



MUNICIPALITY OF THE DISTRICT OF WEST HANTS
Planning Advisory Committee
Public Information Meeting
September 17, 2015 6:30 p.m.
Sanford Council Chambers

PRESENT: Councillor Shirley Pineo, Chair
Councillor Jennifer Daniels, Vice Chair
Deputy Warden Gary Cochrane
Councillor Randy Matheson
Councillor Reed Allen
Councillor Paul Morton
Councillor Robbie Zwicker
Councillor Tom Brown
Mr. John Smith, Citizen Member
Ms. Tanya Leopold, Citizen Member

STAFF: Karen Dempsey, Director of Planning
Jeanne Bourque, Planner
Cathie Osborne, CAO
Doug Hamer, Fire Services Coordinator
Velma Macumber, Admin. Assistant

REGRETS: Warden Richard Dauphinee

PUBLIC: 19 community members

GUESTS: Colin Chisholm, Hants Journal

Chair Pineo called the public information meeting to order to hear comments and questions from community members in regards to the proposed planning document amendment to enable the establishment of a fire station on 22 Tonge Hill.

Chair Pineo advised that the planner would review the staff report, and members of the public could then ask questions of the planners, as well as other resource staff. When the public component of the meeting is complete, then the regular Planning Advisory Committee (PAC) meeting will begin. At that time, committee members will ask questions of the planners and resource staff on planning matters, and address any comments or concerns brought forward from the public information meeting. There will be another opportunity at the end of the meeting for additional public input.

Chair Pineo asked the members of the public to be respectful and only address the planning issues before the committee. She asked speakers to come up to the presentation table, speak into the microphone and state their name and community. Chair Pineo also advised that a more formal public hearing is tentatively scheduled for October 13th at 7:00 p.m. on the matter and written and verbal submissions are welcome at that time as well.

Ms. Dempsey welcomed the members of the public and explained the West Hants Public Participation Program used by the planning department. This information meeting is part of that program.

Ms. Bourque reviewed the staff report with respect to the proposed Municipal Planning Strategy (MPS) and Land Use By-law (LUB) amendments to allow a fire station at 22 Tonge Hill in Garlands Crossing.

Following the notice from the Windsor Fire Department that they would be withdrawing fire services to West Hants as of October 23, 2015, planning staff initially recommended that Council enter into a development agreement with Lawrence Hart to enable a municipal fire station at 22 Tonge Hill, Garlands Crossing.

After that initial recommendation, planning staff consulted extensively with municipal advisors from Service Nova Scotia and Municipal Affairs, as well as the municipal solicitor. It was decided that rather than a development agreement, a minor amendment to the Municipal Planning Strategy (MPS) would be more expedient. This would allow fire services to continue without delay as an amendment to the MPS is not appealable to the Nova Scotia Utility and Review Board (NSUARB).

Ms. Bourque reviewed the property location and surrounding land uses. The MPS can be amended to provide other mechanisms to permit an institutional use such as a fire station on privately owned property, and that is what is being proposed. The amendment would allow an institutional use, in this case a fire station, to be located on a specific property as-of-right.

Ms. Bourque explained that while a land use by-law amendment that is implementing an MPS amendment is not required to be assessed under Policy 16.3.1, staff thought it would be useful and informative to consider this proposal against the criteria set out in this policy. She then went through each policy criteria as set out in the staff report.

Chair Pineo then opened the floor to the public to ask questions.

Lawrence Boyd of Garlands Crossing stated that he lives in close proximity to the proposal, and he had not been personally informed of it. He thanked the Chair and the Committee for the opportunity to speak. Mr. Boyd expressed concern with respect to the noise generated from the temporary fire station, and asked if this was considered with the placement of the fire station. Mr. Boyd stated he felt his tax dollars were being used unwisely. He suggested creating a fire tax rate and have residents meet annually to establish what the rate is going to be. Mr. Boyd questioned why this was being done now as he felt the fire services system has been working well for many years. He hoped that when the Minister visits the area tomorrow that things can be resolved. Mr. Boyd commented that it was his opinion that Council should not ignore the rights of the residents and spend unnecessary tax dollars when the majority of the residents are against the proposal. He said that Council has the right to hold a plebiscite.

Chair Pineo thanked Mr. Boyd for this comments. She reminded the members of the public that the questions and comments are supposed to be directly about the amendment being proposed to the planning document, but she is willing to grant a wide latitude in the questions that can be asked.

Chair Pineo asked for further questions and comments.

Ken Swinamer advised that he owns a property at Garlands Crossing. He asked how many pieces of equipment would be housed at fire station. Mr. Hamer advised that there will be three pieces of fire apparatus equipment - a tanker which holds 2,500 gallons of water, an engine that carries 700 gallons, and a utility vehicle that transports the personnel. Mr. Swinamer asked if another location was being considered since this property was only temporary. Ms. Osborne advised that the Municipality does not have a property in mind, however sometime in the future there will be a needs assessment done to determine where the most appropriate location would be for a permanent fire station.

Connie Lake from Wentworth Road asked how long the Municipality had considered the property before signing a lease agreement. She also asked if geological testing was done on the property with respect to the potential gypsum sink holes prior to the lease. Ms. Lake asked if this property was the Municipality's only option. Ms. Osborne advised that the property was identified to her as available on August 19th and at that time staff looked at it for the potential use as a fire equipment storage building. When Mr. Hamer began working for the Municipality, he and two fire chiefs inspected the property for its suitability and then the lease was signed. As well, they had not received any comments from the Building Official with respect to

any issues with the property, so in their opinion, the property can be used for the intended purpose.

Mr. Hamer addressed Ms. Lake's inquiry about the possibility of sink holes on the property. He advised that there was a washed out area off to the side of the driveway, and during the repair of the building part of that hole has been fixed. Mr. Hamer noted that these are fire trucks going in and out of the driveway, not cars, and part of the plan is to upgrade the driveway so that it will safely serve as a driveway for emergency vehicles. As far as the building sinking, there is no evidence of this. In fact, the building has in-floor heating, and the concrete slab is not leaking, so this building is considered safe for the purpose.

Ms. Lake asked if power was connected to the building prior to the lease being signed. Mr. Hamer advised that some repair work was done prior to the power being restored to the building.

Ms. Lake questioned the term of the lease and the amount of the lease. She queried if residents from the area would be able to comment on how this might affect their lives. Ms. Dempsey advised that this is the purpose of tonight's meeting, and a public hearing will also be held where residents are again welcome to provide input. Property owners within 300 ft. of the proposal will receive a written notice by mail inviting them to the public hearing. A general notice will also be published in the newspaper and placed on the municipal website.

Reid Swinamer of Three Mile Plains questioned how a pumper truck would be able to make a right hand turn out of the driveway. He feels it is not a viable driveway. Mr. Hamer replied that although it was not ideal, he did not see a problem with the driveway.

Mr. Swinamer expressed concern with respect to a development agreement. He stated that after the fire station was gone, that any other commercial use could develop on the property. Ms. Bourque advised this is this is not a development agreement, the proposal is a change to the MPS so the fire station can be done as-of-right. She suggested reviewing the list of permitted uses in the Highway Commercial zone, where many other businesses are permitted as-of-right just by submitting a building and development permit application.

Ms. Dempsey advised that the location of a fire station in the Highway Commercial zone or any other commercial zone is not unusual. She noted that in other areas in the Municipality there are already fire stations located in commercial or residential zones.

Mr. Swinamer asked how many people are required before the Municipality goes through a plebiscite or an election. Ms. Dempsey advised that the next municipal election is in 2016 and is mandated by the Province. She said she could not comment on plebiscites.

Lawrence Boyd asked Mr. Hamer if he inspected the property and knew what was underground. Mr. Hamer advised that he inspected the land around the building, and he was not aware of anything underground. Mr. Boyd advised that the town water line, on two different occasions, broke and water had been running down the road. He stated that the last time this happened the whole yard had to be dug up. Mr. Boyd surmised that the next time the line breaks, the whole yard will be dug up again, and therefore it would be difficult for a fire truck to get out of the driveway. Mr. Hamer thanked Mr. Boyd for his comments. Mr. Hamer advised that he could answer Mr. Boyd's question somewhat. He said that he had spoken with Mr. Hart with respect to the Municipality doing water line repairs, and that the water ran down to the end of the driveway and froze. Mr. Hart advised that there had been a culvert where the water ran in the wrong direction, and as part of the current renovation process, a contractor will be doing some work to resolve the issue.

Ms. Bourque advised that with respect to Mr. Boyd's concern, it is well known that a large portion of West Hants has issues with sink holes. Ms. Bourque noted that those are issues that are addressed when they arise.

Connie Lake asked if the lease agreement has been released for public information. Ms. Osborne advised that the lease agreement has not been released for public information, however, it can be put through FOIPOP.

Harold Follett of Garlands Crossing asked if an environmental assessment was done on the property. Ms. Bourque advised that environmental assessments are only required through the Provincial Environment Act for specific projects such as landfills, wind turbines, etc. The location of a municipal building is not required to have an environmental assessment. However, an informal assessment of soil conditions, steepness of grade, etc. are some things that are looked at through the planning process.

Mr. Follett asked about the contractor who was awarded to do the work on the building. Mr. Hamer advised that a general contractor was not hired, but a plumber, electrician, and a carpenter were hired. Mr. Follett asked if these people who were hired were local. Mr. Hamer said they were.

Mr. Swinamer expressed concern with respect to possible soil contamination by servicing vehicles in the past, and he would like an environmental study done. Ms.

Bourque advised that an environmental assessment is not required for this type of development. Ms. Osborne advised that if the Municipality was interested in purchasing the property then they would go to Nova Scotia Environment and inquire about any issues.

Karen Ferguson of Falmouth asked if a study was done on emergency response timelines. Mr. Hamer said that staff investigated possible emergency response timelines. However, the maps were not available for this meeting.

After determining that all comments had been received and heard, Chair Pineo thanked the public for attending and adjourned the public information meeting at 7:35 p.m.