierre Boucher

Regrets: Councillor Vaughan Chisholm

Also present was: Alan J. Bond, Municipal Clerk/Treasurer
Debbie Cormier, Recording Secretary
Adam Rodgers, Municipal Solicitor
Corey LeBlanc, The Casket
Matt Draper, The Reporter
Greg Morrow, The Hawk
John Bain, Executive Director, Eastern District Planning Commission
Andrew Jones, Planner, Eastern District Planning Commission
Nathan MacLeod, Planner, Eastern District Planning Commission
Bill Vasil, Vasil Metal Recycling
Bernice MacDonald, 187 Church Street Extension
Phonse Gillis, 176 Church Street Extension
Joseph Khoury, 182 Church Street Extension
John Oostvogels, Church Street Extension
Cindy MacKinnon, Managing Director, DEANS
Representatives of DEANS
Patrick Roy
Gallery

The meeting was called to order by the Chairperson, Warden Russell Boucher.

PUBLIC HEARING

Warden Boucher noted that the purpose for the Public Hearing was with respect to the proposed amendment to the Antigonish County Fringe Land Use By-Law to allow rezoning at #199 Church Street Extension, PID #01295856 from Rural Development (RD-1) to Industrial (I-1) Zone. The Industrial (I-1) Zone would permit a metal recycling business to operate on the property.

Andrew Jones, Policy Planner, Eastern District Planning Commission then presented the application to Council along with the findings of the Eastern District Planning Commission. A copy of Mr. Jones's power point presentation is attached.

Warden Boucher welcomed everyone present to the meeting.

Warden Boucher noted that Council has received (4) written submissions all opposing the rezoning. The submissions were received from:

- 1) Harvey Whidden, Chairman, Dairy Farmers of NS
- 2) Dennis Boudreau, President, NS Federation of Agriculture
- 3) Rod Bantjes
- 4) Catherine Ann MacIsaac

The Warden then asked for names and addresses of those wishing to make an oral presentation.

There was no one who wished to speak in favour of the application.

The following residents all spoke in opposition to the rezoning for various reasons.

- 1) William (Bill) Vasil, Applicant
- 2) Bernice MacDonald, 187 Church Street Extension
- 3) Phonse Gillis, 176 Church Street Extension
- 4) Joseph Khoury, 182 Church Street Extension
- 5) John J. Oostvogels, Dairy Farm end of Church Street Extension

Mr. John Bain, Executive Director, Eastern District Planning Commission, reminded Council that there is a Policy in place and if the rezoning application is denied, Council must give a reason why.

2013-046	<i>MOVED by Councillor Bill MacFarlane, SECONDED by Councillor Mary MacLellan</i>
<i>Rezoning</i>	<i>that the application for rezoning of 199 Church Street Extension from Rural</i>
<i>Church Street</i>	<i>Development (RD-1) to Industrial (I-1) be denied on second reading due to the fact</i>
<i>Extension</i>	<i>that it is not compatible with surrounding neighborhood uses. Motion carried.</i>

APPROVAL OF AGENDA

Warden Boucher called for any additions or deletions to the agenda as presented. The following item was added to the Agenda as #9(B) – Planning Advisory Committee Report.

2013-047	<i>MOVED by Deputy Warden Owen McCarron, SECONDED by Councillor Bill</i>
<i>App. Agenda</i>	<i>MacFarlane that the agenda be approved as amended. Motion carried.</i>

APPROVAL OF MINUTES

The Warden called for any errors or omissions to the Minutes of April 16, 2013 meeting of Municipal Council.

- Councillor Bill MacFarlane noted an error in spelling of Church Street.
- Councillor Mary MacLellan noted she attended a movie or Fracking not Tracking – Page 6
- Councillor Pierre Boucher noted on page 6 Minute #2013-041, he is identified as Councillor Pierre Benoit rather than Boucher.

BUSINESS ARISING FROM THE MINUTES

There was no business arising from the minutes.

PRESENTATION - DEANS

Lynn Delorey-Vasil then introduced Cindy MacKinnon, Managing Director of DEANS, along with several DEANS Board members.

A copy of Ms. MacKinnon's presentation is attached to the Minutes.

Ms. MacKinnon explained that DEANS is proposing a Marketing Levy of \$2.00 per room per night. The projection is that in 2014 Guysborough, Antigonish & Pictou Counties will sell 165,557 rooms which would result in a projected levy revenue of \$331,114.00.

DEANS is seeking a letter of support from the County giving DEANS permission to go forward with enabling legislation that would provide for a room levy to be charged.

Council Members were given an opportunity to ask questions.

The group was thanked for their presentation.

SECOND READING – Amendments to the By-Law Respecting the Control and Regulation of Dogs

Amendments to the By-Law Respecting the Control & Regulations of Dogs were approved on 1st Reading at the April meeting of Municipal Council.

This is now the second and final reading. The purpose of the amendments is more housekeeping in nature to make the language more acceptable.

There were no written submissions received.

The Warden asked if any members of the public wished to speak on the proposed amendments.

Patrick Roy indicated that he is new to the community and he was looking for clarification on what is the intent of the By-Law Respecting the Control and Regulation of Dogs. He had concerns over the purpose and intent for the By-Law. Warden Boucher explained that the proposed changes to the By-Law, if approved, will just make some of the wording contained in the By-Law more appropriate. Discussion continued.

Mr. Roy was thanked for his comments and participation.

There were no further submissions.

2013-048 Amend Dog By-Law	<i>MOVED by Councillor Bill MacFarlane, SECONDED by Councillor Donnie MacDonald that the proposed amendments to a By-Law Respecting the Control & Regulation of Dogs be approved on Second Reading to incorporate wording that is more acceptable into the By-Law. Motion carried.</i>
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A list outlining the changes is attached to the Minutes.

RECOMMENDATION RE: Dangerous & Unsightly Property

Correspondence has been received regarding the property located at 3969 Highway 4, Greenwold assessed to Elizabeth Jean Kell, PID #01249820.

Mr. Sean Donovan, Administrator of Dangerous & Unsightly properties, as set out in the Municipal Government Act, has recommended that an Order to Remedy Condition be issued to the owner of this property. The Order will be for Demolition and Clean up within 30 days.

It was indicated that some work has been done to the property.

2013-049 Demolition Order Kell	<i>MOVED by Councillor Bill MacFarlane, SECONDED by Councillor Angus Bowie that an Order be issued to Elizabeth Jean Kell giving thirty (30) days for demolition and cleanup of the property located at 3969 Highway 4, PID #01249820. Motion carried.</i>
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PRIVATE MEMBERS BILL – Antigonish, Land, Sports Park

Council requested that correspondence be sent to the Town of Antigonish requesting their cooperation in introducing a Private Members Bill to have the property on James Street, owned by the Municipality (known as the Exhibition Grounds) exempt from property taxes. Town Council was asked to pass a resolution to this affect and, if approved, a Bill would be prepared for consideration by both the Town & County Councils and presented to our MLA for introduction in an upcoming session of the Legislative. This matter has already been discussed at the Council level, however, it may be beneficial to re-introduce it again and try to move it forward.

2013-050 **MOVED by Councillor Mary MacLellan, SECONDED by Councillor Bill MacFarlane that Private Members Bill (Exhib) Grounds** **MOVED by Councillor Mary MacLellan, SECONDED by Councillor Bill MacFarlane that Municipal Council support a Private Members Bill being prepared and presented to our MLA for introduction at an upcoming session of the Legislative. This Bill would exempt from taxes the property on James Street known as "Antigonish, Land, Sports Park" also referred to as the "Exhibition Grounds". Motion carried.**

FINANCE COMMITTEE REPORT – March 26, 2013

2013-051 **MOVED by Deputy Warden Owen McCarron, SECONDED by Councillor Hughie ACVFD Fire Truck** **MOVED by Deputy Warden Owen McCarron, SECONDED by Councillor Hughie Stewart that the County approve a loan guarantee for the Antigonish County Volunteer Fire Department in the amount of \$294,400.00 to purchase a new fire truck. Motion carried.**

2013-052 **MOVED by Deputy Warden Owen McCarron, SECONDED by Councillor Donnie Ham/Bean Supper** **MOVED by Deputy Warden Owen McCarron, SECONDED by Councillor Donnie MacDonald that the County approve support towards the Early Childhood Intervention Ham & Bean Supper in the amount of \$50.00. Motion carried.**

2013-053 **MOVED by Deputy Warden Owen McCarron, SECONDED by Councillor Angus Bowie P. Boucher Conference** **MOVED by Deputy Warden Owen McCarron, SECONDED by Councillor Angus Bowie that the request for Pierre Boucher to attend the L'nui'sultinez Conference on May 15th on behalf of the Municipality of the County of Antigonish be approved at a registration fee of \$80.00. Motion carried.**

2013-054 **MOVED by Deputy Warden Owen McCarron, SECONDED by Councillor Rémi Deveau Bulky Waste Tender** **MOVED by Deputy Warden Owen McCarron, SECONDED by Councillor Rémi Deveau that Eastern Sanitation Limited be awarded the tender for the Bulky Waste Collection in the amount of \$36,364.96, taxes included. Motion carried.**

2013-055 **MOVED by Deputy Warden Owen McCarron, SECONDED by Councillor Angus Bowie AE Centre/Ac Year book Ad** **MOVED by Deputy Warden Owen McCarron, SECONDED by Councillor Angus Bowie that the request for the County to place an ad in the Antigonish Education Centre/ Academy Yearbook be approved by way of a full page ad in the amount of \$250.00. Motion carried.**

2013-056 **MOVED by Deputy Warden Owen McCarron, SECONDED by Councillor Angus Bowie Arena Lease Renewal** **MOVED by Deputy Warden Owen McCarron, SECONDED by Councillor Angus Bowie that the County enter into an 11 year lease with the Town of Antigonish and the Antigonish/Guysborough Federation with conditions. Motion carried.**

2013-057 **MOVED by Deputy Warden Owen McCarron, SECONDED by Councillor Hughie F/A 2013/14 Sewer Budget** **MOVED by Deputy Warden Owen McCarron, SECONDED by Councillor Hughie Stewart that the Fiscal Year 2013/14 Sewer Budget be approved and the Sewer Rate be set at \$295.00 per user unit with a 3% interest charge on all over due accounts after June 21, 2013. Motion carried.**

2013-058 **MOVED by Deputy Warden Owen McCarron, SECONDED by Councillor Remi Deveau Pomquet Bursary** **MOVED by Deputy Warden Owen McCarron, SECONDED by Councillor Remi Deveau that the request for a Bursary for Ecole Acadienne de Pomquet be approved in the amount of \$200.00. Motion carried.**

2013-059 Affordable Housing *MOVED by Deputy Warden Owen McCarron, SECONDED by Councillor Donnie MacDonald that the County issue a letter of support to the Antigonish Affordable Housing Society for the proposed Affordable Housing Project. Motion carried.*

2013-060 Water W/O *MOVED by Deputy Warden Owen McCarron, SECONDED by Councillor Hughie Stewart that the request to write off 6 inactive utility accounts in the amount of \$486.35 be approved. Motion carried.*

2013-061 Tax W/O *MOVED by Deputy Warden Owen McCarron, SECONDED by Councillor Pierre Boucher that the request to write off the taxes on account #07202547 be approved due to the mini home being destroyed by fire. Motion carried.*

2013-062 Tax Revenue *MOVED by Deputy Warden Owen McCarron, SECONDED by Councillor Mary MacLellan that Tracey MacEachern be approved for the position of the Tax Revenue T MacEachern Clerk II. Motion carried.*

PLANNING ADVISORY COMMITTEE REPORT – May 21, 2013

2013-063 Mattie Farms Rezone R-1 to R2 *MOVED by Councillor Mary MacLellan, SECONDED by Councillor Pierre Boucher that the Application submitted by Mattie Farms Ltd. to rezone approximately 7.4 hectare portion of property located in Tracadie, Antigonish County (PID #10059285, AAN #03089592) from Rural (R-1) to Residential Multi Unit (R-2) to allow the construction of nine (9) single unit dwellings on a single parcel of land through a bare land condominium be approved on 1st Reading and proceed to Public Hearing. Motion carried.*

2013-064 S.F. Smith Seniors Complex Mt. Cameron *MOVED by Councillor Mary MacLellan, SECONDED by Councillor Donnie MacDonald that the Application submitted by S.F. Smith Developments Ltd. to allow for the construction of an 85 unit Retirement Living Complex and 26 Unit Townhouse and Semi-detached development for Mount Cameron Estates Retirement Village on a portion of Property (PID #01234723) located in Antigonish Landing be approved on 1st Reading and proceed to Public Hearing. Motion carried.*

REPORTS FROM INDIVIDUAL COUNCIL MEMBERS ON OUTSIDE BOARDS, COMMITTEES AND COMMISSIONS

Councillor Angus Bowie gave an update on activities at the Heatherton School. Pauline MacIntosh from the Extension Department at St. F.X. is helping with a Feasibility Study.

Deputy Warden Owen McCarron updated Council members on a meeting he attended at the Claymore with Nova Scotia Power with respect to an unusually high number of power outages in District 6.

Deputy Warden McCarron also indicated that he had attended the Annual CWL Conference Banquet and that he attended a meeting of the St. Andrew's School Building Committee.

Councillor Donnie MacDonald noted that the AGM for the Affordable Housing Society is scheduled for tomorrow evening.

Councilor Mary MacLellan indicated that she attended the Skateboard Club AGM and an ACALA Meeting.

Councillor MacLellan also asked that letters of congratulations be sent out to Aidan MacDonald and Rebecca MacDonald and requested that they be invited to attend the next Council meeting where a presentation can be made to them.

Aidan captured gold at the Canada Open Taekwondo championships in Toronto. Rebecca won the 12 to 14 year old red belt division in the Canada Open Taekwondo Championships.

Councilor Rémi Deveau noted that he has attended a Crime Prevention Meeting.

Warden Russell Boucher indicated that he had nothing to report.

Councilor Pierre Boucher noted that he attended:

- Eastern Region Solid Waste Committee meeting
- Eastern Region Solid Waste Banquet RE: "Waste in its Place" contest
- Presentation of medals by Lieutenant Governor
- Migma Language Conference "L'nui'sultinej Conference)

On motion of Councillor Angus Bowie meeting adjourned to Committee of the Whole.

The meeting was called back to order and the following recommendations were brought forward.

2013-065 Mahar Terminals Supp Ltr	<i>MOVED by Deputy Warden Owen McCarron , SECONDED by Councillor Rémi Deveau that the Municipality provide a letter of support to Mahar Terminals for development of their project at Melford and oppose the creation of a Canada Port Authority. Motion carried.</i>
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2013-66 G. Horne	<i>MOVED by Deputy Warden Owen McCarron , SECONDED by Councillor Pierre Boucher that Glenn Horne be hired as Municipal Clerk/Treasurer effective July 2, 2013. Motion carried.</i>
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Meeting adjourned.