

PUBLIC HEARING #3

Habitation Community Secondary Planning Strategy and Land Use Bylaw AGENDA

Time: 2:00 p.m.

Date: Tuesday, September 17, 2024

Place: Municipal Administration Building, 752 St. George Street, Annapolis Royal, NS

Welcoming Remarks – Warden Alex Morrison

The purpose of a Public Hearing is to permit members of the public to make their views known to Council, concerning, solely, the application before Council.

This third and final Public Hearing concerns the Habitation Community Secondary Planning Strategy and Land Use Bylaw.

All questions and comments throughout the public hearing are required to be addressed to the Chair. The Chair will provide an opportunity for public input and will ask that persons speaking identify themselves so that their comments may be recorded in the minutes of these proceedings and that the person speaking identify if they are speaking in favour or against the application.

Questions and comments from Council members are asked to be held until all public comment is heard.

All questions and comments throughout the public hearing are to be addressed to the Chair.

Re: Habitation Community Secondary Planning Strategy (SPS) and Land Use Bylaw (LUB)

Information Report – L. Bent

Call for Oral Presentations (open discussion from the floor – public)

- 1st call for comments against the application
- 2nd call for comments against the application
- 3rd call for comments against the application
- 1st call for comments in support of the application
- 2nd call for comments in support of the application
- 3rd call for comments in support of the application

Call for questions or comments from Council Members

Next Steps – L Bent

Closing Comments

Adjournment and return to regular session of Council (Warden)



INFORMATION REPORT

Report To: Municipal Council
Meeting Date: September 17, 2024
Prepared By: Linda Bent, Director of Planning & Inspection Services
Subject: Adoption of Habitation Community Secondary Municipal Planning Strategy & Land Use Bylaw

LEGISLATIVE AUTHORITY:

Part VIII, Sections 190, 204, 205 and 206 of the *Municipal Government Act*.

BACKGROUND

In May of 2019 Municipal Council moved to establish the Habitation Community Planning Area and members of the Habitation Community Area Advisory Committee (HCAAC) were appointed.

Due to the COVID-19 pandemic, HCAAC could only meet four times between November 2019 and April 2021. Following delays, significant progress was made with the Area Advisory Committee. A draft Land Use Bylaw (LUB), vision statement, and goals were released on the County's website in July 2022. The release of the draft document was followed by a public engagement workshop on July 26, 2022, where the HCAAC and staff led a round table discussion. The workshop saw approximately fifty members of the public in attendance, where feedback on the draft documents saw mixed responses.

To receive more diverse feedback, staff created and hand delivered surveys to the community on August 16, 2022 with a digital version posted on the municipal website on August 22, 2022. Through the survey results, staff continued to find mixed responses relating to the draft LUB.

On October 11, 2022, municipal staff made the recommendation to expedite the planning process based on best planning practices and suggestions from the provincial planning department. The HCAAC document review process continued until May 2023, when the HCAAC set its open house to receive public feedback on the draft Secondary Planning Strategy and Land Use Bylaw. At this time, the draft planning documents were sent to the County's Provincial representative at Municipal Affairs and Housing for review.

At the June 22, 2023, open house, the HCAAC and planning staff presented the draft plans and received additional community feedback through oral and written correspondence. Following the feedback, the HCAAC passed a motion for the draft plans to be sent to Council to move forward with the adoption process.

Feedback from the province was received after the June 22nd open house, which resulted in amendments between the open house and the Planning Advisory Committee (PAC) meeting.

October 5, 2023 a PAC sponsored public meeting were held at the Lower Granville Community Hall. Members of the community provided oral or written correspondence, stating their support or opposition regarding the planning documents. After hearing from members of the public, the PAC voted unanimously to send the documents back to the Area Advisory Committee to review topics brought up at the PAC meeting.

November 6, 2023, HCAAC met and changes to the documents were discussed and made. The meeting ended with a motion to send the proposed plan with amendments to Council for the adoption process to begin.

November 30, 2023, another PAC sponsored public meeting were held at the Lower Granville Community Hall. Members of the community provided oral or written correspondence, stating their support or opposition regarding the planning documents. After hearing from members of the public, PAC voted unanimously to send the documents back to the Area Advisory Committee to review topics brought up at the PAC meeting.

May 21, 2024, the HCAAC met at the Annapolis County Municipal Office, where staff reviewed the concerns and comments brought forth from the previous PAC meetings. HCAAC discussed and suggested changes to the documents. The meeting ended with a motion to send the proposed plan with amendments to Council for the adoption process to begin.

July 3, 2024 – a third PAC sponsored public meeting were held at the Lower Granville Community Hall. Members of the community provided oral reports, stating their support or opposition regarding the planning documents. After hearing from members of the public, the PAC voted unanimously to recommend to Municipal Council to give first reading of their intention to adopt the Habitation Community Secondary Planning Strategy and Land Use Bylaw.

DISCUSSION

As stated above, HCAAC reviewed all comments and concerns with staff which resulted in amendments to the documents from what was first presented to PAC in October of 2023.

Changes to documents included, but not limited to:

- Home occupation requirements changed to allow for more than 5 clients at a time and to permit a residential accessory building to be used as well.
- Reduced minimum lot size in the HR2 & HR3 Zones to 2.5 acres instead of 5 acres.
- Addition of the HR4 zone to permit multi-unit dwellings.
- Mini/Mobile Homes permitted in the HR2 & HR3 zones.
- Allowance for 1 recreational cabin for every 2.5 acres of land up to a total of 3.
- Removed the 30,000 sq.ft. limitation for an agricultural building in the HR3 Zone.
- Addition of a policy in the SPS for the ability of commercial zoning in the future should someone make application for an amendment for a compatible commercial operation.

NEXT STEPS

After the Public Hearing, if adopted, Municipal Council is required to hold second and final reading of their intention to adopt the documents after which four certified copies of the document will be forwarded to the Department of Municipal Affairs & Housing for their approval.

Once notification is received from the Province, an advertisement will be placed in the local paper notifying the public of their adoption of the documents and they will be in effect on the date of the advertisement on the Municipality's website.

RECOMMENDATION for COUNCIL CONSIDERATION:

That pursuant to first reading given on July 16, 2024, in accordance with the recommendation for approval from the Annapolis County Planning Advisory Committee and after holding a Public Hearing thereon, that second and final reading be given to adopt the proposed Habitation Community Secondary Planning Strategy and Land Use By-law.

Prepared by:

Linda Bent