

Planning and Heritage Advisory Committee

Minutes

October 1, 2012

9:00am

CALL TO ORDER: The meeting was called to order at 9:00 am by Acting Chair Corrine Frantel.

Present: Acting Chair Corrine Frantel, Deputy Mayor Mueller-Sparenberg, Councillors Hudson and Fearon, Grant Slinn, CAO¹ St-Amour, Town Planner and Development Officer Chris Millier, GIS² Technician Keith Saunders, Administrative Assistant Monica Mills as recording secretary, members of the public; Martin Fields, Bruce Gurnham, Kevin Burnell

Regrets: Chair Davies, Ian Lawrence

APPROVAL OF PHAC MINUTES: September 13, 2012

Motion 1:

It was moved by Councillor Fearon, seconded by Councillor Hudson that the minutes dated September 13, 2012 be approved as amended. Motion carried.

- There is a typo on page 2 PGAC should be PHAC.

ADDITION TO AGENDA

APPROVAL OF AGENDA

Motion 2:

It was moved by Deputy Mayor Mueller-Sparenberg, seconded by Grant Slinn that the agenda be approved. Motion carried.

PUBLIC HEARING: none

PRESENTATIONS: none

REPORTS: none

¹ Chief Administrative Officer

² Geographic Information Services

NEW BUSINESS – Planning

ITEM	DECISION / ACTION	RESPONSIBILITY	TARGET DATE
<p>1. Application to amend Land Use By-law – Annapolis Living and Learning Institute (ALLI)</p>	<p>Chris Millier reviewed his report (Appendix A) regarding the application from ALLI to amend the Land Use by-law, Uses Permitted, Institutional (11) Zone, to include: <i>Public and Private for Profit commercial schools, colleges, universities and other educational facilities.</i></p> <p>The committee reviewed the report. CAO St-Amour explained that the amendment would proceed to Council on October 15, 2012 for first reading and then a public hearing would be scheduled for the November 19, 2012 Council meeting.</p> <p>Recommendation 1: It was moved Grant Slinn, seconded by Deputy Mayor Mueller-Sparenberg that PHAC recommend to Council that in light of a review of the application by ALLI and the provisions contained in the Town’s Municipal Planning Strategy and Land Use By-law be amended as follows: That the words “colleges, universities and other educational facilities” be replaced with Public, Private or Commercial schools, colleges, universities and educational facilities”. Motion carried.</p>		
<p>2. Request for changes to Town By-laws involving encroachments</p>	<p>Chris Millier explained that he had reviewed the application from the property owner, Adrian Nette. He explained that under certain circumstances variances are permitted but this is when the development happens on the property owners private property. This situation is entirely different, as the property owner is requesting permission to</p>		

	<p>develop on the Town's right-of-way. The Town has a Streets and Sidewalk By-law which does not contain provisions for variances. The by-law covers public safety both pedestrian and vehicular, the management of public infrastructure and protects the Town's right-of-ways from being claimed or abused. The by-law is clear that no encroachment on public property is permitted.</p> <p>Chris Millier explained that the property owner, Adrian Nette, has received a permit for the repair of the structure in its current form, but has been denied permission to expand or enlarge the structure.</p> <p>He added that Council rather than PHAC could initiate a change to the by-law; however, he cautioned that input from the traffic authority, Town engineers and Public Works to develop a scope of impact would be required. Any changes to the by-law would be applicable to all properties in Town, as there are no provisions for variances. Chris Miller cautioned the committee that such a change would have serious implications for Town property.</p>		
3. Planning Service Report on PHAC Recommendations to Council & Action Items from PHAC Meetings	<p>PHAC reviewed the status report. CAO St-Amour suggested an educational pamphlet be given to all business owners regarding signage regulations in order to avoid signage issues. The committee agreed.</p> <p>It was decided that GIS technician Keith Saunders would develop the pamphlet by the end of October.</p>		
4. Signage	<p>Chair Frantel asked Chris Millier for a report on signage issues within the Town.</p> <p>Chris Millier stated that the majority of signage does comply with the Land-Use By-law. Businesses are permitted a total of four signs, which when placed on a small property may appear excessive but are in fact in compliance with the by-law.</p> <p>He added that the major infraction of the by-law was off-site advertising. The Town could enforce through legal action, although it is very time consuming and costly.</p>		

	Chris Millier recommended that the Town take an educational approach to signage and approach the issues more proactively with the property owners. He added that the Town should work cooperatively with businesses through education, rather than with enforcement.		
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BUSINESS ARISING - Planning

ITEM	DECISION / ACTION	RESPONSIBILITY	TARGET DATE
1. None			

The committee reviewed the Heritage Status Report.

Business Arising: Heritage

1. Holme's Garage property	Chair Frantel reported that the owners of the property had started drilling holes on Thursday. She added that it had rained really hard afterwards and the holes were washed out. She had contacted Public Works regarding the matter.		
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New Business: Heritage

1. None			
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NEXT MEETING: November 5, 2012 at 9:30 am.

ADJOURNMENT

Motion 2:

It was moved by Deputy Mayor Mueller-Sparenberg, seconded by Councillor Hudson that the meeting be adjourned at 10:05am. Motion carried.