

MUNICIPALITY OF THE DISTRICT OF LUNENBURG
Minutes of a Special Meeting of
COUNCIL
Held in the Council Chambers, 210 Aberdeen Road, Bridgewater
Thursday, September 1, 2011 7:25 p.m.

ATTENDANCE

Councillors: Mayor Don Downe
Councillor Basil Oickle, District 1
Councillor Frank Fawson, District 3
Councillor Sandra Statton, District 5
Councillor Wade Carver, District 6
Councillor John Veinot, District 8
Councillor Arthur Young, District 9
Deputy Mayor Lee Nauss, District 10
Councillor Martin Bell, District 11
Councillor Eric Hustvedt, District 12

Absent: Councillor Don Zwicker, District 2
Councillor Milton Countway, District 4
Councillor Cathy Moore, District 7

Staff: Tammy S. Wilson, Chief Administrative Officer
Jeff Merrill, Acting Director of Planning & Development Services
Douglas Reid, Municipal Planner
Sherry Conrad, Administrative Assistant

1. CALL TO ORDER

Mayor Downe called the meeting to order. He advised that a Public Hearing was just held in regard to an application by Wilsand Investments to remove the abutting zone requirement regarding screening measures and to consider proposed amendments to the Village of Hebbville Secondary Planning Strategy and Land Use By-law. A Special Council meeting has been called to deal with the request and proposed amendments.

2. PROPOSED AMENDMENTS TO VILLAGE OF HEBBVILLE SECONDARY PLANNING STRATEGY AND LAND USE BY-LAW

Ms. Wilson reported that a Public Hearing was held prior to the Council meeting to deal with proposed amendments to the Village of Hebbville Secondary Planning Strategy and Land Use By-law with regard to the application from Wilsand Investments for a By-law amendment to remove the requirement to erect screening (a fence or berm) where a Commercial or Industrial Zone development uses a side or rear yard (for parking, display, etc.) that abuts a Residential or Institutional Zone and staff's recommendation to deny the applicant's application to remove the requirement for screening and to propose an amendment that would permit the use of natural vegetation for screening.

Ms. Wilson reported that the Hebbville Area Advisory Committee and the Municipality's Planning Advisory Committee have supported staff's recommendation. An Information

Package including staff's report dated 23 June 2011 with regard to the application and staff's recommendation was circulated at the meeting (copy attached to original set of Minutes).

Staff reported that Mr. Saunders, Wilsand Investments, had attended the Public Hearing but no other members of the public were in attendance. No written submissions or verbal presentations were received at the Public Hearing.

Ms. Wilson noted that the proposed amendments will be as follows:

Secondary Planning Strategy

1. Amend the Village of Hebbville Secondary Planning Strategy by removing the existing text found in the first and second sentence found in Part 7, Section 7.0.2 that follows the word "height" and substituting in its place:

location and proper retention of any fences or vegetation for the purposes of screening or buffering. Furthermore, fencing or screening measures shall be required for the purposes of screening storage areas that contain unsightly materials, screening areas that are used for any purposes where it is considered to be necessary to enhance and preserve the character of the area, or to reduce incompatibility with the surrounding land uses.

The (existing) third sentence found in Part 7, Section 7.0.2 shall remain as is.

Land Use By-law

2. Amend the Village of Hebbville Land Use Bylaw by repealing subclause (i) in Clause 6.1.2(e) and substituting in its place:

(i) an opaque fence, or berm, or vegetative screening providing a solid visual barrier after one growing season, of no less than 1.5m (5 ft) in height; and

3. Amend the Village of Hebbville Land Use Bylaw by adding subclause (iii) to Clause 6.1.2(e), stating that:

(iii) any measures identified in (i) above shall be maintained in a safe and suitable condition to meet its screening purposes; and

4. Amend the Village of Hebbville Land Use Bylaw by repealing subclause (i) in Clause 7.1.2(e) and substituting in its place:

(i) an opaque fence, or berm, or vegetative screening providing a solid visual barrier after one growing season, of no less than 1.5m (5 ft) in height; and

5. Amend the Village of Hebbville Land Use Bylaw by adding subclause (iii) to Clause 7.1.2(e), stating that:

(iii) any measures identified in (i) above shall be maintained in a safe and suitable condition to meet its screening purposes; and

6. Amend Part 13 (Definitions) of the Hebbville Land Use Bylaw by inserting the following definition for VEGETATIVE SCREENING between the existing definitions for USE, NON-CONFORMING and WAREHOUSE:

VEGETATIVE SCREENING means a visual barrier of natural vegetation that, for the purposes of this By-law, includes: dense evergreen hedges, or retained or newly planted coniferous trees with a minimum height of 1.5m, capable of growing to and being maintained at 5m high, with a minimum average spacing no less than 3m.

Ms. Wilson advised that if Council denies the applicant's request for an amendment, the applicant can appeal Council's decision to the Nova Scotia Utility and Review Board.

Moved by Deputy Mayor Nauss, seconded by Councillor Bell that Municipal Council deny the application from Wilsand Investments to remove the abutting zone requirement regarding screening measures, as found in the Hebbville Land Use By-law. Carried.

Moved by Deputy Mayor Nauss, seconded by Councillor Young that Municipal Council adopt the By-law amending the Village of Hebbville Secondary Planning Strategy and Land Use By-law regarding abutting zone requirements (screening), provided in the Staff Report dated 23 June 2011, and that Municipal Council conduct Second Reading of the same. Carried.

Ms. Wilson advised that an approval notice will be inserted into the local papers advising of the adoption of the amendments.

There being no further business at 7:30 p.m., it was moved by Councillor Veinot, seconded by Councillor Young that the meeting adjourn. Carried.

MAYOR DON DOWNE, CHAIRMAN

TAMMY S. WILSON, CAO