

**Municipality of The District of Lunenburg
Public Hearing held by Municipal Council**

in Council Chamber, 10 Allée Champlain Drive, Cookville, NS
Tuesday, January 9, 2024 at 8:30 a.m.

Attendance

Mayor Carolyn Bolivar-Getson
Deputy Mayor Wendy Oickle, District 3
Councillor Leitha Haysom, District 1
Councillor Martin Bell, District 2
Councillor Pam Hubley, District 4
Councillor Cathy Moore, District 5
Councillor Sandra Statton, District 6 (Via Teams)
Councillor Michelle Greek, District 7
Councillor Kacy DeLong, District 8
Councillor Reid Whynot, District 9
Councillor Chasidy Veinotte, District 10

Staff

Tom MacEwan, Chief Administrative Officer
Tina Robichaud-Bond, Executive Assistant

1. Call to Order

Mayor Bolivar-Getson called the Public Hearing to order at 8:30 a.m.

2. Opening Remarks

Mayor Bolivar-Getson reported that the meeting was a Public Hearing for Council to receive written and verbal presentations from the public in attendance regarding the proposed amendments to the Riverport & District Land Use By-law to rezone portions of PIDs 60718046 and 60718038 from Environmentally Sensitive zones to Rural Three zones, as well as repealing policy 4.13 "Accessory Uses" and replacing it with a revised policy titled "Miscellaneous Minor Accessory Structures".

2a Introduction of Council Members

Mayor Bolivar-Getson called on the Councillors to introduced themselves. It was noted that Councillor Statton was attending the meeting via TEAMS.

2b Review of Agenda and Rules of Conduct

Mayor Bolivar-Getson reviewed the agenda and read the Rules of Conduct that are to be followed by members of the public who wish to speak at the Hearing. The Rules of Conduct were also printed at the bottom of the Agenda.

3. Reports and Presentations by Planning Staff

Elizabeth Carr, Planner I, and Jeff Merrill, Director of Planning & Development Services, were in attendance.

Ms. Carr gave a presentation titled “By-law 015 – Riverport & District Land Use Bylaw Amendments” (attached to Minutes) providing details on the proposed amendments.

4. Written and Verbal Presentations from the Public

4a Review of Written Submissions

Mayor Bolivar-Getson asked if any written submissions were received by the Municipality. Staff indicated that no Written submissions were received.

4b Verbal Presentations by the Public

Mayor Bolivar-Getson asked if there were any verbal presentations to be made by anyone in the audience.

Alexandra Greek was in attendance. Ms. Greek advised that she was the owner of one of the PIDs affected by the proposed amendments. She asked for clarification of who would be responsible for paying the costs associated with the assessment.

Jeff Merrill, Director of Planning & Development Services, advised that there was no cost to the landowners for the work associated with the assessment.

Mayor Bolivar-Getson asked two more times if there was anyone else in the audience who would like to address Council on the proposed amendments. There were no further comments.

5. Review of Approval Process

Mayor Bolivar-Getson reviewed the approval process, noting that Municipal Council could either call a Special Council meeting and make a decision at the close of this Hearing or the decision could be deferred to the next regular Council meeting. Council agreed to make a decision at the regular Council meeting scheduled after the Public Hearing.

6. Closing of the Public Hearing

Mayor Bolivar-Getson declared the Public Hearing closed at 8:41 a.m.

By-law 015 – Riverport & District Land Use Bylaw Amendments

Presenters: Elizabeth Carr, Planner I

Date: January 9, 2024



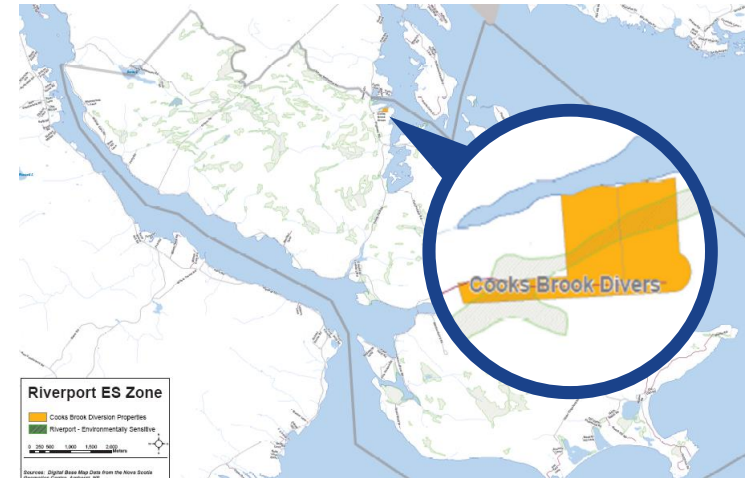
Amendment Topics

1. Regulating development near wetlands.
2. 'Accessory Uses' policy.



Wetlands Background

- Two properties on **Cook's Brook Diversion** overlapping with Environmentally Sensitive zone based on provincial wetland maps.
- Survey by qualified Wetland Delineator found:
 - No low-lying areas on survey plan;
 - Sandy dry silt over rock;
 - No wetlands present.



Policy / Process

- **Policy 4.2.3** of the Riverport & District LUB states that Council may rezone an Environmentally Sensitive zone to the adjacent Rural Three zone if a qualified professional performs a study on the property that shows there is no wetland present.
- Provincial wetland delineator conducted assessment.



Accessory Uses Background

- Policy 4.13 of the Riverport & District LUB states that no development permit is required for any use that is accessory to a permitted use.
- Amendments will change wording from ‘uses’ to ‘structures’.
- New policy aligns with the wording found in MODL’s other LUBs.



First Reading Motion

- **That Municipal Council accept the recommendations of the Planning Advisory Committee and give notice of its intention to approve By-law 015F a By-law amending the Riverport and District Land Use By-law regarding Miscellaneous minor structures and rezoning Parcel Identifiers 60718046 and 60718038 from the Environmental Sensitive Zone to the Rural-Three Zone and conduct First Reading of the same.**



Amendment Process

To Date:

- Public Information Session
- Area Advisory Committee
- Planning Advisory Committee
- Council First Reading

Next Steps:

- Second Reading
- Notice of Approval
- 14-day Appeal Period



Questions

Elizabeth Carr

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Second Reading Motion

- **That Council conduct Second Reading of the proposed amendments to the Riverport and District Land Use By-law to rezone portions of the two properties on Cook's Brook Diversion (Property Identifiers 60718046 and 60718038) from the Environmentally Sensitive zone to the Rural Three zone, and, repeal policy 4.13 'Accessory Uses' and replace it with a revised policy titled 'Miscellaneous Minor Accessory Structures' in alignment with policies found in MODL's other Land Use Bylaws.**

