

MUNICIPALITY OF THE COUNTY OF ANTIGONISH

Municipal Council Meeting Minutes

Tuesday, May 20, 2014

7:30 to 8:50 pm

Present: **Warden Russell Boucher, Chairperson**

Deputy Warden Owen McCarron

Councillor Vaughan Chisholm

Councillor Donnie MacDonald

Councillor Mary MacLellan

Councillor Rémi Deveau

Councillor Angus Bowie

Councillor Bill MacFarlane

Councillor Pierre Boucher

Councillor Hughie Stewart

Also present:

Glenn Horne, Municipal Clerk/Treasurer

Adam Rodgers, Municipal Solicitor

Debbie Cormier, Deputy Clerk

John Bain, Executive Director, Eastern District Planning Commission

Beth Schumacher, Development/Policy Planner, EDPC

Corey LeBlanc, The Casket

Bill MacCuish, 98.9 XFM

Matt Draper, The Reporter

Chandra Gavin, Tuna Charters NS Association

Representatives, Affordable Housing

The meeting was called to order by the Chair, Warden Russell Boucher who welcomed everyone to the meeting.

APPROVAL OF AGENDA

Warden Boucher called for any additions or deletions to the agenda.

The following changes were made to the Agenda:

#7 Change Appointments to Motion RE: Expropriation

#10 Big Marsh Road Petition – Addition

#6 (4) Committee of the Whole Report, May 20, 2014 - delete

Min #2014-061 (Approval of Agenda)

MOVED by Deputy Warden Owen McCarron, SECONDED by Councillor Donnie MacDonald that the agenda be approved as amended. Motion carried.

APPROVAL OF MINUTES

Deputy Warden McCarron called for any errors or omissions to the Minutes of April 15, 2014 Meeting of Municipal Council three times. Hearing none, he called for approval of the Minutes as presented.

Min #2014-062 (Approval of Minutes – April 25, 2014)

MOVED by Councillor Mary MacLellan, SECONDED by Councillor Bill MacFarlane that the Minutes of the April 25, 2014 Meeting of Municipal Council be approved as circulated. Motion carried.

BUSINESS ARISING FROM THE MINUTES

There was no business arising from the Minutes.

PUBLIC HEARINGS

Mr. Horne reviewed the Public Hearing Protocol – See attached.

1) Affordable Housing Complex “Riverside Estates”

John Bain, Executive Director, Eastern District Planning Commission then presented the application for a Development Agreement by Antigonish Affordable Housing Society to allow for the construction of an Affordable Living Complex “Riverside Estates” comprising of a fourteen (14) unit Multiple Unit Dwelling on property (PID: #01223668) located off Vincent’s Way, Sylvan Valley, Antigonish County.

A copy of the Staff Report regarding this application is attached to the Minutes.

There were no questions from Council regarding the application.

There was no one present to speak against the application. Colleen Cameron indicated that she wished to speak in favor of the application.

Colleen Cameron then spoke in favor of the application on behalf of the Antigonish Affordable Housing Society.

Min #2014-063 (Affordable Housing Society Application)

MOVED by Councillor Donnie MacDonald, SECONDED by Councillor Rémi Deveau that Municipal Council approve, on 2nd Reading, a Development Agreement between the Town of Antigonish (on behalf of the Antigonish Affordable Housing Society) and the Municipality of the County of Antigonish with respect to an Affordable Living Complex “Riverside Estates” comprising of a fourteen (14) unit Multiple Unit Dwelling on property (PID #01223668) located off Vincent’s Way, Sylvan Valley, Antigonish County. Motion carried.

2) Commercial Storage Facility

Beth Schumacher, Development/Policy Planner, Eastern District Planning Commission, then presented the details of an amendment to the Land Use By-Law for the Antigonish County Planning Area to add Commercial Storage Facility as a use permitted in the Gateway Commercial (GC-1) zone, in response to a proposal by John G. MacDonald for lands at the intersection off Highway 104 and Beech Hill Road. A copy of the Staff report is attached to the Minutes.

Councillor MacFarlane questioned if there is any provision in the planning documents for this type of commercial storage facility.

Ms. Schumacher explained that we have now in the Fringe Plan, a definition for warehousing in the Local Commercial (LC-2) zone and the Industrial (I-1) zone. Because it is a defined use in another zone, a discretionary determination cannot be made that it would be permitted in the GC-1 zone. The Planning Commission would either look at adding the warehouse use to the GC-1 zone as well or creating a new definition which is what is being done to target the commercial storage facility as opposed to a general warehousing operation. The distinction being made between the two is that the storage facility is intended for the temporary storage of goods by a person leasing the unit. Whereas, warehousing would also include storage of commercial goods as part of a business operation.

Discussion followed. The application being considered is specific to a commercial storage facility and also to the current fringe document. Ms. Schumacher noted that she would ask that the inclusion of general warehousing be considered during the current fringe area plan review.

There was no one present wishing to speak either in favor or against the proposed amendment before Council.

Min #2014-064 (Commercial Storage Facility)

MOVED by Councillor Hughie Stewart, SECONDED by Councillor Bill MacFarlane that Municipal Council approve, on 2nd Reading:

- 1) An amendment to Part 12, Section 1 of the Land Use By-Law to add Commercial Storage Facility as a permitted use in the Gateway Commercial (GC-1) zone; and
- 2) An amendment to Part 18 of the Land Use By-Law to add a definition for "Commercial Storage Facility".

Motion carried.

PRESENTATION – Tuna Charters Nova Scotia Association

Chandra Gavin then came before Council and made a presentation on behalf of the Tuna Charters Nova Scotia Association. (Copy of presentation attached)

Council members were given an opportunity to ask questions. Ms. Gavin was thanked for her presentation.

PETITION – St. Andrews Post Office

Mr. Horne noted that a Petition was received regarding the proposed downgrade of service at the St. Andrews Post Office. This petition calls for the St. Andrews Post Office and advocating that full counter service be continued to be offered to its residents. (Petition attached)

This Petition was included with a letter that was approved at last month's Council meeting and was sent to our local MLA, Minister Lisa Raitt, as well as Canada Post. Deputy Warden McCarron indicated that he too had received correspondence from the St. Andrews Partnership advising that they too had sent correspondence to the local Canada Post Area Manager regarding the reduction of hours.

COMMITTEE REPORTS

Finance Committee Report – May 6, 2014

Min #2014-065 (FY 2014/15 Sewer Budget Approval)

MOVED by Deputy Warden Owen McCarron, SECONDED by Councillor Bill MacFarlane that the County approve the FY 2014/15 Sewer Budget at \$305.00 per user unit with a 3% interest charge on all overdue accounts after June 16th, 2014. Councillor Mary MacLellan indicated that she would be voting against this proposed budget. She indicated that she wanted to recognize the time that Staff put into this budget but the budget contains a large sum of money for service that only residents who are on municipal services benefit from and which will be paid for by all tax payers. She noted that, in her District, no one has the privilege of a sewer service. They have to provide their own septic system and any related costs. People who are not receiving the service should not be paying to subsidize people who do receive it. Motion carried. (3 nay votes, Councillor Mary MacLellan, Councillor Pierre Boucher, and Deputy Warden Owen McCarron)

Min #2014-066 (Water Main Replacement – Greenwold)

MOVED by Deputy Warden Owen McCarron, SECONDED by Councillor Bill MacFarlane that the County award the Greenwold (Governor's Lane) water main replacement to S.W. Weeks at a tender price of \$108,720.00 plus HST. Motion carried.

Min #2014-067 (Water Main Replacement – Cloverville Road)

MOVED by Deputy Warden Owen McCarron, SECONDED by Councillor Donnie MacDonald that the County award the Cloverville Road water main replacement to S.W. Weeks at a tender price of \$273,964.00 plus HST. Motion carried.

Min #2014-068 (Bulky Waste Collection)

MOVED by Deputy Warden Owen McCarron, SECONDED by Councillor Rémi Deveau that the County award the Bulky Waste Collection Tender to Eastern Sanitation Limited in the amount of \$39,274.15, taxes included. Motion carried.

Min #2014-069 (Beech Hill Road Service Extension Tender)

MOVED by Deputy Warden Owen McCarron, SECONDED by Councillor Bill MacFarlane that the County proceed to Tender the Beech Hill Road Service Extension, pending Government Funding. Motion carried.

Min #2014-070 (Donation Request)

MOVED by Deputy Warden Owen McCarron, SECONDED by Councillor Pierre Boucher that the County approve the request from Dylan Brow to compete in the Nationals (Welding Skill Competition) in Toronto in the amount of \$200.00. Motion carried.

Committee of the Whole Report – May 6, 2014

Min #2014-071 (Letter of Support – Ogden Round Lake)

MOVED by Councillor Mary MacLellan, SECONDED by Councillor Angus Bowie that the County issue a letter of support to the Minister of Environment, and the Honourable Randy Delorey regarding the designation of the trail through Ogden Round Lake under the Wilderness Protection Act. Motion carried.

Min #2014-072 (Agreement – St. F.X. Track & Field Facilities)

MOVED by Councillor Rémi Deveau, SECONDED by Councillor Bill MacFarlane that the County sign the Agreement for joint use of the St. F.X. Artificial Turf, Track and Field Facilities between the St. F.X. University Department of Athletics and Recreation; the Town of Antigonish; and the Municipality of the County of Antigonish for a 5 year term. Motion carried.

Min #2014-073 (Letter of Support RE: Highway #7, along Lochaber Road)

MOVED by Councillor Bill MacFarlane, SECONDED by Councillor Donnie MacDonald that the County issue a letter to the Minister of NS Transportation & Infrastructure Renewal, and also our local MLA, Randy Delorey expressing Council's preference to reconstruct the intersection at Old Highway 104 and Highway #7 as a round-about and, in the interim, address the on-going safety concerns for pedestrians using this busy intersection. Motion carried.

Councillor MacFarlane requested that a copy of the letter be sent to Ken Donnelly, CLC Chair and the Town of Antigonish.

Min #2014-074 (Gilfoy Road Sewer)

MOVED by Councillor Bill MacFarlane, SECONDED by Councillor Rémi Deveau that the County proceed with the tender for sewer installation on Gilfoy Road with cost being shared at 25% with the residents. Motion carried.

Planning Advisory Committee Report – May 8, 2014

Min #2014-075 (Antigonish County Subdivision By-Law Amendment)

MOVED by Councillor Mary MacLellan, SECONDED by Councillor Donnie MacDonald that the County approve, on 1st Reading, an application to amend the Antigonish County Subdivision By-Law with regard to private roads by adding a new category of private roads, namely "Private Lanes". Motion carried.

Prior to the motion being approved, in response to a question from Councillor MacFarlane, John Bain explained that the six lot rule remains and for the new category roads, as well.

MOTION RE: Expropriation

Min #2014-076 (Expropriation)

MOVED by Deputy Warden Owen McCarron, SECONDED by Councillor Bill MacFarlane that Pursuant to section 11 of the Expropriation Act, 1989 R.S.N.S., c. 156, Council approves the expropriation by the Municipality of the County of Antigonish of land located at 70 Henry Lane, Sylvan Valley, Antigonish County, Nova Scotia, known as PID #10080570, the expropriation being required for a public purpose, to ensure the continuing secure supply of water in both the County and Town of Antigonish. Motion carried.

CORRESPONDENCE

Correspondence has been received from Municipal Enterprise Limited concerning the proposed Quarry expansion at James River. The purpose of the letter was to advise Council that the environmental process has begun and to solicit any input that Municipal Council may have.

Correspondence has also been received from the Minister of Agriculture concerning the Standards of Care for companion animals for the Province of Nova Scotia. This letter solicits any feedback that Council may have regarding the draft Standards of Care.

UPDATES/REPORTS FROM INDIVIDUAL COUNCIL MEMBERS

Councillor Pierre Boucher reported that he had attended:

- Eastern Region Solid Waste Management Committee Meeting
- Nova Scotia Recycling Contest event
- Saltscapes Expo, along with Councillor MacLellan
- Lobster Talk with the Honourable Randy Delorey
- Heritage Gas Protection
- NSP Presentation

Councillor Mary MacLellan reported that she attended:

- Saltscapes Expo, along with Councillor Boucher
- Prissy Pig with Dan MacDougall RE: Lobster Fishery
- Rural Caucus Meeting in New Glasgow

Deputy Warden Owen McCarron reported that he attended:

- Joint Town & County meeting along with other Council members
- Strait Area Chamber of Commerce AGM with Warden Boucher
- Retirement Party for Councillor Donnie MacDonald on his Retirement from Department of Transportation after 40 years. Deputy Warden McCarron extended congratulations on a job well done.

Councillor Vaughan Chisholm reported that he attended:

- Good News Announcement at the Heritage Museum
- 10th Anniversary of Friendship Corner
- Prissy Pig – Talk on Lobster Fishery
- Joint County & Town Meeting
- Retirement Party for Councillor Donnie MacDonald

Councillor Angus Bowie reported that there is a meeting regarding going forward with the Heatherton School project and start some fundraising.

Warden Russell Boucher reported that he attended:

- Recreation Conference in Moncton
- St. F.X. Graduation – Afternoon Session
- Meeting with UNSM Committee regarding Building Inspectors (Warden Boucher is a UNSM appointee to this Committee)
- Strait Area Chamber of Commerce AGM
- Was not able to attend Councillor Donnie MacDonald's Retirement Party but extended well wishes on his retirement

Deputy Warden McCarron noted that he had attended the morning session of the St. F.X. Graduation.

BIG MARSH ROAD PETITION

Councillor Mary MacLellan presented a Petition signed by Residents of Big Marsh. Approximately 200 people have signed the Petition requesting that there be work done on the Big Marsh Road. It is in need of gravel, culverts, etc. (Petition attached)

Min #2014-077 (Support Petition - Big Marsh Road)

MOVED by Councillor Mary MacLellan, SECONDED by Councillor Donnie MacDonald that the County support the Big Marsh Road Petition by sending a letter to the local area Manager; Minister of Transportation & Infrastructure Renewal; and our MLA, Randy Delorey. Motion carried.

Moved by Councillor Rémi Deveau and seconded by Councillor Pierre Boucher that the meeting adjourn to Committee of the Whole.


Warden Russell Boucher


Glenn Horne, Municipal Clerk/Treasurer