

Village of New Maryland
PUBLIC HEARING MINUTES
Proposed By-law Amendment No. 04-01-2021
A By-law to Amend the Village of New Maryland Zoning By-law
New Maryland Centre – 754 New Maryland Highway
16 December 2020

Present: Judy Wilson-Shee, Mayor
Alex Scholten, Deputy Mayor
Paul LeBlanc, Councillor
Mike Pope, Councillor
Tim Scammell, Councillor
Cynthia Geldart, Clerk/CAO
Diane Henderson, Assistant Clerk
Rob Pero, Building Inspector/Development Officer

1. Call to Order/Welcome/Opening Comments:

Mayor Judy Wilson-Shee called the public hearing to order at 7:00 p.m. The Mayor explained that the purpose of the hearing was to give residents the opportunity to express any comments they had regarding the proposed by-law amendments. It was noted that, other than Village Council and staff, there were no other residents in attendance. After reviewing procedural formalities, the Mayor invited Rob Pero, the Village Building Inspector and Development Officer, to guide the remaining agenda for the hearing.

2. Introductions:

Formal introductions were not required as all in attendance were well acquainted.

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

Rob Pero provided a brief explanation of the public consultation process that was required for proposed amendments to a zoning by-law. Rob clarified 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.

Rob noted that zoning by-laws are reviewed regularly to ensure relevancy to the needs and the vision for the municipality, to ensure consistency with provincial legislation, and may be initiated in support of a proposed development that fits with municipal growth and development objectives. He explained that, in this case, the Village is proposing minor administrative amendments to the Zoning By-law only.

Rob then provided a brief overview of the public engagement and consultation process required by provincial legislation whenever amendments to the Municipal Plan or the Zoning By-law are being considered.

4: Review of Proposed Amendments to the Zoning By-law

Rob Pero provided an itemized explanation of the proposed amendments to the Zoning By-law as outlined in the public hearing information package. The information package included the public hearing agenda, the proposed amendments, and copies of the Village website and social media public notifications that are prescribed by provincial legislation. Rob advised that on December 14th, 2020, the Village Planning Advisory Committee met, reviewed the proposed amendments, and offered no recommendations for further revisions. He also noted that, as of the present time, no written comments from the public had been received by staff in relation to the proposed amendments.

5: Question/Answer Session:

Rob Pero opened the floor to any questions about the information presented.

Deputy Mayor Alex Scholten enquired whether the proposed change to Section 15 of the by-law to allow future amendments to the Schedule of Fees via a resolution of Council would be procedurally correct according to the *Community Planning Act* (i.e., as opposed to conducting the full by-law amendment and public hearing process).

Rob noted that previously the Schedule of Fees was intentionally appended separately to the by-law to allow for greater administrative flexibility in making minor revisions to the fees as needed. He commented that adding the phrasing to clarify that fee revisions would be conducted by way of a “resolution” seemed warranted. He also stated that his interpretation was that the allowances in the *Community Planning Act*, in regard to Council’s authority to impose and administer fees, implies such a process would not violate the intent of the Act. He noted that making amendments to fees from time-to-time by way of a resolution of Council would still be subject to the intents in the Act with respect to transparency and the opportunity for public engagement at open meetings of Council.

Councillor Paul LeBlanc expressed the view that fees should be decreasing, instead of increasing, if it was the Village’s wish to attract and incentivize new development.

Hearing no further questions or comments, Rob Pero then invited Mayor Judy Willson-Shee to close the “Comments from the Public” segment of the hearing and provide the closing comments for adjournment.

Mayor Willson-Shee called three times for comments in favor of the draft amendments. Hearing none, the Mayor then called three times for any comments in objection to the same, to which there were none.

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

Mayor Wilson-Shee concluded the public hearing noting that public notification and consultation are inherent to the process to ensure residents have an opportunity to be informed and express their input on proposed by-law amendments. The Mayor also noted that the public hearing was the final step in the public consultation process and stated that Council would be giving further consideration to the amendments prior to entertaining third and final readings.

Mayor Judy Wilson-Shee called for a motion to adjourn the public hearing.

Moved by Deputy Mayor Alex Scholten and **seconded by** Councillor Tim Scammell to adjourn the public hearing.

The public hearing adjourned at 7:27 p.m.

Respectfully submitted,

(Sgd.) Rob Pero

Rob Pero, CET, NBCBO
Building Inspector / Development Officer

(Sgd.) Judy Wilson-Shee

Judy Wilson-Shee
Mayor

(Sgd.) Cynthia Geldart

Cynthia Geldart
CAO/Clerk