

MUNICIPALITY OF THE COUNTY OF
ANTIGONISH

Municipal Council Meeting- Minutes

Tuesday, April 19, 2022

7:30 pm

Council Chambers

Municipal Administration Building

285 Beech Hill Road

Beech Hill, NS B2G 0B4

Councillors Present:

Warden Owen McCarron

Deputy Warden Hugh Stewart

Councillor Mary MacLellan

Councillor Donnie MacDonald

Councillor Remi Deveau (by Zoom)

Councillor John Dunbar

Councillor Gary Mattie

Councillor Bill MacFarlane

Councillor Harris McNamara

Councillor Shawn Brophy

Staff Present:

Glenn Horne, CAO

Beth Schumacher, Deputy Clerk

Also Present:

John Bain, EDPC

Andrew Jones, EDPC

Lee-Ann Martin, EDPC

Dawn Sutherland, EDPC

Deanna Burton

Luke MacKenzie

Peter Klapstein

Jerome Dagenais (by Zoom)

Ken Kingston, XFM

Corey LeBlanc

Call to Order- Chairman, Warden Owen McCarron

Warden McCarron called the meeting to order at 7:43pm.

To mark the second anniversary of the province's mass shooting, a moment of quiet reflection was observed for the 22 victims and all those affected by the tragedy.

Approval of Agenda

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

Min # 2022-047

Moved and Seconded

That the agenda be approved as presented.

Motion Carried

Approval of Municipal Council Minutes

March 8, 2022 Council Minutes

Warden McCarron called for any errors or omissions in the minutes of March 8, 2022.

Min # 2022-048

Moved and Seconded

That the Municipal Council minutes of March 8, 2022 be approved as presented.

Motion Carried

March 22, 2022 Special Council Minutes

Warden McCarron called for any errors or omissions in the minutes of March 22, 2022.

Min # 2022-049

Moved and Seconded

Minutes of March 22, 2022 approved.

Motion Carried

Business Arising from Minutes

There was no business arising from the minutes.

Statutory Public Hearings

Mr. Horne reviewed the Public Hearing Protocols for the benefit of the gallery in attendance in person and online.

Rezoning of Two Properties on Dunmore Road, Dunmore Development Ltd.

Mr. Jones provided an overview of a proposed rezoning application for a property on Dunmore Road. He reviewed the Municipal Planning Strategy policy that outlined why the application only required a rezoning, and not a Municipal Plan amendment. Reference was made to the service extension agreements with the municipality that are currently under negotiation. A conceptual plan for the proposed development was shared with Council. Mr. Jones noted that no plan of subdivision has been received by the Planning Commission for consideration.

The rezoning criteria found in the Land Use By-law was summarized for the benefit of Council. The Department of Environment made the recommendation that a capacity study be done at the Lower South River Sewage Treatment Plant before any approvals are provided for sewer connections, and the Municipality will be doing a study before development takes place.

Mr. Jones also reviewed the proposed changes to the Hamlet Residential (HR-1) zone, to bring it in line with similarly named zones in adjacent plans. All advertising requirements under the MGA have been met. Staff and the PAC are recommending that the proposed amendments are approved. No written submissions have been received.

The floor was opened for members of Council to ask any questions regarding the proposal. A question was asked about the Lower South River Sewage Plant study and who would bare the cost of any upgrades to the facility. A question was also asked about how many buildings were proposed/expected to be constructed on the site. A precise number has not been provided, but the draft plan submitted with the application identifies approximately 20 lots. The potential for duplexes, as well as the lots that could have higher density development.

The floor was opened to those who wish to speak against the proposal.

- Mr. Luke MacKenzie voiced his concern with the proposal. His concerns include property taxes/assessments increasing, concerns with the roadway being narrow without an adequate shoulder carrying additional vehicle loads (condition, winter maintenance), concerns with being able to go hunting in his woodlot on his property due to the proximity of the homes, view from his home is going to look over the property where the development is proposed.
- Ms. Deanna Burton expressed concerns with the roadway. A concern with the multi-unit dwellings proposed directly behind her dwelling, existing road conditions, and the proposed location of the access to Dunmore road were voiced.
- Mr. Peter Klapstein expressed concern with the water drainage from the proposed property, which slopes down to Dunmore Road and runs towards the South Road underneath the Dunmore Road via one small culvert and crosses and edges his property to the river. The removal of vegetation, addition of hard surfacing, and storm water management are a concern if flow into the culvert and the flooding of properties adjacent to the river are located. Consideration of higher-flow water events during the engineering study was encouraged.

No parties present wished to speak in favour of the application.

Warden McCarron noted that the feedback received from those in attendance would be passed along to the appropriate departments and authorities.

Min # 2022-050

Moved and Seconded

That Municipal Council approve following amendments to the Central Antigonish Land Use By-law:

- to rezone the two properties located at PIDs 10126571 and 01244565 from Rural Development (RD-1) to HR-1 and HR-2 as per the Rezoning Map.
- amend the HR-1 zone lot standards in Part 13.2 a.) by reducing the Minimum lot area to 557.4 m² (6,000 ft²) and the Minimum lot frontage to 15.2 m (50 ft).

Motion Carried

Wind Turbine By-law Amendment, EDF Renewables

Ms. Martin provided an overview of a proposal to amend the Antigonish Wind Turbine By-law, to reduce the setback requirement from watercourses and public highways. Examples from other municipalities with reduced setbacks in similar contexts were shared with Council. The recommendation from PAC was shared, confirmation was provided that the hearings were advertised in accordance with the MGA, and no written submissions were received regarding the application. Staff is recommending approval.

The floor was opened to questions from Council. Confirmation of the current and proposed setbacks was requested. A question was asked about how erosion would be considered. Ms. Martin noted that an EA would be required for a turbine to be constructed. A question was asked about whether of the other example municipalities identified later had concerns with the reduction in setbacks. None that staff were aware of were identified.

No parties were present wishing to speak against or in favour of the amendment.

Min # 2022-051

Moved and Seconded

That Municipal Council approve following amendment to the County of Antigonish Wind Turbine By-law:

- to reduce the setback distance of utility scale wind turbines from watercourses to 30 metres plus the blade length.

Motion Carried

Housekeeping Amendment - Fringe Plan

Ms. Sutherland introduced a housekeeping amendment to the Fringe Plan to allow more than one main building on a lot in the Business Commercial (BC-1) zone. The floor was opened to any questions - there were none. No parties were present to speak in favour or against the proposed amendment.

Min # 2022-052

Moved and Seconded

That Municipal Council approve a housekeeping amendment to the Antigonish Fringe Land Use By-law to allow for more than one main building on a lot in the Business Commercial (BC-1) zone.

Motion Carried

Small-scale Solar Collector Systems as Accessory Uses

Mr. Bain provided an overview of the proposal, which came about as a result of the Antigonish Affordable Housing Society wanting to install ground-mounted solar panels. In the past, such an installation has been permitted as a utility, but the current proposal is within a residential zone and was considered to require an amendment. The staff report provides a preamble discussing energy initiatives and outlines the intent of such installations to supplement power to an existing development. Small-scale collection systems are defined in the amendment as well.

The floor was opened to members of Council for questions. A question was asked about setback requirements; Mr. Bain noted that as an accessory use, there would be setback requirements as well as limitations on height and not being permitted in front yards.

There were no parties present looking to speak against or in favour of the proposal.

Min # 2022-053

Moved and Seconded

That Municipal Council approves a concurrent text amendment to the Antigonish Fringe Municipal Planning Strategy and Land Use By-law to allow small-scale solar collector systems to be permitted as accessory uses.

Motion Carried

Antigonish Fringe Planning Documents – Use of “Fringe” in the Title

Mr. Bain introduced the amendment to change the name of the Fringe Plan to the West River - Antigonish Harbour Land Use By-law. Once approved, the document would be updated to replace the term "Fringe" throughout the MPS and LUB. Mr.

Bain confirmed that advertising requirements of the MGA were met. The floor was opened for questions from Council. No parties spoke in favour or against the proposed amendment.

Mr. Horne took a moment to thank the Planning Team for their service, with it not being common to have all of the Planning Team before Council in one evening. Mr. Horne also thanked those attended in the gallery for providing their comments, which will be shared with the appropriate departments as previously noted.

Min # 2022-054

Moved and Seconded

That Municipal Council approve concurrent text amendments to the Antigonish Fringe Municipal Planning Strategy and Land Use By-law to change to name of the planning documents to the West River- Antigonish Harbour Municipal Planning Strategy and Land Use By-law to better reflect the geographic location and subsequently revise the documents to reflect the changes.

Motion Carried

Correspondence

There was no correspondence.

Committee Reports

April 5, 2022 Police Advisory Committee Report

Deputy Warden Stewart reviewed the Committee report. No motions were brought forward.

April 5, 2022 Committee of the Whole Report

Min # 2022-055

Moved and Seconded

That Municipal Council writes a letter to support a petition regarding roads in Ohio to send to Minister Michelle Thompson, MLA for Antigonish and Minister of Nova Scotia Public Works Kim Masland.

Motion Carried

April 19, 2022 Asset Management Committee Report

Min # 2022-056

Moved and Seconded

The Committee recommends that Municipal Council awards to contract for the St. Andrews Waterline Extension to Ron Chisholm Hydro Seeding Ltd. for the bid price of \$283,223.00 + HST

Motion Carried

Min # 2022-057

Moved and Seconded

That Municipal Council approve the Service Extension Agreement for a waterline extension in St. Andrews and a sewer line extension in Dunmore, and further authorize the CAO to finalize dates of milestones with the developers.

Motion Carried

April 19, 2022 Committee of the Whole Report

Min # 2022-058

Moved and Seconded

The Committee recommends that Municipal Council approves the proposed amendments to the Municipal Covid-10 Vaccination Policy.

Motion Carried

Reports from Individual Council Members on Outside Boards, Conferences, and Community Activities

Councillor MacLellan shared a story from the Chronicle Herald regarding the community consolidation meeting held in Lanark and Mini-Trails, in which she was quoted but that she felt misrepresented her position on consolidation by implying that she was opposed to the proposed consolidation. Councillor MacLellan read an email that she sent to the story's author expressing her concerns, which was acknowledged by the author. A correction will run in the upcoming print edition and online.

Motions

There were no additional motions.

Miscellaneous Business

There was no miscellaneous business.

Adjournment

Min # 2022-059

Moved and Seconded

That the Council meeting adjourns at 8:38pm.

Motion Carried



Warden Owen McCarron



Glenn Horne, CAO