



WEST HANTS
NOVA SCOTIA

**MUNICIPALITY OF THE DISTRICT OF WEST HANTS
Special Council Minutes
November 5, 2019 7:00 p.m.
Sanford Council Chambers**

1. Call to Order

Warden Zebian called the meeting to order at 7:00 p.m.

2. Call of Roll

Present:	A. Zebian	Warden
	P. Morton	Deputy Warden
	R. Jannasch	Councillor District 1
	K. Monroe	Councillor District 2
	D. Keith	Councillor District 3
	T. Leopold	Councillor District 4
	D. Francis	Councillor District 5
	J. Daniels	Councillor District 7
	R. Zwicker	Councillor District 10
	M. Laycock	Chief Administrative Officer (CAO)
	M. LeMay	Director of Planning and Development
	R. Brown	Municipal Clerk
	V. Lake	Meeting Secretary

Regrets: R. Hussey Councillor District 6

There were no members of the public in attendance.

3. Announcements

Councillor Leopold informed there are Campaign Schools happening for those interested in running for Council, the first will be November 9th at the Ardoise Community Center at 9 a.m.

4. Approval of Agenda, including additions or deletions

MOVED and SECONDED that the agenda be approved.

Motion Carried.

6. Public Hearings

- a. Fees: Amendments to West Hants and Hantsport Land Use By-laws, Subdivision By-laws and the West Hants Building Code Act By-law

MOVED and SECONDED that the meeting move to a Public Hearing.

Motion Carried.

The meeting moved to a Public Hearing at 7:03 p.m.

The meeting reconvened at 7:12 p.m.

MOVED and SECONDED that Council gives Second Reading and approves amending the Hantsport Land Use By-law by removing Section 4.5 and replacing it with the following section:

4.5 Amendment of By-law

An applicant for a development permit, a development agreement, an amendment to a development agreement, a discharge of a development agreement, an amendment to the Land Use Bylaw, a site plan, a variance, or a zoning confirmation shall pay the fees prescribed by Council by policy.

Motion Carried.

MOVED and SECONDED that Council gives Second Reading and approves amending the text of the West Hants Land Use By-law by removing the existing heading and section 2.8 from the West Hants Land Use By-law and replacing it with the following:

Application Fees

2.8 An applicant for a development permit, a development agreement, an amendment to a development agreement, a discharge of a development agreement, an amendment to the Land Use By-law, a site plan, a variance, or a zoning confirmation shall pay the fees prescribed by Council by policy.

Motion Carried.

MOVED and SECONDED that Council gives Second Reading and approves amending the text of the Hantsport Subdivision By-law by removing the existing Section 6.13 of the Hantsport Subdivision By-law and replacing it with the following section:

6.13 The subdivider shall pay:

- (a) the fees contained in the Costs and Fees Act and its regulations for filing the approved final plan of subdivision, certifying a copy of the plan, and registering a notice of approval of the plan. Where the Development Officer refuses to approve a final plan of subdivision these fees shall be returned to the subdivider; and***
- (b) any processing fees prescribed by Council by policy.***

Motion Carried.

MOVED and SECONDED that Council gives Second Reading and approves amending the text of the West Hants Subdivision By-law by removing the existing Section 11 of the West Hants Subdivision By-law and replacing it with the following section:

11. The subdivider shall pay:

- (a) the fees contained in the Costs and Fees Act and its regulations for filing the approved final plan of subdivision, certifying a copy of the plan, and registering a notice of approval of the plan. Where the Development Officer refuses to approve a final plan of subdivision these fees shall be returned to the subdivider; and***
- (b) any processing fees prescribed by Council by policy.***

Motion Carried.

MOVED and SECONDED that Council gives Second Reading approves amending the text of the West Hants Building Code Act By-law by removing the existing Part 5, Permit Fees, and replacing it with the following Part 5, Permit Fees:

Part 5, Permit Fees

5.1 An applicant for a building, occupancy or demolition permit shall pay the fees prescribed by Council by policy;

5.2 For the purposes of calculating permit fees, square footage shall be based on:

(a) for buildings intended for human occupancy, the gross floor area of the building; including the floor area of a basement; or

(b) for buildings not intended for human occupancy, the gross floor area of the main floor.

Motion Carried.

- b. Recreational Cabins: West Hants and Hantsport Land Use By-law Amendments

MOVED and SECONDED that the meeting move to a Public Hearing.

Motion Carried.

The meeting moved to a Public Hearing at 7:17 p.m.

The meeting reconvened at 7:27 p.m.

MOVED and SECONDED that Council gives Second Reading and approves amending the Hantsport Land Use By-law by replacing the present definition of dwelling unit with the following:

Dwelling Unit means one or more habitable rooms designed or intended to be used by one or more individuals as a separate and independent housekeeping establishment in which separate kitchen and sanitary facilities are provided for the exclusive use of the individual or individuals for year-round occupancy as a primary residence, with a private entrance from outside of the building or from a common hallway or stairway inside the building and excluding a recreational cabin as defined in the Nova Scotia Building Code Regulations.

Councillor Monroe noted that there were recreational cabins currently on properties that are not in the designated areas for such cabins and wonder how they were allowed. The Director of Planning and Development stated the cabins may have been in place before requirements were put into place under the Land Use By-law or did not obtain a permit. She went onto state now they would be considered as legally existing non-conforming uses.

The Councillor inquired how it would be known if a recreational cabin were to be turned into a full-time residence. Director LeMay stated the only way to know is if the ownership changes hands and notes there is something missing. She noted during construction now building officials check for current requirements, adding older homes may not have had the same requirements.

Director informed that the Hantsport Area Advisory Committee supported this change.

Motion Carried.

MOVED and SECONDED that Council gives Second Reading and approves amending the West Hants Land Use By-law by replacing the present definition of dwelling unit with the following:

Dwelling Unit means one or more habitable rooms designed or intended to be used by one or more individuals as a separate and independent housekeeping establishment in which separate kitchen and sanitary facilities are provided for the exclusive use of the individual or individuals for year-round occupancy as a primary residence, with a private entrance from outside of the building or from a common hallway or stairway inside the building and excluding a recreational cabin as defined in the Nova Scotia Building Code Regulations.

Motion Carried.

7. Date of Next Meeting –November 12, 2019

The next Regular Council meeting will be held November 12, 2019 at 7:00 p.m.

8. Adjournment

MOVED and SECONDED that the meeting be adjourned.

Motion Carried.

The meeting adjourned at 7:33 p.m.

Abraham Zebian, Warden

Rhonda Brown, Municipal Clerk