



**MUNICIPALITY OF THE DISTRICT OF WEST HANTS**  
**Planning Advisory Committee**  
**December 15, 2016, 6:00 p.m.**  
**Sanford Council Chambers**

- PRESENT:** Councillor Jennifer Daniels, Chair  
Warden Abraham Zebian  
Deputy Warden Paul Morton  
Councillor Rupert Jannasch  
Councillor Kathy Monroe  
Councillor David Keith  
Councillor Tanya Leopold  
Councillor Randy Hussey (6:52 p.m.)  
Councillor Robbie Zwicker
- STAFF:** Karen Dempsey, Director of Planning  
Jeanne Bourque, Planner  
Martin Laycock, Director of Finance  
Velma Macumber, Admin. Assistant
- REGRETS:** Councillor Debbie Francis  
Mr. John Smith, Citizen Member
- PUBLIC:** Betty Crockett, Brison Developments Limited  
Six members of the public were present

Chair Daniels called the meeting to order at 6:00 p.m.

Ms. Bourque advised that the Public Information Session was an opportunity for public to give input on the proposed amendments to The Crossing Land Lease Community Development Agreement. Ms. Bourque advised that when the public component of the meeting is complete, then the regular Planning Advisory Committee (PAC) meeting will begin.

**Public Information Session – Amendment to Development Agreement – “The Crossing” Land Lease Community**

Ms. Bourque reviewed an application received from Mitchell Brison of Brison Developments for an amendment to the existing development agreement on The Crossing Land Lease Community. The amendments requested would enable the addition of two unit mini homes, and make minor text amendments. Ms. Bourque advised that the Community Use/Commercial Use building that was added to the 2014 amending agreement, has now been omitted from this development agreement

due to the subdivision of lands on which it was proposed to be built. However, Mr. Brison will be able to build it once he applies for a new agreement. Ms. Bourque noted that Betty Crockett of Brison Developments Limited was present at this meeting.

A member of the public expressed concern with respect to the type of people the proposed development would attract to reside in the mini home park. Ms. Bourque advised that planning policies cannot dictate the tenure of land use, and that whether residents rent or own is market driven, and under the control of the developer.

Concerns were expressed by the public about the number of two unit mini homes that would be permitted in the mini home park, and if the number could be controlled. Ms. Bourque advised that in the existing development agreement, no more than 220 units are permitted in the mini home park, whether they were organized in single or two unit buildings. A member of the public stressed that they did not want to see the number of two unit mini homes be larger than the number of single unit mini homes. Ms. Bourque advised that the number of two unit buildings was left open ended to give the developer flexibility within the 220 unit maximum. She stated that she will contact Mr. Brison to discuss limiting the number of two unit dwellings permitted in the land lease community.

A member of the public suggested that their investment in their mini home may become devalued if two unit mini homes are permitted. Ms. Bourque stated that planning policies do not take into account assessment values, and that questions on assessment should be addressed to the Property Valuation Services Corporation.

A discussion was held about the maintenance and upkeep of the mini home park. Ms. Bourque pointed out that the development agreement was registered on the land, and that there are clauses in it that require the owner to maintain and keep tidy all properties. This agreement provides much more control over how a land lease community appears than is usual for other subdivisions done "as-of-right" in the municipality.

Discussion was held about the emergency access road. Ms. Bourque advised that the emergency access on Irven Drive is required to be complete when the 150th building permit for a dwelling is applied for, or a permit for the second maintenance shed is sought. There is no proposed change to this requirement. In regards to traffic volume, she advised that the existing development agreement permits 220 dwelling units and this maximum was reviewed and allowed for in previous traffic studies. Any further development in this area will require another traffic impact study to be done.

Ms. Bourque advised that the amending agreement will be going to Public Hearing in early January 2017.

A member of the public asked if there was any indication as to when the community centre would be constructed. Ms. Bourque advised that the developer would have to apply for a new development agreement for the construction of the community centre, so at this time it is unknown as to when that will be.

Ms. Bourque stated if the public had any further questions, she would be available after the PAC meeting, and they could also contact her at the planning office.

The Public Information Session adjourned at 6:30 p.m.

### **APPROVAL OF AGENDA & ADDITIONS**

The following item was added under Miscellaneous:

- Siting Locations for Canada Post Community Mail Boxes

**Moved and Seconded that the agenda be approved as amended.**

**Motion carried.**

PAC agreed to move to New Business on the agenda so that folks in attendance at the PIS could observe PAC's discussion.

### **NEW BUSINESS**

#### **Staff Report – to amend Development Agreement for The Crossing Land Lease Community, Garlands Crossing**

Ms. Bourque advised that the next step would be to contact the developer with respect to the number of two unit mini homes proposed. Ms. Bourque advised that the existing development agreement stated that no less than 15 acres shall be reserved for recreational space, which is now approximately 30 percent of the total property. This exceeds the 5 percent open space required for subdivisions, and the 10 percent required for manufactured home parks. Ms. Bourque advised that the underlying zone is R-2 which allows two unit dwellings as-of-right, however, Mr. Brison has reduced that minimum lot size, so an amendment to the development agreement is required to permit the two unit dwellings. Ms. Bourque stated that the draft amending agreement would be reviewed by the municipal solicitor before going to Public Hearing.

Councillor Leopold noted that at the Public Information Session, there appeared to be a certain amount of stigma about people who rent. She stated she felt the development was ideal for this type of accommodation which gives people a wider variety of housing options.

Discussion was held about maintenance and the upkeep of the land lease community which is addressed in Clause 15.0 "Maintenance" of the development agreement and clearly identifies the developer as the one responsible.

Discussion was held about the road network and if it was adequate for the traffic volume in the park. It was noted that several traffic studies were conducted and it was determined that the Irven Drive emergency access was sufficient for this development. Any further development will require a more up-to-date traffic study.

The Committee continued general discussion about emergency access and traffic flow. Planning staff advised that there will be more conversations on this topic in a variety of forums, in the future.

**Moved and Seconded that the 2016 Application for amendments to The Crossing Development Agreement, as contained in the Staff Report of December 15, 2016, and draft Amending Agreement (2016), be sent to Public Hearing, pending legal review.**

**Motion carried.**

#### **APPROVAL OF PUBLIC INFORMATION MEETING AND PLANNING ADVISORY MEETING MINUTES OF NOVEMBER 17, 2016**

**Moved and Seconded that the Public Information Meeting and the Planning Advisory Committee meeting minutes of November 17, 2016 be approved as circulated noting any errors or omissions.**

**Motion carried.**

#### **HANTSPORT AREA ADVISORY COMMITTEE UPDATE FROM CHAIR**

Councillor Zwicker advised that HAAC met on December 14 2016, and they are working on housekeeping items to bring back to PAC. They are also reviewing Bill 177 to see if it could be applied to Hantsport.

Ms. Dempsey advised that the Province passed Bill 177 to enable municipalities to create by-laws to give new commercial endeavors in very specific areas tax breaks. There would be certain financial impacts that must be carefully considered before further action on this would take place.

## **BUSINESS ARISING FROM MINUTES**

### **Update – MPS Amendment – rezoning lands in MR zone**

Ms. Dempsey advised that the MPS amendment regarding enabling the rezoning of lands now zoned Mineral Resource went to Council in December for First Reading. The Public Hearing and Second Reading will be held on January 10, 2017.

### **Information re: Plowing of TIR and Municipal Streets at Garlands Crossing**

Ms. Dempsey addressed the question raised at the last PAC meeting regarding snow plowing of Underwood Road and what might be done to encourage Nova Scotia Transportation and Infrastructure Renewal (TIR) to plow the road earlier due to the number of seniors residing in The Crossing. Staff discussed the matter with the Municipal Engineer, and determined that the roads within the mini home park are plowed by a contractor who must plow within one hour of Underwood Road being plowed. This private contractor does tend to plow sooner rather than later, which means that the park is often plowed before TIR plows Underwood Road. Ms. Dempsey noted that TIR follows a protocol for plowing, and that Underwood Road is classified as a local road.

Councillor Leopold referred to the TIR website which outlines their plowing service protocol.

Staff felt that perhaps Council could write a letter to TIR about this matter. Chair Daniels suggested that the matter should go forward to the CoW for discussion. Councillor Hussey stated that he was willing to contact TIR regarding this matter. Ms. Dempsey suggested that the Municipal Engineer should be involved as well in the discussion with TIR.

## **BUILDING AND DEVELOPMENT ACTIVITY REPORT**

### **Monthly Report of November 2016**

**Moved and Seconded that the Building and Development Activity Report for the month of November be received.**

**Motion carried.**

It was noted that the overall year to date numbers for permits issued and estimated value of construction is up compared to last year at this time.

## **NEW BUSINESS continued**

### **Preliminary Staff Report – Holleman & Assoc., Amendment to Development Agreement – “Ellershouse Landing”**

Ms. Bourque advised that an application was received from Anthony and Sheana Holleman (Holleman and Associates Inc.), to amend the existing development agreement registered on their property at 6004 Highway 1, Ellershouse, also known as Ellershouse Landing. The amendments requested would enable the addition of multiple unit dwellings; and increase the maximum number of dwelling units permitted from 8 to 18. The applicants are proposing to construct a four unit townhouse as well.

Ms. Bourque advised that the full staff report and draft amending agreement will be ready for the Public Information Session to be held prior to the next PAC meeting.

**Moved and Seconded that the Planning Advisory Committee host a Public Information Session to review the application for amendments to the Development Agreement on Ellershouse Landing, 6004 Highway 1, Ellershouse, pending completion of a draft development agreement and full staff report.**

**Motion carried.**

**Moved and Seconded that the Staff Report prepared by Jeanne Bourque, Planner, dated December 15, 2016, re Holleman and Associates Inc. – Application to amend existing development agreement be received and placed on file.**

**Motion carried.**

### **Staff Report – Municipal Planning Strategy (MPS) Transportation Map Amendment**

Ms. Bourque advised that while reviewing new and proposed streets in the Municipality, Planning Staff noted that the Transportation Map (Map 2) which forms part of the MPS had not been updated since the MPS was adopted in June 2008.

Ms. Bourque advised that Planning Staff suggest streamlining the process by adding a new policy that would allow updates to the map without going through the amendment process, resulting in a cost saving to the Municipality for advertising.

**Moved and Seconded that the Planning Advisory Committee direct staff to proceed with a Public Information Meeting on the draft MPS Amendments to the Transportation Map and policies as contained in the Planning Staff Report of December 15, 2016.**

**Motion carried.**

**Moved and Seconded to receive the Staff Report prepared by Jeanne Bourque, Planner, dated December 15, 2016, re MPS Amendment to update the Transportation Map and Policies.**

**Motion carried.**

**Preliminary Staff Report – A.R.E.A. Development Agreement for Ellershouse Wind Farm Expansion**

Ms. Bourque advised that the Planning Department received an application from Minas Energy on behalf of AREA for a development agreement to permit an expansion of seven more turbines to the Ellershouse wind energy facility.

Mr. Laycock and the Committee discussed the amount of municipal tax revenue that could be generated from the full development.

**Moved and Seconded that the Planning Advisory Committee request that Planning Staff review the Environmental Assessment Registration Document for the Ellershouse Wind Farm Expansion, as published on the Nova Scotia Environment Website on November 17, 2016; and that any comments be forwarded to Nova Scotia Environment on behalf of the Planning Advisory Committee on or before December 17, 2016.**

**Motion carried.**

Ms. Bourque advised that she reviewed the Environment Assessment Registration Document and has submitted comments to the appropriate agencies.

**Moved and Seconded to receive the Staff Report prepared by Jeanne Bourque, Planner, dated December 15, 2016, re AREA (Alternative Resource Energy Authority) – Development Agreement for a Wind Energy Facility in Ellershouse, West Hants (PID 45007903).**

**Motion carried.**

## **MISCELLANEOUS**

### **PAC reports and background information**

Ms. Dempsey and Ms. Bourque asked the Committee what their preference was with respect to receiving PAC reports and background information.

The Committee agreed that they would prefer that PAC reports refer to the background information located in another location instead of being attached to the reports which makes them not so cumbersome to review.

### **Stantec Report – Garlands Crossing (*verbal update*)**

Ms. Dempsey noted that in October 2016, the former Council approved the proposed new fire station location in Garlands Crossing. She stated she wanted to comment on the Stantec Report that was submitted, that although there was a lot of good technical information in the report, she did not totally agree with the suggestion to rezone the property to Institutional. Ms. Dempsey noted that the property is currently zoned General Commercial, and she felt that the current zoning was sufficient at this time. It was noted that MPS Policy 4.4.1 and LUB Section 5.7 states that “Municipal buildings and facilities shall be permitted in any zone.” If the property was rezoned, it would restrict the possibilities of what could be done on the property. Ms. Dempsey suggested that if another use was wished for the property, then it should become part of the plan review.

### **Location of Canada Post Community Mail Boxes**

Councillor Leopold advised that a resident contacted her expressing concerns about the location of the Canada Post Community Mail Box in their area. The resident felt the location was unsafe, and asked who was responsible for the siting of the mail boxes.

The Committee discussed Canada Post’s community mail box site selection, and how the sites are chosen. Staff noted that there is an Ombudsman for Canada Post that can be contacted. Staff stated that they would send the contact information for the Ombudsman as well as TIR contact information to Councillor Leopold.

### **NOTICES FROM ADJACENT MUNICIPAL UNITS**

No notices were received.

### **QUESTIONS & COMMENTS FROM PUBLIC**

No members of the public were present at this time.

**ADJOURNMENT**

**Moved and Seconded that the meeting adjourn.**

**Motion carried.**

The meeting adjourned at 7:53 p.m.

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Chair