

Village of New Maryland
PUBLIC PRESENTATION MINUTES
Municipal Plan By-Law Amendment No. 03-02-2019
Proposed Public Works and Recreation Operations Facility
Council Chamber – 584 New Maryland Highway
21 August 2019

Present:

Judy Wilson-Shee, Mayor	Gerry Maher
Alex Scholten, Deputy Mayor	Robin Chaplin
Gisèle McCaie-Burke, Councillor	Connie Nichol
Paul LeBlanc, Councillor	Isaac Moory
Mike Pope, Councillor	Dan Taylor
Cynthia Geldart, Clerk/CAO	Bonnie Delaney
Karen Taylor, Assistant Clerk	Shelley Cameron
Michelle Sawler, Recreation Coordinator	Ralph Graves
Rockland Miller, Public Works Supervisor	Chris Graves
Rob Pero, Bldg. Inspector/Development Officer	Pat Mosher
Kyle Arsenault, Asst. Bldg. Inspector/Development Officer	Michael Mosher

Regrets: Tim Scammell, Councillor

1. Call to Order/Welcome/Opening Comments:

Mayor Judy Wilson-Shee introduced herself and called the Public Presentation to order at 6:30 p.m.

The Mayor welcomed everyone to the Public Presentation to discuss the proposed amendment to the Village's Municipal Plan By-Law.

She commented that the purpose of the presentation was to provide residents an opportunity to be informed on the proposed Municipal Plan Future Land Use Map amendment. She communicated that staff were also in attendance to provide further clarifications about the specifics of the proposal to construct a Municipal Public Works and Recreation Operations Building at the site.

The Mayor then invited Kyle Arsenault, the Village Assistant Building Inspector and Development Officer, to guide the remaining agenda for the session.

2. Introductions:

Kyle Arsenault thanked Mayor Wilson-Shee for her opening comments and advised all in attendance that he would be facilitating the agenda and discussions for the evening.

Kyle then introduced himself and the other members of Village staff in attendance and requested that members of the public in attendance take the opportunity to register their names on a sign-in sheet that had been circulated. He also advised, to ensure accuracy and completeness of the meeting minutes, that an audio recording of the meeting would be taken.

3. Overview of By-Law Amendment and Public Consultation Process:

Kyle Arsenault began by providing a brief explanation of the public consultation process for By-Law amendments.

He explained that the Municipal Plan By-Law sets out the general long-range policy framework for future land use within the Village, whereas the Zoning By-Law is the administrative tool that ensures the Municipal Plan policies are adhered to on a day-to-day basis and ensures that development or re-development occurs in an orderly fashion.

He added that the Municipal Plan and Zoning By-Laws are reviewed regularly to ensure relevancy to the needs and the vision for the municipality, and to ensure consistency with Provincial legislation. Amendments to the Municipal Plan and Zoning By-Laws can also be initiated as a result of a review process or may be requested in support of a proposed development that fits with municipal growth and development objectives.

It was noted that public engagement and consultation is required by provincial legislation and Village policy whenever Municipal Plan or Zoning By-Law amendments are being considered.

The re-zoning application process was summarised as follows:

- Staff conducts an initial review of the application and consults with Council on the merits of setting dates, via a resolution of Council, to host a Public Presentation to announce and explain the proposed Municipal Plan Amendment, and to schedule a Public Hearing to receive public comments on a proposed Municipal Plan and/or Zoning By-Law amendment;
- Public notification of Village residents is conducted by mailing notices to landowners within 100-metres of the subject property. Also, notices are posted on the Village website, social media accounts and signage is posted on the Village community bulletin board sign at the entrance to the Village;
- Upon completion of the Public Presentation, there is a legislated 30-day waiting period to allow residents to submit written feedback on the proposed amendments;
- Upon completion of the Public Presentation and the Public Hearing, and after having received recommendations from the Village Planning Advisory Committee, Council may then decide whether to proceed with the necessary readings of Council to enact the proposed amendment(s);
- Municipal Plan and Zoning By-Law amendments may also be subject to specific terms and conditions as deemed necessary by Council.

4. Review of Proposed Amendment to the Municipal Plan:

i) Proposed By-Law Amendment 03-02-2019 to Re-zone 492 New Maryland Highway (PID 75534834) from Commercial to Business Park:

Kyle Arsenault explained that the proposed amendment to the Municipal Plan Future Land Use Map relates to the proposed re-zoning of the a five-acre property at 492 New Maryland Highway (PID 75534834). The amendment would change the zoning from the existing Community Commercial Zone to a Business Park Zone.

He reviewed the contents of the information package provided to residents in attendance, which he explained was the same information posted to the Village website as part of the public notification process. The information included a copy of the advertisement for the Public Presentation, the draft Municipal Plan and Zoning By-Law Amendment documents, images of the Village web pages where the information had been posted, and further background information.

ii) Background Information – Proposed Municipal Public Works and Recreation Operations Building:

Kyle Arsenault then summarized the background information relating to the re-zoning and the preliminary site development concept that is being considered. He explained that the Village public works and recreation departments have identified to Council the need for a building that would provide a central location to store equipment, parts and tools, and provide a heated space for staff to perform equipment maintenance. He also noted that, in consultation with staff and the Village engineering and planning consultants, a portion of the property at 492 New Maryland Highway has been determined to be the preferred location for such a facility.

Kyle reviewed the provided zone maps that illustrated the proposed zoning changes and discussed the preliminary site plan showing the development concept being considered for the property. He explained that Municipal Plan By-Law Amendment 03-02-2019 proposes the re-designation of the site from a Commercial to a Business Park Land Use, which would enable the future construction of a municipal public works and recreation operations building. He highlighted some of the site plan details such as the proposed building location, the existing driveway access and the preliminary site grading design to capture and attenuate storm water runoff for the site.

He also noted that the existing width of the lot at Route 101 is 20 metres and that the Business Park Zone standard lot width is required to be 30 metres. He explained the intent to seek a variance approval from the Village Planning Advisory Committee in this regard, and to also seek a variance from the Committee for relief from the Zoning By-Law requirement to install asphalt pavement on the approximately 150-metre long driveway access to the proposed building.

5. Question and Answer Session:

Kyle Arsenault then opened the floor to questions after qualifying that the purpose of the meeting was for information sharing only and that the opportunity for the public to express their comments in support of or objection to the proposal would occur at a future Public Hearing to be hosted by Council.

Michael Mosher: Mr. Mosher asked what the difference was between Commercial and a Business, and why the need to change the zoning at all?

Kyle Arsenault: Kyle explained that a Commercial Zone supports uses that are similar to those presently seen at various locations along Route 101 (i.e. service stations, restaurants, etc.) whereas a Business Park Zone permits a broader range of uses that aren't necessarily commerce related.

Rob Pero: Rob Pero clarified that in consultation with the Village planning consultant, it was recommended that the Business Park Zone would be a more appropriate category.

- Rob Pero:** Rob Pero also explained that the Institutional Zone was initially considered, but the public works and recreation operations building would only be “Institutional” in ownership. The actual use of the building is rather similar to the permitted uses listed in the Business Park Zone (i.e. warehouses, storage facilities, transportation terminals, light-industrial etc.). He explained the proposed use has no “commerce” aspect to it whatsoever and would be more in the realm of a municipal operations building. He explained that by invoking the re-zoning process it also opens up an opportunity for the public to be aware of the proposed change in the use of the land and affords the public an opportunity to provide their views.
- Connie Nichol:** Ms. Nichol asked why this particular site was chosen and what makes it the preferred location.
- Rockland Miller:** Rockland explained that a number of sites were considered but the subject site was determined to be the best location for a variety of reasons. Factors such as it’s somewhat central location in the Village, its closeness to Route 101, being adjacent to commercial properties along the Highway and its separation from existing residential development in the general area.
- Connie Nichol:** Ms. Nichol asked about the potential for future residential development to the rear of the site.
- Rockland Miller:** Rockland explained that property to the rear of the site is zoned for residential development, but no plans have been submitted by the landowners. He explained that the Zoning By-Law requires that new non-residential developments have landscape buffering between the site and existing residential lands, so trees or hedges will be installed at the back of the property to meet the By-Law requirements. He noted that at other locations around the property there are existing trees and bushes that will serve that purpose.
- Kyle Arsenault:** Kyle asked if there were any further questions. Hearing none, he explained that residents would have ample opportunity to ask questions from staff and submit comments to Council in advance of the future Public Hearing. He then asked the Mayor to provide some closing comments prior to adjourning the Public Presentation.

6. Closing Comments and Adjournment – Mayor Judy Wilson-Shee:

Mayor Wilson-Shee concluded the Public Presentation by thanking the residents for their attendance. She explained that public notification and consultation are inherent to the By-Law amendment process to ensure residents have an opportunity to be informed, and to have a mechanism to express their input on land use approvals that are requested of Council.

Mayor Wilson-Shee advised that the next step in the public notification and public consultation process is a Public Hearing, which will give residents the opportunity to provide their comments and feedback on the proposal discussed.

She noted that the Public Hearing is scheduled for September 18, 2019 at 6:30 p.m. in Council Chamber¹ at the Village Office and advised that the Public Hearing will also provide an opportunity for residents to comment on re-zoning requests to permit the property at 492 New Maryland Hwy to be re-zoned to a Business Park Zone.

She clarified that staff would be conducting further public notifications and will be posting details of the proposal on the Village website in advance of the Public Hearing.

Mayor Wilson-Shee commented that no decisions of Council will be made on the proposed By-Law amendments until after the September 18th Public Hearing¹ and suggested that if anyone had remaining questions about the By-Law amendment process, or about the proposed amendment discussed earlier, they should contact either Kyle Arsenault or Rob Pero at any time.

Mayor Wilson-Shee called for a motion to adjourn the Public Presentation.

Moved by Councillor Gisèle McCaie-Burke and **seconded by** Deputy Mayor Alex Scholten to adjourn the meeting.

The session adjourned at 6:50 p.m.

Respectfully submitted,

Kyle Arsenault,
Assistant Building Inspector / Development Officer

Judy Wilson-Shee
Mayor

Cynthia Geldart
CAO/Clerk

¹[Note: The Public Hearing date was subsequently rescheduled by a motion of Council to September 25th, 2019]