



MUNICIPALITY OF THE COUNTY OF ANTIGONISH

Municipal Council Meeting - Minutes

Tuesday, March 17, 2015

7:30 to 9:00 pm

Present: Deputy Warden Owen McCarron, Chairperson

Councillors: Donnie MacDonald Bill MacFarlane
Mary MacLellan Vaughan Chisholm
Angus Bowie

Also present: Glenn Horne, Municipal Clerk/Treasurer
Beth Schumacher, Deputy Clerk
John Bain, EDPC
Adam Rodgers, Solicitor – Boudrot & Rodgers Law Firm
Corey LeBlanc, Antigonish Casket
Matt Draper, The Reporter
Bill MacCuish, 989 XFM
Gallery

Regrets: Warden Russell Boucher; Councillor Pierre Boucher; Councillor Hugh Stewart;
Councillor Rémi Deveau

The meeting was called to order at 7:35 by the Chair, Deputy Warden McCarron.

APPROVAL OF AGENDA

Deputy Warden McCarron called for any additions or deletions to the agenda. Mr. Horne identified the following items were to be added to the agenda:

- Items 5) i. and 5) ii. (public hearings) were reversed in order
- Item 7) ii – Correspondence from TransCanada
- Item 8 - a report from the Planning Advisory Committee
- Item 10 - a letter of congratulations to a local woodlot owner for a stewardship award was added under miscellaneous business.

Min #2015-036 (Approval of Agenda)

MOVED by Councillor MacDonald, SECONDED by Councillor MacFarlane, that the agenda be approved as amended. Motion carried.

APPROVAL OF MINUTES

Deputy Warden McCarron called for the approval of the Municipal Council Minutes of February 17, 2015.

Min #2015-037 (Approval of February Minutes)

MOVED by Councillor MacLellan, SECONDED by Councillor Bowie, that the Municipal Council Minutes of February 17, 2015 be approved. Motion carried.

PUBLIC HEARING

Mr. Horne reviewed the Public Hearing Protocol in accordance with the requirements of the *Municipal Government Act*.

Amendments to the new Antigonish Fringe Municipal Planning Strategy and Land Use By-law

John Bain, Director, Eastern District Planning Commission, provided a brief summary of the amendments proposed to the new Antigonish Fringe Municipal Planning Strategy (MPS) and Land Use By-law (LUB), to address concerns with the height and size of signage within a prescribed distance of the Highway 104 right-of-way. A copy of the staff report presented to the Committee of the Whole on February 4th and provided to members of Council at this meeting is attached to the minutes. EDPC staff recommended that Council give the item second reading.

Deputy Warden McCarron asked if there was anyone present that was against the recommendation. No one asked to speak in opposition to the amendment. Deputy Warden McCarron then asked if there were anyone present in favour of the recommendations. There was no one present wishing to speak in favour of the item.

Min #2015-038 (Approval of Fringe MPS/LUB Amendments)

MOVED by Councillor Chisholm, SECONDED by Councillor Mary MacLellan that Council:

- a) Approve an amendment to the Municipal Planning Strategy by inserting a special height and area policy for signs located in close proximity to the Trans-Canada Highway;*
- b) Approve an amendment to the Municipal Planning Strategy by inserting a new variance policy for height and/or area of signs in commercial areas;*
- c) Approve an amendment to Part 7, Section 8, Sub-section (b) of the Land Use by-law by adding increased sign height and area provisions for signs in the General Commercial (G-2) and Large Scale Commercial (C-3) zones and in close proximity to the Trans-Canada Highway; and,*
- d) Approve an amendment to Part 7, Section 8, Sub-section (b) of the Land Use By-law adding a further increase sign height and area provision for sign in the General Commercial (C-2) and Large Scale Commercial (C-3) zones and in close proximity to the Trans-Canada Highway through a variance process where sightlines warrant an increased height to allow for visibility.*

Motion carried.

Special Events By-law

Mr. Horne provided Council with a brief presentation outlining the background, consultation and requirements of the proposed Special Events By-law, a copy of which is attached. Mr. Horne noted that the notice of intent to consider this by-law for second reading was advertised in accordance with the requirements of the MGA, and no written submissions had been received by the Municipality.

Deputy Warden McCarron asked if anyone was present who wished to speak against the proposed by-law. Mr. Jonas Colter, the organizer of the Evolve festival, identified that he wished to speak against the by-law.

Mr. Colter noted that he has been trying to make Evolve a safe event, working with the Department of Tourism, whose requirements change every year. He has met with the organizers of the Stanfest festival in Canso. Mr. Colter noted that there were complications at Evolve last year because of drug use, and he was looking into establishing a safe “drug testing area” on site. He noted that he wants to work with the Municipality, EMO, the Fire Marshal, and others. The “parking lot party” that caught organizers off-guard last year is being formalized this year, to give better coordination with parking and emergency access.

Mr. Colter is concerned about the Special Events By-law, and because of it, is looking to move Evolve to another site such as Canso, Moncton, or PEI. Figures of 4,000 attendees and 1,000 volunteers spending approximately \$100 each per day were cited to give an idea of the potential local economic impact the festival has each year. He has not started selling tickets for this year’s festival yet because he is waiting for the final outcome of this by-law to better understand the regulatory and financial implications of it. Specifically, Mr. Colter has two concerns:

1. The by-law does not regulate/provide a ratio for the number of RCMP based on number of attendees at an event, instead leaving it to the discretion of the RCMP. Mr. Colter is concerned that this leaves this staffing to be subjective, and has not been able to connect with RCMP representatives to discuss and better understand what expense this may result in for his festival. He feels that his privately-hired security compliment, costing him approximately \$50,000, is more than adequate to address the festival’s needs.
2. Mr. Colter noted that the festival has not received any noise complaints in the past, and therefore he wishes to be granted exemption from the by-law’s restrictions on noise emissions between 2am and 7am. Mr. Colter noted that, if the stages are shut down during those hours, he believes that his festival patrons may look at other activities to occupy their time, inviting vandalism in the adjacent neighbourhood.

Overall, Mr. Colter feels that the unresolved questions cited above pertaining to this by-law are holding up his ability to do programming for his festival and begin ticket sales. He re-iterated several of the points noted above.

Councillor MacLellan asked Mr. Colter whether there was any age limits placed on attendance at the festival. Mr. Colter noted that there was not, but minors must be accompanied by an adult and youth younger than 12 are permitted to attend at no cost. Councillor MacLellan noted a concern with the focus on drug use, and what appears to be the promotion of drug use on site, questioning whether drugs are illegal in public areas. The response received was that it’s a culture that is not welcome but there anyways, and that security looks for it, but it happens.

Councillor MacFarlane stated that there are other events and festivals in the County that have spurred the desire to have this sort of by-law in placed. One of the complaints heard about Evolve in the past was with respect to vehicles parking on the road and obstructing access. Mr. Colter noted that with the festival formally starting on the Thursday, more resources would be in place to address those concerns on the Thursday afternoon/evening.

Councillor MacDonald asked where the bulk of the festival audience is coming from. Mr. Colter noted that a one-third to one-half of the attendees are coming from out-of-province (New Brunswick and PEI).

Deputy Warden McCarron provided clarification that the by-law was to be considered for second and final reading this evening. He thanked Mr. Colter for his presentation, and asked if there were any others in attendance who wished to speak in opposition to the by-law.

Mr. Mike MacEachern requested to speak in opposition of the proposed by-law. He is involved with the Evolve festival, and takes care of the grounds, including the post-festival cleanup. His specific concern with the proposed by-law is the 72-hour post-event clean up timeline, noting that it takes longer than that for the post-Evolve clean-up because of the limited size of the crew (5 people) and the high standard to which the grounds are restored. When asked how long would be a more reasonable timeline, 7-8 days was noted as being more in line with what the post-Evolve cleanup would require.

Mr. MacEachern also noted that he had been contacted by other festivals in the past year, but those organizers had held off due to the pending Special Events By-law. The RCMP staffing aspect makes it too difficult for organizers to budget.

Deputy Warden McCarron then asked if anyone present wished to speak in support of the by-law. No one came forward.

Councillor MacFarlane noted that he was voting against the by-law, because as structured, it would require event organizers to apply to an exemption every year; this uncertainty may have gone too far and have an economic spinoff/impact in the community.

Min #2015-039 (Approval of Special Events By-law)

MOVED by Councillor Bowie, SECONDED by Councillor MacLellan that Council approves the Special Events By-law as presented. Five in favour, one against. Motion carried.

PRESENTATIONS

ACALA

Lise de Villiers provided a brief background on the progress and future plans for ACALA in light of recent government funding cuts to the program. The group has applied for a community grant, but has not increased the amount requested from previous years, nor does it plan to cut programming. Instead, ACALA is looking at ways to be “leaner and meaner”. The organization is primarily staffed by volunteers, with only a few part-time staff members.

This year ACALA is celebrating its 20th anniversary as a community association. Ms. De Villiers was thanked for her presentation.

CORRESPONDENCE

Correspondence has been received from the following:

1. Provincial Director of Planning – Fringe Municipal Planning Strategy and Land Use By-law updates
2. TransCanada – Energy East Pipeline Project, response to resolution passed by Council in support of the project.

COMMITTEE REPORTS

Committee of the Whole Report – March 11, 2015

Min #2015-040 (Curling Team Advertisement)

MOVED by Councillor MacLellan and seconded by Councillor MacDonald that Municipal Council approve supporting the St. FX Women's Curling Team by proceeding with an ad at a cost of \$75 expressing their congratulations and best wishes. Motion Carried.

Min #2015-041 (Lions Club Program Advertisement)

MOVED by Councillor MacDonald and seconded by Councillor Chisholm that Municipal Council purchase a full-page advertisement for the amount of \$100 in the program being prepared for the Antigonish Lions Club 2015 District N2 Convention. Motion Carried.

Committee of the Whole Report – March 17, 2015

Min #2015-042 (CAO/CEO Forum Attendance)

MOVED by Councillor Bowie and seconded by Councillor MacDonald that Municipal Council permits up to three participants to be registered for the annual CAO/CEO Forum. Motion carried.

Min #2015-043 (Library Conference Attendance)

MOVED by Councillor Chisholm and seconded by Councillor MacDonald that Municipal Council approve Councillor MacLellan's attendance at this year's annual Library Conference. Motion carried.

Min #2015-044 (Heatherton School Sale)

MOVED by Councillor Bowie and seconded by Councillor MacFarlane that Municipal Council approve the sale of the former Rev. H.J. MacDonald school property to the Heatherton Development, Culture and Wellness Association for \$1. Motion carried.

Min #2015-045 (Eastern-Strait Regional Enterprise Network)

MOVED by Councillor MacDonald and seconded by Councillor MacFarlane that Municipal Council approve the Inter-Municipal Agreement and the Municipality's participation in the Eastern-Straight Regional Enterprise Network. Motion carried.

Planning Advisory Committee – March 16, 2015

Min #2015-046 (Development Agreement – Nova Construction)

MOVED by Councillor MacLellan and seconded by Councillor MacDonald that Municipal Council approve first reading of the proposed Development Agreement between the Municipality and Nova Construction Company Limited. Motion carried.

UPDATES/REPORTS FROM INDIVIDUAL COUNCIL MEMBERS

Councillor MacLellan reported that she had attended:

- February 20th award event at the Library
- Library executive meeting regarding funding
 - Youth positions have been cut
 - Film license has been cut
 - Writer-in-residence position has been cut

Councillor MacDonald reported that he had attended:

- The Maritime masters curling tournament on March 7th
- UARB hearing for ACTS on March 17th
- OHS meeting on March 4th
- Community Energy Forum – Call to Action on March 7th

Councillor Bowie reported that he had attended:

- UARB hearing for ACTS

Councillor Chisholm reported that he had attended:

- A Heritage Board Meeting

Deputy Warden McCarron reported that he had attended:

- The February 20th award event at the Library
- Festival Antigonish fundraiser (kilted skating party)

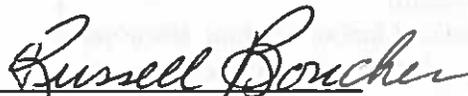
MISCELLANEOUS BUSINESS

Councillor MacLellan noted that Doctor's Brook Forestry has been awarded a certificate for stewardship and excellence in silviculture, and requested that a letter of congratulations be sent on behalf of the Municipality recognizing this.

MOTION TO ADJOURN

Min #2015-047 (Motion to Adjourn)

MOVED by Councillor MacDonald and seconded by Councillor Bowie that the meeting adjourn at 9:05pm. Motion carried.



Warden Russell Boucher



Glenn Horne, Municipal Clerk/Treasurer