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**COMMITTEE OF THE WHOLE**  
**Minutes**  
**April 06, 2005**

The monthly session of the Committee of the Whole was held on Wednesday, April 06, 2005 in the Council Chambers at Town Hall. In attendance were acting Chair Mayor John Kinsella, Councillors Ron Boulding, Sherman Hudson, Peter Kramers and Douglas Shaffner, Amery Boyer CAO<sup>1</sup>, Melony Robinson Director of Finance, and Marlene Feener as recording secretary. Also present were Laurie Emms, Carolyn Sloan from the Spectator, Elizabeth Ross, and Carole Milligan, Beth Halliday, Richard Joules, Rion Microys, Gary Mailman, Gary Slauenwhite, David Sweezey, Lila Bartlett, Esther Guest, Edwin Guest, Michelle MacGlauglin, Hugh Brown, Kerra St. John, Ron Grafflin, S. Yeoman, Lois Jenkins, Alma Smith, Jesse Smith, Patrice Duggan, Gordon Totten, Gail Robertson, Heather Stairs, Mary Sisson, Ken Ziegler, Glenn Adams, Patrick Redgrave, Jolanta Drogonewicz, and Vaughn Acker.

Regrets: Deputy Mayor Jane DeWolfe and Planning Heritage Advisory Committee member Ian Lawrence

**CALL TO ORDER**

Chair Mayor John Kinsella called the meeting to order at 9:00 a.m.

**APPROVAL OF COMMITTEE OF THE WHOLE MINUTES**

March 09, 2005

***It was moved by Peter Kramers, seconded by Doug Shaffner, that the minutes dated March 09, 2005 be approved as amended. Motion carried.***

**ADDITIONS TO AGENDA**

**APPROVAL OF AGENDA**

April 06, 2005

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<sup>1</sup>Chief Administrative Officer

***It was moved by Ron Boulding, seconded by Sherman Hudson, that the agenda dated April 06, 2005 be approved as circulated. Motion carried.***

**PRESENTATIONS:**

1. **Laurie Emms, Traffic Authority** 9:00 a.m.

Laurie Emms presented members of the Committee with a written report. He reported that only one pedestrian has been hit by a car in the last five years in Town.

Laurie Emms stated that at the corner off Victoria Street and St. Anthony Street there have been five accidents in the last five years. He said that having a four way stop at the intersection at St. Anthony and Victoria Street would reduce the risk of accidents.

Laurie Emms stated that converting to angle parking on the section of St. George Street from the corner of St. Anthony Street and St. George Street up to the traffic lights would increase the number of parking spaces and allow for safe handicap parking. Laurie Emms stated that he did not see any problem with two way traffic on this section of St. George Street. He said that removing one parking space on the south side of the intersection between the corner of St. George Street and St. Anthony Street would increase visibility at that intersection. He said that this could be done by installing a no parking sign.

Laurie Emms reported that there was one accident at the corner of Lower St. George and St. Anthony Street in the last five years. It involved a car hitting a parked car. He said that he did not see any problems at that intersection.

A concern was voiced with delivery trucks parking on St. George Street. Laurie Emms said that if you explain the problem to businesses and ask that they discuss the issue with the drivers that changes could be made. One solution could be to have the delivery trucks make their deliveries between 8:00 a.m. and 10:00 a.m.

Peter Kramers reported that the pedestrian safety on St. Anthony Street is an issue. Amery Boyer said that the Town's engineer will be in Town today and will be looking at prioritizing sidewalks in Town.

Mayor John Kinsella reported that the Town has received concerns about the corner of St. George Street and Drury Lane. Laurie Emms indicated that he will investigate options for that intersection.

Mayor Kinsella requested a report from Laurie Emms on the issues discussed. Laurie Emms will provide a report to the Town.

***It was moved by Ron Boulding seconded by Doug Shaffner, that recommendation be made to Council, that the Town remove one parking space at the corner of St. George Street and St Anthony Street, in front of Radio Shack, for a period of three months. Motion carried***

Staff will advise the business owners affected.

2. **Fundy Broadband Network** 9:30 a.m.

Wayne Morgan reported that he knows little about the technical side of the Fundy Broadband Network. He said that the organization involves all the Towns and Municipalities in Digby, Clare and Annapolis as well as the Community College. The network has a 48 strand cable that runs from Meteghan to Middleton, that is linked at both ends. He said that Meteghan is linked to Yarmouth on one end and Middleton is linked to Halifax on the other end. He said that the network allows the University of Sainte Anne to have high speed internet.

Wayne Morgan reported that agreements with Rush Communications and East Link were signed the end of December 2004. He said that both were very important partners in the network. Wayne Morgan reported that Keith Robicheau is also an important part of the project, working with the project manager on various issues.

Wayne Morgan reported that the use of the broadband system has been very limited to date. He stated that the Western Valley Development Authority and the Nova Scotia Community College in Digby are tied into the broadband system. He reported that the Pearson Peacekeeping Centre is coming on board and they will benefit the network a great deal. He reported that Rush Communications has put a push on promoting the network at the south end of the province. He said that East link only comes as far as the Allain's Creek bridge to date. He reported that Rush Communications is not offering the services to Annapolis County at this time.

Wayne Morgan reported that the Town of Annapolis Royal is paying its fair share of the cost involved with the network. He said that this is a wireless network.

Wayne Morgan stated that distance learning would benefit from the use of this network. He said that service fees are \$6,000 a month, with \$5,000 of that amount being used for maintenance.

Mayor Kinsella thanked Wayne Morgan for his presentation. He said that the use of the system has been very limited to date and stated that he would like to see Annapolis Royal benefit from this by receiving a node.

## **PUBLIC MEETING / PUBLIC PARTICIPATION PROCESS (10:00 a.m)**

Mayor Kinsella opened the public meeting at 10:00 a.m. and reported that there are two properties that will be discussed. He said that everyone will have a chance to speak.

1. Jolanta Drogosiewicz, property at 108/110 Victoria Street (1) - Roger Sturtevant reported that the Public Participation Program is the start of a process to have a property rezoned. He stated that the PPP is an informal part of the process. He said that there is a rationale, policy, objectives and pros and cons will be looked at. Roger Sturtevant stated that the market for commercial properties and the use of residential properties will be discussed. He reported that historically the development of the Town is with commercial on St. George Street. He said that properties were bought on St. George Street for commercial use. He said that when people leave the business area they want to go home to get away from the business district and be in a residential area. He said that the Town has been growing commercially in small increments moving outside from the commercial district. He said that surveys were done five years ago asking what values the businesses and residents wanted to see for the Town. He said that he will be providing a report to Council at a later date. He said that there is a concern that residential properties are being converted to other uses and this in turn lowers the number of residents in the Town.

Roger Sturtevant stated that he is here to facilitate the process. He said that this is a public meeting and that the Planning and Heritage Advisory Committee will meet later to discuss matters further. He reviewed the use of surrounding properties with everyone present. He said that if the property is rezoned to a C 1 zone, it would allow for commercial use. He said that the property would require a setback from the road. He said that the proposed use is a small café and may not have a lot of traffic, but may increase traffic and parking on the adjacent properties.

Vaughn Acker, owner of the property, reported that the only access would be from Prince Albert Road. He said that everything would be happening at the rear of the property. He said that seating would be for 20-25 people.

Gordon Totten asked how B&Bs were classified. R. Sturtevant stated that B&Bs are classified as R 1 up to three units maximum depending on the location, or R 2 which would allow for more than three units and a business depending on the location within Town. R. Sturtevant said that if Upper St. George Street became more commercial it would change the nature of the Town. G. Totten said that he would be in favour of the rezoning of the property.

Patrice Duggan asked if the property was re-zoned to C 1 could it be used as a laundromat. Roger Sturtevant stated that there would be several uses, including a laundromat, if this property is rezoned to C 1. P. Duggan reported that she was in favour of this application.

Jim Bickford reported that he is a neighbour of the property. He said that he has a B&B and that he is very limited to the use of his property. He said that he cannot offer meals to the public. He said that there is a concern about the property being converted to a laundromat or another use. He said that he and other residents are very concerned about the possible unlimited use of the property if it is re-zoned to C 1. He reported that he is not in favour of rezoning the property.

Esther Guest reported that she is now in a quiet district and would like to see it remain that way. She said that she was not in favour of rezoning.

Jo Stern reported that she owns a property on St. George Street. She said that they had to go through this process for that property. She said that a development agreement could work for the property. She said that the Town can have strict regulations on signage and other issues with a development agreement.

Gail Robertson asked if the property is R 1 or R 2. Roger Sturtevant reported that a two apartment house can be an R 1 property. She said that she feels that the street is already commercial and that she is in favour of a development agreement for this property. She said that the Town should encourage business in the Town.

Glen Adams reported that he is a neighbour to this property. He asked if a motel is allowed at the Hébert House? R. Sturtevant stated that motels are permitted in the highway commercial zone. R. Sturtevant said that the Hébert House is a grandfathered property.

R. Sturtevant explained the proposed future use of properties in Town. He reported that the Zeiglers bought a property on Victoria Street and have converted a portion of the property to commercial use.

G. Adams stated that when he bought his property that all of the property that fronts on Prince Albert Road was commercial. He said that he has been operating a vineyard as commercial for over a decade. He said that he didn't know that this land was zoned R 1. Glen Adams said that he will ask that his land on Prince Albert Road be rezoned commercial and the piece on Victoria Street as residential. He said that he would be in favour of the proposed business at 108/110 Victoria Street.

Gloria Grafflin stated that she is a neighbour to the property and would like to see the property remain residential.

Lila Bartlett stated that she is not in favor of rezoning the property. She said she does not object to new people coming into the Town but people should have some say in the use of properties.

Beth Halliday reported that she is a member of the Board of Trade executive. She said that she sees the concerns of the residents within the Town. She said that the Board of Trade is concerned with the whole area. She read a letter from the executive of the Board of Trade which stated that they are in favour of this business. She said that this business started small and now wishes to grow into a larger property. She said that this is a success story. She said that if it has to go through as a development agreement to work then the Board of Trade would be in favour of it.

Kerra St. John said that she is on the Board of Trade and did not appreciate that a member of the executive make a formal presentation on this issue.

David Sweezey said that he is in favour of the rezoning of the property.

Kenneth Zeigler stated that he lives on Victoria Street and said that he believes that this business would be a benefit to the Town.

Gail Robertson asked if 25% of a property in an R 1 zone could be used as commercial. Roger Sturtevant reported that home occupations with limited uses can be allowed in a R 1 zone; he said that the owner of the property has to live in the property.

Gordon Totten reported that Newman's restaurant will be closing at the end of the season and felt that another restaurant was needed in Town.

Andrea Boulding, owner of At the Turret Bed and Breakfast, reported that her concern is with traffic. She said that there are days when there is a huge bottleneck at the intersection. She said that Victoria Street is sometimes used as a throughway for traffic. She said that she is opposed to the rezoning of the property.

Mayor John Kinsella read a letter from Linda McCharles a neighbour to 108/110 Victoria Street stating that she was not in favour of rezoning the property (copy included with original minutes).

R. Sturtevant stated that an inn (zoned R 2) is considered a dwelling where the proprietor can provide room and / or meals. He said that a B&B cannot provide meals to the public.

Richard Joules voiced concerns over the future use should the property be rezoned to C 1. He said that he would not vote for the rezoning of the property.

Heather Stairs said that there are several vacancies in Town that should be used first. She is not in favour of the rezoning of this property.

David Scarrett stated that his property on St. George Street was put through a develop agreement and that any future use to his property would have to be considered by the Town.

Jesse Smith stated that he is a resident of Victoria Street. He said that there are approximately seven businesses on Victoria Street. He did not see any concern with rezoning the property.

Corrie Horton and Steve Carr are the new owners of the Hébert House. Corrie Horton said that she is in favor of a restaurant, but felt that future commercial use of the property, if rezoned to C 1, would an issue.

Heather Stairs asked if the heritage issues with the property will be dealt with.

Mayor John Kinsella reported that the future land use map was constructed with the input of businesses and residents of the Town during a review process. The map indicates that this is the way residents would like to see the future use of properties within the Town.

R. Sturtevant reported that the next process is that the issue goes to the Planning and Heritage Advisory Committee which will make a recommendation to Council. Council will decide if this request will go to a public hearing that would be held at a later date. If it makes it through Council, it then goes to the Minister's office, Service Nova Scotia and Municipal Relations for their review and approval.

Mayor Kinsella closed the Public Participation Program for the property at 108/110 Victoria Street.

Mayor Kinsella opened the Public Participation Program for the Annapolis District Health Authority for the parcel of land on the north boundary of Annapolis Valley District Health Authority on upper St. George Street.

2. Annapolis District Health Authority, parcel of land on the north boundary of Annapolis Valley District Health Authority on upper St. George Street (1)

Roger Sturtevant reported that this request is to allow for the expansion of the parking at the Annapolis Community Health Centre. He said that the owner of the property is not interested in residential use.

Gary Slauenwhite with Annapolis Valley Health reported that there will be an increase in services in the Annapolis Community Health Centre with a number of new clinics and doctors' office being relocated there. He said that the Health Authority is in the process of receiving bids for renovations to the Annapolis Community Health Centre and that they hope to expand the facility in the future if funding becomes available. He said that this will increase traffic to the Health Centre and that additional parking will be required.

Carole Milligan stated that parking for the facility is not adequate. She said that paying for parking at the Health Centre is very challenging for people in the area. She said that this is the only area within Town that requires payment for parking.

Carole Milligan stated that the facility is in a historic district and that the property requires major landscaping improvements and the facade of the property.

Peter Kramers voiced concerns about the buffers for institutional properties. R. Sturtevant said that a landscape buffer is something that would have to put in place immediately.

Mayor Kinsella closed the PPP of the meeting at 12:03 p.m.

#### **PLANNING AND HERITAGE ADVISORY COMMITTEE (12:05 p.m.)**

*It was moved by Ron Boulding, seconded by Doug Shaffner that recommendation be made to Council, for continuation of the process for the Annapolis District Health Authority's parcel of land on the north boundary of Annapolis Valley District Health Authority on upper St. George Street with an acceptable landscape design. (One naye Peter Kramers) Motion carried.*

Discussion was held on the property at 108/110 Victoria Street. Roger Sturtevant reported that the owner of the property can reapply for a development agreement for the property if the present request is rejected. He asked if that would be the best approach for the property. He said that it may be difficult to resell with a development agreement.

***It was moved by Carole Milligan, seconded by Elizabeth Ross, that recommendation be made to Council, that it is with regret that the Town not proceed with the rezoning of Jolanta Drogosiewicz, property at 108/110 Victoria Street to C 1. Motion carried.***

## BUSINESS ARISING

1. Public Meeting on Signage (11)	<p>The terms of reference were amended to include recommendations on the number of signs as well as the attributes. Amery Boyer will be available on an as needed basis.</p> <p><b><i>It was moved by Ron Boulding, seconded by Peter Kramers, that recommendation be made to Council, approval of establishing a Sign Committee Task Force. Motion carried.</i></b></p>	CAO	
2. Mews Development - Options for Development of Properties Behind St George Street (behind Annapolis Appliances)	Ongoing.		
3. Landscaping for the Health Centre	Discussed earlier.	Carole Milligan	
4. Florence Lewis letter dated 09 February 2005 re Request to Deregister Property 36/36 St. Anthony Street	Letter has been drafted.	Mayor Kinsella	
5. Amanda Egle's Application for Changes to Heritage Property, 241 St. George Street, Café Composé Sign	<p>Amanda Egle stated that Eugenia Bogart will be constructing the wooden sign. She reported that she did not know that a sign painted on the side of the building was illegal and that she will be making an application to have it approved.</p> <p>Mayor John Kinsella asked if she will be removing the painted sign on the building as it is not within the allowed size. She said that she would be removing the sign.</p>		



	<i>It was moved by Ron Boulding, seconded by Peter Kramers, that recommendation will be made to Council, that approval be given to Amanda Egle's application for changes to heritage property, 241 St. George Street, Café Composé Sign. Motion carried</i>		
6. Other - Dragon Fly Inn, 124 Victoria Street	<i>It was moved by Peter Kramers, seconded by Ron Boulding that recommendation be made to Council for approval of Corrie Horton and Steve Carr's application for changes to heritage property at 124 Victoria Street (sign). Motion carried.</i>		

## PLANNING HERITAGE ADVISORY COMMITTEE

### NEW BUSINESS

1. Ron Boulding's, Application for Changes to Heritage Property, 372 St. George Street (4)	Ron Boulding declared a conflict of interest and left the table.  <i>It was moved by Doug Shaffner, seconded by Sherman Hudson, that recommendation be made to Council, that approval be given to Ron Boulding's application for changes to heritage property at 372 St. George Street (storm windows). Motion carried.</i>		
2. Dr. Carole Martin's Application for Changes to Heritage Property, 664-666 St. George Street (5)	Dr. Carole Martin reported that the front entrance will be the main entrance for her business and residence until side entrance is constructed. She said that a wheelchair accessible entrance will be constructed on the side of the property in the future and that entrance become the main entrance for her business. She said that the door will be wooden and remain in the same style.  <i>It was moved by Ron Boulding, seconded by Sherman Hudson, that recommendation be made to Council, that approval be given to Dr. Carole Martin's application for changes to heritage property at 664-666 St. George Street. Motion carried.</i>		
3. Federation of Nova Scotia Heritage and NS Archives Spring Conference (9)	Ryan Scranton will be a presenter during the Federation of Nova Scotia Heritage and Nova Scotia Archives Spring Conference. He will be requested to provide a report.	CAO	

3. Kevin McLean, Superintendent of Public Works 12:30 p.m - Cancelled.

4. **Brett Allen** 1:00 p.m. -

Holly McClin, Peter Green, and Brett Allen, a group preparing a report from Dalhousie University, gave an oral and visual presentation on recommendations for an Annapolis Visitor and Community Centre for the Town of Annapolis Royal. They will be providing a final report to Council. They visited various schools in Annapolis Royal and received input from students.

Chandel Learn, a student at Annapolis West Education Centre, said that she was a student involved in the workshop. She said that during the workshop, students were asked various questions such as where do they hang out and what shortcuts do they use when strolling around

Town.

Holly McClin reported that the students identified a skate board park, indoor pool, and indoor rink as three facilities that they would like to see in Annapolis Royal. She said that the students were surprised when they were told that the Town was interested in their point of view. The students identified some conflicts that could result with the siting of a recreation facility in certain areas in Town.

A partnership with Duck's Unlimited was identified as a good idea with students.

Peter Green stated that they wanted to keep the students involved in the process. The group provided a link on a website so students could continue to be involved in the process. The group received feedback from landscape artists in Halifax and professors from Dalhousie University.

Brett Allen reported that the students were interested in a facility that would provide year round activities. They designed a facility that could be converted from one use to another and could be used all year. He reported that former train stations have been used as library facilities in other municipalities. He said that the visitor information centre could be moved to the facility. He said that maintaining vegetation and maintaining open space is very important in Town. He said that the wetlands would have to be treated in a special manner.

Peter Green reported that there are three recommendations: make youth needs a priority, address community needs, and continue youth involvement.

Peter Green reported that there will be a formal report that will be forwarded to the Town.

Mayor John Kinsella thanked the group for all of their hard work and the presentation. He reported that a swimming pool is being constructed fifteen minutes away and that would be considered during discussions with the Town.

Roger Sturtevant stated that this was an excellent presentation. He said that a great amount of student involvement along with a tremendous amount of work was put in this report. He asked if wildlife was taken into consideration during the project? Peter Green reported that boats and people walking on the trail during nesting season would be just as much a concern with wildlife.

Mayor Kinsella thanked Chandel Learn and the students at the two schools for their involvement in the process.

5. **Board of Trade** 1:30 p.m.

Kevin Burnell, President of the Annapolis District Board of Trade read a letter (copy with original minutes).

Mayor John Kinsella reported that the province is looking at a five year phase out period of the business occupancy tax. He said that the Town favours elimination of the business occupancy tax, but it could not do so because of legislation. He said that the Town has a

Marketing Director who works with the Board of Trade and this position is currently funded from the tax.

Peter Kramers reported that various agencies such as the Western Valley Development Authority, the Board of Trade, the County and the Town have duplication in activities and that this issue should be addressed.

Amery Boyer reported that a meeting will be held tomorrow with staff of the Western Valley Development Authority, the Towns, the Counties, with provincial and federal representatives to discuss various issues. Mayor John Kinsella said that there are very good possibilities that could come out of the meeting. Amery Boyer said that having the Board of Trade at the table will be discussed at the meeting tomorrow.

Kevin Burnell asked if marketing will addressed in the same way as it was in the previous year.

Mayor Kinsella reported that Council is currently in the budget process. He thanked Mr. Burnell for attending the meeting.

#### **COMMITTEE OF THE WHOLE BUSINESS ARISING**

<b>Item</b>	<b>Decision /Action</b>	<b>Responsibility</b>	<b>Target date</b>
1. Town Flag	Amery Boyer reported that there will be a voting system put in place to decide on a flag design. She reported that the design of the flag is complete and that the only cost that would be involved would be for developing the flag. An estimated cost would be between \$350 and \$500 for ten flags.	CAO	
2. Emergency Measures Organization/Generator	Melony Robinson reported that she has submitted a grant application for emergency generators. She said the application involved a generator for the Town (which has been already purchased) and a portable generator for the Fire Department.		
3. Recreation Facilities	Complete		
4. Sewer Bylaw	Complete	CAO	
5. Other			

#### **COMMITTEE OF THE WHOLE**

## NEW BUSINESS

Item	Decision / Action	Responsibility	Target Date
1. Consolidation for the Reserve Water Capital and the Water Capital Bank Accounts (6)	<p>Melony Robinson stated that she would like to consolidate the two bank accounts into one account.</p> <p><i>It was moved by Sherman Hudson, seconded by Doug Shaffner, that recommendation be made to Council, approval of the consolidation of the Reserve Water Capital and the Water Capital Bank Accounts upon approval of the Utility Board. Motion carried</i></p>		
2. Luna Consulting Report re Facility and Services Review Proposal for Services (8)	<p>Amery Boyer reported that there may be money available from Green Municipal Funds to do a formal waste management review.</p> <p>Amery Boyer reported that there may be a cost of \$100,000 to the Town to join Valley Waste Resource. She said that the Town's earth tubs and other infrastructure may be taken into consideration as part of the \$100,000 contribution. Amery Boyer will investigate further.</p>	CAO	
3. Third Party Furnace Installation Inspection	Discussion was held. Melony Robinson will ask an inspector from the Municipality of the County of Annapolis to do an inspection of the new furnace once installation is complete.	Director of Finance	
4. Natal Day Princess Committee letter (10)	<i>It was moved by Ron Boulding, seconded by Peter Kramers, that recommendation be made to Council, that approval be given to provide Brandea Balcomb, Queen Annapolis Royal an allowance in the amount of \$1,280 to attend the Apple Blossom festival. Motion carried</i>		
5. Multicultural Association of Nova Scotia (13)	Discussion was held. No action taken.	CAO	

## GENERAL / CORRESPONDENCE

1. Annapolis District Planning Commission Development/Building Permit Report for the month of March 2005 (2) - Information only
2. Royal Canadian Legion, Port Royal Branch #21 letter dated March 16, 2005 re The Year of the Veteran (3)

*It was moved by Peter Kramers, seconded by Sherman Hudson, that recommendation be made to Council, that the Town of Annapolis Royal officially designate the year 2005 the Year of the Veteran. Motion carried*

3. Clean Annapolis River Project letter and report dated March 2005 (7) - Information only
4. Tree Canada Foundation letter dated March 24, 2005 (12) - Discussion was held. Amery Boyer stated that the Town could offer a tree planting program to residents and businesses in the Town. The three entrances to the Town will be considered first and any extra money would be available at a 50/50 ratio to individuals for any qualified planting. A set of conditions will be developed.

## OTHER

The next Budget meeting will be held on May 09, 2005 at 9:00 a.m.

**NEXT MEETING** May 04, 2005 at 9:00 a.m.

## ADJOURNMENT

*It was moved by Ron Boulding that the meeting adjourn at 2:55 p.m.*

<u>Action:</u>	<u>Date</u>	<u>Signature</u>
Reviewed by Mayor John Kinsella		
Changes made by Administrative Assistant Marlene Feener		

Approved for website by Mayor or CAO		
Forwarded to website and WVDA		