

Minutes of a **Public Meeting** conducted by the Municipal Council on Tuesday, March 21, 2023, at 11:00 a.m., at the Municipal Administration Building, 752 St. George Street, Annapolis Royal.

Present

Warden A. Morrison; Deputy Warden B. Redden, and Councillors B. Prout, B. Connell, D. Enslow, C. Barteaux, L. Longmire, D. Hudson, M. Gunn, W. Sheridan, and D. LeBlanc.

Also Present: Interim CAO Doug Patterson; Municipal Clerk Carolyn Young; other staff including A. Anderson, N. McCormick, L. Bent, D. Campbell, and E. Melanson; and 5 members of the public.

Public Meeting

At the end of the public meeting, Council will return to its regular session.

The purpose of this public meeting is to permit members of the public to make their views known to Council, via oral or written submissions, concerning, solely, the termination of a land trust dated December 13, 1887, that declared that the present 7 Park Street, Bridgetown lands (PID 05144787) were to be used for the “purposes of a public park for the citizens of Bridgetown for their use forever.”

All questions and comments throughout the public meeting are to be addressed to the Chair. In accordance with *AM-1.3.2 Public Participation Policy* any individual has to register to speak with the Clerk either prior to the day of the public meeting or at the public meeting itself. The Chair will call upon the individuals registered to speak to provide an opportunity for public input. All individuals who are providing public input will be asked to identify themselves *each time* for their comments to be recorded in the minutes of these proceedings. We ask that the person speaking identify if they are speaking in favour or against the application. Written presentations are acknowledged first, followed by public oral presentations in accordance with *AM-1.3.2 Public Participation Policy*. After the Chair has heard from all registered speakers, the chair will call three times to ask the public members in attendance if there are any additional speakers. Questions and comments from Council members are to be held until all public comment is heard.

New Business

Re: 2023-13 Park Trust Termination, 7 Park Street, Bridgetown, PID 05144787

- *Presentation by Staff Person – Report Specifics*

Highlights:

- the school properties are for sale and we are working with a developer who has agreed to purchase the property. Conditions of sale are:
 - Have the properties rezoned from Institutional to Residential – which council supported through the planning process held in the Spring & Summer of 2022
 - Migration of the property in the provincial land registration system.
- surveyor was hired which entailed research of old deeds and old Town of Bridgetown Council Minutes which determined a couple of things:
 - 7 Park Street is actually 3 separate parcels of land.
 - A portion of Park Street was never formally “closed” (for use as a street) and Municipal Council had to formally close it. That action took place last November.
 - Lastly, the discovery of a December 13, 1887 deed which created a trust, where private citizens of Bridgetown held the property in trust for the community, for use as a park forever.

- The property, and the trust was later passed to the Former Town through the operation of the 1902 Act - “*An Act to enable the School Commissioners of the Town of Bridgetown to acquire Lands for School Purposes*”. The trust was varied in that Act and permitted the Land to be used for school purposes with the consent of the Town.
 - March 3, 1902, Town of Bridgetown Council minutes stated that a new school could be built and they could use as much of the land where the original school was as necessary. This might lead one to believe that the intent was for the Property to be wholly for the purposes of a school.
 - The trust applies only to the parcel that comprise the old school property: PID 05144787
 - The trust was not removed in 1902 nor was it regarded when the present building was built in 1959.
 - The Property is approximately 0.79 acres and the building footprint takes in most of the land area.
 - The Municipality was not aware of the trust and only found out about it through the migration process.
 - Municipal Council has already endorsed the future use of the property during the rezoning process last year. We would have dealt with this issue earlier, had we known.
 - The community has many park and recreational facilities that the Municipality owns and maintains. (20 acres) Jubilee Park (3 acres), Sports Hub (11 acres) & ballfield, area and pool (6 acres)
 - The development of a park would come at a cost to the citizens of Annapolis County and does not seem feasible given the constraints of the property.
 - Potential public use were considered when deciding to sell and re-zone the Property. The conclusion was that the most effective benefit to residents as taxpayers was the sale of the site vs ongoing tax dollars to maintain and find uses for it.
 - Therefore, continuing the plan to sell the Property and remove the park trust stipulation is consistent with work done to date through the re-zoning process.
 - Staff feel the option to remove the trust is practical so that the sale of the property can occur and the developer is not hindered by a trust put in place 136 years ago.
- *Acknowledgement of Written Submissions (Municipal Clerk)*
 The Clerk noted receipt of 3 written submissions; Darlene Delisi Karamanos, Karen Jones, and Carolyn Hubble. Nadine McCormack read the submissions for the record and they have been attached to the minutes.
 Three written submissions were received and read for the record by Nadine McCormack.
 - *Darlene Delisi Karamanos*, no community noted
 - *Karen Jones*, Bridgetown
 - *Carolyn Hubble*, no community noted

- *Call for Oral Presentations* (following AM-1.3.2 Public Participation Policy) –

Theresa Thomas, Bridgetown –due diligence - are we really in that much of a hurry to give this up? Lives close to the school. Important to have that space. Open space matters, people do use it. Would prefer to step back. If you can't give the land back because the school is on it, adjacent land could be used in that fashion. Pool across the street could use it, senior's residence close by, perhaps a place to sit on their way downtown. A shame. We have an opportunity. Don't let it go by the wayside. Need to look after our green space. Can't just let it go. Hopes council will consider. And having a

meeting in the middle of the day – people who have concerns can't be here. Maybe didn't go through the aggravation to have a written presentation. If there had been a meeting in town, so that those people without a computer could have a say. Only a few here today, looks like people don't care. We do care. Give the situation a pause. Look at it closely. New people in town, made commitments in business, sees the community becoming a town again. Hopes this gives some thoughts. Rethink. Thanks for time.

Warden called three times for additional speakers. There were none.

- *Call for questions or comments from Council Members*

Prout – reserves comment at this time. Appreciates comments heard. Unfortunate we didn't know about what was found from late 1800's. Have done our best to bring it this far.

Connell – hears the concerns of citizens. All had an opportunity to send a written submission. Understands people don't take the time but the opportunity was there. Housing is an issue across the country, not just here. This is an opportunity to change a building we would otherwise have to tear down. There are other park areas in Bridgetown. Maybe we need to upgrade with proper playground equipment in it. Old equipment was taken down because of safety reasons. Trespassers playing there. Our due diligence to have unsafe equipment taken down. Not everyone will agree with the outcome. Housing issue is big. Opportunity for a viable housing option. A good plan was presented to council. Lots of opportunities in the community of Bridgetown. Won't remark on it returning to Town status.

Longmire – commends the citizens who wrote and gave submissions today. Well thought out and lots of content, and emotion. Sensitive. Thanked Ms. Thomas for presenting from the heart. We are all communities. We want to look after green spaces moving forward. Looking at a park and knowing desperation for housing – we have a tough decision to make. The confusion or the land trust came late and doing the right thing is always tough. Not all will agree. This meeting was well advertised. There is opportunity to provide written submission or to speak. Understands that daytime meetings are tough, but so have evening meetings been. Thanked those for participating.

LeBlanc – thanked all who presented. Surprised that the equipment was there as long as it was. Enormous amount of money for safe equipment for children to play. Council has gone through every step, and were taken aback with the trust, there is now a building there. The trust was out the door when the school was built on it. Now our planners are reviewing all steps. The Bridgetown Area Advisory Committee had a meeting, which was also open to the public, staff have reviewed every matter that presented itself. Final comment, housing is a huge issue.

Gunn – some citizens expect the county to pay for demolition and develop another park in the town. Who absorbs that cost? Already a lot of parkland in Bridgetown. What would they give up to have a park? It is not green space, it is a former school. Housing is important, this project will offer housing and increase the tax base, and maybe lower the area rate.

Enslow – this is a difficult situation. Has a small family. Listening to all comments from councillors and participants, he is on the fence about how he will vote. Housing is a strong problem. This facility could be used with modifications to help that housing crisis. Also likes the idea of having a park.

There are parks in town. Look at using an existing park to install a playground. A compromise can be made. Supports the children of the community, being a parent, but recognizes we are in a housing crisis. People are living in campers etc.

Hudson – thanked people for written and oral presentations. Hears the concerns. Agrees with some comments from councillors. The playground that was there, it was the first place his grandchildren headed. Sees that the removal of the equipment was necessary, it was not safe. Even though popular for kids. Trying to decide which way he will support.

Sheridan – thank you for all the submissions. Appreciates hearing all the comments. As mentioned, the school exists, the equipment was not safe. There is a need for housing people living in campers, tents and couch surfing. Housing here is more important than green space. Maybe can work with the buyer to provide benches. Will vote in favour of the staff report.

Barteaux – history has developed with previous decisions. Appreciates comments. When the school was built, it created the situation we are in now. Housing needs – a big topic today county and province wide. If we didn't keep the school building – to re-create a park as originally intended would put hardship on all of county for demolition and ongoing maintenance. Would also end the current purchase process. This purchase will bring much needed housing to the people. It (the trust) was given to the town in perpetuity, but in early 1900's the school was built. That decision was already made against the trust. Leans to looking at costs, it is part of the county where we already have other open spaces maintained so do we need to add another one? Nice, but is it needed. We have to move forward. To develop back to a park is a huge expense that weighs heavy.

Redden – we need to do a better job with consultation.

- Next Steps

- a. Municipal Council returns to its regular session of Council
- b. Council to add "Termination of Park Trust" to the Regular Session of Council.
- c. It is recommended that Council make one of the following motions:
 - i. to instruct the municipal solicitor to make application to the Court to terminate the trust;
 - ii. to maintain the trust and separate the land to develop a park; or,
 - iii. to maintain the trust.

Adjournment

The Warden declared the Public Hearing for the Park Trust Termination, 7 Park Street, Bridgetown, PID 05144787 adjourned at 11:43 a.m.; and the regular session of council resumed.

Warden

Municipal Clerk