



WEST HANTS  
NOVA SCOTIA

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

- 1) Call to order
- 2) Approval of Agenda & Additions
- 3) Approval of Planning/Heritage Advisory Committee Meeting Minutes of September 19, 2019
- 4) Business Arising from the Minutes
  - a. Dresser Minerals Land Use By-law Amendment (Saira Shah)
  - b. Pioneer Drive Land Use By-law Amendment (Saira Shah)
  - c. Cannabis in West Hants (Saira Shah)
  - d. Fees for Non-profit organizations and municipally registered heritage properties (Sara Poirier for Madelyn LeMay)
- 5) Hantsport Area Advisory Committee Update from Chair
- 6) Building and Development Activity Reports
  - a. Monthly Report - September 2019
- 7) New Business
  - a. Rural Churches (Sara Poirier)
  - b. Heritage Grant Application Report: 376 Falmouth Dyke Road (Sara Poirier for Madelyn LeMay)
- 8) Notices from adjacent municipal units
- 9) Miscellaneous
- 10) Questions and comments from public



**ACTIVITY REPORT**

For Month of September 9/30/19

Type	<i>Sep 2018</i>			<i>Sep 2019</i>		
	Permits	Units	Value of Construction	Permits	Units	Value of Construction
Single Family	16	6	1,036,000	24	12	2,758,048
Duplex/Semi	4	8	493,000	2	4	254,000
Apartments	0	0	0	0	0	0
Other Residential	18	0	102,800	24	0	625,999
Commercial	3	0	15,500	2	0	150,000
Industrial	0	0	0	0	0	0
Inst & Gov	0	0	0	1	0	40,000
Agriculture	1	0	35,000	1	0	3,000
Other	1	0	40,000	0	0	0
<b>Total</b>	<b>43</b>	<b>14</b>	<b>1,722,300</b>	<b>54</b>	<b>16</b>	<b>3,831,047</b>
<b>Year To Date</b>	<b>329</b>	<b>85</b>	<b>17,787,930</b>	<b>337</b>	<b>81</b>	<b>27,199,622</b>
Demolition	0	0		1	1	
Sign Permits	0			0		
Sub Applications	0	0 (Lots Requested)		1	1 (Lots Requested)	



**MUNICIPALITY OF THE DISTRICT OF WEST HANTS**  
**Information Report to Planning Advisory Committee**

**To:** Members of West Hants Planning Advisory Committee

**Submitted by:** Sara Poirier, Planner

**Date:** October 17, 2019

**Subject:** Rural Churches Investigation

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**1.0 BACKGROUND**

Following a presentation to the West Hants Planning Advisory Committee (WHPAC) on April 18, 2019 entitled *Rural Churches in West Hants* by Dalhousie University Master of Planning candidates, the WHPAC made the motion to direct staff to explore the repurposing of church structures.

Background information can be found in the following reports:

April 9, 2019                      Reuse of Rural Churches in West Hants

and minutes of the following Committees:

April 18, 2019                      West Hants Planning Advisory Committee (WHPAC)

**2.0 LEGISLATIVE AUTHORITY**

Municipal Government Act Section 214.

**3.0 DISCUSSION and DOCUMENT REVIEW**

Most churches in the Municipality of West Hants were built prior to the 20th century. Many of these buildings were once a focal point for their rural communities and are rich in history and culture. However, rural churches are difficult to maintain as buildings are aging, funding is decreasing, and congregations are dwindling in size. Due to these pressures many church buildings are facing an uncertain future.

The Planning and Development Department offered the project to investigate rural churches in West Hants to Dalhousie University Planning students. Two students from the Master of Planning program conducted background research and created an

inventory of churches in the area, determined best practices and examples of potential future uses, and provided recommendations on planning document amendments.

The students presented their results to the WHPAC on April 18, 2019. Their report entitled *Rural Churches in West Hants* provided three (3) recommendations for WHPAC to consider. These are:

1. **Exploring Inclusive Zoning** – Revise the permitted uses in certain zones to include a variety of uses on church sites including institutional, community services, commercial, and residential.
2. **Identifying Alternative Funding**
  - a. **Grants** – Consider allocating funding through grants to support community programming, if the reuse project was suggested by the community. Additionally, the Municipality could continue to honour the property tax exemption enjoyed by the church during its operation. Beyond municipal grants, the Municipality could also consider partnering with stakeholders to solicit and secure funding from external sources. Potential funding sources include organizations like the Rural Communities Foundation of Nova Scotia.
  - b. **Combining Resources** – Partner with higher levels of government where service priorities overlap to offer access to increased, reliable funding to address municipal issues in situ. Given West Hants' aging population and agricultural assets, the Municipality might successfully angle funding for desirable reuse projects by appealing to the Province's responsibility for health and agriculture. The Municipality could take a leadership role in brokering relationships and funding across stakeholders by identifying strategic and mutually beneficial opportunities to connect and combine resources with higher levels of government.
3. **Strategic Economic Development** – Strategically orient local economic development to leverage church assets and capitalize on the Annapolis Valley's growing agritourism industry. Businesses in rural areas that deliver products to market and are not dependent on foot traffic may have a higher chance of success. As commercial operations, such initiatives provide local jobs, property tax revenue, and increased economic activity while maintaining their rural surroundings. Producing consumable goods (ex. brewing or dairy-related) reflects West Hants' existing agricultural sector.

Of course, in evaluating potential reuse initiatives, the Municipality should consider public sensitivities to repurposing religious buildings; some residents may find some projects incompatible with the building's historic use.

The WHPAC directed staff to explore the repurposing of church structures in the Municipality following these recommendations.

### 3.1 Rural Churches in West Hants

The *Reuse of Rural Churches in West Hants* report identified and investigated 20 churches in the Municipality. Upon further investigation by staff, particularly review of

the Existing Land Use Survey (2018), staff identified an additional 12 churches in the Municipality. A map of the places of religious congregation that are still open to the public is attached as Map 1 and a list of the name and addresses of these are attached in Appendix A.

Of the 32 of churches identified in West Hants:

- Eight (8) are zoned Institutional (I);
- Eight (8) are zoned Rural Residential (R-4);
- Ten (10) are zoned General Resource (GR) (of these, 2 have Municipal Heritage Designation);
- Four (4) are zoned Agriculture Priority 2 (AR-2);
- Two (2) are zoned Mixed Commercial / Residential (C-2) (Hantsport).

Staff reviewed the policies of the West Hants Municipal Planning Strategy (WHMPS) and Hantsport Municipal Planning Strategy (HMPS) and the zones within the West Hants Land Use By-law (WHLUB) and Hantsport Land Use By-law (HLUB) to determine if it would be beneficial to rezone the churches that are not zoned Institutional (I) to Institutional (I). Where the zoning on the lot occupied by the church is the same as the surrounding zone, such as Rural Residential (R-4), General Resource (GR), Agriculture Priority 2 (AR-2) and Mixed Commercial / Residential (C-2), a wider variety of residential and commercial uses are allowed as-of-right. The uses permitted in these zones would be compatible with the surrounding community.

For this research, staff only focused on the churches zoned Institutional (I). Of the eight (8) churches that are zoned Institutional (I), six (6) are within the Residential (R) designation and two (2) are within the Village Core (VC) designation on the Generalized Future Land Use Map (GFLUM) of the WHMPS and HMPS.

### **3.2 Other Institutionally Zoned Properties**

Through this investigation staff also reviewed the use of all the properties in West Hants that are zoned Institutional (I). There is a total of 37 properties in the Municipality zoned Institutional (I) (Map 2). Of those 37 properties:

- Eight (8) are churches (as mentioned in section 3.1);
- Six (6) are schools;
- Six (6) are senior's homes or homes for special care;
- Four (4) are community halls;
- Two (2) are associated with emergency services (Brooklyn Fire Station and West Hants Search and Rescue);
- Two (2) are associated with the municipal offices in Hantsport;
- One (1) is a library;
- One (1) is a museum;
- One (1) is an indoor recreation facility (Newport District Rink);
- One (1) is Camp Mockingee;

- Five (5) are vacant or have storage buildings.

Two (2) of the 37 properties identified are partially zoned Institutional (I) and partially zoned General Resource (GR) or Two Unit Residential (R-2). An additional two (2) properties on Smeltzer Road are also partially zoned Institutional (I) and partially zoned General Resource (GR) (PID 45041522 and PID 45041530). This may be a result of the mapping at the time the WHLUB was approved.

All of the uses identified above are permitted in the Institutional (I) zone and are not of concern to staff, however it did raise some points for consideration:

1. Dr. Arthur Hines Elementary School in Summerville is the only school in West Hants that is currently not zoned Institutional (I); it is zoned Rural Residential (R-4).
2. Brooklyn Fire Department is the only fire hall in West Hants zoned Institutional (I).
3. Only four (4) community halls of 21 are zoned Institutional (I).
4. The vacant / storage buildings and the community halls could be included in any of the options that WHPAC wants to move forward with. This could allow greater repurpose potential.
5. Properties within more than one zone should be reviewed during the Plan Review.

### **3.3 Permitted Uses in the Institutional Zone**

All properties in the Municipality are zoned. A use that is permitted as-of-right is a use that is listed as a permitted use in that zone. The Institutional (I) zone lists a variety of permitted uses which means property owners could change the current use of the building to any of the uses permitted as-of-right without requiring an amendment (rezoning) or a development agreement.

#### **3.3.1 West Hants Land Use By-law (WHLUB)**

The WHLUB allows the following uses as-of-right in the Institutional (I) zone:

- *"Any institutional use which is incorporated under the Societies Act*
- *Churches and associated halls*
- *Colleges, universities and schools, including school dormitories*
- *Community centres*
- *Community service clubs and organizations*
- *Emergency services facilities (i.e., police, ambulance and fire stations)*
- *Government offices*
- *Homes for special care*
- *Hospitals and medical clinics*
- *Indoor recreation uses*
- *Libraries, museums and art galleries*
- *Residences accessory to permitted uses*

- *Senior citizen housing*
- *Tourist bureaus*

### **3.3.2 Hantsport Land Use By-law (HLUB)**

The HLUB allows *"all institutional uses and non-residential daycare centres"* within the Institutional (I) zone. An Institutional (I) use is defined as *"a church, school, or hospital or any health care facility, whether public or privately operated, including Homes for Special Care, and any public use"*.

### **3.4 Current Policies for Considering Alternative Uses on Institutional Properties**

The WHMPS outlines the policies of Council with some policies stating the intent to consider rezoning or allowing uses permitted in other zones by development agreement. The rezoning or development agreement process can take up to six months to complete, there is an application fee and it allows the public to comment and ask questions on the proposed development in their community.

#### **3.4.1 West Hants Municipal Planning Strategy (WHMPS)**

The WHMPS outlines specific policies to allow Council to consider rezoning properties. Staff investigated the designation for each of the eight (8) church properties with Institutional (I) zoning and determined the possible rezoning options which Council may consider.

Four (4) of the churches zoned Institutional (I) are located in the Growth Centres (GC); one (1) in Falmouth (GC-1) and three (3) in Three Mile Plains (GC-2). The general policies for the Growth Centres (GC) allow Council to consider uses permitted in the Local Commercial (LC) (Policy 5.6.4), Resource Industrial (M-1) (Policy 5.7.2) or Light Industrial (LI) (Policy 5.7.6) zones by development agreement. Both of the Growth Centres (GC) also have similar policies that allow Council to consider rezoning to Single Unit Residential (R-1) (Policy 5.3.2 or 5.4.2) or Two Unit Residential (R-2) (Policy 5.3.4 or 5.4.3).

Two (2) of the churches zoned Institutional (I) are located within the Village Core (VC) designation in Brooklyn. Policy 6.2.3 allows consideration to rezone to Single Unit Residential (R-1) or Two Unit Residential (R-2) and Policy 6.3.4 allows consideration by development agreement of uses permitted in the General Commercial (GC) or Highway Commercial (HC) zones.

#### **3.4.2 Hantsport Municipal Planning Strategy (HMPS)**

Two (2) of the eight (8) churches zoned Institutional (I) are within the community of Hantsport. Policy RP-2A of the HMPS allows Council to consider rezoning to Two Unit Residential (R-2).

### **3.5 Terminology**

A church is a term to describe a place of worship mainly associated with Christian religions. The current definition of church in the WHLUB states *"Church means a*

*building dedicated to any religious worship and includes an associated hall, auditorium, Sunday School, day nursery or residence operated by the church on the same lot or an adjacent lot". The current definition of church in the HLUB is "Church means an institutional building dedicated to religious worship, and includes a church hall, church auditorium, Sunday School, or Parish Hall."*

To be more inclusive of other religions staff suggest changing the term from "church" to "place of religious congregation" in both the WHLUB and HLUB. The new definition for place of religious congregation could be "Place of Religious Congregation means a building dedicated to any religious congregation and/or worship and includes a church, synagogue, temple or assembly hall and may include such accessory uses as an auditorium, a nursery school, a school of religious education, convent, monastery, parish hall or residence operated by the place of religious congregation on the same lot or an adjacent lot."

Place of religious congregation would replace the use of church in all sections of both West Hants and Hantsport planning documents.

#### **4.0 OPTIONS**

From discussion at the April WHPAC meeting staff understand that the goal of this investigation it to make it easier to repurpose churches, particularly those that are zoned Institutional (I), without a development agreement or rezoning process, and to expand permitted uses as-of-right.

As the Institutional (I) zone already permits a broad variety of community uses and there are many options allowed to be considered by development agreement, staff have provided a few options for WHPAC to consider that would allow a property owner to reuse the property for residential and/or commercial purposes as-of-right.

The options provided should be considered with input from property owners, congregations and other stakeholders in a public meeting setting. The public meeting should be less formal than a typical meeting of the WHPAC to ensure those in attendance feel comfortable to express their honest opinions and discuss options openly.

WHPAC could recommend that staff conduct the work required for a combination of any of the options.

#### **4.1 Recommendation 1: Explore Inclusive Zoning**

Options 1-3 would allow repurposing of the church buildings zoned Institutional (I) as-of-right. Some options would require more staff time than others. WHPAC should consider the process and outcome of any of the options provided. Additionally, discussion should be held to determine at which point the owner should have to go through the amendment or development agreement process, or whether the work would be done as a series of housekeeping amendments with no requirement for application from the owner. Once PAC has provided direction, HAAC would be involved in providing a review of any amendments proposed to the HMPS or HLUB.

### Option 1

Add specific reuse provisions for churches, and possibly community halls, to the Institutional (I) zone. An example of the amendments to the WHLUB and HLUB are attached in Appendix B and C.

Pros	Cons
<ul style="list-style-type: none"><li>• It would be a simple amendment to the By-law's to add provisions for churches and community halls</li><li>• It could permit a church as an accessory use to a main use</li></ul>	<ul style="list-style-type: none"><li>• It would only benefit the eight (8) churches that are zoned Institutional (I)</li><li>• It would require community consultation to determine what uses are appropriate and the size of the uses</li><li>• There would be no community input at the time a church property was considering reuse to commercial or residential if permitted as-of-right (i.e. unlike the current rezoning or development agreement process)</li></ul>

### Option 2

Add uses such as small-scale residential or commercial to the Institutional (I) zone. An example of the amendments to the WHLUB and HLUB are attached in Appendix D and E.

Pros	Cons
<ul style="list-style-type: none"><li>• Allowing additional uses within the Institutional (I) zone would make it similar to the Mixed Commercial / Residential (C-2) zone in Hantsport</li><li>• It would be a simple amendment to the By-law's to add uses to the list of permitted uses</li><li>• It could permit a church as an accessory use to a main use</li></ul>	<ul style="list-style-type: none"><li>• It would only benefit the eight (8) churches that are zoned Institutional (I)</li><li>• It would require community consultation to determine what uses are appropriate and the size of the uses</li><li>• There would be no community input at the time a church property was considering reuse to commercial or residential if permitted as-of-right (i.e. unlike the current rezoning or development agreement process)</li><li>• May need to consider changing the name of the Institutional (I) zone to better reflect the uses that would be permitted which would require additional planning document amendments</li></ul>

### Option 3

Rezone the eight (8) churches that are zoned Institutional (I) to an abutting zone or a zone permitted within the designation. Possible zones for consideration and amendments to the WHLUB and HLUB are provided in Appendix F.

Pros	Cons
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<ul style="list-style-type: none"> <li>• This would ensure the reuse would be compatible with the surrounding community</li> <li>• It could permit a church as an accessory use to a main use</li> <li>• It could be completed through the Plan Review</li> </ul>	<ul style="list-style-type: none"> <li>• It would require consultation with the property owners</li> <li>• There would be no community input at the time a church property was considering reuse if they were considering a use permitted in the new zone (i.e. unlike the current rezoning or development agreement process)</li> </ul>
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**4.2 Recommendation 2: Identify Alternative Funding**

***Option 4***

Consider extending property tax exemptions to repurposed churches if they meet certain criteria (i.e. provide a public use / good). The West Hants Tax Exemption Policy stipulates that properties owned by Registered Canadian Charity, Nonprofit or Commercial Nonprofit can receive a tax exemption if they apply. Any further tax exemption would have to be determined by the new Regional government and would require inclusion in the Regional Tax Exemption Policy.

***Option 5***

Advertise existing funding available for nonprofit and registered charities providing a public service such as the funding sources available through the Rural Communities Foundation of Nova Scotia. Advertising could be done by providing web links on the Municipal website and social media pages and posting brochures and posters at the Municipal offices.

***Option 6***

Explore and advocate for partnerships with the Provincial and Federal government to align service priorities for residents (i.e. rural transportation, affordable housing, health care, etc.). This would require significant staff time and would be an ongoing task of Council. It may require funding allocation and would need to be considered by the new Regional government.

**4.3 Recommendation 3: Strategic Economic Development**

***Option 7***

Consult and / or direct the Economic Development Consultant to pursue the promotion of the potential reuse of rural churches specifically for agritourism businesses.

**5.0 FINANCIAL IMPLICATIONS**

There are no financial implications associated with the filing of this report. There would be associated costs with any of the options to be considered in this report. None have been included within the approved budget.

There would be significant staff time in relation to any of the options for consideration. Option 1-3 would require planning staff time; Option 4 would require the Municipal Clerk’s time if the Tax Exemption Policy required amendments; Option 5 would require

time from the Communications Coordinator to update the website and social media pages, with assistance from the Planning and Development Department and the Economic Development Consultant to provide the list of resource to circulate; Option 6 would require assistance from the CAO and Economic Development Consultant; and Option 7 would require time from the Economic Development Consultant.

There may also be financial implications for the owners of the buildings if they were to consider an alternative use. The first potential implication would be related to taxes (see section 5.1) and the second potential implication would be related to the Building Code requirements for existing church buildings to come into compliance with the current Building Code for residential or commercial purposes (see section 5.2). There may also be advertising and possibly processing fees for rezoning associated with Option 3 unless this is completed during the Plan Review.

## **5.1 Tax Exemptions**

### Nova Scotia Assessment Act

Section 5 of the Nova Scotia Assessment Act (2012) exempts the following uses from taxation:

- (b) every church and place of worship and the land used in connection therewith, and every churchyard and church burial ground and every church hall used for religious or congregational purposes exclusively save only for occasions specially authorized by church authorities and for which no revenue in excess of one hundred dollars per annum is received, but in computing revenue for the purposes of this clause there shall be excluded any contribution paid towards the reasonable additional costs of upkeep imposed by the use;*
- (c) the property of a nonprofit community cemetery, as cemetery is defined by the Cemetery and Funeral Services Act;*
- (v) property specially exempted from municipal taxation by any Act of the Legislature to the extent that it is so exempt.*

All of the 32 churches in West Hants have been assessed by Property Valuation Services Corporation (PVSC) and are exempt from paying taxes to the Municipality. As long as they continue to meet the exemption criteria of the Nova Scotia Assessment Act, they will be able to receive this exemption. If the property was to change uses (i.e. to residential) this may trigger PVSC to reassess the property and the owner would begin paying taxes to the Municipality based on PVSC's assessment.

### Municipal Tax Exemption

The Municipality of West Hants provides a tax exemption for eligible properties where the owner applies for the exemption and the property is owned by a Registered Canadian Charity, Nonprofit or Commercial Nonprofit. Nine (9) of the 37 properties that are zoned Institutional (I) are provided a full tax exemption by the Municipality; six (6) of these are owned by Registered Canadian Charities and three (3) of these by

Registered Nonprofits. If the properties were to change use or change ownership, they may be ineligible to continue receiving the tax exemption.

Between the Nova Scotia Assessment Act and the Municipal Tax Exemption, 17 of the 37 properties zoned Institutional (I) are exempt from paying Municipal taxes. As the eight (8) churches that are zoned Institutional (I) are already exempt from taxes through the Nova Scotia Assessment Act, none of them have applied for the Municipal tax exemption. Changing the use of the building may trigger a reassessment by PVSC making them no longer eligible to receive the tax exemption through the Nova Scotia Assessment Act. Additionally, if the property is not owned by a Registered Canadian Charity, Nonprofit or Commercial Nonprofit it would make the property ineligible to receive the Municipal tax exemption. This would increase the fixed costs associated with repurposing a church structure.

## **5.2 Building Code**

When a building is constructed it needs to meet the building code in effect at the time of construction, however if an existing building goes through a substantial change in use (i.e. from Institutional (I) to Residential (R)) which requires renovations the current Building Code would apply. The Nova Scotia Building Code Regulations (2019) outline alternative compliance methods for buildings that existed prior to March 13, 1987. These alternative compliance methods would be used to determine the upgrades necessary to be able to repurpose the existing church structure and are less stringent than what would be required if someone was constructing a new building today.

Some of the main issues when changing the use of a church building includes meeting the Energy Code and, if a residential use is proposed, meeting the requirements for plumbing, heating and ventilation. This would mean that there may be significant costs associated with upgrading the building to a residential or commercial standard to permit the change of use.

## **6.0 CONCLUSION**

This report gives the WHPAC options to consider to more readily allow the repurposing of Institutionally zoned church structures as-of-right compared to through the development agreement and amendment process. Staff requires direction from the WHPAC on the following items:

- what options (if any) staff should move forward with;
- if a public meeting with the Institutionally (I) zoned churches should be organized; and
- if the term and definition of Place of Religious Congregation should be used rather than church.

## **7.0 APPENDICES**

**Map 1** Places of Religious Congregation

**Appendix A** Places of Religious Congregation Name and Address

- Map 2** Properties with Institutional (I) zoning
- Appendix B** Option 1 – Example of draft amendments to the WHLUB Institutional (I) Zone
- Appendix C** Option 1 – Example of draft amendments to the HLUB Institutional (I) Zone
- Appendix D** Option 2 – Example of draft amendments to the WHLUB Institutional (I) Zone
- Appendix E** Option 2 – Example of draft amendments to the HLUB Institutional (I) Zone
- Appendix F** Option 3 – Example of potential rezoning options for the eight (8) churches currently zoned Institutional (I) and corresponding drafts to the WHLUB and HLUB

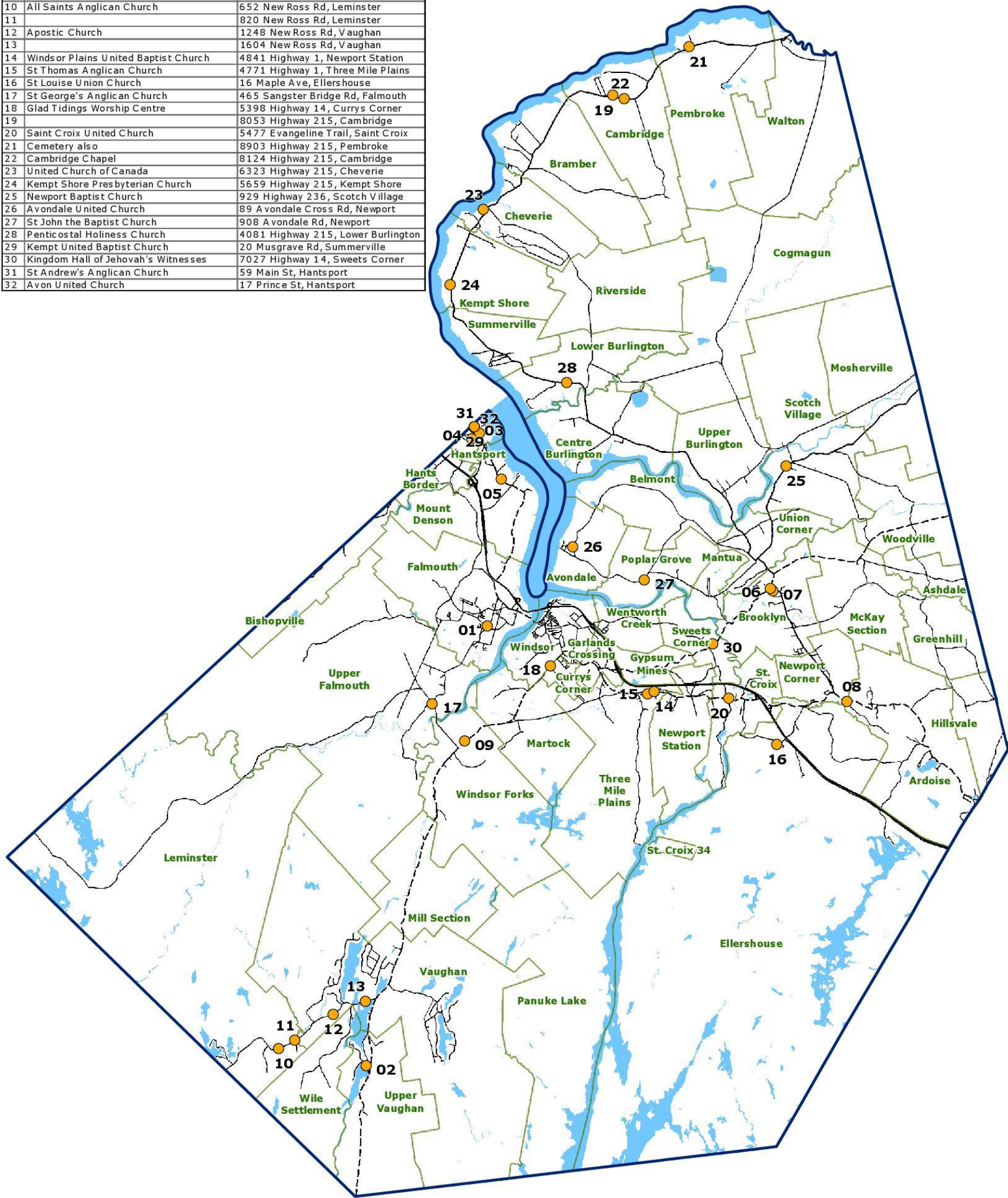
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Report Approved by: Madelyn LeMay, Director of Planning and Development

Map 1  
Places of Religious Congregation



#	NAME	ADDRESS
01	Falmouth United Baptist Church	404 Town Rd, Falmouth
02	Upper Vaughan Baptist Church	81 Lakeview Cres, Upper Vaughan
03	St Mary's Catholic Church	67 Main St, Hantsport
04	Hantsport Baptist Church	6 Willow St, Hantsport
05	Mount Denson Baptist Church	533 Highway 1, Hantsport
06	St James Anglican Church	11 Churchill Dr, Newport
07	Newport United Church	7800 Highway 14, Newport
08	Ardoise Union Church	6655 Highway 1, Ardoise
09	St Michaels & All Angels Anglican Church	4321 Highway 14, Windsor
10	All Saints Anglican Church	652 New Ross Rd, Leminster
11		820 New Ross Rd, Leminster
12	Apostic Church	1248 New Ross Rd, Vaughan
13		1604 New Ross Rd, Vaughan
14	Windsor Plains United Baptist Church	4841 Highway 1, Newport Station
15	St Thomas Anglican Church	4771 Highway 1, Three Mile Plains
16	St Louise Union Church	16 Maple Ave, Ellershouse
17	St George's Anglican Church	465 Sangster Bridge Rd, Falmouth
18	Glad Tidings Worship Centre	5398 Highway 14, Currys Corner
19		8053 Highway 215, Cambridge
20	Saint Croix United Church	5477 Evangeline Trail, Saint Croix
21	Cemetery also	8903 Highway 215, Pembroke
22	Cambridge Chapel	8124 Highway 215, Cambridge
23	United Church of Canada	6323 Highway 215, Cheverie
24	Kempt Shore Presbyterian Church	5659 Highway 215, Kempt Shore
25	Newport Baptist Church	929 Highway 236, Scotch Village
26	Avondale United Church	89 Avondale Cross Rd, Newport
27	St John the Baptist Church	908 Avondale Rd, Newport
28	Pentecostal Holiness Church	4081 Highway 215, Lower Burlington
29	Kempt United Baptist Church	20 Musgrave Rd, Summerville
30	Kingdom Hall of Jehovah's Witnesses	7027 Highway 14, Sweets Corner
31	St Andrew's Anglican Church	59 Main St, Hantsport
32	Avon United Church	17 Prince St, Hantsport

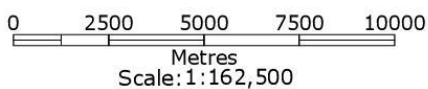


**Places of Religious Congregation  
Municipality of West Hants**

- Places of Religious Congregation
- Municipal Boundary
- Communities
- Road
- Water

Prepared by:  
West Hants Planning Department  
August 2019

Base data derived from the Nova Scotia Property Records Database (NSPRD), Copyright Her Majesty The Queen in Right of the Province of Nova Scotia



**Appendix A**  
**Places of Religious Congregation Name and Address**

PID	Name	Address	Zoning	Designation
45030467	Falmouth United Baptist Church	404 Town Rd, Falmouth	Institutional (I)	Residential (R)
45040763	Upper Vaughan Baptist Church	81 Lakeview Cres, Upper Vaughan	General Resource (GR)	Resource (S)
45048220	St Mary's Catholic Church	67 Main St, Hantsport	Mixed Commercial / Residential (C-2)	Commercial (C)
45048253	Hantsport Baptist Church	6 Willow St, Hantsport	Institutional (I)	Residential (R)
45057072	Mount Denson Baptist Church	533 Highway 1, Hantsport	Rural Residential (R-4)	Hamlet (H)
45060720	St James Anglican Church	11 Churchill Dr, Newport	Institutional (I)	Village Core (VC)
45060738	Newport United Church	7800 Nova Scotia Trunk 14, Newport	Institutional (I)	Village Core (VC)
45060878	Ardoise Union Church	6655 Highway 1, Ardoise	Rural Residential (R-4)	Hamlet (H)
45061348	St Michaels & All Angels Anglican Church	4321 NS-14, Windsor	Agriculture Priority 2 (AR-2)	Agriculture (AG)
45061421	All Saints Anglican Church	652 New Ross Rd, Leminster	General Resource (GR)	Resource (S)
45061439	-	820 New Ross Rd, Leminster	General Resource (GR)	Resource (S)
45061447	Apostic Church	1248 New Ross Rd, Vaughan	General Resource (GR)	Resource (S)
45061454	-	1604 New Ross Rd, Vaughan	General Resource (GR)	Resource (S)
45062320	Windsor Plains United Baptist Church	4841 Nova Scotia Trunk 1, Newport Station	Institutional (I)	Residential (R)
45062353	St Thomas Anglican Church	4771 Nova Scotia Trunk 1, Three Mile Plains	Institutional (I)	Residential (R)
45062411	St Louise Union Church	16 Maple Ave, Ellershouse	Rural Residential (R-4)	Hamlet (H)
45062627	St George's Anglican Church	465 Sangster Bridge Rd, Falmouth	Agriculture Priority 2 (AR-2)	Resource (S)
45075439	Glad Tidings Worship Centre	5398 Highway 14, Currys Corner	Institutional (I)	Residential (R)
45154697	-	8053 Highway 215, Cambridge	General Resource (GR)	Resource (S)
45161049	Saint Croix United Church	5477 Evangeline Trail, Saint Croix	Rural Residential (R-4)	Hamlet (H)
45173069	Cemetery also	8903 Highway 215, Pembroke	General Resource (GR)	Resource (S)
45173119	Cambridge Chapel	8124 Highway 215, Cambridge	General Resource (GR)	Resource (S)
45178738	United Church of Canada	6323 Highway 215, Cheverie	Rural Residential (R-4)	Hamlet (H)
45179900	Kempt Shore Presbyterian Church	5659 Highway 215, Kempt Shore	General Resource (GR)	Resource (S)
45186707	Newport Baptist Church	929 NS-236, Scotch Village	Agriculture Priority 2 (AR-2)	Agriculture (AG)
45186756	Avondale United Church	89 Avondale Cross Rd, Newport	Rural Residential (R-4)	Hamlet (H)
45186764	St John the Baptist Church	908 Avondale Rd, Newport	Agriculture Priority 2 (AR-2)	Agriculture (AG)
45186780	Pentecostal Holiness Church	4081 Highway 215, Lower Burlington	General Resource (GR)	Resource (S)
45207792	Kempt United Baptist Church	20 Musgrave Rd, Summerville	Rural Residential (R-4)	Hamlet (H)
45276433	Kingdom Hall of Jehovah's Witnesses	7027 Nova Scotia Trunk 14, Sweets Corner	Rural Residential (R-4)	Hamlet (H)
45289295	St Andrew's Anglican Church	59 Main St, Hantsport	Mixed Commercial / Residential (C-2)	Commercial (C)
45377744	Avon United Church	17 Prince St, Hantsport	Institutional (I)	Residential (R)



**Appendix B**  
**Option 1 – Example of draft amendments to the**  
**WHLUB Institutional (I) zone**

The amendments to the Institutional (I) zone are highlighted in red text. These would be an example of the amendments to the Institutional (I) zone in West Hants, if WHPAC decided to add specific reuse provisions for churches, and possibly community halls, to the Institutional (I) zone.

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**32.0 INSTITUTIONAL (I)**

**Permitted Uses**

32.1 The following uses shall be permitted in the Institutional (I) zone:

- Any institutional use which is incorporated under the *Societies Act*
- Churches and associated halls
- Colleges, universities and schools, including school dormitories
- Community centres
- Community service clubs and organizations
- Emergency services facilities (i.e., police, ambulance and fire stations)
- Government offices
- Homes for special care
- Hospitals and medical clinics
- Indoor recreation uses
- Libraries, museums and art galleries
- Residences accessory to permitted uses
- Senior citizen housing
- Tourist bureaus

**General Lot Requirements**

32.2 In the Institutional (I) zone, no development permit shall be issued except in conformity with the following:

	<b>with municipal services</b>	<b>with on-site services</b>
<b>Minimum lot area</b>	24,000 ft <sup>2</sup> (2,229.60 m <sup>2</sup> )	40,000 ft <sup>2</sup> (3,716.00 m <sup>2</sup> )
<b>Minimum lot frontage</b>	120 ft (30.48 m)	
<b>Minimum front yard</b>	30 ft (9.14 m)	
<b>Minimum rear yard</b>	30 ft (9.14 m)	
<b>Minimum side yard</b>	30 ft (9.14 m)	

<b>Maximum height of main building</b>	35 ft (10.67 m)
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**Existing Churches and Community Halls**

32.3

(a) Any lot in the Institutional (I) Zone which contains a church or community hall existing as of DATE and located in the Growth Centre Designation may be used for any use permitted in the Two Unit Residential (R-2) Zone or Local Commercial (LC) Zone.

(b) Any lot in the Institutional (I) Zone which contains a church or community hall existing as of DATE and located in the Village Core Designation may be used for any use permitted in the Two Unit Residential (R-2) Zone, General Commercial (GC) Zone or Highway Commercial (GC) Zone.

(c) Any lot in the Institutional (I) Zone which contains a church or community hall existing as of DATE and located in the Hamlet Designation may be used for any use permitted in the Rural Residential (R4) Zone and Rural Commercial (RC) Zone.

**Appendix C**  
**Option 1 – Example of draft amendments to the**  
**HLUB Institutional (I) zone**

The amendments to the Institutional (I) zone are highlighted in red text. These would be an example of the amendments to the Institutional (I) zone in Hantsport, if WHPAC decided to add specific reuse provisions for churches, and possibly community halls, to the Institutional (I) zone.

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**Part 11 Institutional (I) Zone**

**11.1 Permitted Uses**

The following uses are permitted in this zone:

- all institutional uses
- non residential daycare centre

**11.2 Lot Specifications**

AREA	600 square metres (6458 square feet)
FRONTAGE	20 metres (65.6 feet)
REQUIRED YARDS: Front	8 metres (26.2 feet)
Side	3 metres (9.8 feet) or one-half the height of the building, whichever is greater

**11.3 Special Requirement – Parking**

Parking is not to be provided between the structure and the street, or in required yards. Driveways may be located in required front and side yards.

**11.4 Churches and Community Halls**

Any lot in the Institutional (I) Zone which contains a church or community hall existing as of DATE and located in the Residential Designation may be used for any use permitted in the Two Unit Residential (R-2) Zone

**Appendix D**  
**Option 2 – Example of draft amendments to the**  
**WHLUB Institutional (I) zone**

The amendments to the Institutional (I) zone are highlighted in red text. These would be an example of the amendments to the permitted uses in the Institutional (I) zone in West Hants, if WHPAC decided to add uses such as small-scale residential or commercial to the Institutional (I) zone. Uses can be added/subtracted from the list as the WHPAC directs.

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## **32.0 INSTITUTIONAL (I)**

### **Permitted Uses**

32.1 The following uses shall be permitted in the Institutional (I) zone:

- Any institutional use which is incorporated under the *Societies Act*
- Arts and craft studios including photography
- Automobile service stations, car washes and repair centres
- Automobile, truck and motorcycle sales, service or rental establishments
- Banks and financial institutions
- Building supply establishments
- Churches and associated halls
- Colleges, universities and schools, including school dormitories
- Community centres
- Community service clubs and organizations
- Day care centres, licensed or non-licensed
- Dry cleaning and laundry establishments
- Emergency services facilities (i.e., police, ambulance and fire stations)
- Entertainment, recreation and assembly uses within a wholly enclosed building
- Farm markets
- Farm supplies and equipment sales and service
- Funeral homes
- Garden and nursery sales and supplies
- Government offices
- Heavy equipment sales and service
- Homes for special care
- Hospitals and medical clinics
- Hotels, motels and other tourist accommodations
- Indoor recreation uses
- Kennels
- Libraries, museums and art galleries
- Licensed liquor establishments
- Local shopping centres
- Manufactured home sales

- Offices
- Post offices and postal outlets
- Recreational vehicle sales, service and rental establishments
- Recycling depots
- Restaurants
- Repair and rental establishments
- Retail stores
- Residences accessory to permitted uses
- Senior citizen housing
- Self Storage Operations
- Service and personal service shops
- Single unit or two-unit dwellings
- Taxi, train and bus stations
- Tourist bureaus
- Veterinary clinics and animal hospitals
- Wholesaling and wholesale sales

### General Lot Requirements

32.2 In the Institutional (I) zone, no development permit shall be issued except in conformity with the following:

	with municipal services	with on-site services
<b>Minimum lot area</b>	24,000 ft <sup>2</sup> (2,229.60 m <sup>2</sup> )	40,000 ft <sup>2</sup> (3,716.00 m <sup>2</sup> )
<b>Minimum lot frontage</b>	120 ft (30.48 m)	
<b>Minimum front yard</b>	30 ft (9.14 m)	
<b>Minimum rear yard</b>	30 ft (9.14 m)	
<b>Minimum side yard</b>	30 ft (9.14 m)	
<b>Maximum height of main building</b>	35 ft (10.67 m)	

**Appendix E**  
**Option 2 – Example of draft amendments to the**  
**HLUB Institutional (I) zone**

The amendments to the Institutional (I) zone are highlighted in red text. These would be an example of the amendments to the permitted uses in the Institutional (I) zone in Hantsport, if WHPAC decided to add uses such as small-scale residential or commercial to the Institutional (I) zone. Uses can be added/subtracted from the list as the WHPAC directs.

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**Part 11 Institutional (I) Zone**

**11.1 Permitted Uses**

The following uses are permitted in this zone:

- all commercial uses
- all institutional uses
- artisan workshops
- bed and breakfast homes
- boarding rooms
- duplex dwellings
- guest houses
- medical clinics
- museums
- multiple unit dwellings
- non residential daycare centre
- offices
- semi-detached dwellings
- single detached dwellings
- residential day care centre

**11.2 Lot Specifications**

AREA	600 square metres (6458 square feet)
FRONTAGE	20 metres (65.6 feet)
REQUIRED YARDS: Front	8 metres (26.2 feet)
Side	3 metres (9.8 feet) or one-half the height of the building, whichever is greater

**11.3 Special Requirement – Parking**

Parking is not to be provided between the structure and the street, or in required yards. Driveways may be located in required front and side yards.

**Appendix F**  
**Option 3 – Example of potential rezoning options for the**  
**eight (8) churches currently zoned Institutional (I) and corresponding drafts**  
**to the WHMPS and HMPS**

The table below shows the list of the eight (8) churches in West Hants that are currently zoned Institutional (I). The table also shows the zones permitted within the same designation as these churches. This offer some potential options for an amendments (rezoning) of the church properties to a zone compatible with the surrounding community. Additionally, if the properties were rezoned there would be a general provision added (changes in red) to the WHLUB and HLUB that states existing churches are a permitted use in any zone.

Planning Strategy	PID	Name and Address	Designation	Zones Permitted within the Designation		
Hantsport	45377744	Avon United Church 17 Prince St, Hantsport	Residential (R)	Single Unit Residential (R-1)	Two Unit Residential (R-2)	Multiple Unit Residential (R-3)
	45048253	Hantsport Baptist Church 6 Willow St, Hantsport				
West Hants	45060720	St James Anglican Church 11 Churchill Dr, Newport	Village (V) - Village Core (VC)	Single Unit Residential (R-1)	Two Unit Residential (R-2)	Local Commercial (LC)
	45060738	Newport United Church 7800 Nova Scotia Trunk 14, Newport				
	45030467	Falmouth United Baptist Church 404 Town Rd, Falmouth	Growth Centre (GC) - Residential (R)	Single Unit Residential (R-1)	Two Unit Residential (R-2)	Multiple Unit Residential (R-3)
	45062320	Windsor Plains United Baptist Church 4841 Nova Scotia Trunk 1, Newport Station				
	45062353	St Thomas Anglican Church 4771 Nova Scotia Trunk 1, Three Mile Plains				
	45075439	Glad Tidings Worship Centre 5398 Highway 14, Currys Corner				

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## **5.0 GENERAL PROVISIONS FOR ALL ZONES**

### **Churches and Community Halls**

5.6 Existing churches, community halls and associated buildings shall be permitted in any zone subject to the requirements of that zone.

## **HANTSPORT LAND USE BY-LAW (HLUB)**

### **5.0 General Provisions for all Zones**

#### **5.3 Churches and Community Halls**

In the community of Hantsport, existing churches, community halls and associated buildings shall be permitted in any zone subject to the requirements of that zone.



## MUNICIPALITY OF THE DISTRICT OF WEST HANTS RECOMMENDATION REPORT

**To:** Members of West Hants Planning Advisory Committee

**Submitted by:** \_\_\_\_\_  
Madelyn LeMay

**Date:** October 17, 2019

**Subject:** 376 Falmouth Dyke Road; Heritage Grant Application

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### 1.0 ORIGIN

An amendment to the application received May 24, 2019 for heritage grant funding from Maureen Perry, owner of a municipally designated property located at 376 Falmouth Dyke Road, Falmouth (Appendix A), was received September 23, 2019.

### 2.0 AUTHORITY

Council Policy -01-003, (Grants and Contributions Policy) and Municipal Heritage Property Conservation Work Grant Guidelines, approved May 8, 2018.

### 3.0 RECOMMENDATION

Heritage Advisory Committee recommends:

**... that Council include as part of the maximum grant of \$5,000.00 approved by Council July 9, 2019, the replacement of the roof of the garage located at 376 Falmouth Dyke Road.**

### 4.0 BACKGROUND

#### 4.1 Request

As noted above, Mrs. Perry has asked that the application made earlier this year include the replacement of the roof on the garage in addition to the replacement of the exterior brick on two (2) chimneys on the main building.

#### **4.2 Heritage Permit**

Examination of the proposed work and the list of non-substantial alterations approved by Council November 14, 2017 (Appendix B) has resulted in a staff determination that the proposed alterations are not substantial alterations, and as a result Heritage Permit is not required.

#### **4.3 Eligibility**

The *Municipal Heritage Property Conservation Work Grant Guidelines* (Appendix C) approved by Council May 8, 2018 list specific work as either eligible or ineligible for funding. The work proposed is eligible for funding in accordance with the Grant Guidelines. The Grant Guidelines also specify that the number of incentives per property is limited to one (1) per year and two (2) in any five (5) year period. Mrs. Perry is aware of this and has as a result asked that her earlier application be amended to include this work; no funding above the \$5,000.00 has been requested and no grant has yet been provided.

#### **4.4 Available Funds**

The maximum annual incentive per property of \$5,000 was approved by Council on July 9, 2019 and is to be allocated on a 50% cost-sharing, matching basis. Project costs are based on actual eligible expenses; in kind contributions are not included. The proposed amendment would not increase the maximum funding approved.

### **5.0 POSSIBLE RECOMENDATIONS**

- 5.1** HAC could recommend that Council determine that the funding include the work on the roof of the garage as set out on page 1 of this report;
- 5.2** HAC could recommend that Council determine that the funding not include the work on the roof of the accessory building.

### **6.0 Appendices**

Appendix A	Amendment to Application for Funding
Appendix B	Approved Non-Substantial Alterations
Appendix C	Municipal Heritage Property Conservation Work Grant Guidelines



**WEST HANTS**  
NOVA SCOTIA

**HERITAGE GRANT APPLICATION**

<p>Owner: <b>MADREEN PERRY</b></p> <p>Mailing Address: <b>PO BOX 76 FALMOUTH NS</b> <b>B0P1L0</b></p> <p>E-Mail Address: <b>retrea@ns.sympatico.ca</b></p> <p>Telephone: <b>902-798-5510</b></p>	<p>Civic Address: <b>376 DYKE RD FALMOUTH</b> <b>N.S B0P1L0</b></p> <p>PID:</p>
<p>Name of property if applicable: <b>GREENWOOD</b></p>	
<p>Work for Which Grant is Requested: (attach information if necessary)</p>	
<p>Date Heritage Permit Issued/or Advised No Heritage Permit Required:</p> <p>Date Development Permit (if required) Issued:</p> <p>Date Building Permit (if required) Issued:</p> <p>Date Heritage Grant approved by Council:</p> <p>Maximum amount of grant:</p> <p>Date Work Completed:</p> <p>Total Cost of Work Completed:</p> <p>Attach itemized costs based on invoices, arranged by date:</p> <p>Amount of Grant requested: <b>1547.70</b></p>	
<p><b>IMPORTANT: PLEASE READ DECLARATION BELOW AND THEN SIGN</b></p>	
<p>It is clearly understood that this is only an application and does not imply that the funding will be approved.</p> <p>I certify that I am the owner of the property or am acting with the owner's consent.</p> <p>Date: <b>Sept 23/2019</b></p> <p>Signature of Owner or Agent (Attach written consent): <b>M. A. Berry</b></p>	
<p>I confirm that the work for which funding is requested:</p> <ul style="list-style-type: none"> <li>• has been done</li> <li>• is considered eligible work under the Municipal Heritage Property Conservation Work Guidelines</li> </ul> <p>Name of Heritage Advisor:</p> <p>Signature of Heritage Advisor:</p> <p>Date:</p>	

Application Effective May 8 2018

## APPENDIX B

### **List of Alterations to Municipally Designated Heritage Properties which are to be Considered Non-Substantial APPROVED BY COUNCIL NOVEMBER 14, 2017**

- replacement of or repair to any element of the exterior where no change is intended;
- items which the Heritage Advisor considers to be maintenance;
- changes in storm windows from painted wood to aluminum;
- use of vinyl (or other material) window inserts within the existing opening;
- replacement of shingles with clad board with the same exposure, or clad board with shingles;
- replacement of doors or storm doors with doors within the existing opening;
- replacement of non-traditional elements with traditional (i.e. clad or replace concrete steps with wood; shingle a wall now covered in plywood);
- installation of wooden gutters;
- addition of utilities such as air-conditioning vents and "Selkirk" chimneys to walls which are not visible from the public street;
- installation of solar panels on any roof surface;
- addition of minor accessory structures which are less than 215 sq. ft. in area;
- alteration of existing minor accessory structures which are less than 215 sq. ft. in area;
- placement of commercial advertising signs;
- construction and repair of fences; or
- landscaping elements such as stairways or ground level "patios" which are not connected to the main building.



**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 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.

**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.
- 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.



**GUIDELINE**

- 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**

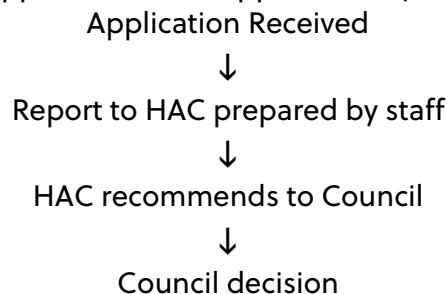
The project will be evaluated using criteria established under the Standards and Guidelines for the Conservation of Historic Places in Canada.

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.
- 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 from the Chief Administrative Officer as soon as the need is known.
- Grants are conditional on completion of the approved work 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 **8<sup>th</sup>** day of **May, 2018**.

\_\_\_\_\_  
R.N. Brown  
Municipal Clerk

<i>Adoption</i>	
<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.	