



MUNICIPALITY OF THE DISTRICT OF WEST HANTS
Planning Advisory Committee
June 16, 2016, 6:15 p.m.
Sanford Council Chambers

- PRESENT:** Councillor Shirley Pineo, Chair
Councillor Jennifer Daniels, Vice Chair
Warden Richard Dauphinee
Deputy Warden Gary Cochrane
Councillor Robbie Zwicker
Councillor Paul Morton
Councillor Randy Matheson
Ms. Tanya Leopold, Citizen Member
Mr. John Smith, Citizen Member
- STAFF:** Karen Dempsey, Director of Planning
Jeanne Bourque, Planner
Velma Macumber, Admin. Assistant
- REGRETS:** Councillor Greg Miller
- ABSENT:** Councillor Reed Allen
Councillor Tom Brown
- PUBLIC:** Three members of the public were in attendance

Chair Pineo called the PAC meeting to order at 6:15 p.m. She advised that regrets were sent by Councillor Miller. No other regrets were received.

APPROVAL OF AGENDA & ADDITIONS

The following item was added under New Business:

- Polling District Boundary Review

Moved and Seconded that the agenda be approved as amended.

Motion carried.

APPROVAL OF PLANNING ADVISORY MINUTES OF MAY 26, 2016

Moved and Seconded that the Planning Advisory Committee meeting minutes of May 26, 2016 be approved as circulated noting any errors or omissions.

Motion carried.

HANTSPORT AREA ADVISORY COMMITTEE UPDATE FROM CHAIR

Councillor Zwicker advised that the HAAC is still a work in progress. He advised that Mr. Preston had attended the NSPDA Conference, and HAAC members will be meeting informally in July.

BUSINESS ARISING FROM MINUTES

Update – MPS and LUB amendments – Multiple unit dwellings

Ms. Bourque advised that staff was looking for direction to go to the next step. If the Committee was in agreement with the proposed amendments, they would go to First Reading. After First Reading, a Notice of Public Hearing would be published in the local paper, with the amendments going to Public Hearing, Second Reading and then Council approval.

Discussion was held about how multiple unit dwellings are assessed by PVSC. Staff advised that it is their general understanding that multiple unit dwellings would have a greater assessed value than regular single unit dwelling. General discussion was held about storm water drainage and how these issues can be controlled through the development agreement process or the subdivision process.

Moved and Seconded that the proposed amendments for multiple unit dwellings proceed to First Reading at the July 2016 Council meeting.

Motion carried.

Update - Forest Lakes Country Club Resort

Ms. Dempsey advised that the development agreement is still before the developers.

Ms. Dempsey advised that the developer extended an invitation to PAC and HAAC members and planning staff to attend their open house event on Sunday, June 19, 2016 from 1:00-5:00 p.m. She said she would check to see if the invitation was distributed.

Update - Development Agreement - James & Michelle Maynard

Ms. Bourque advised that the applicants have signed the development agreement and it has been sent to the Registry of Deeds. This matter is now complete and can be taken off the agenda.

Update - Development Agreement – Jonathan Lucas

Ms. Bourque advised that the development agreement has been signed and has been sent to the Registry of Deeds. This matter is also now complete and can be taken off the agenda.

Update – LUB Amendment – Sustainable Blue Fish Farming

Ms. Bourque advised the Public Hearing for LUB amendment was held at the June 14, 2016 Council meeting. Council approved the amendments and the Notice of Approval will be published in the June 20, 2016 Valley Journal Advertiser. If no appeals are received by the time that the appeal period expires, the amendments will go into effect.

Update – Municipal Newsletter article re growth & development in West Hants

Ms. Dempsey advised that she wanted to let the Committee know that the planning department prepared a good news story for the municipal newsletter with respect to recent development activity throughout the municipality. The newsletter will be published within the next few weeks.

BUILDING AND DEVELOPMENT ACTIVITY REPORT

Monthly Report of May 2016

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

Motion carried.

Discussion was held with respect to the increase in building and development permits for 2016. The Committee also discussed infrastructure charges and questioned where the matter rested over the last few years. The Committee directed staff to research previous minutes and reports.

NEW BUSINESS

Polling District Boundary Review

Chair Pineo advised that the municipality's appeal to the Supreme Court of the UARB's boundary decision on electoral districts has been dismissed; Hantsport will have their own polling district.

Chair Pineo asked staff if the rest of Municipality can stay where they were at the last election with the same boundaries. She noted that polling districts are supposed to be within + or -10 percent variance but the UARB went with a 26 percent variance for Hantsport.

Ms. Dempsey advised that she was unsure as to whether she could address all the questions but what she can tell the Committee is that she did attend Supreme Court and listened to the arguments made on behalf of the Municipality. She advised that the onus was on the Municipality's solicitor to prove that there were errors made in the law by the UARB's decision. Ms. Dempsey noted that the solicitor had previously advised Council that there were no guarantees and the matter relied on legal arguments demonstrating that the decision was illegal. Ms. Dempsey noted that the solicitor representing the Municipality did a very good job trying to address the fact that the Municipality was directed in the Dissolution Order by the UARB to use the Stantec Report when doing the boundary review. She also noted that public consultation did occur and the Municipality was advised that no further public consultation was required. However, the decision rendered by the Supreme Court was that the appeal be dismissed. Ms. Dempsey felt the Court implied that even if the Municipality could prove that the decision by the UARB was unreasonable, it would not be enough to overrule the UARB's decision. The Supreme Court will give some reasoning behind the dismissal at a later date. Ms. Dempsey advised that the Court knew that the Municipality had requested a timely response to the appeal.

Ms. Dempsey clarified that it is not as though Hantsport has one representative, but rather its own polling district. She reminded PAC that a person does not have to reside in a polling district to run in that district. Based on this ruling there will be 10 polling districts in West Hants, with Hantsport's polling district following former Town boundaries.

Ms. Dempsey stated that since the UARB's decision was rendered, in anticipation of the Municipality not winning the appeal, staff has been working on a boundary scenario to attempt to satisfy the UARB decision. She stated that it is hoped that something will be ready for the Committee of the Whole meeting on June 28th.

A lengthy and intense discussion followed in which the Warden, Deputy Warden and most councilors present expressed their frustration and concern regarding the UARB decision and the effect that the Supreme Court dismissal of our appeal will have on the other nine polling districts in West Hants. Specifically noting that many

communities of interest exist within the municipality, yet it appears that greater importance has been given to one community at the expense of many others which in turn creates inequity and substantial deviation from the UARB guidelines.

Chair Pineo advised that the Committee can have further discussion on the matter at the CoW meeting.

MISCELLANEOUS

No miscellaneous business to be discussed.

NOTICES FROM ADJACENT MUNICIPAL UNITS

Town of Windsor

Moved and Seconded to receive the Notice of Intent from Town of Windsor Planning Staff, dated May 30, 2016, regarding a Public Hearing re proposed Town of Windsor Municipal Planning Strategy and Land Use By-law amendments for the Town Centre Zone.

Motion carried.

QUESTIONS & COMMENTS FROM PUBLIC

A member of the public asked how the Municipality's property taxes compared with other municipal units. The Warden provided both the residential and commercial tax rates for West Hants, Windsor and Hantsport. Ms. Bourque stated she would email the exact numbers to the questioner.

Bill Preston from Hantsport expressed concern several times throughout the meeting over a problem ditch in front of his house. This is a Public Works matter if it is on the municipally owned right-of-way, but if it is on privately owned land, it is the responsibility of the land owners to resolve. Mr. Preston advised that the Director of Public Works had visited his property.

Questions were posed about the service agreement between the former Town of Hantsport and the developer of McCully Pines, Hantsport Developments Ltd. Staff advised that the service agreement is being researched and we are awaiting files and information from Hantsport's solicitor who handled the agreement for the former town.

ADJOURNMENT

Moved and Seconded that the meeting adjourn.

Motion carried.

The meeting adjourned at 7:25 p.m.

Chair