

**Town Council Minutes**  
**May 17, 2010**  
**Council Chambers**

**Present**

Mayor C. Chisholm  
Deputy Mayor L. Chisholm  
Councillor S. Cameron  
Councillor W. Cormier  
Councillor D. MacInnis  
Councillor J. MacPherson  
Councillor D. Roberts

D. Kampen, MPA, Chief Administrative Officer  
D. Wilson, Deputy Clerk  
S. Day, Planner

Media  
Community Members  
M. MacDonald, Observer

**Call to Order**

Mayor C. Chisholm called the meeting to order at 7:05 PM.

**Approval of Agenda**

Moved by Councillor D. Roberts  
Seconded by Councillor W. Cormier  
"That the Agenda be approved with additions." Motion carried.

**Approval of Minutes**

Moved by Councillor S. Cameron  
Seconded by Councillor W. Cormier  
"That the Minutes of the Committee of the Whole Meeting (Closed), April 19, 2010; Council Meeting (Regular), April 19, 2010; E-mail Poll, April 23, 2010; and E-mail Poll, May 11, 2010, be approved as circulated." Motion carried.

**Presentations**

- S/Sgt. T. Perry re RCMP Annual Performance Plan

S/Sgt. T. Perry, Sgt. B. Rehill, and Cpl. R. Bouchard of the Antigonish RCMP were in attendance to update Council on their Annual Performance Plan. S/Sgt. T. Perry noted that the local detachment met with members of the business community and general public to discuss their crime reduction initiative with a focus on the reduction of 'soft' drugs in the area. Other initiatives and actions included the identification and reduction of organized crime, property crimes, enforcement at crosswalks, impaired drivers, speeding, and education (and public service announcements).

S/Sgt. T. Perry noted that they are working with outside agencies on the best way to address domestic violence. He noted that in an effort to increase road safety, they are looking at drivers who habitually continue to drive without the benefit of a license and are under the influence. For those caught, S/Sgt. T. Perry noted they would apply to the Province to have the person's vehicle confiscated.

Cpl. R. Bouchard noted that roadchecks have been increased to increase awareness that the RCMP are out there and, beginning May 26, 2010, the RCMP will be operating on a 24-hour schedule.

S/Sgt. T. Perry spoke on areas identified where more staff training is required, particularly with identifying impaired drivers, court documents, etc. S/Sgt. T. Perry noted that the RCMP will report back to Council on how things are going through the Town and County RCMP Advisory Board.

Council was briefed on a homicide which took place on January 1, 2010, and S/Sgt. T. Perry noted that the suspect in the case has not yet been apprehended.

S/Sgt. T. Perry noted that the RCMP is attempting to be more visible to the public and that more foot patrols will be in place. In response to a question from Councillor D. Roberts, S/Sgt. T. Perry noted that prior to the RCMP members doing patrols on bicycles, additional 'tactical' training is required and he expanded on the reasons for this.

S/Sgt. T. Perry also briefed Council on other matters including an Acadian Line bus which went off the road in the Monastery area and his hope to have some property improvements made at the detachment.

S/Sgt. noted that the Annual Report is available to Council or members of the public. The Report can be picked up at the detachment at no charge.

Mayor C. Chisholm thanked the RCMP for their presentation and they left the meeting at 7:25 PM.

### **Public Hearing**

- Development Agreement ([DA2.09](#)) for 62 Hawthorne Street
- Mayor C. Chisholm noted the large number of delegates in attendance for the Public Hearing and provided an outline of how the public hearing would proceed.

S. Day, Planner, provided a brief summary of the development agreement process noting that it is a negotiated agreement whereby a proposed project meets the overall objectives of the Town's planning strategy. He further noted that within the development agreement, certain things are negotiable while others are not.

S. Day apprised those in attendance that he had received two (2) letters regarding the proposed development. He then proceeded to provide a history on the development which had initially begun in 1999. S. Day noted that the land encompasses approximately 46,000 square feet and features a driveway which accesses the property from Hawthorne Street. He noted that most of the surrounding lots are relatively large with the exception of one (1) small lot. S. Day then presented a visual presentation of the proposed development for those in attendance to view. He reviewed the provincial statements of interest that must be considered, and further noted that the Traffic Authority did not have any issues with the access to the property. He then provided details specific to the proposed development including parking, sight-lines, elevations, buffering, stormwater management, and the requirement for a hydrant. S. Day noted that there would also be a requirement for financial 'bonding' for the project. He further noted that once registered, a development agreement remains with the property, regardless of whether the property changes ownership.

Mr. I. Kadray, (the developer), addressed Council and the delegates and noted that he has

restored a number of buildings within the Town including the Royal George, the former Glebe and Parish Centre buildings, and currently, is renovating a commercial building on Main Street. He noted that initially he had intended to develop condominiums; however, the project proved cost-prohibitive. He noted that he hopes the development will appeal to mature adults and seniors, and further noted that the building would feature two (2) barrier-free units. I. Kadray noted that he would be improving drainage in the area as well as looping a water line to Brookland Street (at the insistence of the Town Engineer). He noted that the development would increase the tax base to the Town.

Members of the public then had the opportunity to provide comments on the proposal:

- R. MacPherson – raised concern with water run-off.
- D. MacFarlane – stated that the area is under extreme pressure and that some residents had left the area as a result of the last proposal put forth by Mr. I. Kadray.
- F. Farrell (12 Orchard Terrace) - noted that of the approximate 40 homes in his area 18-20 are rentals units which cause much disruption to the peace and quiet of the neighbourhood.
- B. Sullivan – acknowledged that he owns a building in close proximity to the proposed development and that his building will be ‘shaded’ as a result. He stated that he hopes to receive the same consideration as Mr. Kadray when he further develops his property.
- B. Gillis (60 Hawthorne Street) – stated she currently owns a desirable property but expects property values will go down as a result of the proposed development.
- W. Marshall (54 Hawthorne Street) – noted that the project was initially proposed for 21 units but now 29 are proposed. He raised concern as he noted the nature of tenancy is not always quiet without the presence of a landlord.
- C. Melnyk – owns ‘Hawthorne House’ which formerly formed part of the lands currently proposed to be developed which she purchased from I. Kadray. She noted that the development will be in her backyard, along with a shared driveway. She stated that she did not have a problem with Mr. Kadray’s proposed development (other than the need for additional buffering).
- S. Thomas (87 Brookland Street) – noted he will have a direct view of the back of the building from his home and that it will disrupt his serene place. He noted that he is not against development but would like to see something on a smaller scale such as townhouses.
- C. Sullivan (Orchard Terrace) – stated she felt the project was an excellent idea, especially for seniors but not for students.

S. Day spoke on flow values and noted that in speaking with the Town Engineer, the proposed area should see a reduction in water run-off. He noted that with a townhouse development someone could purchase a unit and put pretty much whoever they want in it.

In response to comments and a query from C. Melnyk, S. Day noted that the Town could only refuse the development if the proposal was clearly contrary to the Town’s Planning documents.

S. Day noted that two (2) clauses had been added to the Development Agreement, one which would address no water running off the driveway to the Gillis property (grading), with the second clause included at the request of the Town Engineer to clarify that infrastructure costs are to be borne by the developer. Further, the developer is to provide C. Melnyk with access to the rear of her property for parking.

B. Marshall spoke on the nature of the tenants he expects will live there, noting many single family homes in his area are now rentals, that the student population is not declining and that

the pressure of student housing is still a reality.

I. Kadray spoke to R. MacPherson's concern regarding drainage, and noted that the system being put in place is intended to handle a 1:100 year rain event. He noted that initially the parking lot will hold the water then flow to a rock drain at the rear of the property. He noted that the water would not migrate to Brookland Street, and further noted water would be draining into a storm sewer system.

I. Kadray spoke on a development he carried out in New Minas whereby two (2) people who were against the development are now seeking to live there. He further noted that he cannot control the rental market, cannot restrict who lives in his buildings, that he builds to satisfy a market and that he has property managers who live in all of his buildings. He further noted that students do not look for one-bedroom apartments and that he would prefer to have seniors in the building.

In response to a question from Mayor C. Chisholm, Councillor W. Cormier advised that as-of-right, the developer could develop up to four (4) single family dwellings with no limit on the number of bedrooms that could be included, and with no negotiation or consideration of the surroundings.

Councillor J. MacPherson noted that Clause 11.1 of the development agreement needs to be changed as construction and demolition materials can, in addition to Guysborough, also be taken to the County of Antigonish or Eastern Sanitation Limited.

In response to a question from Councillor D. MacInnis, I. Kadray responded that he had requested a clause be included in the development agreement to allow him to reduce the number of units to less than 29 with the envelope of the building remaining the same size but allowing him to develop a few more luxurious units.

Mayor C. Chisholm thanked everyone for their attendance and advised that the Town would be open to receiving additional comments for a one-week period.

Councillor W. Cormier noted that although the Planning Advisory Committee may make a recommendation on the proposal to Council, ultimately it is up to Council to decide whether the project will proceed.

In response to a comment from I. Kadray, Mayor C. Chisholm noted there was no requirement for a decision to be made this evening.

### **Presentations (Continued)**

- D. Karrel re Property Valuation Services Corporation (PVSC)  
Ms. D. Karrel noted that the Property Valuation Services Corporation is a not-for-profit organization that has served all 55 municipalities since its inception in 2008. She noted that in a few months time, Council will receive a letter of invitation from the Board of Property Valuation Services Corporation. She then reviewed the mission of the Corporation and noted that they are governed by the Assessment Act. She further noted that 23 municipal and public websites have links back to the Property Valuation website.

D. Karrel noted that appraisals are down approximately 53% and that appeal brochures have been sent out that would guide a person through the appeal process. She then provided the process of property assessment and evaluation and the CAP program. She further noted that most dwellings which fell under the CAP program would not see an increase in assessment this year.

- Mr. B. Murray re Federation of Canadian Music Festival's National Classical Music Festival, August 6-13, 2011

Mr. & Mrs. B. Murray were in attendance to provide Council with information on the upcoming Federation of Canadian Music Festival's National Classical Music Festival which will be hosted in Antigonish from August 6-13, 2011. Information on the Festival was previously distributed to Council. He noted that the competitions are in the field of classical music and cover all disciplines. B. Murray then presented additional background information on where and when the competitions were held in the past.

M. Murray noted that the competition begins at local festivals such as the New Glasgow Music Festival. The senior winners in the various disciplines recommended by the local adjudicators then go on to the Provincial competition. Winners from the Provincial competition go on to compete at the National competitions which sees competitors from all ten (10) Provinces participate. B. Murray noted that approximately 40 to 50 delegates are expected to attend the Annual General Meeting on August 7, 2011, to be followed by approximately 60 competitors on Wednesday, August 10.

B. Murray noted that the purpose of the presentation this evening was to present a proposal for the Town's support of this gathering, perhaps by way of sponsorship of a meal and attendance by the Mayor.

- Ms. K. Wismer re Big Brothers Big Sisters In-School Mentoring Program

Ms. K. Wismer and Ms. C. Gallant were in attendance to provide Council with information on the Big Brothers Big Sisters In-School Mentoring Program. C. Gallant reviewed the mission and vision of the organization and noted the program is for children aged 6 to 16. She noted that the In-School Mentoring Program requires a one-hour weekly commitment and that she encourages employers to provide the time off for employees to attend. She further noted the support from the Strait Regional School Board staff.

Ms. K. Wismer provided details on how they wish to expand the program to other schools, the need for volunteers, and their effort to promote awareness of the In-School Mentoring Program. She noted that the In-School Mentoring Program is the largest part of the Big Brothers Big Sisters Program. Video clips from children participating in the program were presented. In response to a question from Mayor C. Chisholm, K. Wismer noted that no funds are received from the In-School Mentoring Program from the Strait Regional School Board. Councillor W. Cormier suggested a contact name at the Strait Regional School Board to open discussion on possible funding.

In response to a question from Mayor C. Chisholm, K. Wismer noted that they understood financial assistance may not be available from the Town at this time, and further that their purpose in attending this evening was to educate and perhaps receive support on where else they might turn.

Mayor C. Chisholm noted that he intends to commit one-hour per week for the In-School Mentoring Program beginning this September 2010.

At 9:52 PM, the delegates left the meeting.

## **Business from Minutes**

There was no Business from the Minutes.

## **Correspondence**

- Union of Nova Scotia Municipalities Request for Support – Yarmouth to New England Ferry Service

Moved by Councillor J. MacPherson

Seconded by Councillor D. MacInnis

“That Council write a letter of support for the Yarmouth to New England Ferry Service.” Motion carried.

- Union of Nova Scotia Municipalities Request for Support of Tri-Party Funding Agreement for the Proposed Federal Wastewater Regulations

Moved by Councillor J. MacPherson

Seconded by Councillor D. MacInnis

“That Council support the Union of Nova Scotia Municipalities Request for Support of Tri-Party Funding Agreement for the Proposed Federal Wastewater Regulations by writing the Federal Minister of Environment (The Honourable Jim Prentice), the Provincial Minister of Environment (The Honourable Sterling Belliveau), as well as our local Member of Parliament and Members of the Legislative Assembly outlining our concern with the regulations and asking that a tri-party funding agreement be put in place to share in the cost of implementing the new Federal Regulations.” Motion carried.

- Appointment to the Board of the R.K. MacDonald Nursing Home re: Ms. B. MacNeil

Moved Councillor D. MacInnis

Seconded by Deputy Mayor L. Chisholm

“That Council recommends the appointment of Ms. B. MacNeil to the Board of the R.K. MacDonald Nursing Home.” Motion carried.

## **Staff Reports**

- CAO Report

Moved by Councillor S. Cameron

Seconded by Councillor J. MacPherson

“That the CAO Report be received for information.” Motion carried.

- Grants Listing: 2010-11

Moved by Councillor D. Roberts

Seconded by Councillor W Cormier

“That Council approve the Grants Listing 2010, as circulated.” Motion carried.

- Antigonish Seniors Care Van

Moved by Councillor J. MacPherson

Seconded by Councillor D. Roberts

“That Council provide a grant in the amount of \$2,000.00 per year for five (5) years to the Antigonish Seniors Care Van.” Motion carried.

- Riverside International Speedway

Moved by Councillor S. Cameron

Seconded by Deputy Mayor L. Chisholm

“That Council Sponsor the 2010-11 season of Riverside International Speedway as a Bronze Sponsor in the amount of \$600.00.” Motion carried.

- Students

Moved by Councillor D. MacInnis

Seconded by Councillor W. Cormier

“That Council approve the hiring of students for the following terms:

- Alex Hayes, Co-op Engineering Student, April 26 to September 3, 2010
- Joe Landry, Nova Scotia Community College for the Treatment Facilities, June 7 to September 3, 2010
- Blair Doiron, Federal Summer Works Program, May 10 to September 3, 2010
- Kyle MacIntrye, Federal Summer Works Program, May 17 to September 3, 2010
- Caitlyn Chisholm, Summer Program Supervisor, May 17 to August 27, 2010

- Comptrollers Report

Moved by Councillor W. Cormier

Seconded by Councillor S. Cameron

“That the Comptrollers Report be received for information.” Motion

- Electric Utility Manager Report

Moved by Councillor W. Cormier

Seconded by Councillor S. Cameron

“That the Electric Utility Manager Report be received for information.” Motion carried.

- Engineer’s Report

Moved by Councillor J. MacPherson

Seconded by Councillor D. MacInnis

“That the Engineer’s Report be received for information.” Motion carried.

- Planning and Building Services Department Report

Moved by Councillor W. Cormier

Seconded by Deputy Mayor L. Chisholm

“That the Planning and Building Services Department Report be received for information.”

Motion carried.

- Recreation Report

Moved by Councillor D. MacInnis

Seconded by Councillor D. Roberts

“That that Recreation Report be received for information.” Motion carried.

### **Committee Reports**

- People’s Place Library

Councillor S. Cameron reported that tenders for work at the new library closed today.

- Beautification and Land Rehabilitation Committee

Deputy Mayor L. Chisholm reported that the Communities-in-Bloom judges will arrive in Antigonish on July 11, 2010. Judging will take place on July 12, and they will leave on July 13, 2010.

Moved by Deputy Mayor L. Chisholm

Seconded by Councillor D. MacInnis

“To recommend to Council that letters be sent to local businesses requesting participation in the 2010 Summer Hanging Basket program, and request pre-payment for the baskets. Further, requesting a response from the businesses no later than June 5, 2010.” Motion carried.

Moved Deputy Mayor L. Chisholm

Seconded by Councillor D. Roberts

“To recommend to Council that during the first meeting in the Fall (September) of each year, the Beautification and Land Rehabilitation Committee identify businesses/property owners within the Town to be given recognition for their efforts in beautification and land rehabilitation.” Motion carried.

- Planning Advisory Committee

Moved by Councillor W. Cormier

Seconded by Deputy Mayor L. Chisholm

“To recommend to Council to amend the Town’s Planning Documents to further amend the definition of ‘Public Authority’ as contained in the Land Use By-law such that the Authority may be comprised of the Town and County of Antigonish jointly. Further, to amend the Land Use By-law whereby the erection by a Public Authority of non-residential buildings within a Conservation (02) Zone may be permitted subject to sound flood risk management principals.” Motion carried.

Moved by Councillor W. Cormier

Seconded by Councillor J. MacPherson

“To recommend Council give Second Reading to the revised Unsightly Premises By-law.” Motion carried.

- Waste Management Committee

Moved by Councillor J. MacPherson

Seconded by Councillor D. Roberts

“To recommend to Council that thank you letters be sent to Ms. J. Corsten, Ms. L. Armstrong, and Ms. S. Halfpenny for their efforts and assistance with the 2010 Trading Treasures Program.” Motion carried.

Moved by Councillor J. MacPherson

Seconded by Deputy Mayor L. Chisholm

“To recommend to Council that the weeks of June 20, June 27, September 5, and September 12, 2010, be included for the weekly collection of organics. Further, that the last two (2) weeks in June and first two (2) weeks of September be included in the weekly collection of organics until such time as a new or amended Residential Waste Collection Contract is put in place.” Motion carried.

Councillor J. MacPherson reported on a successful residential Bulky Waste Collection which saw 24,590 kilograms of materials collected during three (3) days.

- Fire Committee

Councillor D. Roberts noted that a meeting of the Fire Committee was held on May 12, 2010. She had no motions to bring forth from the meeting.

- Recreation Committee

Councillor D. MacInnis noted he had nothing to report.

At 10:00, PM Mayor C. Chisholm vacated the Chair Deputy Mayor L. Chisholm assumed the Chair.

### **Resolutions**

Moved by Mayor C. Chisholm

Seconded by Councillor D. Roberts

• **Resolution 2010-05-17: 2010-11 Budget**

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“WHEREAS the Town of Antigonish estimates the amount of \$6,916,221.00 as necessary expenditures for the lawful purposes of general Town operations and revenue other than taxation revenues in the amount of \$2,734,626.00 for the year 2010-11;

AND WHEREAS the net amount required to be raised by taxation in the amount of \$4,181,595.00;

THEREFORE BE IT RESOLVED that the tax rate be set for 2010-11 at the rate of \$0.93 for Residential and Resource properties and \$2.47 for Commercial and Business Occupancy properties per \$100.00 of taxable assessment;

AND FURTHER BE IT RESOLVED that the due date for 2010-11 taxes to be paid to the Town of Antigonish be June 30, 2010;

AND FURTHER BE IT RESOLVED that the interest charged on taxes be set at 6% per annum on the taxes outstanding after the aforesaid due date of June 30, 2010.” Motion carried.

Moved by Mayor C. Chisholm

Seconded by Councillor J. MacPherson

• **Resolution 2010-05-17-A: 2010-11 Waste Management Collection**

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“THEREFORE BE IT RESOLVED by the Town of Antigonish that the Waste Management Collection charge for 2010-11 be established as \$198.75 per equivalent.” Motion carried.

Moved by Mayor C. Chisholm

Seconded by Councillor W. Cormier

• **Resolution 2010-05-17-B: 2010-11 Capital Investment Program**

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“THEREFORE BE IT RESOLVED that the Town of Antigonish approve a 2010-11 Capital Investment Program consisting of:

Additions and Improvements to Town General Assets in the amount of \$1,145,333.00 funded as follows:

- Operations: \$ 77,543.00
- Reserve Funds – Operating: 202,790.00
- Reserve Funds – Capital: 90,000.00
- Federal and Provincial Grants: 625,000.00
- Borrowings – Internal: 150,000.00

Additions and Improvements to Water Utility Assets in the amount of \$191,000.00 funded as

follows:

- Operations: \$ 46,000.00
- Depreciation Funds: 145,000.00

Additions and Improvements to Electric Utility Assets in the amount of \$380,000.00 funded as follows:

- Operations: \$ 50,000.00
- Depreciation Funds: 330,000.00. Motion carried.

Councillor W. Cormier questioned why the \$380,000.00 related to the Electric Utility was not taken from the depreciation account. CAO D. Kampen expanded on the reasons behind this." Motion carried.

Moved by Councillor J. MacPherson

Seconded by Councillor W. Cormier

- **Resolution 2010-05-17C: Protect Property Tax Payers By Cost-Sharing Proposed New Federal Wastewater Regulations**
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"WHEREAS Environment Canada has recently proposed draft regulations that would set a baseline standard for all wastewater systems in Canada; and,

WHEREAS municipalities support efforts to improve wastewater treatment and protect Canada's rivers, lakes, and oceans; and,

WHEREAS these regulations will require upgrades to one (1) in four (4) wastewater systems in Canada, directly affecting over 400 municipalities; and,

WHEREAS cities and communities are already facing an estimated \$123-billion municipal infrastructure deficit that does not include the cost of meeting these new wastewater regulations and \$115 billion more is needed to expand and build new infrastructure to serve growing populations and support economic development; and,

WHEREAS Environment Canada has proposed these draft regulations without a cost-shared funding strategy which means that the cost of meeting these new obligations would be, by default, imposed on municipal taxpayers; and,

WHEREAS the cost of upgrading waste water systems without a cost-shared funding strategy will result in the largest property tax increase in Canadian history, resulting in an average increase of \$1,000 for hundreds of thousands of households in affected communities, and/or will require displacing projects that meet other local priority needs; and,

WHEREAS these regulations, although not directly affecting every community, reflect the infrastructure challenges facing every municipal government in the country, where Councils are forced to balance the need to deliver safe drinking water with the need to upgrade crumbling overpass and insufficient waste water treatment and congested roads, all while collecting just eight cents of every tax dollar paid; and,

WHEREAS there are serious concerns with Environment Canada's cost estimates and technical aspects of the regulations that cannot be resolved within the 60-day public comment period; and

THEREFORE BE IT RESOLVED that Federation of Canadian Municipalities(FCM) call on the

Federal Government to work with municipalities, provinces, and territories to develop a cost-shared financing and implementation plan for these new wastewater regulations, as part of a long-term national plan to eliminate the municipal infrastructure deficit;

BE IT FURTHER RESOLVED that FCM call on Environment Canada, as a first step in the development of a cost-shared funding plan, to work in partnership with municipalities to establish a thorough and objective estimation of the front-line costs and trade-offs of meeting the regulations and to resolve outstanding technical and implementation issues.”  
Motion carried.

At 10:20 PM Deputy Mayor L. Chisholm vacated the Chair and Mayor C. Chisholm resumed the Chair.

### **Other Business**

There was no Other Business.

### **Adjournment**

Moved by Councillor J. MacPherson

Seconded by Councillor D. MacInnis

“That the meeting be adjourned.” Motion carried.