

MUNICIPALITY OF THE COUNTY OF
ANTIGONISH

Municipal Council Meeting- Minutes

Tuesday November 12, 2024

6:00pm

Council Chambers

Municipal Administration Building

285 Beech Hill Road

Beech Hill, NS B2G 0B4

Councillors Present:

Mary MacLellan

Adam Baden-Clay

Richelle MacLaughlin

Shawn Brophy

Wayne Melanson

Nicholas MacInnis

John Dunbar

Gary Mattie

Harris McNamara

Sterling Garvie

Regrets:

None

Staff Present:

Shirlyn Donovan, CAO

John Bain, EDPC

Allison Duggan, Director of Finance

Tammy Feltmate, Director of Sustainable Communities

Beth Schumacher, Deputy Clerk

Meghan MacGillivray-Case, Solicitor

Marlene Melanson, Director of Recreation

Also Present:

Gallery (in person and on Zoom)

Corey LeBlanc (by Zoom)

Matt Draper, XFM

Call to Order- Shirlyn Donovan, CAO

Mrs. Donovan called the meeting to order at 6:01pm

Approval of Agenda

Mrs. Donovan called for any additions or deletions to the agenda.

Min # 2024-148

Moved and Seconded

That the agenda be approved as presented.

Motion Carried

Review of the 2024 Municipal Election Results

Ms. Schumacher read out the official results of the 2024 Municipal Election. The Councillors-elect were provided with copies of the recapitulation sheets from the October 19th election as well as those for the Judicial Recount for District 1, which was held on Friday, November 8, 2024.

Swearing in of Municipal Council Members

Mrs. Donovan directed the Councillors-elect to the Oath of Office provided at each of their desks. Mrs. Donovan administered the oath to the members of Municipal Council. The new members of Council were congratulated and welcomed.

In-Camera Items

Min # 2024-149

Moved and Seconded

That the Committee of the Whole adjourn to an in-camera session to discuss Legal Advice Eligible for Solicitor-Client Privilege at 6:11 pm.

Motion Carried

Min # 2024-150

Moved and Seconded

That the in-camera session adjourns at 6:53 pm.

Motion Carried

Election of Warden

Mrs. Donovan reviewed the process for the selection of Warden and called for nominations for the position. Councillor John Dunbar was nominated with that nomination being seconded, and Councillor Dunbar accepted the nomination. Nicholas MacInnis was nominated with that nomination being seconded, and Councillor MacInnis accepted the nomination.

A vote was held, and Councillor Nicholas MacInnis was selected as Warden.

Min # 2024-151

Moved and Seconded

That Municipal Council appoint Nicholas MacInnis to the position of Warden for a four-year term.

Motion Carried

Mrs. Donovan handed over the role of meeting Chair to the newly elected Warden. Warden MacInnis provided his thanks to Council for selecting him for the position.

Election of Deputy Warden

Warden MacInnis reviewed the process for nominating a candidate for Deputy Warden. A call was made for nominations for Deputy Warden. Councillor John Dunbar was nominated with that nomination being seconded, and Councillor Dunbar accepted the nomination. Councillor Shawn Brophy was nominated with that nomination being seconded, and accepted the nomination. Richelle MacLaughlin was nominated with that nomination being seconded, and accepted the nomination.

Three rounds of voting were held, and Councillor John Dunbar was selected by a majority of Council as Deputy Warden.

Min # 2024-152

Moved and Seconded

That Municipal Council appoint Councillor John Dunbar to the position of Deputy Warden for a four-year term.

Motion Carried

At the Door – Municipal Councillor Goals for This Term

Warden MacInnis invited members of Council with the opportunity to share any comments or experiences from the campaign trail.

- Councillor McNamara noted this his goal is to provide more transparency from Council and to talk to the public more regarding decisions. Water and sewer issues and decisions are expected.
- Councillor Mattie noted that his priority is accessibility in the municipality and noted that water and sewer issues are expected to be issues during this term.
- Councillor MacLellan is looking forward to working with a strong and cohesive Council, keeping taxes low, and continuing to do good quality work.
- Councillor Melanson is looking forward to working with new and returning councillors, water and sewer, staying connected to the community, working as a team
- Councillor Garvie noted priorities including working as a unit to grow, while keeping taxes low.
- Councillor Baden-Clay noted goals including transparency when making big decisions, meaningful communication, collaboration internally and with the Town.
- Councillor MacLaughlin noted local community engagement and support, to allow their uniqueness to be recognized. Build back trust of the community.

- Deputy Warden Dunbar noted accountability, transparency, and keeping taxes low while providing great levels of service. He also noted the importance of doing what can be done to help those who need the Municipality's support, particularly those who are unhoused or needing housing, as well as accessibility.
- Councillor Brophy would like to see the creation of a Joint Water and Sewer Committee with the Town, to address concerns with the sewer plant and look to develop a new water source.
- Warden MacInnis noted his goals to be improved transparency, and a focus on making sound decisions of governance.

Min # 2024-153

Moved and Seconded

That the Municipal Council meeting be recessed at 7:22pm.

Motion Carried

Warden MacInnis called the meeting back to order at 7:34.

Public Hearings

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

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

Councillor MacLaughlin raised a concern with the business being brought forward to Council at their first meeting. Mr. Bain noted that he would be providing a full briefing on the application before them for consideration.

Mr. Bain introduced himself and the format of the staff reports that are provided to Councillors for their consideration when applications are brought forward for Council's consideration. Mr. Bain proceeded through his presentation. Mr. Bain noted that there is a mis-identified PID in the staff report, and that a corrected map was included in the presentation.

Mr. Bain spoke to the process with the previous decision being tabled by the previous Council, and the public hearing being readvertised for this evening. Mr. Bain provided guidance to Council regarding their options for considering the application following the statutory public hearing, being to decide if the application meets the existing policy criteria for rezoning or to table the application requesting further information.

A request was made to clarify the process of addressing the previous motion that was made by Council to table the decision on the previous meeting. Legal Counsel offered to look into that matter further if it was the request of Council.

Mr. Bain continued with the presentation, with photographs and maps of the properties in question. The size of the lots was summarized, and Mr. Bain noted that the total increase in residential units proposed by the rezoning application is ten. Mr. Bain noted that the subdivision by-law does not require sidewalks, and that the parking proposed meets the requirements of the Land Use By-law. Mr. Bain reviewed in detail the Policy L-2.9 Specific Criteria for consideration of the proposal.

Mr. Bain then reviewed the issues that were raised at the October 8, 2024 Public Hearing that was held regarding this application. With respect to the water and sewer services concern, Public Works noted that there was not a capacity issue. Further, a CBCL Antigonish Lagoon Preliminary Aeration Evaluation Report was released that noted that there was a maintenance issue and mitigation measures are underway to address those issues. Mr. Bain also identified the lands that were provided to the Municipality for parkland dedication for the full subdivision, with an excess of the minimum 5% dedication being provided in 2008 at the beginning of the subdivision process.

Following Mr. Bain's presentation, the floor was opened to questions from Council. Councillor McNamara that his concern with the availability of water remains. He feels that the new Council needs to deal with the water issue. Councillor Brophy noted that the maintenance of the sewer plant needs to be kept up, and that water conservation measures are in effect each summer. With build-out of the units in this proposed rezoning not expected for a few years, there could be time to work on the issue.

Councillor MacLaughlin asked a question of clarification regarding advertising, and whether additional advertising was done to notify the public about the hearing. Mr. Bain noted that the advertisements as done were in accordance with the existing policy of the Municipality. He shared additional methods of notification that are done by the Town of Antigonish in accordance with their policy and suggested that Council may wish to review their policy.

Councillor MacLellan noted that the need for housing in the community is a consideration, and that the other concerns that were raised earlier have been addressed in the staff report. Warden MacInnis noted that the Municipality pays 1/3 of the upkeep of the sewer treatment plant in accordance with the agreement with the Town.

Councillor Garvie stressed the importance of providing housing and felt that the water and sewer issues should be rectified before the development as proposed is completed. Deputy Warden Dunbar agreed regarding the need for housing but

expressed his concern with the proposal coming before a new Council so quickly. He noted that the sewer concerns raised in October appear to have been addressed in the correspondence from the Town. He thanked Mr. Bain for the work that he had done on the proposal and asked that the staff report include copies of the correspondence from the different departments consulted on a proposal to be included in the staff report.

Warden MacInnis then called for any individuals in the gallery wishing to speak against or in favour of the application.

Parties wanting to speak against the proposal

- Andrea Pumphrey
- Helen Tkacz
- Kim Tkacz
- Theresa Donovan

Parties wanting to speak in favour of the proposal

- Joe MacDonald
- Steve Smith

Andrea Pumphrey

The speaker raised a concern with the date on the report, the PID being an error, the count of what is permitted now vs. what the rezoning would permit, the requirement for a visual barrier between the zones, and the way the report words items (e.g. “incremental increase of ten units”). The speaker does not feel that the proposal meets the criteria for development (sidewalks, parking spots), sewer maintenance issue hasn’t been resolved yet, diversity of housing being provided was noted, and has a concern about the loss of the trail that is there where the development is proposed.

Helen Tkacz

The speaker noted that they are not in favour of rezoning to R2 in the community, cited concerns with sewer system strain, additional traffic, loss of pathway to a road with no sidewalk, and would like to see it stay zoned R1.

Kim Tkacz

The speaker raised concerns with staff report and felt that where the studies were only done in the summer months, instead of in the winter, they do not take into consideration on-street parking with snow accumulation on the road. Capacity of schools and parks was challenged because current bussing challenges mean that kids are not getting to school on time because of the volume of kids in Mount Cameron. A concern was noted that the units are not walkable to Town and the speaker feels that there could be two vehicles per unit.

The speaker acknowledges that housing is needed, but feels that housing needs to be good, safe, and sustainable.

Theresa Donovan

The speaker raised concerns with flooding that was taking place along the back yards of the housing fronting Highway 337 and wanted to know what was being done for stormwater if the ditch that is currently in place along the back property line of those houses is modified with the proposed development. Noted that the loss of the trail and replacement with a roadway that does not have a sidewalk is a concern, particularly given how much pedestrian traffic is seen along that trail. Also, the speaker raised a concern that the proposed development is not compatible with the homes along Highway 337.

Joe MacDonald

The speaker moved to Mount Cameron and saw that it was a community where there would be further development. Feels that it is a good community that is safe, and they walk and bike without a traffic issue in the area. Feels that this development is the next phase of the growth of the community, and feels that it will enhance the area that they live in.

Steve Smith

The speaker noted that a neighbour to the development, Mr. Dee, could not be added to the list of those in support of the application as he arrived late, but is in support. The speaker noted that he has not received any complaints about the development and feels that he could address the concerns and would be happy to provide share information with those who raised concerns if asked. He noted that this development is happening at a much lower density than most new residential developments, particularly with being built as single-story developments, even with this proposed rezoning. He noted that the traffic patterns of those who typically reside within the subdivision given that most are seniors. He provided some history on the provision of sidewalks and the trails in the community. He noted that the new road will have a sidewalk and tie into Harbour View Drive, with another roadway providing access to Highway 337. Stormwater control systems in the development will follow the same high standard that has been built throughout the rest of the community.

Mr. Bain was provided the opportunity to address the items raised during the presentations. He noted that the Town has released the RFP to have the dredging of the sewage treatment plant as soon as possible and approved it at a special Council meeting on November 8th. He noted that there was not a second staff report as noted by the first speaker, and that the calculations noted in the staff report used duplexes. Mr. Bain noted that the provision of sidewalks is outside of the scope of

the proposed rezoning. He also noted that the STRUM plan does show an extension of the drainage ditching along the back of the proposed fourplexes.

Councillor MacLaughlin asked what was used to evaluate compatibility with a single-unit home. Mr. Bain noted that the comparison of the various development types was a professional opinion/determination by planning staff, noting that the design applies to the subdivision as a whole, and not exclusively those units fronting Highway 337.

Councillor Baden-Clay expressed that he heard from many residents when campaigning voicing concern with rent increases, and he hopes that any rebates received by the developer from other levels of government are passed along to renters. He noted that Mr. Smith's company provides employment for a lot of people in the community. He raised Mr. Bain's point regarding concerns raised regarding issues that are outside of the scope of a rezoning application, but also noted a concern with the timeline for Council to consider the staff report and the complexity of the planning terms in the staff report that a new councillor wouldn't be familiar with, and made a motion to table the decision and schedule a special meeting to take place in two weeks for a vote on the proposal.

Min #2024-154

Moved and Seconded

That Municipal Council extend the table of motion by two weeks for 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, 10137123 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.

Following discussion, the motion was withdrawn by the party that put it forward.

Min #2024-155

Moved and Seconded

That Municipal Council table of motion by two weeks for 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, 10137123 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, and that a new staff report be prepared and that legal advice regarding the status of the tabled motion be presented.

Motion Carried

Correspondence

There was no correspondence in the agenda package.

Additions to the Agenda

There were no additions to the agenda.

Miscellaneous Business

There was no miscellaneous business.

Adjournment

Min # 2024-156

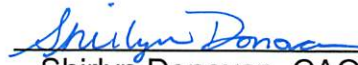
Moved

That the Council meeting adjourns at 9:08 pm.

Motion Carried



Warden Nicholas MacInnis



Shirlyn Donovan, CAO