



MUNICIPALITY OF THE DISTRICT OF WEST HANTS
Planning Advisory Committee
March 19, 2015 6:30 p.m.
Sanford Council Chambers

PRESENT: Councillor Shirley Pineo, Chair
Warden Richard Dauphinee
Deputy Warden Gary Cochrane
Councillor Randy Matheson
Councillor Jennifer Daniels
Councillor Victor Swinamer
Councillor Tom Brown

STAFF: Karen Dempsey, Director of Planning
Jeanne Bourque, Planner
Velma Macumber, Admin Assistant

REGRETS: Councillor Mike Campbell, illness
Councillor Reed Allen
Ms. Tanya Leopold, Citizen Member
Mr. John Smith, Citizen Member

GUESTS: Andrew Alcorn, Terra Firma Development Corporation
Richard Reese, Terra Firma Development Corporation
Donald Marr, Terra Firma Development Corporation
Blaise Morrison, WSP Canada Inc.

PUBLIC: No members of the public were in attendance

Chair Pineo called the meeting to order 6:30 p.m.

**PUBLIC INFORMATION SESSION – Forest Lakes Country Club Resort –
amendments to the Master Plan development agreement**

Chair Pineo advised that the public information session was being held to provide the public an opportunity to bring up any concerns and ask questions of the applicant, the planning staff and PAC on the proposed amendments to the development agreement. A formal public hearing may be held at a later date but is not required for this particular type of amendment, so this will be at the discretion of Council.

Chair Pineo welcomed the representatives of Terra Firma Development Corporation. She noted that no members of the public were in attendance.



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Ms. Dempsey advised that letters were sent out to approximately 60 adjacent property owners inviting them to attend the public information session. Ms. Dempsey advised that she received one inquiry from an adjacent land owner who was concerned about a piece of land located within the MPDA that has an old 66' right-of-way granted to a variety of property owners in the area. This person had advised that they had no objections to the development proposal and felt that it was a benefit to the community.

Ms. Dempsey gave some background information with respect to the master plan development agreement (MPDA) for Forest Lakes Country Club (FLCC) which was approved by Council on July 12, 2011. The agreement provides for a resort community around a Jack Nichlaus golf course which includes a mix of residential, commercial, recreation and tourist-oriented uses. A condominium form of ownership is envisioned for much of the resort, comprised eventually of approximately 1,880 to 2,700 dwelling units at full build out. The development is to be phased in over a period of 15 to 20 years. Substantive amendments to that master plan agreement were approved by Council on November 13, 2012. Non-substantive amendments to the MPDA were approved by Council on August 12, 2014. The MPDA applies to an area approximately 1,700 acres in size, comprising more than 30 parcels of land on the south side of Highway 1 in Ardoise. The municipal boundary with East Hants represents much of the eastern boundary, while Highway 101 forms most of the southern boundary.

Ms. Dempsey advised that the application from Terra Firma Development Corporation Ltd proposes amendments to the existing Master Plan development agreement to enable Phase 1-B of the resort development to begin. This phase includes fifty-six (56) single unit dwellings and six (6) two unit dwellings on a forty-two (42) acre lot owned by a condominium corporation.

Ms. Dempsey summarized the staff report that addressed the relevant policies of the MPS applying to this amending agreement and then the relevant clauses of the MPDA that also apply to this phase of the development. She advised that the amendment is referred to in the MPDA as a Phase 1 amending agreement.

Ms. Dempsey advised that she has not received comments from NS Environment with respect to adequacy of the design of the private infrastructure, and water and sewer servicing plans. The municipal engineer has commented that private roads and shared driveways within Phase 1-B have been designed in accordance with Municipal standards and/or to the relevant schedules of the MPDA. Comments were received from the Brooklyn Fire Chief that the private roads and shared driveways in Phase 1-B provide adequate turning area for fire service vehicles.



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Chair Pineo opened the floor for discussion and comments. Since there were no members of the public present, she invited the developers to speak.

Mr. Marr thanked the Committee on behalf of Terra Firma Development Corporation for inviting them to the meeting. He said he appreciated the patience and the hard work of staff and the Committee. Mr. Marr advised that Terra Firma is continuing to market in Europe, Germany, the United Kingdom, and other places, and there has been a lot of interest. The market is now open to local interest. He commented that Terra Firma is very excited about the golf aspect of the resort and would like to get it off the ground. The equipment to do this is sitting on site now.

Chair Pineo asked for further comments.

Councillor Daniels asked for clarification about the shared open space and if it would be usable to the public. Mr. Morrison advised that the open space is not really user friendly to the public. It is more designed for functionality for storm water management. However it would be natural open space as there will not be any infrastructure designed for it. This small phase of the development does not provide for public open space as part of the overall requirement for the MPDA. There are some small trails that would connect to future trails that will form the overall trail development plan at a later phase.

Mr. Marr gave an update with respect to the Highway 101 interchange. He advised that they do have technical approval and a draft agreement, but are in discussions for funding. Discussion was held about the importance of having the highway interchange built which would benefit the development, fire emergency agencies, and the public.

Ms. Dempsey advised that there are a number of FLCC building permits in progress waiting for NS Environment approvals before being issued.

Discussion was held about the potential for a hockey arena at Forest Lakes Country Club Resort. Deputy Warden Cochrane updated the Committee with respect to the Birthplace of Hockey Arena Steering Committee, and that they are finalizing their business plan. He will send a copy of that plan to Terra Firma Development Corporation for information.

Chair Pineo stated with no further comments or questions, the public information session was adjourned and now the PAC meeting will begin.

The public information session adjourned at 7:23 p.m.



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Chair Pineo advised that Ms. Leopold had sent regrets that she would be unable to attend tonight's meeting. Councillor Campbell was not feeling well. No regrets were received from Mr. Smith or Councillor Allen.

APPROVAL OF AGENDA & ADDITIONS

Moved by Warden Dauphinee and Councillor Swinamer that the agenda be approved.

Motion carried.

APPROVAL OF MINUTES OF JANUARY 15, 2015

Moved by Warden Dauphinee and Councillor Brown that the minutes of January 15, 2015 be approved as circulated noting any errors or omissions.

Motion carried.

BUSINESS ARISING FROM MINUTES

No business arising to be heard.

BUILDING AND DEVELOPMENT ACTIVITY REPORTS

Monthly Reports of January and February 2015

Moved by Councillor Matheson and Councillor Brown that the Building and Development Activity Reports for the months of January and February 2015 be received.

Motion carried.

Ms. Dempsey noted that the number of permits issued has been consistent and that the estimated value of construction is up.

Discussion was held about getting the media involved to present something to the public to show that West Hants' economy is doing well.



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Moved by Warden Dauphinee and Councillor Matheson to direct the CAO to contact the public relations person for the Municipality to get the good news story out that West Hants' economy is doing well.

Motion carried.

2014 Annual Report

Moved by Councillor Matheson and Warden Dauphinee that the 2014 Annual Building and Development Report be received.

Motion carried.

Ms. Dempsey noted that the huge increase to the estimated value of construction was due to the construction of the wind turbines in Martock.

Ms. Dempsey advised that the report was prepared in joint effort by Mr. MacInnis and Ms. Macumber. Chair Pineo commended Mr. MacInnis and Ms. Macumber for a job well done.

NEW BUSINESS

Application for amending development agreement – Forest Lakes Country Club Resort

Moved by Warden Dauphinee and Councillor Brown to receive that staff report prepared by Karen Dempsey, Director of Planning, dated March 19, 2015 re: Forest Lakes Country Club Resort – Phase 1B, Non-substantive amendments to the Master Plan Development Agreement

Motion carried.

Ms. Dempsey advised that Section 17.1 of the master plan development agreement identifies amendments that are not considered substantive and may be amended by policy of Council without a public hearing. The amendments requested, which are the subject of this report, relate to the matters listed in clause 17.1(a) and are therefore not deemed to be substantive under the terms of the MPDA. Clause 17.3 of the MPDA states: "17.3 Notwithstanding clause 17.1, the Municipality may require a public hearing for Council consideration of a non-substantive amendment where Council is of the view that it would be in the public interest having regard to potential land use compatibility."



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Although a public hearing is not required by the Municipal Government Act (MGA) for this amending agreement it should be noted that public advertisement of this amending agreement is required if approved by policy of Council and that Council's approval may be appealed to the NS Utility and Review Board. PAC should consider if they are of the view that a public hearing is in the public interest in this circumstance.

Ms. Dempsey advised that this amending agreement to the Master Plan Development Agreement (MPDA) is the first of its type to deal with the detailed design of the first phase of the residential component of the Forest Lakes Country Club resort. This report has reviewed the application against the relevant policies and requirements of the West Hants Municipal Planning Strategy and the MPDA. It is staff's opinion that the Phase 1B application for an amendment to the MPDA generally carries out the intent of the MPS and meets the applicable requirements of MPDA pending NS Environment approval.

Staff therefore recommends that the application be approved pending a review by the municipal solicitor of a draft development agreement and pending approval by NS Environment.

Moved by Warden Dauphinee and Councillor to recommend that Council approve the application of Terra Firma Development Corporation Limited, (TFDC) for an amending agreement (Phase 1B) to the Forest Lakes Country Club Resort Master Plan Development Agreement, as specified in the amending agreement application and plans dated 30 Jan./15 and staff report dated 19 March, 2015, pending legal review of a draft Amending Agreement and approval by NS Environment.

Motion carried.

The Committee discussed the options presented in the staff report. They agreed that since the amendments were non-substantive, a public hearing was not necessary. The Committee noted that since adjacent property owners were invited to this public information session tonight, and no one attended, therefore it appears that there were no concerns with the proposed amendments.

MISCELLANEOUS

No miscellaneous business to be heard.



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NOTICES FROM ADJACENT MUNICIPAL UNITS

Municipality of Kings and Town of Windsor

Moved by Councillor Matheson and Warden Dauphinee to receive the notice from Cindy L. Benedict, Planning Support Clerk, Planning Services, Municipality of the County of Kings, dated February 5, 2015, regarding a Notice of Public Hearing – proposed Land Use By-law text and map amendments and proposed development agreement; and notice from Louis Coutinho, CAO, Town of Windsor, dated February 18, 2015, regarding a Notice of Public Hearing - proposed Municipal Planning Strategy and Land Use By-law amendments re future designation and zoning of the residential area on the south side of Wentworth Road, west of Morison Drive.

Motion carried.

A brief discussion was held with respect to the Town of Windsor's notice for MPS and LUB amendments and whether they would affect West Hants as it was on the border of West Hants and the Town of Windsor on Wentworth Road. Staff will keep up-to-date of the matter and bring this item back to the next PAC meeting.

QUESTIONS & COMMENTS FROM PUBLIC

No members of the public were present.

ADJOURNMENT

Moved by Warden Dauphinee and Councillor Swinamer that the meeting adjourn.

Motion carried.

The meeting adjourned at 7:50 p.m.

Chair