



MUNICIPALITY OF THE DISTRICT OF WEST HANTS
Planning Advisory Committee
February 18, 2016 6:00 p.m.
Sanford Council Chambers

PRESENT: Councillor Shirley Pineo, Chair
Councillor Jennifer Daniels, Vice Chair
Warden Richard Dauphinee
Deputy Warden Gary Cochrane
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

PUBLIC: Two members of the public were present

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

PUBLIC INFORMATION SESSION

No session scheduled.

APPROVAL OF AGENDA & ADDITIONS

The following items were added under Miscellaneous:

- MCCAP Meeting
- Municipal Heritage Property Program

Moved and Seconded that the agenda be approved as amended.

Motion carried.

APPROVAL OF MINUTES OF PUBLIC INFORMATION SESSION AND PLANNING ADVISORY COMMITTEE OF JANUARY 21, 2016

Moved and Seconded that the Public Information Session minutes of January 21, 2016 be approved as circulated noting any errors or omissions.

Motion carried.

Moved and Seconded that the Planning Advisory Committee meeting minutes of January 21, 2016 be approved as circulated noting any errors or omissions.

Motion carried.

HANTSPORT AREA ADVISORY COMMITTEE

Ms. Dempsey gave a brief report with respect to the Hantsport Area Advisory Committee (HAAC) meeting held on February 10, 2016 at the Hantsport Office. She advised that all members of the Committee were present with the exception of one person. Ms. Dempsey advised that HAAC worked on their terms of reference, and went through an Asset Mapping exercise. The terms of reference will be coming back to the next meeting with some changes. The Asset Mapping exercise was very informative. It gave staff a better understanding about what the HAAC sees as valuable assets in their community under the categories of natural, economic, services, heritage, and social assets etc.

Councillor Zwicker stated he thought it was an excellent meeting. He said it was great to work on the terms of reference, and the Asset Mapping was a good exercise to do. Councillor Zwicker commented that it was a good group of people to work with.

Ms. Bourque agreed with Councillor Zwicker's comments.

BUSINESS ARISING FROM MINUTES

Update – Forest Lakes Country Club Resort

Ms. Dempsey advised that there are two applications currently being processed. With respect to Phase 1B, staff is waiting on the creation of the condominium lot. With respect to Eagle's Paradise, the draft development agreement is being

reviewed in consultation with the municipal solicitor. Both proposals need new property identification numbers (PIDs) before the amending agreements can be completed.

Update – Development Agreement - Quick As A Wink Theatre Society

Ms. Bourque advised that a new property identification number is needed before this development agreement can be finalized.

Councillor Miller asked for details with respect to the location of the project. Ms. Bourque explained the location. Ms. Dempsey advised that the staff report on this matter can be found under the Planning section on the municipal website.

Update – Development Agreement - James & Michelle Maynard

Ms. Bourque advised that the agrologist study has not yet been received. The municipal solicitor has reviewed the draft development agreement and has made a few changes.

Update – Multiple unit dwellings in Hamlets

Ms. Bourque advised that she is working on a staff report with respect to multiple unit dwellings in West Hants. She stated it is hoped that a report will be going to the next PAC meeting in March.

Ms. Dempsey noted that in the community of Hantsport there are three properties that have a multiple residential zoning. Any multiple unit dwelling can be built on these three properties as-of-right.

BUILDING AND DEVELOPMENT ACTIVITY REPORTS

Monthly Report of January 2016

Moved and Seconded that the Building and Development Activity Report for the month of January 2016 be received.

Motion carried.

2015 Annual Report

Moved and Seconded that the 2015 Annual Building and Development Report be received.

Motion carried.

Chair Pineo commended Mr. MacInnis and Ms. Macumber for their work on the Annual Report. She stated she found the report visually appealing. Ms. Macumber thanked Chair Pineo.

Ms. Dempsey pointed out to the Committee that there has been an increase in the total number of permits issued this year compared to last year. She said that the increase in commercial and industrial permits are of a complex nature, for instance, Paddy's Pub, the chick hatchery and BioVectra. They are complicated permits to review, issue and inspect. Multiple inspections are required and the building code requirements are more stringent for those types of permits. She indicated that in preparing next year's budget she wanted to create some flexibility that could enable an increase in hours for the Building Officials, if the trend with increasing numbers of permits continues.

Councillor Daniels asked if the Building Official was the Fire Inspector as well and if the Municipality had the capacity to carry out the allotted fire inspections that are needed in West Hants. Ms. Dempsey advised that the Building Official is also the Fire Inspector. She referred to the last page of the 2015 Annual Report and noted that it outlines the number of inspections done, the type of inspection, and how often that they need to occur. Ms. Dempsey noted that Assembly – Group A occupancies only require inspections every three years. Group A includes community halls, arenas and restaurants. Ms. Dempsey also noted that with Hantsport joining West Hants the number of properties that require fire inspections has increased, and with the Forest Lakes Country Club Resort development continuing to grow, there may be a need in the future for a dedicated fire inspector.

Chair Pineo asked if the municipally owned land in Garlands Crossing has been rezoned. Ms. Bourque advised that the property is zoned General Commercial (GC) and has been since 2008. Ms. Bourque noted that it is in the Commercial Core of the Three Mile Plains Growth Centre. Chair Pineo suggested that if Municipality wished to develop an industrial park they could. Ms. Bourque stated that if the Municipality wanted to develop an industrial park then the property would have to be rezoned.

Warden Dauphinee questioned the zoning of the property prior to 2008. Ms. Bourque advised that she will look into this. Discussion was held about Council's vision for the property, and what type of development would be appropriate for the best use of the property. Staff will prepare a staff report outlining the commercial and industrial zones and what the permitted uses are for each zone, as well as determining if Council can consider either a rezoning or development agreement under the current MPS policies. Staff will discuss this matter with the CAO in order to coordinate efforts.

Warden Dauphinee and Councillor Brown expressed concerns with respect to the length of time it takes to go through the process. Ms. Dempsey explained that Provincial legislation (Municipal Government Act) requires municipalities to go through a public participation process and public hearing to deal with MPS and LUB amendments. This process cannot be shortened with respect to deadlines for advertising, etc.

NEW BUSINESS

Conflict of Interest

Ms. Dempsey advised she wanted to have some discussion with the Committee about what constitutes a conflict of interest. She noted that at the last meeting a committee member had declared a conflict of interest when discussing multiple unit dwellings in West Hants because they owned land in the area. Ms. Dempsey advised that this was unnecessary as the matter was only being discussed in general terms, and it was not site specific. When a committee member has a general interest that is shared with all constituents then it does not constitute a conflict. General discussions about what may or may not be permitted in an area doesn't suggest a conflict just because you are a land owner in the municipality or even the area under discussion.

Warden Dauphinee expressed concern that the general public does not know what constitutes a conflict of interest. He pointed out that sometimes frivolous lawsuits are launched causing financial and emotional stress to individuals. Warden Dauphinee advised that sometimes it may be better to declare a conflict of interest just to be safe than to be taken to court for something frivolous.

Chair Pineo suggested that this matter be brought forward to the Committee of the Whole. A recommendation can be made to Council to take a resolution to the UNSM. Councillor Matheson agreed that the Provincial legislation should be

clarified, and that the general public does not know what is meant by conflict of interest. Chair Pineo suggested this matter be discussed further in the future.

MISCELLANEOUS

MCCAP meeting

Ms. Bourque advised that a MCCAP meeting is scheduled for Wednesday, February 24, 2016 at 9:00 a.m. Graham Fisher, from Department of Municipal Affairs, is going to be a guest speaker at the meeting and his co-worker Mr. Rene Frigault will be talking about the gas tax revenue and municipal climate change initiatives. Ms. Bourque advised that all Councillors in addition to those who sit on the Committee are welcome to attend.

Municipal Heritage Property Program

Ms. Dempsey advised that she had hoped to bring some items to this meeting but was unable. She noted that in November 2014 PAC had given some direction to staff to look at establishing a municipal heritage property grant program for private owners of registered properties that Council would administer. Last year, staff had included a budget item in the Planning Budget for this program but when going through budget deliberations, the line item was taken out. Ms. Dempsey advised that she has included the item again in this upcoming budget, and will be bringing back draft guidelines and an application form for PAC to review at the next meeting. Staff will be looking for guidance at the next meeting on how to proceed.

NOTICES FROM ADJACENT MUNICIPAL UNITS

Town of Windsor

Municipality of the District of Chester

Moved and Seconded that the notices from Louis Coutinho CAO, Town of Windsor, dated January 27, 2016, regarding a Notice of Public Hearing – proposed Town of Windsor Land Use By-law amendment; and from William DeGrace, MCIP, LPP, Senior Planner, Municipality of the District of Chester, dated February 8, 2016, re: Notice of Public Hearing - proposed amendments to the Chester Municipal Planning Strategy and Land Use By-law be received.

Motion carried.

Ms. Dempsey spoke on the matter of the proposed rezoning of a property on Wentworth Road in the Town of Windsor. Although the developer was not proceeding now with the project, the Town will be going forward with the rezoning at the property owners request. Ms. Dempsey advised that she had talked to a business owner about their desire to locate a car dealership in the area and advised them about a vacant property on Cole Drive, where this use would be permitted as-of-right. The developer was not interested in new construction but wanted to locate in an existing building.

QUESTIONS & COMMENTS FROM PUBLIC

Mr. Preston commented that he found the matter of the conflict of interest very interesting, and that it would be very beneficial to have some information on the matter to give out to the public.

ADJOURNMENT

Moved and Seconded that the meeting adjourn.

Motion carried.

The meeting adjourned at 6:55 p.m.

Chair