

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 11:06 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. This Public Hearing is to inform the public of Council's intention to adopt an amendment to the Annapolis County East End Area Land Use By-law Zoning Map so as to rezone 1459 Torbrook Road, Torbrook Mines, identified as parcels PID No. 0505120845 and 05309646, from the Institutional (I) Zone to Rural (R-5) Zone. This would permit the property to be converted from an unused church building to a single unit residential dwelling. 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 2019-LUB-001: East End Area LUB (Zoning Map) Amendment Application**

- **Presentation by Planner** – The Planner provided the application specifics & planning process:
  - February 25, 2019 – LUB amendment application received
  - March 12, 2019 – Committee of the Whole - *Action* – recommendation for Council to accept application for processing.
  - March 19, 2019 – Municipal Council Session - *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 Three River Community Centre.
  - March 20, 2019 – PAC ad appears in Annapolis Valley Register.
  - March 21, 2019 – Hand delivery of PAC Meeting Notices
  - March 20, 2019 - East End Area Advisory Committee (EEAAC) - *Action* - Public Meeting held. Planner's report reviewed. The motion made recommended that PAC recommend to Council to amend East End Area LUB Zoning Map.
  - March 26, 2019 - The Planning Advisory Committee - *Action* - Public Meeting held. Planner's report reviewed. Motion made PAC to recommend that Council amend East End Area LUB Zoning Map.
  - April 16, 2019 – Municipal Council Meeting - *Action* - motion passed giving First Reading and to hold 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** – Charlene Miesner was present as the Agent for Carter Dumanowski. His plan is to convert the two parcels of land and the existing church structure to a residential home where he hopes to reside year-round.
- **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 Roberts* – noted it was nice to see interest in old churches and vacant buildings to repurpose into something else. They have a lot of craftsmanship. Nice to see people value them.
  - Councillor Gunn* – has seen some beautiful homes made from old churches
  - Councillor LeBlanc* – added that the community is looking forward to see the repurpose of this building and having new people come to the community.
- **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 East End Area LUB Zoning Map Amendment Application adjourned at 11:13 a.m.; and called to order the second Public Hearing for the Bridgetown 2019-LUB Part 2 Amendment Application (see separate minutes).

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**Warden**

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**Municipal Clerk**