

*Village of New Maryland*  
*Special Session of Council*  
13 September 2023

**Present:** Mayor Judy Wilson-Shee  
Councillor Laurie Pearson  
Councillor Alex Scholten  
Scott Sparks, Treasurer  
Shawna Cyr-Basque, Assistant Clerk  
Rob Pero, Building Inspector/Development Officer  
Kyle Arsenault, Assistant Building Inspector/Development Officer  
Councillor Mariet van Groenewoud  
Councillor Mike Pope  
Cynthia Geldart, CAO/Clerk

**Absent:** Deputy Mayor Tim Scammell

**Guests:** Justin Bowers, Bowers Construction, Connor Wallace, Zzap Consultants and 15 (fifteen) residents in attendance.

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**1. Call to Order**

Mayor Judy Wilson-Shee called the meeting to order at 6:30 p.m. with the acknowledgement that the land on which we gather is the traditional unceded territory of the Wolastoqiyik and Mi'kmaq people and that we should live and work on this land in relationships of peace, friendship and mutual respect.

**2. Approval of the Agenda**

**MOVED BY** Councillor Mariet van Groenewoud and **seconded by** Councillor Mike Pope that the agenda be approved as circulated. **MOTION CARRIED.**

**3. Disclosures of Interest**

No *Conflicts of Interest* were declared.

**4. Public Hearing: *Zoning By-law Amendment No. 04-02-2023 – 196 Phillips Drive (PIDs 75260265, 75260273, 75260281, 75250257 and 75062208)***

- ❖ Mayor Judy Wilson-Shee provided opening remarks and explained that the property owners requested Council to consider the proposed rezoning of the subject property from a Residential Zone 2 (R-2) to Residential Zone 3 (R-3) and to permit the construction of 2 (two) apartment buildings; a 20 (twenty)-unit building and a 28 (twenty-eight)-unit building.
- ❖ She noted that the objective of the Public Hearing was to allow the Applicants to provide information on their proposal, as well as to provide residents with an opportunity to express to Council their comments on the requested *Zoning By-law Amendment*.
- ❖ She commented that Council would consider all written and verbal statements received and that a decision would be determined at a future regular Council meeting.
- ❖ Mayor Wilson-Shee introduced Assistant Building Inspector/Development Officer Kyle Arseneault and invited him to the podium to provide an outline of the public consultation and by-law amendment process.
- ❖ Kyle began his remarks by reminding residents to record their names on the sign-in sheet and introduced the Applicants, Connor Wallace of Zzap Consulting Inc. and Justin Bowers of Bowers Construction.
- ❖ He explained that when a Municipal Plan or a Zoning By-law Amendment is considered, the public engagement and consultation process is required as per provincial legislation.
- ❖ Kyle stated the Municipal Plan By-law is the policy framework for future land use and the overall needs and visions for the Village and the Zoning By-law is the administrative tool that ensure policies are adhered to and development or re-development projects are in accordance with the Municipal Plan.

- ❖ He noted that public notifications were provided to residents within 100 (one hundred) metres of the subject property by delivered written notices and through advertising on the Village website and social media.
- ❖ Kyle provided a summary of the zone amendment application process and explained that staff conducts the initial review of the application and consults with Council to set a date and time for a Public Hearing.
- ❖ He explained that Council's role in the process is to review and assess the application, in consultation with the Planning Advisory Committee (PAC) and the general public, on whether a development or proposal aligns with the Village's growth and development objectives.
- ❖ He explained growth and development objectives and summarized the formalities relating to enactment or defeat of the requested amendment to the by-law.
- ❖ Kyle reviewed several documents that were included in the Public Hearing package as follows: the procedure for Public Hearings; draft *Zoning By-law Amendment No. 04-02-2023*; the public notifications to residents; the staff report to the PAC; correspondence received from the public which included several letters and petitions opposed to the development; the PAC's meeting minutes and recommendations; and reports and studies submitted by the Applicant with regard to the *Traffic Impact Assessment*, *Groundwater Impact Assessment* and *Market Impact Assessment*.
- ❖ Kyle stated the PAC recommended a unit count reduction to a maximum of 20 (twenty) units per apartment building and no variances, as well as other terms and conditions including significant landscape buffering from adjacent existing properties.
- ❖ Kyle concluded his summary by further explaining that the purpose of the Public Hearing was to provide residents with an opportunity to share their concerns with Council and not to engage a debate on the matter. He invited the Applicants to make a brief presentation.
- ❖ The Applicants acknowledged the residents' concerns and explained the intent behind the proposed development was to accommodate the senior demographic and to integrate a new housing model in the community. Connor commented that the studies requested by Council have been completed and there were no significant impacts noted in the assessments.
- ❖ He explained that the number of variances were due to the number of units proposed for the apartment buildings and that the proposal remained within the intent for a Residential Zone 3 (R-3) designation and the Village's planned "Urban Design Standards" for the New Maryland Highway.
- ❖ Justin shared that he grew up in New Maryland and believes the proposed development is important and is of the opinion that his plans align with the Village's needs and vision of the community.
- ❖ Kyle advised the public of the opportunity to express comments in favour of the proposal. Hearing none, he asked if there were any comments in opposition to be presented to Council.
- ❖ There were several comments and concerns expressed from residents who reside in Centennial Heights subdivision as follows: the number of requested variances; the potential impact to the value of existing adjacent properties; the loss of privacy; the increase of traffic volume and pedestrian safety due to lack of sidewalks; the lack of greenspace; the impact to private wells; other more suitable locations for the project; affordability of units; the proposed construction schedule and questions in regard to stormwater management and underground drainage for the proposed development.
- ❖ Connor confirmed that the project is targeted to seniors aged 55 (fifty-five) plus and projected rental rates to be mid to high range. He commented that it was early in the process, however the rates would be comparable to the market values in the area.
- ❖ He noted a sight distance analysis for traffic was completed from the proposed property's parking lot to the road with approximately 20 (twenty) to 25 (twenty-five) vehicles at peak hour times. It was confirmed in the report that there was adequate sight distance for traffic. Connor explained that the analysis was a safety assessment for pedestrians and noted that transportation standards were verified as well.



- ❖ A resident suggested that the Village should have engaged an independent consultant to conduct the *Traffic Impact Assessment*, *Groundwater Impact Assessment* and *Market Impact Assessment*. He also expressed that the *Market Impact Assessment* was not comparable to the proposed development, as the data was collected from neighbourhoods located in Halifax, Nova Scotia.
- ❖ Connor confirmed that a Stormwater Management Plan is required to be submitted and approved prior to receiving permits.
- ❖ Another resident suggested that Council consider an alternate location for the development. He further commented that the apartment buildings are of considerable size for the property and believes it would be an intrusion to the subdivision and change the dynamics of the community.
- ❖ There were 2 (two) additional petitions and 2 (two) letters submitted to Council at the Public Hearing that were opposed to the proposed development.
- ❖ After calling 3 (three) times for further comments in favour of, and in opposition to, the proposal and after hearing none, Mayor Wilson-Shee concluded the Public Hearing and thanked the residents for attending. She commented that their participation in the public review process is appreciated and encouraged residents to reach out to Kyle should they have any questions.

##### 5. Adjournment

**MOVED BY** Councillor Mike Pope and **seconded by** Councillor Alex Scholten that the meeting be adjourned. **MOTION CARRIED.**

The meeting adjourned at 7:30 p.m.

Respectfully submitted,

*Shawna Cyr-Basque*

Shawna Cyr-Basque  
Assistant Clerk

*Judy Wilson-Shee*  
Judy Wilson-Shee  
Mayor



