

MUNICIPALITY OF THE DISTRICT OF ARGYLE

Regular Council Meeting
Tuesday, September 14, 2021
Zoom 6:30 p.m.

Present: Warden Danny Muise, Deputy Warden Nicole Albright; Councillors Calvin d'Entremont, Glenn Diggdon, Guy Surette, Gordon Boudreau, Ted Saulnier, Richard Donaldson, and Kathy Bourque, Chief Administrative Officer Alain Muise, Director of Finance Marsha d'Eon and Municipal Clerk/Recorder Eilidh Canning.

Regrets: Councillor Richard Donaldson

The meeting was called to order at 6:32 p.m. by Warden Danny Muise.

Agenda:

On a motion by Ted Saulnier and seconded by Guy Surette the agenda is approved as circulated.

Motion Carried (8 in favour, 0 against)

Conflict of Interest Declaration

Warden Danny Muise asked for any declarations of conflict of interest from the floor.

None declared.

Presentation – Rebecca Cassidy Rose - Doctor Recruitment – Community Navigator

Rebecca, the Community Navigator reviewed the Yarmouth Region Medical Professional Recruitment partnership with Council that began in March of 2019. This program was initiated due to a Community Health Care Crisis. As of March 2019, the unassigned wait list for a family physician was 873. Currently, there are 3661 people in Yarmouth, Pubnico and Barrington without a doctor. Due to this program and the work of the Community Navigator, the area has gained 13 family medicine doctors, 10 specialists, 5 new residents, and a projected gain of 4 family medicine doctors by 2022. Also, there are 12 of 14 recent family medicine graduates staying in the area. This program has been very beneficial, and Rebecca thanked the Council of the Municipality of Argyle for being partners in this initiative.

Attachment 091401

Presentation – Jared Dalziel – WSP – Approval of First Reading of Development Agreements

Development Agreement Application by Muise Cannabis

Jared of WSP advised Council that the Municipality has received a Development Agreement application from Ronald Muise, Linda Muise, and Maurice Muise (Muise

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Cannabis Ltd.) to enable a micro cannabis production/processing facility at 129 Tittle Road on Surettes Island (PID 90035510).

The subject site is zoned Coastal Community (CC). The current Land Use By-law (LUB) permits micro cannabis production/processing facilities in coastal community zones through a development agreement and the Cannabis Act permits up to a maximum of 200 square meters of cultivation area.

The major aspects of the applicant's proposal for the property with access to 129 Tittle Road including:

- A large greenhouse for general cultivation with an approximate area of 111 square meters.
- A small greenhouse for plant cloning and general cultivation with an approximate area of 56 square meters.
- A container for general storage with an approximate area of 30 square meters.
- An office building with an approximate area of 45 square meters.

Most of the above area is within a fenced enclosure, having an area of approx. 600 square meters. For context, the location certificate showing the large greenhouse and container are shown in Figure 4 below.

The Coastal Community (CC) Zone currently permits micro cannabis production/processing facilities in conformance with the requirements of the Cannabis Act by development agreement. The Act restricts micro production area to a maximum of 200 square meters.

Municipality of Argyle Public Works Department / Community Development recommends that Council:

- give first reading to consider approval of a development agreement to permit a micro cannabis production/processing facility on PID 90035510;
- proceed to a public hearing without a second meeting of planning advisory committee unless substantial comments are received from the public; and
- authorize staff to schedule a public hearing for the application.

It is moved by Guy Surette and seconded by Kathy Bourque that Council:

- give first reading to consider approval of a development agreement to permit a micro cannabis production/processing facility on PID 90035510;
- proceed to a public hearing without a second meeting of planning advisory committee unless substantial comments are received from the public; and

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- authorize staff to schedule a public hearing for the application.

Motion Carried (8 in favour, 0 against)

Development Agreement Application by Vernon d'Eon

WSP planner, Jared Dalziel explained that the Municipality has received an application from Vernon D'Eon to amend the Land Use By-law to adjust the zoning boundaries of the Light Industrial (LI) zone and Mixed-Use zone (MU) to match new lot lines of a related lot consolidation for three existing properties. The affected properties are located along the south side of Chemin du Rocher (PID 90076613, PID 9076605 and PID 90076621).

The subject site involves three separate parcels which are zoned as Mixed Use (PID 9076605 and PID 90076621) and Light Industrial (PID 90076613). A separate subdivision application proposes to consolidate the three existing lots into two future lots, with one lot containing the lobster wire trap operation, while the other would contain an existing dwelling and accessory building. This application proposes to zone the entire future lot (V-2) containing the wire trap operation as Light Industrial, and the entire future lot containing the residential use as Mixed Use (V-1). The Light Industrial zone permits a lobster wire trap operation as an as-of-right use, while the Mixed-Use zone permits a residence and accessory building.

Municipality of Argyle Public Works Department / Community Development recommends that the Planning Advisory Committee recommend that Council:

- give first reading to consider approval of a land use by-law amendment to amend 23,25 and 27 Chemin du Rocher (PID 90076613, PID 9076605 and PID 90076621) to rezone the portions of land as proposed lot V-2 to Light Industrial (LI) zone, and rezone the portions of land as proposed lot V-1 to Mixed Use zone (MU) as indicated in the planner's report.
- proceed to a public hearing without a second meeting of Planning Advisory Committee unless substantial comments are received from the public; and
- authorize Staff to schedule a public hearing for the application.

It is moved by Glenn Diggdon and seconded by Calvin d'Entremont that Council:

- give first reading to consider approval of a land use by-law amendment to amend 23,25 and 27 Chemin du Rocher (PID 90076613, PID 9076605 and PID 90076621) to rezone the portions of land as proposed lot V-2 to Light Industrial (LI) zone and rezone the portions of land as proposed lot V-1 to Mixed Use zone (MU) as indicated in the planner's report.

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- proceed to a public hearing without a second meeting of Planning Advisory Committee unless substantial comments are received from the public; and
- authorize Staff to schedule a public hearing for the application.

Motion Carried (8 in favour, 0 against)

Memo Regarding Aquaculture Development Planning Applications in the Municipality of the District of Yarmouth

WSP planner, Jared Dalziel explained to Council that The Municipality of Yarmouth (MODY) received two applications regarding aquaculture facilities. On behalf of the Municipality, WSP contacted MODY's retained planner for further information regarding the applications. Argyle Council has requested a summary of these applications given their interest from the broader community.

The first application is from Chegoggin Dyke Co-op Limited to establish a Lobster Holding Facility at 412 Chegoggin Point (PID 90169830). The facility will consist of an 80 ft x 80 ft steel building that will contain an office, storage, portable lobster holding tank, and freezer. To permit this new use, an amendment to the Land Use By-Law (rezoning) will be required. The application was presented to the Planning Advisory Committee on June 8, 2021. A public hearing date has been set for 6:00 pm on Wednesday September 22, 2021. Any written submission concerning the proposed amendment should be submitted to the Municipal Office at least two days before the Public Hearing.

The second application is from Boreal Salmon Inc., to develop a land-based salmon farm at Chebogue Point Road (PID 90298134, PID 90178484, and PID 90298134). To allow this operation within the Rural Development Zone as-of-right, a development agreement along with a concurrent amendment to Municipal Planning Strategy and Land Use By-Law will be required. For simplification of the review process, the enabling text of the Municipal Planning Strategy and Land Use By-Law amendment have been pulled out as a separate recommendation and report to enable a review of the broader policy mechanisms to review of applications of this type, rather than the specific proposal. Further information provided to MODY's PAC can be found on the Planning Advisory Committee Agenda for July 29th, 2021.

At that same July 29, 2021, meeting of the Municipality of the District of Yarmouth's Planning Advisory Committee (PAC), PAC motioned to create a learning plan for PAC regarding aquaculture specific to the Municipal Planning Strategy Amendments necessary for the two above applications to proceed due to PAC feeling a lack of sufficient information to make a recommendation to Council.

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The Fisheries and Coastal Resources Act and the Canadian Environmental Protection Act regulate the operations of aquaculture facilities (such as species used, environmental impacts, etc.). The Municipal Government Act does not enable municipalities to have the level of enforcement regarding these matters; however, they can regulate the use and siting of buildings for aquaculture on a property. Our understanding is that the less time-intensive municipal approvals are being through the municipal approvals process in preparation for an application to the longer joint provincial/federal aquaculture approval process.

Aquaculture uses in this province are typically permitted as-of-right where most of the matters of regulatory concern are administered by other levels of government. Similar uses would be wind farms, cannabis production facilities, telecommunications towers, and aerodromes. For example, Argyle's Land Use By-law permits aquaculture facilities as-of-right in industrial zones to reflect this state of practice. This avoids confusion about the jurisdiction having authority, where most of the concerns for this type of use stem from environmental approvals, with the provincial and federal governments maintaining jurisdiction over those uses.

Both applications will require extensive public participation as per the adjudicative process for aquaculture license and lease applications; however, the engagement process requirements have yet to be established. A criterion of the joint provincial/federal aquaculture application process is to engage public stakeholders by hosting a public meeting prior to making a decision. An independent Aquaculture review board reviews all provincial/Federal applications.

If Council wishes to provide input to this process, staff recommends drafting a letter to the Aquaculture Review Board on behalf of the Council of the Municipality of Argyle. If Council had concerns regarding the building design or placement of the proposed projects, those could be directed to the MODY as part of their municipal planning efforts.

Presentation – Gloria Banks, Grant Thornton – Audited Financial Statements

Audited financial statements – March 31, 2021

Gloria Banks of Grant Thornton reviewed both the Non-Consolidated and Consolidated Financial Statements, as attached to the agenda.

After review and discussion of these financial statements, Council proceeded with a motion to accept.

It is moved by Kathy Bourque and seconded by Calvin d'Entremont to approve the Audited Financial Statements for the Municipality of the District of Argyle dated March 31, 2021, as presented.

Motion Carried (8 in favour, 0 against)

Attachment 091402

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Adoption of Minutes

Special Council Meeting Minutes – August 3, 2021

It is moved by Guy Surette and seconded by Kathy Bourque that the August 3, 2021, minutes of the Special Council Meeting be approved as circulated.

Motion Carried (8 in favour, 0 against)

Business Arising from the Minutes

Councillor Kathy Bourque advised Council that brush hasn't been cleared in her district as per the request letter sent by staff to the Department of Transportation. She then asked CAO Muise if staff have received any correspondence from TIR for this. He advised staff haven't received any correspondence from TIR. Councillors Ted Saulnier, Gordon Boudreau as well as Warden Danny Muise then advised Council that their districts have all had TIR clear brush in certain areas throughout this summer.

Councillors Report

Deputy Warden Albright attended a Mariners Center Expansion committee meeting and advised Council that the committee hasn't received anything back from the government with regards to the funding application that has been submitted. She also advised Council of the Glenwood Park upgrades, and that the volleyball court may not happen this summer due to delays.

Councillor Glenn Diggdon thanked Senior safety officer for assisting him in helping a couple of his residents that required assistance. Councillor Diggdon then thanked John Sullivan and Alain Muise for assisting with a dangerous and unsightly case in Middle West Pubnico. Councillor Diggdon then asked CAO Muise to advise how Dangerous and Unsightly claims are handled financially. He advised of the policy, and how it is funded if the Municipality must pay. Essentially, the owner is billed.

Councillor Saulnier advised Council that he attended the Bouctouche Oyster session held at the Municipal Building and advised he was not aware how oysters clean the water and act as filters. He then advised that TIR has mowed and removed brush from several areas in his district. He also advised that the Comeau's hill wharf is done and looks great.

Councillor Surette advised that he met with the Industrial Commission and discussed who will operate the wharf in Yarmouth. He also advised that the Airport Corporation has three new community members on the board. He then advised Council that Mariners on Main is set to open its doors mid October.

Councillor d'Entremont advised Council that the 55+ games are happening Thursday, September 16th and will be happening all through the weekend. All sorts of great activities.

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Councillor Gordon Boudreau thanked Peggy Boudreau for helping him out with one of his residents. He then advised Council he has attended a number of meetings this summer and thanked TIR for ensuring the brush was cut in his district for the Tuna Tournament.

Councillor Bourque attended the Police Advisory Committee. She advised Council that the East Pubnico sign committee is working on two signs to be placed at each end of East Pubnico. They will be erected soon.

Warden's Report

Warden Danny Muise reviewed his report, listed below.

July 15- planning Advisory meeting
July 15- Regular council meeting
July 21- Mariners Center meeting
July 21- interview with CJLS
July 21- zoom meeting re- Tusket dam
July 22- Interview with Saltwire
July 27- special in camera council meeting
July 27- Fishing dispute meeting with Mayors, Wardens and CAO
July 28- session at Tusket dam re-ceremonial session with Acadia First Nations
August 3- Special Council Meeting
August 4- Mariners Center Meeting
August 5- Nakile Board
August 11- Choice Housing
August 11- EXP Presentation to Mariners Center Board
August 12- Coastal Protection Act Regulations
August 12- Mayors and Wardens re: meeting with minister of Fisheries
August 13- Meeting with Bernadette Jordan, minister of Fisheries
August 18- boat trip to Lobster Bay with Aquaculture stakeholders
August 19- Meeting with members of Bouctouche Bay re: oyster operations
September 8- REMO executive

Staff Report

CAO Muise reviewed the staff report as attached to the agenda.

Attachment 091403

For Decision

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Expression of Interest Accessible Housing Discussion Group

Warden Muise reviewed the letter attached to the agenda from Ben Cleveland, Mayor of the Town of Digby. The Digby Town Council has discussed the issue of accessible housing in Digby and Southwest Nova Scotia. Mr. Cleveland advised within the letter that he is writing to see if there would any interest from any of the Municipal units in Yarmouth and Digby Counties to form a SW Municipalities discussion group on Affordable Housing. The thought is to have a zoom meeting between Southwest Municipal groups on a quarterly basis to coordinate our affordable housing initiatives and move the combined agenda forward. After discussion from Council, Guy Surette expressed interest and advised he would like to be a part of this committee. Councillor Diggsdon advised he is also willing to sit on the committee as an alternate.

It is moved by Guy Surette and seconded by Nicole Albright that Councillor Surette represent MODA on the Accessible Housing Discussions Group.

Motion Carried (8 in favour, 0 against)

Attachment 091404

5 Year Capital Investment Plan

CAO Muise presented the Capital Investment plan as attached to the agenda. After some discussion, Council proceeded to make a motion to approve the plan, as presented.

It is moved by Kathy Bourque and seconded by Ted Saulnier that Council approve the Capital Investment Plan, as presented.

Motion Carried (8 in favour, 0 against)

Attachment 091405

Mosquito Problem - District 4

It is moved by Guy Surette and seconded by Calvin d'Entremont that a letter be drafted by staff, advising MLA Colton LeBlanc that District 4 would like to be part of a pilot program run by Dalhousie University (Management without Borders) to address the mosquito nuisance problem.

Motion Carried (8 in favour, 0 against)

Correspondence and For Information

REMO Drought Plan

No action, for information

Nakile Housing Corporation Financial Statements

No action, for information

Financial Requests

District Community Grant Request of \$500 – Ste Anne du Rosseau Lower Eel Brook Signage Committee

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It is moved by Nicole Albright and seconded by Kathy Bourque that Council approve the District Community Grant request of \$500 for Ste Anne du Rosseau Lower Eel Brook Signage Committee for the construction and placement of two signs.

Motion Carried (8 in favour, 0 against)

District Community Grant Request of \$500 – Belleville and Friends Community Group

It is moved by Nicole Albright and seconded by Gordon Boudreau that Council approve the District Community Grant request of \$500 for Belleville and Friends Community Group to purchase a new community sign.

Motion Carried (8 in favour, 0 against)

Agenda Topics for Next Meeting/Notice of Motion

CAO Muise advised Council that he requires their approval of the audited statements for the new Administration Building in order to send to the province. CAO Muise reviewed each line item in detail, and after some questions and deliberation, Council approved the audited statements as presented.

It is moved by Guy Surette and seconded by Kathy Bourque that Council approve the audited financial statements as presented.

Motion Carried (8 in favour, 0 against)

Question Period

None.

In Camera

None.

There being no further business, it is moved by Nicole Albright and seconded by Ted Saulnier to adjourn the Regular Council Meeting at 9:25p.m.

Recorder

Eilidh Canning

Date Approved:

September 28, 2021

Chairman/Warden

Original Signed

Alain Muise, Chief Administrative Officer

Original Signed