

MUNICIPALITY OF THE COUNTY OF
ANTIGONISH

Municipal Council Meeting- Minutes

Tuesday October 8, 2024

5:30pm

Council Chambers

Municipal Administration Building

285 Beech Hill Road

Beech Hill, NS B2G 0B4

Councillors Present:

Warden Owen McCarron

Councillor Mary MacLellan

Councillor Donnie MacDonald

Councillor Shawn Brophy

Councillor Remi Deveau

Councillor John Dunbar

Councillor Gary Mattie (by Zoom)

Councillor Harris McNamara

Regrets:

Councillor Hugh Stewart

Deputy Warden Bill MacFarlane

Staff Present:

Shirlyn Donovan, CAO

John Bain, EDPC

Beth Schumacher, Deputy Clerk

Tammy Feltmate, Director of Sustainable
Communities

Allison Duggan, Director of Finance

Marlene Melanson, Director of Recreation
(by Zoom)

Also Present:

Gallery

Matt Draper, XFM

Call to Order- Chairman, Warden Owen McCarron

Warden McCarron called the meeting to order at 7:45pm.

Approval of Agenda

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

Min # 2024-129

Moved and Seconded

That the agenda be approved as presented.

Motion Carried

Approval of September 10, 2024 Municipal Council Minutes

Warden McCarron called for any errors or omissions in the minutes included in the agenda package.

Min # 2024-130

Moved and Seconded

That the Municipal Council Minutes of September 10, 2024 be approved.

Motion Carried

Business Arising from the Minutes

There was no business arising from the minutes.

Public Hearings

Mrs. Donovan reviewed the Public Hearing Protocol for the benefit of those in attendance.

Amendments to the West River Antigonish Harbour, Central Antigonish, and Keppoch-Beaver Mountain Plan Areas Municipal Planning Strategies and Land Use By-laws regarding Kennel Provisions

Mr. John Bain reviewed a presentation prepared by the EDPC team regarding the amendments that are proposed to several plan areas in the community to permit kennels in the rural development zone. Questions of Council then followed, which included questions about setbacks, circumstances where new kennels could development, and who would be processing the license applications and planning enforcement.

The floor was then opened to those wishing to speak against the proposed amendment.

David Young, from Dagger Woods Road, identified that he would like to speak against the proposal. He noted concerns with dogs barking on an adjacent property. He felt that the kennel had resumed operation and had concerns with barking enforcement. He asked how neighbours would be consulted as part of the kennel application process.

The floor was opened to those wishing to speak in favour of the amendment. No parties came forward.

Min #2024-131

Moved and Seconded

That the Planning Advisory Committee gives their approval and recommends that Municipal Council give first reading to, and schedules a public hearing for, the following plan and by-law amendments:

1. West River Antigonish Harbour Plan Area Municipal Planning Strategy
 - a. Amendment to Policy L-1.2 to add kennels to the list of permitted uses in the Rural Development (RG-1) Zone.
 - b. Amendment to Policy L-4.8 to add kennels to the list of permitted uses in the Business Commercial (BC-1) Zone.
2. West River Antigonish Harbour Plan Area Land Use By-law
 - a. Amendment to subsection 6.A.11 to exclude kennel uses from undersized lots.
 - b. Amendment to Part 8, “Rural General (RG-1) Zone”, to add clauses regarding kennels.
 - c. Amendment to subsection 15.1 to include kennels as a permitted use in the Local Commercial (C-1) Zone.
 - d. Amendment to Part 15, “Local Commercial (C-1) Zone”, to add clauses regarding kennels.
 - e. Amendment to subsection 16.1 to include kennels as a permitted use in the General Commercial (C-2) Zone.
 - f. Amendment to Part 16, “General Commercial (C-2) Zone, to add clauses regarding kennels.
 - g. Amendment to subsection 21.1 to include kennels as a permitted use in the Business Commercial (BC-1) Zone.
 - h. Amendment to Part 21, “Business Commercial (BC-1) Zone, to add clauses regarding kennels.
 - i. Amendment to Part 25, to update the definition of KENNEL.
3. Central Antigonish Plan Area Municipal Planning Strategy
 - a. Amendment to the preamble of Section 3.1 to note kennels in a list of example uses under Rural Development.
 - b. Amendment to Policy L-1.2 to add kennels to the list of permitted uses in the Rural Development (RD-1) Zone.
 - c. Amendment to Policy L-3.1 to add kennels to the list of permitted uses in the Rural Commercial (RC-1) Zone.
 - d. Amendment to the preamble of Section 3.2.4 to note kennels in a list of example uses under Hamlet Commercial.

- e. Amendment to Policy L-12.1 to add kennels to the list of permitted uses in the Hamlet Commercial (HC-1) Zone.
 - f. Amendment to the preamble of Section 3.2.5 to note kennels in a list of example uses under Hamlet Highway Commercial.
 - g. Amendment to Policy L-13.1 to add kennels to the list of permitted uses in the Hamlet Highway Commercial (HHC-1) Zone.
4. Central Antigonish Plan Area Land Use By-law
- a. Amendment to subsection 6.A.11 to exclude kennel uses from undersized lots.
 - b. Amendment to Subsection 8.1 to add kennels as a permitted use in the Rural Development (RD-1) Zone.
 - c. Amendment to Part 8, “Rural Development (RD-1) Zone”, to add clauses regarding kennels.
 - d. Amendment to subsection 10.1 to add kennels as a permitted use in the Rural Commercial (RC-1) Zone.
 - e. Amendment to Part 10, “Rural Commercial (RC-1) Zone”, to add clauses regarding kennels.
 - f. Amendment to subsection 16.1 to add kennels as a permitted use in the Hamlet Commercial (HC-1) Zone.
 - g. Amendment to Part 16, “Hamlet Commercial (HC-1) Zone”, to add clauses regarding kennels.
 - h. Amendment to subsection 17.1 to add kennels as a permitted use in the Hamlet Highway Commercial (HHC-1) Zone.
 - i. Amendment to Part 17, “Hamlet Highway Commercial Zone”, to add clauses regarding kennels.
 - j. Amendment to Part 19, to update the definition of KENNEL.
5. Keppoch Beaver Mountain Plan Area Municipal Planning Strategy
- a. Amendment to Policy 3.3 to include kennels in the list of uses permitted in the Rural Development (RD-1) Zone.
6. Keppoch Beaver Mountain Plan Area Land Use By-law
- a. Amendment to subsection 5.9 to exclude kennel uses from undersized lots.
 - b. Amendment to subsection 6.1 to add kennels as a permitted use in the Rural Development (RD-1) Zone.

c. Amendment to Part 6, "Rural Development (RD-1) Zone, to add Special Requirement clauses regarding kennels.

d. Amendment to Part 9 to create a definition for KENNEL.

**Motion Carried
(7 in favour, 1 against)**

Rezoning on Mount Cameron Circle From Residential (R-1) Zone to Residential Multi-Unit (R-2) Zone

Mr. Bain spoke to an application to rezone several parcels on Mount Cameron Circle from R-1 to R-2, showing a number of maps and aerial photographs with the proposed units overlaid. Mr. Bain reviewed how the proposal was consistent with the relevant policies in the policy document. Staff and the PAC recommend that the rezoning be approved. Mr. Bain made note of the advertisements placed to provide notice of this public hearing and summarized the approval process moving forward. The floor was then opened for questions from Council. Questions asked included those regarding subdivision plans for the property, as-of-right unit counts in the existing zoning, and how servicing capacity was confirmed.

The floor was then opened for comments from the public from those against the proposal.

Ron Pumphrey, a resident of Mount Cameron, expressed his concerns with the staff report. He expressed concerns with the visual impacts of the density of development proposed, feedback from the community when soliciting comment on the proposal, and concerns about parking on the properties and roadway adjacent to the development. A concern was raised regarding the lack of parks in the Mount Cameron development. Winter snow removal concerns were raised, and the lack of sidewalks to provide options for residents. Accessibility concerns were also raised, with a question about whether any of the proposed homes were proposed to be accessible.

The floor was then opened to those looking to speak in favour of the development. No parties came forward.

An issue with the audio connection for Councillor Mattie was identified. Staff called Councillor Mattie and he had an opportunity to provide his comments regarding concerns with sewer issues taking place with the facility that provides service to this area. Mrs. Donovan provided an update with the status of the sewer facility that services the community, based on feedback from the CAO of the Town of Antigonish. Councillor McNamara expressed that he felt that any development should be paused until the issues with the sewer treatment plant have been resolved. Councillor MacDonald spoke to the concerns raised by Mr. Pumphrey.

A motion was made to deny the application due to concerns about sewer services in the area. Discussion followed regarding whether tabling the motion would require the new Council to hold a public hearing again.

Min #2024-132

Moved and Seconded

That Municipal Council table the rezoning of a portion of a property (PID 10132611) located between Highway 337 and Mount Cameron Circle as well as four properties (PIDs 10137099, 10137107, 10137115 and 10137131) located on Mount Cameron Circle Antigonish Landing, Antigonish County from the Residential (R-1) Zone to the Residential Multi-unit (R-2) Zone to allow for the development of a quadplex residential development, in order to allow further investigation into concerns raised about sewer and water services.

**Motion Carried
(5 in favour, 3 against)**

Correspondence

Mrs. Donovan provided a summary of the correspondence included in the agenda package.

Committee Reports

September 24, 2024 Asset Management Committee Report

Min # 2024-133

Moved and Seconded

That Municipal Council put out a tender for a sidewalk on Mount Cameron Circle from the western-most intersection with Highway 337 for a distance of approximately 150 metres.

**Motion Carried
(7 in favour, 1 against)**

Min # 2024-134

Moved and Seconded

That Municipal Council requests that D. MacIsaac Road, Macken Road, and Tamara Drive for the 2025/2026 J Class Roads program.

Motion Carried

Min # 2024-135

Moved and Seconded

That Municipal Council tender sidewalks on Catherine Drive and Smith Way.

Motion Carried

Min # 2024-136

Moved and Seconded

That Municipal Council supports the proposed lateral crossing of services across Highway 337 to the development adjacent to Parkland and negotiates cost-sharing opportunities for this work with the development partners of the benefitting lands.

Motion Carried

September 24, 2024 Committee of the Whole Report

Min # 2024-137

Moved and Seconded

That Municipal Council approves the proclamation of September 28, 2024 as British Home Child Day in Antigonish County.

Motion Carried

September 27, 2024 Committee of the Whole e-Poll Report

Min # 2024-138

Moved and Seconded

That Municipal Council award the tender for the Asphalt Surfacing of the Multi-Use Pathway to Allan MacNeil Construction for a bid price of \$99,082.70 + HST.

Motion Carried

October 8, 2024 Committee of the Whole Report

Min # 2024-139

Moved and Seconded

That Municipal Council enter into a one-year agreement with the SPCA as proposed in their quote dated September 29, 2024 for Kennel Services and Animal Control.

Motion Carried

Min # 2024-140

Moved and Seconded

That Municipal Council approves the 2024/25 Statement of Estimates A&B.

Motion Carried

Min # 2024-141

Moved and Seconded

That Municipal Council write-off the taxes for AAN 00489875, which was destroyed by fire, in the amount of \$355.16.

Motion Carried

Min # 2024-142

Moved and Seconded

That Municipal Council approve the submission of a funding request to the Green and Inclusive Community Buildings Fund for work at the Antigonish Arena in partnership with the Town of Antigonish.

Motion Carried

Min # 2024-143

Moved and Seconded

That Municipal Council provide a leave of absence to Councillor Stewart for the October 8, 2024 Council Meeting for medical reasons.

Motion Carried

Min # 2024-144

Moved and Seconded

The Committee recommends that Municipal Council support the proposed lateral crossing of services across Highway 337 to the development adjacent to Parkland to a maximum cost of \$17,500 + HST.

Motion Carried

Min # 2024-145

Moved and Seconded

That Municipal Council writes a letter to the Minister of Justice, copied to Minister Thompson and Minister Morrow, requesting a meeting regarding ongoing crime in the Antigonish County area.

Motion Carried

Reports from Councillors

Councillor Brophy noted that the Joint Town and County Policy Advisory Committee would be meeting tomorrow evening.

Councillor Dunbar noted that the Heritage Museum Board will be meeting on the first Monday of November, and the Arena Board would be meeting on Wednesday October 16th.

Councillor MacDonald provided a number of Easter Regional Solid Waste Management Committee updates, including information about scores of compliance following a waste audit, and noting that there were no updates regarding Extended Producer Responsibility as they are waiting for a readiness report. Kevin O'Hanley is working on do not litter signs. Waste Reduction Week coming up at the end of October, with an event at the Antigonish Library.

Councillor McNamara attended the RK Board Meeting on September 26th and noted that the next one is scheduled for October 24th.

Councillor Mattie spoke to the break-in situation in his district, and suggestions received by residents about streetlight installations in high-risk areas.

Motions

Ms. Schumacher reviewed the highlights of the staff presentation made on September 10th regarding the proposed by-law. She noted that the notice of second reading was advertised on the County's webpage, as well as in the Reporter, and invited questions from Council. A question was asked regarding the choice of paper for advertisements, and staff noted that it was due to the advertising lead times.

Min # 2024-146

Moved and Seconded

That Municipal Council give second reading to and approves the By-law Respecting Commercial Dog Care and Kennel Facilities as proposed.

**Motion Carried
(7 in favour, 1 against)**

Additions to the Agenda

There were no additions to the agenda.

Miscellaneous Business

Mrs. Donovan noted that the regular Asset Management and Committee of the Whole meetings on Tuesday, October 22, 2024 would be cancelled as they fell in the period between the October 19th municipal election and the swearing-in of the new Municipal Council. The first meeting of the new Municipal Council, when everyone is expected to be sworn in, is anticipated to take place on the regular meeting date of Tuesday, November 12, 2024.

A presentation of plaques to those Councillors who did not re-offer in the election was made, to recognize their service to the community, as follows:

- Councillor Hughie Stewart – 26 years on Municipal Council
- Deputy Warden Owen MacFarlane – 20 years on Municipal Council
- Councillor Remi Deveau – 20 years on Municipal Council
- Councillor Donnie MacDonald – 24 years on Municipal Council
- Warden Owen McCarron – 30 years on Municipal Council

Mrs. Donovan also presented Warden McCarron with a certificate from the NSFM recognizing his 30 years of municipal service.

Warden McCarron took the opportunity to thank municipal staff for their service to the community and the organization. He also thanked members of Council, both those who are retiring and those moving forward in acclamation or in elections for their districts. Warden McCarron thanked the members of the media for their attendance and support over the years. Warden McCarron spoke about the wardens that he worked with and thanked everyone for the opportunity to serve the community in the capacity that he did.

Councillor Deveau spoke about the growth in the community since he joined Council in 2004 and noted the tax rate staying consistent and even dropping in that time. He spoke highly of the CAOs and staff at the organization.

Councillor MacDonald read a statement providing his thanks to Council and staff for their support over his terms on Municipal Council.

Councillor Brophy thanked those moving on for their support in his years on Council.

Councillor MacLellan gave her thanks to Warden McCarron for his support and advice over the years.

Councillor McNamara noted his respect for his colleagues on Council who are not reoffering. He noted that he was sorry to have Warden McCarron go.

Councillor Mattie offered his thanks for Warden McCarron and Councillors MacDonald and Deveau for their service and support during his years on Council.

Councillor Dunbar thanked all outgoing councillors for their service to their community. He thanked them for their support and mentorship during his years on Council and wished them all well.

Adjournment

Min # 2024-147

Moved

That the Council meeting adjourns at 9:52 pm.

Motion Carried

Warden Owen McCarron

Shirlyn Donovan, CAO