



**MUNICIPALITY OF THE DISTRICT OF WEST HANTS**  
**Planning Advisory Committee**  
**January 21, 2016 6:39 p.m.**  
**Sanford Council Chambers**

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

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

**GUESTS:** James & Michelle Maynard  
Jane Davis, Hantsport Area Advisory Committee  
Donald Hussey, Hantsport Area Advisory Committee  
Greg Pace, Hantsport Area Advisory Committee  
Bill Preston, Hantsport Area Advisory Committee  
Philip Zamora, Hantsport Area Advisory Committee

Ms. Dempsey called the meeting to order at 6:39 p.m.

**NOMINATION OF CHAIR & VICE CHAIR**

Ms. Dempsey called for nominations for the position of Chair of the West Hants Planning Advisory Committee.

Warden Dauphinee nominated Councillor Pineo as Chair.

Ms. Dempsey called for further nominations.

**Moved by Warden Dauphinee that nominations cease.**

Ms. Dempsey declared Councillor Pineo as Chair.

Chair Pineo called for nominations for the position of Vice Chair of the West Hants Planning Advisory Committee.

Warden Dauphinee nominated Councillor Daniels as Vice Chair.

Chair Pineo called for further nominations.

**Moved by Warden Dauphinee that nominations cease.**

Councillor Daniels accepted the Vice Chair position.

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

**Moved by Warden Dauphinee and Councillor Morton that the agenda be approved as circulated.**

**Motion carried.**

#### **APPROVAL OF MINUTES OF NOVEMBER 19, 2015**

**Moved by Warden Dauphinee and Councillor Brown that the Planning Advisory Committee meeting minutes of November 19, 2015 be approved as circulated noting any errors or omissions.**

**Motion carried.**

#### **BUSINESS ARISING FROM MINUTES**

**Update – Forest Lakes Country Club Resort**  
**Update – Terra Firma Development Corp. – Eagle’s Paradise Amending Agreement**

Ms. Dempsey advised that Council approved Phase 1B, and staff is waiting on the creation of the condominium lot. With respect to Eagle’s Paradise, it is anticipated that the development agreement will be going to Council’s February 2016 meeting for approval.

A brief discussion was held about the progress of the golf course.

### **Update – Development Agreement - Quick As A Wink Theatre Society**

Ms. Bourque advised that staff is waiting for the subdivision process to be completed; once it is completed the development agreement will be signed.

### **Update – Hantsport Area Advisory Committee**

Ms. Dempsey noted that most of the HAAC members are in attendance at this meeting. She suggested that after the PAC meeting was adjourned, they discuss a meeting date for the HAAC.

## **BUILDING AND DEVELOPMENT ACTIVITY REPORTS**

### **Monthly Reports of November and December 2015**

**Moved by Councillor Matheson and Warden Dauphinee that the Building and Development Activity Reports for the months of November and December 2015 be received.**

**Motion carried.**

## **NEW BUSINESS**

### **Application of James & Michelle Maynard - proposed development agreement to allow an auto repair shop at 741 McKay Road, McKay Section (PID 45372224)**

Ms. Bourque reviewed the staff report in detail with respect to the proposed development agreement to allow an auto repair shop at 741 McKay Road in McKay Section. Ms. Bourque reviewed the property location and surrounding land uses. She advised that the applicants propose to establish a home based auto repair shop mainly using an existing two-bay garage located behind their home. Auto repair shops are not permitted as a home based business in West Hants.

She advised that Policy 8.9.4 of the MPS allows Council to consider non-farm development such as a Resource Industrial use, in this case an auto repair shop, in the Agricultural Priority Two (AR-2) zone by development agreement.

In order to restrict the size of the business to accommodate NSTIR safety requirements, as well as protect valuable agricultural land from development, staff propose a number of mechanisms to limit the size of the business. First is to restrict the area upon which the business can be located to a 400 foot by 400 foot area called the "development site". Staff are also using parts of the West Hants Land Use By-law relating to Home Based Business to control the size of the business.

One of the policy requirements for development proposed on Agricultural Priority Two lands is that an agrologist study must be submitted showing that the proposed development will not adversely affect other farms or take good agricultural lands out of production. Ms. Bourque advised that the agrologist study has not been received to date, but in discussion with the professional, the results of the study should be positive as it specifically addresses the development site, and the remainder of the property will not be affected. Ms. Bourque advised that once she receives the study she will circulate it to PAC.

**Moved by Councillor Daniels and Councillor Morton to receive the staff report prepared by Jeanne Bourque, Planner, dated January 21, 2016 with respect to James and Michelle Maynard Development Agreement Proposal.**

**Motion carried.**

Discussion was held about buffering between the business and other properties, signage, noise, lighting, parking, and hours of operation. It was suggested that staff review signage needs with the Maynards and make appropriate changes to the development agreement to permit illuminated signage.

Ms. Bourque briefly reviewed the draft development agreement.

Discussion was held about the number of employees to be permitted to work at the home based business. The development agreement for the Maynards will be amended to permit a larger number of non-resident employees. In addition, stipulations such as this that exist in the current Land Use By-law will be brought forward to the upcoming Plan Review for further general discussion

**Moved by Warden Dauphinee and Councillor Matheson to recommend that Council approve the application of James and Michelle Maynard to enter into a development agreement to allow a home based auto repair shop at 741 McKay Road, McKay Section, West Hants (PID 45372224).**

**Motion carried.**

**Moved by Warden Dauphinee and Councillor Zwicker to recommend that Council require that the development agreement with James and Michelle Maynard be signed within 120 days from the date of final approval by Council or the date that any appeals have been disposed of; otherwise, this approval will be void and obligations arising hereunder shall be at an end.**

**Motion carried.**

Ms. Dempsey advised that the next step would be to send the draft for legal review. Once that is complete and the agrologist study is received, the development agreement would go to a Public Hearing. It is hoped that this would be at the March 8, 2016 Council meeting.

Mr. and Mrs. Maynard left the meeting at 7:45 p.m.

#### **Discussion – multiple unit dwellings in Hamlets**

Ms. Bourque asked the Committee for direction with respect to allowing multiple unit dwellings in the Hamlets, in particular, fourplexes. She noted that fourplexes are not permitted as-of-right anywhere in West Hants. They may be permitted by rezoning in the Three Miles Plains Growth Centre, and, with a great number of restrictions, in the Falmouth Growth Centre. They are not permitted by any mechanism in the Hamlets. She advised that over the years she has had numerous inquiries with respect to allowing multiple unit dwellings in the Hamlets. Once developers are told about current MPS policies, they do not consider it worthwhile to approach Council to change the policies.

Ms. Dempsey asked the Committee to look at the effect of current policy on an aging person who cannot remain in their home but would like to stay in their community. She said staff felt it was important to bring this matter to PAC's attention and inquire if PAC wanted staff to look further into this matter.

Warden Dauphinee declared a conflict of interest at 7:55 p.m. as he owned land in Three Mile Plains.

Councillor Daniels suggested that PAC direct staff to research it further especially when it came to seniors. She asked what capabilities did the Municipality have with respect to affordable housing, and if the Municipal Planning Strategy in any way encouraged affordable housing.

Ms. Dempsey replied that currently there are no specific policies in the MPS relating to affordable housing, but it could be structured to encourage it.

Councillor Matheson suggested that perhaps this matter would be best dealt with at the Plan Review. Ms. Bourque advised that staff considered that option, but as a Plan Review could take several years, staff were wondering if some limited action could be done in the interim. Ms. Bourque expressed concern with respect to continuing to lose potential developers while waiting for a Plan Review to be completed.

**Moved by Councillor Zwicker and Councillor Daniels to direct staff to prepare a report with respect to allowing multiple unit dwellings in general.**

**Motion carried.**

Warden Dauphinee came back to the table at 8:15 p.m.

### **Meeting time**

Chair Pineo stated that for about two years the idea of having the PAC meeting begin at 6:00 p.m. instead of 6:30 p.m. had been entertained, but it was not changed as it was felt that it may create a conflict for some committee members. Recently, in discussion with the citizen members, they were in agreement with the new time. Chair Pineo asked the Committee for their comments.

A brief discussion was held, and it was the consensus of the Committee that future PAC meetings begin at 6:00 p.m. instead of 6:30 p.m.

**Moved by Warden Dauphinee and Councillor Morton that future PAC meetings begin at 6:00 p.m.**

**Motion carried.**

### **MISCELLANEOUS**

No miscellaneous business was heard.

## **NOTICES FROM ADJACENT MUNICIPAL UNITS**

No notices were received.

## **QUESTIONS & COMMENTS FROM PUBLIC**

No members of the public were present.

## **ADJOURNMENT**

**Moved by Warden Dauphinee and Councillor Zwicker that the meeting adjourn.**

**Motion carried.**

The meeting adjourned at 8:20 p.m.

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**Chair**