

SPECIAL COUNCIL

A Special Session of the Municipal Council of the Municipality of the County of Colchester was held in the Court House, Truro, Nova Scotia on Thursday, June 20, 2002 at 7:00 p.m.

Purpose of Meeting

The Special Session was scheduled to conduct a public hearing regarding a Municipal Planning Strategy and Land-Use By-law for Central Colchester.

Roll Call

The following Councillors were in attendance:

Mayor Mike Smith, Chair	
Councillor Bob Taylor	District #1
Councillor Bill Masters	District #2
Deputy Mayor Hugh Matheson	District #3
Councillor Richard Elliott	District #4
Councillor Ron Cavanaugh	District #6
Councillor Jimmie LeFresne	District #7
Councillor Soley Lynds	District #8
Councillor Keith Baas	District #9
Councillor Doug Cooke	District #10
Councillor Earl McKenna	District #11

Absent:

Councillor Glen Edwards	District #5
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Public Hearing - Municipal Planning Strategy and Land- Use By-law - Central Colchester

Mayor Smith called the public hearing to order respecting a Municipal Planning Strategy and Land-Use By-law for Central Colchester. The text for the proposed strategy and by-law had been circulated to Council members and made available to the general public.

The Clerk, Mr. Gary MacIsaac, advised that all of the guidelines of the Municipal Government Act regarding advertising of the public hearing had been followed.

Mayor Smith reminded Councillors that only those present throughout the public hearing are permitted to vote on the planning documents, that in order for the Planning Strategy and Land-Use By-law to be adopted, it must receive a majority vote of the entire Council, that this public hearing is Council's opportunity to hear the details on the draft Strategy and By-law as well as every concern of area residents. Individual Councillors will have an opportunity to debate the merits of the planning documents when the motion is presented to Council. Staff are present at this hearing to answer any technical questions that may arise as the result of the public's input.

In his presentation to Council concerning the 2002 Municipal Planning

Strategy and Land-Use By-law, Mr. Paul Smith, County Planner, focused on the significant changes in the document from its predecessor. The Planning Advisory Committee completed the final version of this document in the spring of 2002, a process which spanned over two years. The areas that would apply in Central Colchester include sewer-serviced areas of Bible Hill, Valley, Salmon River, Lower Truro, Truro Heights, Hilden and the rural fringe to North River, Lower Onslow, Greenfield and Harmony. This Committee will be recommending later this evening that Council adopt the Strategy and By-law.

Public input to identify issues was obtained through open houses, questionnaires, community meetings, progress reports in newsletters and on the web page as well as meetings with the Department of Transportation, School Board, N.S. Agricultural College, Village of Bible Hill, business sector and other municipal departments and agencies.

Highlights of the proposed changes are as follows:

Residential Land Uses

Mini-Manufactured Homes

- S** mini homes permitted on individual lots zoned R-2 subject to specific siting requirements
- S** new land lease developments permitted in growth centres by development agreement
- S** expansions to existing land lease developments permitted by development agreement

Residential Double Unit Conversion Zone (R-2C)

- S** zone allows for two dwelling units through conversion of a single-detached dwelling
- S** duplexes, semi-detached, mini homes, daycare centres, churches and schools not permitted
- S** policies allow a re-zoning to R-2C to be considered from the R-2 base zone
- S** zone is generally applied to existing subdivisions or areas in each growth centre that display similar architectural features

R-3 Uses by Site Plan Approval in the R-2 Zone

- S** establishment of R-3 uses (i.e. buildings containing up to four units) permitted in the R-2 zone, provided lot has frontage and access to a collector road

- S site plan approach to address location of buildings, landscaping, parking, amenity space, buffering and maintenance on site-by-site basis
- S neighbours have appeal rights to Council
- S process takes minimum of 15 days as opposed to three months for a re-zoning

Commercial Land Uses

C-3 Community Commercial Zone (Bible Hill)

- S area of land between Armstrong Avenue and Fielding Avenue has been re-zoned from R-2 to C-3
- S recent amendments requiring site plan approval for new C-3 uses have been incorporated into Strategy and By-law
- S area of land between East Court Road and Dunromin Avenue has been zoned C-1 general commercial from its former C-3 zone to mirror the nature of commercial activity on Pictou Road

C-1 General Commercial Zone (All Areas)

- S medium-sized commercial uses (10,000 to 50,000 sq. ft.) permitted by site plan approval only
- S large commercial uses, including shopping centres and “big box” stores (+50,000 sq. ft.) by development agreement
- S single and double dwellings no longer permitted in C-1 zone but may be established in conjunction with commercial use
- S accessory trade shops permitted in conjunction with existing dwelling in C-1 zone subject to certain requirements

Industrial Land Uses

- S industrial uses encouraged to locate in industrial parks where land mass and services are available (i.e. Debert, Truro and Kemptown)
- S new research and development industries in agri-food sector encouraged to locate in the Agri-Tech Park in Bible Hill. Private sector industries permitted by development agreement
- S waste management industries encouraged to consider locating in Kemptown

Environment

Flood Plain Development

- S policies and regulations outline steps necessary to modify 1:20 year flood line in certain areas of growth centres
- S cut and fill process enables new development options for property owners not normally permitted to develop such land

Other Development Considerations

- S outdoor wood furnaces no longer allowed in urban areas
- S parking of commercial vehicles in residential zones reduced from three to one
- S home offices permitted in R-1 zone
- S expanded signage provisions based on scale
- S commercial daycares permitted on lots zoned R-2 that front on a designated collector road
- S high density apartment buildings may be established in certain areas by development agreement

Report of Planning Advisory Committee

Councillor Masters indicated that the Strategy and By-law involved a great deal of give and take on many issues and he thought the Committee had done a good job in addressing these issues. He felt the document was probably not perfect but certainly a step up from its predecessor.

Mr. MacIsaac advised that two written submissions had been received regarding this application, both of which he read into the minutes of the proceedings:

1. Letter dated April 9, 2002 from Brian G. Phelan, Valley Meadows Limited
2. Letter dated June 20, 2002 from K. Wayne McCormick, Chairman, The Village of Bible Hill

In response to Mayor Smith's call for public presentations, the following were received:

Mr. Charlie Wilson indicated that he is very pleased with the changes in the Strategy and By-law with respect to infilling.

Mr. Brian Phelan commended the Planning Advisory Committee for a job well done. Concerning C-3 setbacks, he asked Mr. Smith how much discretionary power the Development Officer would have with regard to variances, particularly as it relates to his 12-unit apartment building. Mr. Smith stated that in Mr. Phelan's case, the answer would be none because it is subject to site plan approval and would therefore have to go through the development agreement.

Mayor Smith called for questions from Councillors and indicated that this is the last opportunity for the public to join in the discussion. As there were no further questions received, the following motion was put:

Moved by Councillor Masters
Seconded by Councillor Lynds

“That at Second Reading and following a public hearing and other public processes, this Council approves the Municipal Planning Strategy and Land-Use By-law for Central Colchester as circulated, with the list of amendments circulated to Councillors prior to First Reading and with the additional non-substantive amendments dated June 20, 2002 as presented.”

Motion Carried Unanimously.

Mayor Smith advised that Council has voted to adopt the 2002 Central Colchester Municipal Planning Strategy and Land-Use By-law and accordingly, is not subject to appeal. The Plan must, however, be approved by the Minister of Service Nova Scotia and Municipal Relations. Notice of such a decision can usually be expected within 30 days.

As there was no further business, Mayor Smith declared the public hearing closed.

Adjournment

Moved by Councillor McKenna
Seconded by Councillor Cavanaugh

“That the meeting be adjourned at 8:35 p.m.”

Motion Carried Unanimously.

Sheila Arsenault
Deputy Clerk