

Minutes of a **Public Hearing** conducted by the Municipal Council for the Municipality of the County of Annapolis on **May 21, 2019**, at the Municipal Administration Building, Annapolis Royal, N.S. at 11:13 a.m.

**Present:** Warden Timothy Habinski; Deputy Warden Martha Roberts; Councillors: John MacDonald, Wayne Fowler, Burt McNeil, Gregory Heming, Alex Morrison, Michael Gunn, Wendy Sheridan, and Diane LeBlanc.

**Absent:** Councillor Marilyn Wilkins

**Also**

**Present:** CAO John Ferguson, Director of Community Services Albert Dunphy, Municipal Clerk Carolyn Young, other staff.

### **Public Hearing**

The Warden noted that Council is to deal with this one issue at this public hearing. At the end of the public hearing it will be closed and Council will return to its regular session of Council. The purpose of a Public Hearing is to permit members of the public to make their views known to Council, via oral or written submissions, concerning, solely, the application before Council. The Public Hearing concerns File No. 66520-35 Bridgetown 2019-LUB-002: an application by Hilary (Larry) Smith representing Bridgetown Auto Service Ltd, 61 Church Street, Bridgetown to amend Part 2 of the Bridgetown Land Use By-law (LUB) to add a clarifying definition of an existing Industrial (M1) Zone permitted use “automobile repair shop” being “6 (a). AUTOMOBILE REPAIR SHOP means the use of land or a building for an establishment primarily engaged in furnishing automobile servicing or repair, automobile sales, automobile leasing or automobile rental to the general public”. He added that all questions and comments are to be addressed to the Chair, who will afford an opportunity for public input and will ask that persons speaking identify themselves each time they speak so that their comments may be recorded in the minutes of the proceedings and that the person speaking identify if they are speaking in favour or against the application. Written presentations are acknowledged first, followed by public, oral presentations. Questions and comments from Council members are asked to be held until all public comment is heard.

Re: File No. 66520-35 Bridgetown 2019 LUB-002: Bridgetown Auto Service Ltd LUB Amendment Application

- **Presentation by Planner** – The Planner provided the application specifics & planning process:
  - February 26, 2019 – Land Use Bylaw (LUB) Amendment application received
  - March 12, 2019 – Committee of the Whole - *Action* – recommendation to Council to accept application for processing.
  - March 19, 2019 – Municipal Council - *Action* - motion passed to commence the amendment process and adopt a public participation process with a Planning Advisory Committee (PAC) public meeting scheduled for March 26, 2019 at the Bridgetown Royal Canadian Legion.
  - March 20, 2019 – PAC ad appears in Annapolis Valley Register.
  - March 21, 2019 – Hand delivery of PAC meeting notices
  - March 21, 2019 - Bridgetown Area Advisory Committee (EEAAC) - *Action* - Public Meeting held. Planner’s report reviewed. Motion made recommended PAC recommend to Council to amend Part 2, Definitions, of Bridgetown LUB.
  - March 28, 2019 - Planning Advisory Committee Public Meeting - *Action* - Planner’s report reviewed. Motion made by PAC to recommend that Council amend Part 2, Definitions, of the Bridgetown LUB.
  - April 16, 2019 – Municipal Council - *Action* - motion passed giving First Reading and to hold a Public Hearing on May 21, 2019

- May 1, 2019 and May 8, 2019 - Public Hearing ads appear in the Annapolis Valley Register.
- May 21, 2019 – Public Hearing. Staff prepared a Public Hearing agenda and planning process update report.

- **Presentation of the Request** – Hilary (Larry) Smith, Applicant, was present. He intends to have a small-scale used car sales lot. He plans to clean up the salvage yard first – but it is still too wet right now. It will be cleaned up and will change the face of the property. It is an ongoing project.
- 
- **Acknowledgement of Written Submissions** - The Municipal Clerk reported that no written submissions had been received.

- **Call for Oral Presentations** (open discussion from the floor – public)  
The Warden issued 1<sup>st</sup> call for comments against the application. There were none.  
He issued 2<sup>nd</sup> call for comments against the application. There were none.  
He issued 3<sup>rd</sup> call for comments against the application. There were none.  
The Warden issued 1<sup>st</sup> call for comments in support of the application. There were none.  
He issued 2<sup>nd</sup> call for comments in support of the application. There were none.  
He issued 3<sup>rd</sup> call for comments in support of the application. There were none.

- **Call for questions or comments from Council Members** - The Warden opened the floor to comments from council members.

*Councillor Fowler* – wishes them all the best.

*Councillor Heming* – this is a clear demonstration that this process is set up to arbitrate differences and find common ground for neighbours. It’s a good process.

- **Planning Process Next Steps** – the Planner outlined the following next steps:  
This is a simple LUB amendment procedure (supported by MPS policy) is the same as a planning document procedure except that:
  - MGA 210 (1): the amendment is not subject to review of the Provincial Director of Planning or the approval of the Minister.
  - MGA 210 (2): Voting is by the majority of Council present at the Public Hearing.
  - MGA 210 (3): After adoption of the amendment a newspaper ad is placed setting out the right of NSURB Appeal (14 Days)
  - MGA 210 (4) a certified copy of the amending by-law is sent to Minister.
  - MGA 210 (6): there is a 120 day deemed refused clause.

When the appeal period lapses or an appeal is disposed of, then the amendment comes into effect and a development permit can be issued

### Adjournment

The Warden declared the Public Hearing for the Bridgetown Land Use Bylaw Part 2 Amendment Application adjourned at 11:21 a.m.; and resumed the regular session of council.

---

**Warden**

---

**Municipal Clerk**