



MUNICIPALITY OF THE DISTRICT OF WEST HANTS
Planning/Heritage Advisory Committee Revised Agenda
January 17, 2019, 6:00 p.m.
Sanford Council Chambers

1. Call to order
2. Public Information Meeting – Household Livestock in West Hants
3. Housing Supportive Needs Assessment Report: Nancy Stewart, Health Promoter, Public Health, Annapolis Valley Eastern Kings Memorial Community Health Centre
4. Approval of Agenda & Additions
5. Approval of Planning/Heritage Advisory Committee Meeting Minutes November 15, 2018
6. Hantsport Area Advisory Committee Update from Chair
7. Business Arising from the Minutes
 - (a) Update - West Hants Household Livestock (Saira Shah)
 - (b) Update - Hantsport Household Livestock (Saira Shah)
 - (c) Update - Municipal Planning Strategy and Land Use By-law Amendments – Indoor Storage Facilities Accessory to Agricultural Uses (Sara Poirier)
 - (d) Land Use By-law Map Amendment – Bonnie Lane, Newport Station (Saira Shah)
 - (e) Update - Land Use By-law Text Amendment – Micro-Cultivation and Micro-Processing of Cannabis (Saira Shah)
 - (f) Update - Municipal Planning Strategy: Public Engagement Meetings (Sara Poirier)
 - (g) Update - Civic Addressing By-law and Road Naming Policy (Madelyn LeMay)
 - (h) Update - Brison Developments Ltd. – Development Agreement Amendments (Madelyn LeMay)
 - (i) Commercial Development District Improvement By-law (Sara Poirier)
 - (j) Municipal Registration of Sainte Famille Cemetery (Madelyn LeMay)
 - (k) Cannabis in West Hants (Saira Shah)
 - (l) Update - Hantsport Area Advisory Committee Policy & West Hants Planning Advisory Committee Policy (Madelyn LeMay)
8. Building and Development Activity Reports
 - (a) Monthly Reports – November & December 2018
9. New Business
 - (a) Amendment to Heritage Conservation Grant Guidelines (Madelyn LeMay)
 - (b) Brooklyn Water (Councillor Keith)
10. Notices from adjacent municipal units - *for information*
 - (a) Town of Windsor
 - (b) Kings County

11. Miscellaneous

12. Questions and comments from public



**MUNICIPALITY OF THE DISTRICT OF WEST HANTS
RECOMMENDATION REPORT**

To: Members of West Hants Planning Advisory Committee

Submitted by: _____
Saira Shah, Planner

Date: 01-17-2019

Subject: West Hants Household Livestock Land Use By-law Amendment

File #: HLUB:WHLUB 17-01

1.0 BACKGROUND

A request was made by the Planning Advisory Committee to investigate the lot size requirement for household livestock. Based on discussion at PAC on November 15, 2018, planning staff have drafted a Land Use By-Law (LUB) amendment that will allow for a variety of livestock on lots that are smaller than one (1) acre and located in a residential or resource zone.

2.0 LEGISLATIVE AUTHORITY

Section 210 of the Municipal Government Act.

3.0 RECOMMENDATION

Following the Public Information Meeting (PIM), should PAC wish to forward a positive recommendation, the following motion would be in order:

that PAC recommends that Council give First Reading and hold a public hearing to consider amending the West Hants Land Use By-law to enable a variety of livestock on lots that are smaller than one (1) acre and are in a residential or resource zone, in a manner substantially the same as Appendix A attached to the planning staff report dated January 17, 2019.

4.0 DISCUSSION and DOCUMENT REVIEW

Household livestock is permitted in any residential or resource zone and is limited to one (1) animal unit for the first full acre and one (1) additional animal unit for each additional full half acre to a maximum of eight (8) animal units. Twenty-five (25) laying hens are considered one (1) animal unit for Household Livestock Operations in West Hants.

At the November 15th PAC meeting, staff presented an overview of current livestock regulations, a summary of household livestock discussions over the past year and three (3) options for the Committee. For each option, staff emphasized that Growth Centres, Village, or Hamlets could be excluded, roosters could be removed for smaller lots or in specific designations, and additional kinds of animals could be removed or added.

PAC directed staff to proceed with the Medium Scale option, that Household Livestock be permitted in the Hamlets and Village, and that the Growth Centres be excluded.

The Medium Scale option included the following requirements:

For lots less than ¼ an acre (10,890 sq. feet) a maximum of:

Laying Hens, Broiler Chickens and Roosters	5
Rabbits	5

For lots ¼ an acre (10,890 sq. feet) to ½ an acre (21,780 sq. feet) inclusive a maximum of:

Laying Hens, Broiler Chickens and Roosters	10
Turkey Broilers	5
Rabbits	10

For lots over ½ an acre (21,780 sq. feet) to one (1) acre (43,560 sq. feet) a maximum of:

Sheep	2
Hogs	1
Laying Hens, Broiler Chickens, and Roosters	15
Turkey Broilers	10
Rabbits	15

Based on this option, staff have drafted the amendments attached as Appendix A. The amendments permit the same animals listed in the Medium Scale option with simplified maximums for ease of implementation.

Additional requirements have been added based on comments from PAC and the Hantsport livestock amendments such as: livestock are not permitted on lots less than one (1) acre in Growth Centres, the slaughter of animals is permitted on lots and for purposes of this section of the LUB, a lot may include multiple abutting properties held by the same owner.

The household livestock animal unit requirements currently in the LUB will remain in place and apply to all lots over one (1) acre.

As the setback requirements for buildings housing household livestock and manure storage were intended to apply to lots larger than one (1) acre, staff have amended the text to reflect this. Staff have added a requirement that any structure containing livestock on a lot less than one (1) acre shall be considered an accessory building and meet the requirements of Section 5.1 of the LUB.

There are no specific criteria related to this amendment in the West Hants Municipal Planning Strategy (MPS).

4.1 MPS General Criteria

Policy 16.3.1 of the MPS states the general criteria for any amendment to the LUB. These criteria are examined in detail in Appendix B. In summary:

- the proposal is not premature or inappropriate for the area; and
- most criteria are specific to map amendments for individual lots and do not apply as this is a text amendment.

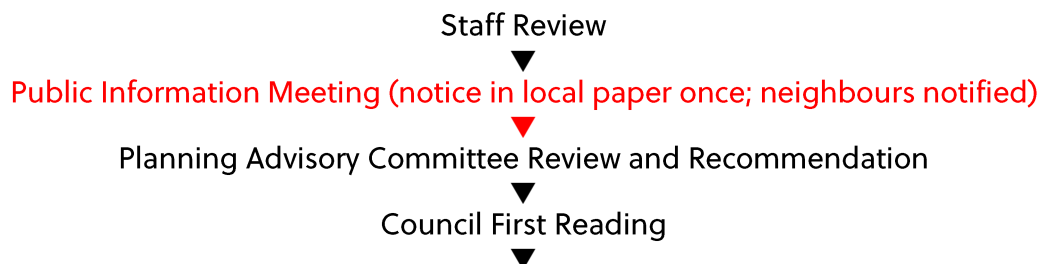
5.0 MUNICIPAL CLIMATE CHANGE ACTION PLAN

This amendment has not been examined in relation to the Municipal Climate Change Action Plan (MCAAP).

6.0 CONCLUSION

As noted above, the proposed amendment has been considered within the context of the general policies of the MPS and is consistent with the intent, objectives and policies of the MPS. The amendment meets the general criteria for a Land Use By-Law amendment. As a result, it is reasonable to consider approving the Land Use By-Law amendment to allow for a variety of livestock on a lot that is smaller than one (1) acre and located in a residential or resource zone.

7.0 PROCESS



Public Hearing (notice in local paper twice; neighbours again notified)



Council Second Reading



Notice of Approval in Local Paper



14 Day Appeal period

8.0 OPTIONS

In response to the application, PAC may recommend that Council:

- follow the process to approve the LUB amendment as drafted or as specifically revised by direction of PAC;
- recommend refusal of the LUB amendment as drafted identifying the goal, objective or policy that the proposal contravenes; or
- provide alternative direction, such as requesting further information on a specific topic.

9.0 APPENDICES

Appendix A Draft Amendment

Appendix B General Criteria for Land Use-By-law Amendment

Report Approved by: _____
Madelyn LeMay, Director of Planning and Development

Appendix A Draft Amendment

Text Amendments to allow for a variety of animals on lots that are smaller than one (1) acre and located in a residential or resource zone.

1. Amend Section 5.17 of the West Hants Land Use By-law, *Household Livestock*, by inserting the following:

5.17 Household livestock operations shall be permitted in any residential or resource zone subject to the following:

- (a) the requirements for non-intensive livestock operations as contained in Section 18.6 and 18.7 of this By-law;
- (b) for purposes of this section, a lot may include multiple abutting properties held by the same owner;
- (c) the slaughtering of household livestock shall be permitted on the lot;
- (d) livestock shall not be permitted on lots less than one (1) acre in Growth Centres
- (e) the number of animals permitted on a lot less than one (1) acre shall be limited to:
 - (i) Lots less than $\frac{1}{4}$ an acre (10,890 sq. feet)
 - a combination of rabbits and chickens (including Roosters, Broilers and Laying Hens) to a total of five (5) animals.
 - (ii) Lots $\frac{1}{4}$ acre (10,890 sq. feet) up to and including $\frac{1}{2}$ an acre (21,780 sq. feet)
 - a combination of rabbits, turkeys and chickens (including Roosters, Broilers and Laying Hens) to a total of ten animals.
 - (iii) Lots over $\frac{1}{2}$ an acre (21,780 sq. feet) to one (1) acre (43,560 sq. feet)
 - a combination of rabbits, turkeys, sheep, hogs, and chickens (including Roosters, Broilers and Laying Hens) to a total of fifteen animals with no more than two (2) sheep or one (1) hog.
- (f) the maximum number of animal units permitted on a lot larger than one (1) acre shall be limited to one (1) animal unit for the first full acre and one (1) additional animal unit for each additional full half acre to a maximum of eight (8) animal units;
- (g) household livestock shall be contained within the limits of the property by means of fencing, enclosures or buildings;

2. Amend Section 18.6 and 18.7 of the West Hants Land Use By-law, *Non-Intensive Livestock Operations* by inserting the following:

18.6 No building or structure housing a non-intensive livestock operation on a lot greater than one (1) acre shall be located within:

- (a) 50 ft (15.24 m) of an adjoining property in the Growth Centre, Village or Hamlet designations;
- (b) 40 ft (12.19 m) of an adjoining property in a resource designation;
- (c) 40 ft (12.19 m) of a public street or private road; and
- (d) 100 ft (30.48 m) of a water well or watercourse.

18.7 Manure storage for a non-intensive livestock operation on a lot greater than one (1) acre shall not be located within:

- (a) 100 ft (30.48 m) of an adjoining residential, commercial or institutional property unless contained in a concrete or wooden enclosure a minimum of 5 ft (1.52 m) in height and built on a concrete pad, in which case the separation distance may be reduced to 50 ft (15.24 m);
- (b) 40 ft (12.19 m) of an adjoining resource property; and
- (c) 100 ft (30.48 m) of a water well or watercourse.

3. Insert Section 18.8, below, as a new Section following Section 18.7:

18.8 Any structure containing livestock on a lot less than one (1) acre shall be considered an accessory building and shall meet the requirements of Section 5.1 of this By-law;

Appendix B
General Criteria for Land Use By-Law Amendment

Policy 16.3.1 of the MPS *"In considering development agreements and amendments to the West Hants Land Use By law, in addition to the criteria set out in various policies of this Strategy, Council shall consider"*:

(a) whether the proposal is considered premature or inappropriate in terms of:	
(i) the adequacy of sewer and water services;	No impact on sewer and water services is anticipated.
(ii) the adequacy of school facilities;	No impact on school facilities is anticipated.
(iii) the adequacy of fire protection and other emergency services;	As this is a text amendment, this consideration will depend on individual lots.
(iv) the adequacy of road networks adjacent to, or leading to the development; and	This consideration is not applicable for this amendment.
(v) the financial capacity of the Municipality to absorb any costs relating to the development.	No municipal costs related to this amendment are anticipated.
(b) whether the development is serviced, or capable of being serviced, by a potable water supply and either central sewer or an approved on site sewage disposal system;	As this is a text amendment, this consideration will depend on individual lots.
(c) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;	This consideration is not applicable for this amendment.
(d) the adequacy of the dimensions and shape of the lot for the intended use;	As this is a text amendment, this consideration will depend on individual lots.
(e) the pattern of development which the proposal might create;	It is the policy of Council (4.8.1) to: <i>allow household livestock operations within residential areas of West Hants</i> . The proposed amendment will allow smaller lots in residential areas of West Hants to participated in household livestock operations.
(f) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses or wetlands, and susceptibility of flooding;	As this is a text amendment, the criterion does not apply.
(g) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other relevant municipal by laws and regulations; and	The proposed amendment meets all relevant municipal, provincial and federal regulations.

(h) any other matter required by relevant policies of this Strategy.	There are no other matters that are required by relevant policies of this strategy.
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ACTIVITY REPORT

For Month of November 11/30/18

Type	<i>Nov 2017</i>			<i>Nov 2018</i>		
	Permits	Units	Value of Construction	Permits	Units	Value of Construction
*Single Unit	13	7	1,167,020	10	6	640,000
Duplex/Semi	4	6	614,000	5	10	620,000
Apartments	0	0	0	0	0	0
**Other Residential	8	0	87,225	13	0	116,000
Commercial	2	0	32,333	4	0	107,000
Industrial	0	0	0	1	0	250,000
Inst & Gov	1	0	5,000	0	0	0
Agriculture	0	0	0	1	0	35,000
Park/Recreational	0	0	0	0	0	0
Total	28	13	1,905,578	34	16	1,768,000
Year To Date	298	83	30,917,954	315	105	19,266,044
Demolition	0	0		2	1	
Sign Permits	0			0		
Sub Applications	4	1 (Lots Requested)		4	1 (Lots Requested)	

*includes new construction, additions, renovations, repairs, and development permits.

**includes garages/sheds/carports, decks, and swimming pools.



ACTIVITY REPORT

For Month of December 12/31/18

Type	<i>Dec 2017</i>			<i>Dec 2018</i>		
	Permits	Units	Value of Construction	Permits	Units	Value of Construction
*Single Unit	8	2	341,300	1	0	9,835
Duplex/Semi	1	0	127,000	0	0	0
Apartments	0	0	0	0	0	0
**Other Residential	9	0	81,700	1	0	18,000
Commercial	5	0	680,500	2	1	110,000
Industrial	1	0	5,000,000	0	0	0
Inst & Gov	0	0	0	0	0	0
Agriculture	0	0	0	2	0	44,000
Park/Recreational	0	0	0	0	0	0
Total	24	2	6,230,500	6	1	181,835
Year To Date	322	85	37,148,454	321	106	19,447,879
Demolition	1	0		0	0	
Sign Permits	0			0		
Sub Applications	4	5 (Lots Requested)		1	0 (Lots Requested)	

*includes new construction, additions, renovations, repairs, and development permits.

**includes garages/sheds/carports, decks, and swimming pools.



**MUNICIPALITY OF THE DISTRICT OF WEST HANTS
RECOMMENDATION REPORT**

To: Members of West Hants Planning Advisory Committee

Submitted by: _____
Madelyn LeMay, Director of Planning and Development

Date: January 17, 2019

Subject: Municipal Heritage Conservation Work Grant Guidelines: Amendments

File #: 2019-1

1.0 ORIGIN

The Conservation Work Grant Guidelines for Municipal Heritage properties was amended in 2018. Late in 2018 it was suggested that the Guidelines be amended to permit not-for profit organizations to apply for grants for registered Municipal Heritage properties which the organization owns.

2.0 AUTHORITY

Heritage Property Act; Heritage Property By-law (1992); Municipal Heritage Conservation Work Grant Guidelines approved May 8, 2018

3.0 RECOMMENDATION

PAC/HAC recommends that:

Council approve the amendments to the Municipal Heritage Property Conservation Work Grant Guidelines (COPL -004.05) which includes not-for-profit organizations as eligible owners, as contained in Appendix A of the January 17, 2019 report to PAC/HAC.

4.0 BACKGROUND and DISCUSSION

The present Heritage Conservation Work Guidelines were approved by Council May 8, 2018.

- 4.1 Only one substantive change is proposed to the Guidelines: the addition of not-for-profit organizations incorporated under the Societies Act as “Eligible Owners”.

Under the present Guidelines, only private owners are eligible to apply for Heritage Conservation Work; not-for-profit organizations are not included. There is no apparent rationale for this in the background to the first set of Guidelines, which was circulated to HAC for information in May 2016 with no approval sought from HAC or Council.

Not-for-profit organizations invest time, energy and money in the community. Those which own Municipally Registered Heritage properties are committed to preserving the properties. It would be reasonable to allow them the opportunity to apply for this particular grant, and it may also encourage organizations which own property to apply for designation if they have not already done so.

Although Windsor has no grant program specific to Municipally registered Heritage properties, it does have grants for “Community Heritage Conservation” which are available to not-for-profit organizations. Windsor grants are based on the type of project, rather than the type of organization.

- 4.2 One minor change is proposed in the *Conditions of Approval & Payment of Funds* portion of the Guideline. The first bullet now requires the response from the Chief Administrative Officer (CAO) rather than the request to the CAO as soon as the need to extend a grant into a second fiscal year is known. The change appears as follows: *Approval for **extending** the grant into a second fiscal year must be **received requested** from the Chief Administrative Officer as soon as the need is known.*

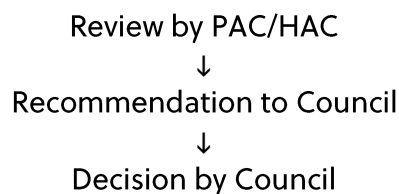
5.0 FINANCIAL IMPLICATIONS

The broadening of potential applicants may increase the number of applications for funding in any given fiscal year. Council may limit the amount which can be offered for grants by limiting the money assigned within the annual budget to the Heritage Conservation Work Program.

Only one grant has been approved during the 2018-2019 fiscal year; \$5,000. remains in the account.

6.0 PROCESS

- 6.1 Changes to the Heritage Conservation Work Grant Guidelines require the following process:



7.0 CONCLUSION

The changes recommended will result in more inclusive Heritage Conservation Work Grant Guidelines.

8.0 ALTERNATIVES

In response to this proposal, HAC may:

- 8.1 approve the recommendations as drafted or as specifically revised by direction of HAC, as recommended on page 1 of this report;
- 8.2 not recommend the proposed changes as drafted, identifying the reasons for not recommending the proposed changes; or
- 8.3 provide alternative direction, such as requesting further information on a specific topic.

9.0 APPENDICES and FIGURES

Appendix A Proposed Municipal Heritage Property Conservation Work Grant Guidelines, COPL-004.05

Report Reviewed by: _____
Carlee Rochon, Director of Finance

Report Reviewed by: _____
Rhonda Brown, Municipal Clerk

Report Approved by: _____
Martin Laycock, CAO

APPENDIX A - MUNICIPALITY OF THE DISTRICT OF WEST HANTS

Municipal Heritage Property Conservation Work Grant Guidelines

Objective

To provide information for private owners of Municipal Heritage properties regarding the financial assistance program which supports conservation of this important resource.

Eligible Applicants

The program provides **private-eligible** owners of Municipal Heritage properties with access to financial assistance comparable to that available to Provincially registered heritage properties. Within the limits of the annual budget, the Heritage Funding Program provides a maximum grant of \$5,000 for eligible conservation work.

Eligible owners include only not-for-profit organizations incorporated under the Societies Act of Nova Scotia and private owners.

General Project Requirements

- all work must be completed and the final claim made by March 31 of the budget year;
- an application and an estimate from one contractor for the proposed work must be completed;
- grants are provided at the discretion of Council, and no grant will be provided for work started before the grant is approved.

Eligible Conservation Work & Materials

Projects related to exterior architectural elements including:

- **Preservation** of existing exterior architectural elements, including but not limited to, repair of windows, doors, cladding, roof, foundation, and architectural trim.
- **Replacement** of architectural elements which still exist but which are beyond preservation or repair, including doors, windows, cladding, roofing, foundation materials, and architectural trim, using materials and configurations similar to the original.
- **Restoration** of significant architectural elements which have been lost but for which the appearance can be determined from physical evidence or documentary sources such as historic drawings or photographs.
- Replacement or repair of structural elements which support the building or structure.

Ineligible Work & Materials

- Modern materials or elements such as vinyl or aluminum clad windows, steel doors, vinyl siding, or synthetic cladding unless required to meet the requirements of the West Hants Building Code By-law.

GUIDELINE

COPL-004.05

- Short-term routine maintenance, including minor repairs to non-original cladding or roofing.
- Landscaping features and repairs to minor structures such as fences and retaining walls which do not support the building.
- Work carried out prior to approval of the grant.
- Poor or defective work.
- Electrical, heating, or plumbing work.
- Construction of an addition.
- Construction of an accessory building.
- New windows and doors that do not support the heritage character of the building.
- Owner's labour.

Project Evaluation

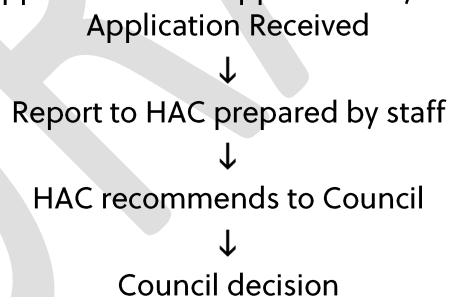
The project will be evaluated using criteria established under the Standards and Guidelines for the Conservation of Historic Places in Canada.

Priority will be given to:

- first-time applicants
- work on structural or weatherproofing elements
- applications supported by a Building Conservation Plan (a drawing or a report which reasonably illustrates all intended work) prepared by an architect, building official, engineer, or restoration professional.

Application Review Process

The process for review of an application takes approximately three (3) months.



All eligible applications may not receive approval due to limited funds.

Grants & Applications

- Grants are awarded on a 50% cost-sharing, matching basis.
- The maximum annual grant is \$5,000. per property.
- The minimum annual grant is \$500. per property.
- The maximum number of grants per property is one (1) per fiscal year.-and two (2) in any five (5) year fiscal period.



GUIDELINE

COPL-004.05

- Grants are based on eligible expenses; in-kind contributions are not included in calculating the grant.

Conditions of Approval & Payment of Funds

- Projects must be completed within the fiscal year for which they were approved, unless exceptional circumstances arise following initial approval. Approval for **extending** the grant into a second fiscal year must be **received requested** from the Chief Administrative Officer as soon as the need is known.
- Grants are conditional on completion of the approved and submission of receipts and paid invoices.
- Deadline for submission of receipts and paid invoices is March 31 each year.
- The applicant shall notify the Municipality of any proposed changes to the approved work and shall receive approval from Council before doing the work.
- Grants are tied to the work approved and will not be given for work which was not approved.

I, Rhonda Brown, Municipal Clerk of the Municipality of the District of West Hants, the Province of Nova Scotia, do hereby certify that this is a true copy of the Guideline as adopted by the Council of the Municipality of the District of West Hants at a meeting duly called and held on the **8th** day of **May, 2018**.

R.N. Brown
Municipal Clerk

Adoption	
<i>Notice to Council:</i>	April 19, 2018
<i>Approval:</i>	May 8, 2018
<i>Description:</i> Initial approval of the Municipal Heritage Property Conservation Work Grant Guidelines, COPL-004.05.	
First Amendment	
<i>Notice to Council:</i>	
<i>Approval:</i>	
<i>Description:</i> Added not-for-profit organization as eligible owners, and that grant extensions are requested from the Chief Administrative Officer as soon as possible.	