

MUNICIPALITY OF THE DISTRICT OF ARGYLE
SPECIAL COUNCIL MEETING
Tuesday June 23rd, 2020
Zoom 6:30 p.m.

Public Hearing

Jared Dalziel, Project Planner of WSP Canada, highlighted the proposed Land use By-law and Municipal planning strategy changes and updates. Jared recommended that Council give second reading and approve the LUB and MPS.
(Attachment 2306001)

There were 7 members of the public on the Zoom call

Wendy Vickers spoke about her concerns of the removal of the riparian buffers from the documents as well as how to improve and protect the waterways.

Charlene Pothier spoke about the cannabis industry that is being set-up in West Pubnico. Concerns about the smell. She had questions about what is allowed in mixed use zones and how to find out what zone she is in. Are there any regulations on this type of business? Is there a Nuisance by-law that this type of business can fall under? She also expressed concerns about adverse health effects from the cannabis industry.

CAO Muise thought it was a good idea to include zones on tax bills. We have created a map online where you can click your address to find out what zone you are in and what things are and are not permitted there. Rates are not influenced by what zone you are in.

The Municipality does have a nuisance By-Law and we would need to look at the details of the by-law to see what we can do in the instance where the small was a big problem. Council can increase their regulations where people are not being respectful of the small issue. By-laws are often adjusted and changed based on issues from residents.

Jared from WSP stated that the current zoning documents doesn't list cannabis production as a specific use. It falls under agriculture. As part of the changes we are putting forward it would require a development agreement which goes to Council, staff and residents. Public would have the option to present their concerns at that time and before any development goes forward.

There are Federal and Municipal guidelines that cannabis production facilities have to adhere to. The Federal guidelines have very strict controls and limitations on what facilities are allowed to do when it comes to odor. There is a complaints process in place to address the smell issues.

<https://health.canada.ca/en/health-canada/services/drugs-medication/cannabis/recalls-adverse-reactions-reporting/reporting-form.html>

Any cannabis development that occurs now will have to have a development permit which means residents will be informed and they will have the opportunity to express concerns.

John Sollows spoke about local water quality issues and concerns.

Letter is attached.

(Attachment 2306002)

Letter read by CAO Alain Muise from Darrell Frotten. The letter expressed concerns about the lighting and dark skies piece in the by-law.

Jared from WSP highlighted the residential and commercial difference details in the by-law as it relates to lighting. Lighting should be pointed downward.

Letter is attached

(Attachment 2306003)

Member of the public, Tim Doucette, wanted to clarify the by-law in regard to lumens. More light doesn't equal better security, better light equals better security.

CAO Muise commented on concerns he heard from a member of public about the lighting by-law and comments about lack of notice for this public hearing. We will look at other means of communications in the future.

Comments from Facebook:

Why was the public not properly informed about this by-law? The Municipality gave notice in the Chronicle herald and used FB to advertise

Boat shop proximity to homes in the area: the boat development on Morris Island is approximately 800ft from a resident. It cannot be seen from the regular highway 308. It is quite remote.

Restrictions placed on chemicals and materials used in boat shops like fiberglass? Health and safety issues related to a particular business is the responsibility of that business. Municipality only controls the land use.

Will municipality be helping to cover the cost of changing over the light fixtures to adhere to new by-law? What will fine structure look like for those not compliant with lighting restrictions. Municipality will not cover the cost of replacing lighting. Municipality will look at changing and adjusting the fee process. The by-law will be enforced through a complaints process. Municipality will take time to educate residents and business owners regarding lighting. Any new developments going forward would have to follow the by-law. Any existing lighting is grandfathered in.

Jared from WSP clarified that lighting fixtures as it related to the by-law only applies to new fixtures. Municipality will not be removing existing light fixtures. Those that are currently existing will be grandfathered.

Question about what is in the by-laws to protect school grounds from the establishment of businesses that may have an adverse effect on health of children. Any questionable uses or developments would come to council first for review.

Councillor d'Entremont spoke about cannabis concerns from residents in his area. Smell was main concern. Owners of the operation have purchased 2 carbon filters to put on the vent to try to reduce the smell.

Lighting concerns under commercial lighting for fish plants. They need lighting for security cameras and are required in this type of business. There are lighting rules that businesses need to abide by. They want to work with Municipality to find a solution to lighting issues and are open to learning more about lighting.

Councillor Surette wanted to make sure any illuminations that are currently on a property now is grandfathered in. Would like further explanation on riparian buffer and really wants council to come back to it.

Councillor Diggdon wanted to know if a cannabis operation has to be so far from a residential property or from schools. No distance requirements in the document. Minimum set back number for cannabis production facilities can be put in a development agreement. Streetlights would be not be effected by this by-law.

Councillor Albright wanted to ensure council revisits the riparian buffer

The public hearing be adjourned at 9:10pm

Special Council Meeting

Present: Warden Danny Muise, Deputy Warden Guy Surette; Councillors Glenn Diggdon, Richard Donaldson, Calvin d'Entremont, Nicole Albright, Roderick Murphy Jr Lucien Leblanc, and Kathy Bourque; Chief Administrative Officer Alain Muise and Clerk/Recorder Lori Murphy.

Regrets: None

The meeting was called to order at 9:21p.m. by Warden Danny Muise

Agenda:

On a motion by Richard Donaldson and seconded by Roderick Murphy Jr. the agenda was approved as modified. Deferring sections 4, and 6 through 10.

Motion Carried (9 in favour, 0 against)

Conflict of Interest Declaration

Warden Danny Muise asked for any declarations of conflict of interest from the floor.
None declared

Presentations

None

Adoption of Minutes

Regular Council Meeting Minutes – June 9, 2020

It is moved by Richard Donaldson and seconded by Calvin d'Entremont that the June 9, 2020 minutes of the Regular Council Meeting minutes be approved as circulated.

Motion Carried (9 in favour, 0 against)

ARC meeting minutes – April 16, 2020

It is moved by Kathy Bourque and seconded by Nicole Albright that the April 16, 2020 minutes of the ARC Meeting minutes be approved as circulated.

Motion Carried (9 in favour, 0 against)

Business Arising from the Minutes

Unightly Garbage bins
Defer

For Decision

Second Reading – LUB/MPS

It is moved by Guy Surette and seconded by Lucien LeBlanc to accept the 2nd reading of the LUB/MPS

Motion Carried (9 in favour, 0 against)

By-Law 9A Noise-Exemption

Warden Muise briefly explained the request.

It is moved by Nicole Albright and seconded by Lucien LeBlanc that Council approve the exception to By-Law 9A Noise

Motion Defeated (3 in favour, 5 against)

Councillor Surette asked if residents in the area should be notified of this exemption. CAO Muise explained the details of the By-Law. A public hearing will be required to approve this exemption. Cannot authorize the entire request without a public hearing but can approve partial for July and revisit it for August. Deep Sky Observatory will have to submit another request if he wishes to use the sound system past the 7 days

It is moved by Guy Surette and seconded by Nicole Albright that Council approve the 7 days according to the By-Law 9A Noise.

Motion carried (9 favoiur, 0 against)

Election

Warden Muise explained the request for decision. Discussion about why electronic voting is being considered.

It is moved by Lucien LeBlanc and seconded by Roderick Murphy Jr. that for the 2020 election and due to COVID-19 we implement a solely electronic ballot for the Municipality of Argyle.

Motion Carried (9 in favour, 0 against)

Council meetings for July and August

CAO Muise explained that we usually cancel regularly scheduled Council meetings for July and August

It is moved by Calvin d'Entremont and seconded by Kathy Bourque that council will suspend the meetings for July and August. Special meetings will be called as needed.

Motion Carried (9 in favour, 0 against)

Municipal Consultation Workbook

Defer

Correspondence and for Information

Defer

YMCA

No action, for information.

NSFM COVID-19 Lost revenue report

No action, for information.

Community Navigator report

No action, for information.

CEO report

No action, for information.

MOLP-Signed certificate

No action, for information

Congres Mondial Acadien 2024

No action, for information

Water Shortage Letter-Municipality of Yarmouth

No action, for information

Financial Requests

Community grant request \$500- Immaculate Conception Cemetery

Defer

Community grant request \$500 - Kemptville Bicentennial Society

Defer

Community grant request \$500 – Abrams River Schoolhouse Society

Defer

Community grant request \$500 - East Pubnico Social Action Committee

Defer

Community grant request \$500 – Club Social des Iles

Defer

Community grant request \$500 – West Pubnico Fire Protection Association

Defer

Agenda Topics for Next Meeting/Notice of Motion

None

Question Period

In Camera

Airport

Defer

There being no further business, it is moved by Roderick Murphy Jr. and seconded by Richard Donaldson to adjourn the Special Council Meeting at 9:58p.m.

Recorder
Lori Murphy

Date Approved: _____

Chairman/Warden _____

Alain Muise, Chief Administrative Officer _____