



**MUNICIPALITY OF THE DISTRICT OF WEST HANTS  
Planning Advisory Committee  
July 21, 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 Tom Brown  
Councillor Robbie Zwicker  
Councillor Paul Morton  
Councillor Greg Miller  
Mr. John Smith, Citizen Member
- STAFF:** Karen Dempsey, Director of Planning  
Velma Macumber, Admin. Assistant
- REGRETS:** Jeanne Bourque, Planner  
Ms. Tanya Leopold, Citizen Member
- PUBLIC:** Two members of the public were in attendance

Chair Pineo called the PAC meeting to order at 6:00 p.m. and explained fire evacuation procedures. She advised that regrets were received from Ms. Leopold that she would not be attending this meeting.

**APPROVAL OF AGENDA & ADDITIONS**

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

**Motion carried.**

**APPROVAL OF PLANNING ADVISORY  
AND PUBLIC PARTICIPATION MEETING MINUTES OF June 16, 2016**

**Moved and Seconded that the Planning Advisory Committee and Public Participation meeting minutes of June 16, 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 met on July 13<sup>th</sup> to deal with one issue; housekeeping amendments to the Hantsport Land Use By-law with respect to existing two unit dwellings.

Ms. Dempsey briefly explained that the housekeeping amendments were to recognize existing two unit dwellings in the Single Unit Residential (R-1) zone in Hantsport. She advised that planning staff had received inquiries about a residential property in Hantsport with respect to zoning and potential uses; a two unit dwelling in the R-1 zone. Staff researched the matter and found that the intent of the 2010 HMPS was to recognize existing two unit dwellings and zone them R-2. This is evidenced by the MPS statement, "The two unit zone will also apply to the existing two unit development in the Town." However, the R-2 zoning was not reflected in the new Zoning map adopted in 2010 and contained in the LUB. This makes existing two unit dwellings in the R-1 zone non-conforming. Staff conducted a site visit and noted other two unit dwellings in the area, and felt that there had been an oversight in the drafting the 2010 HLUB. Ms. Dempsey noted that there are no enabling policies in 2010 HMPS that would allow rezoning property from R-1 to R-2, although there are policies that would enable rezoning from R-1 to R-3 (Multiple Unit Residential).

**Moved and Seconded that the Report to the Planning Advisory Committee prepared by Jeanne Bourque, Planner, dated July 21, 2016, re HAAC recommendation of July 13, 2016 be received.**

**Motion carried.**

Ms. Dempsey advised that HAAC passed a motion to forward the proposed amendments to PAC for consideration and action.

Discussion was held with respect to the HLUB amendments and what was meant by "existing two unit dwellings." The amendments would refer to two unit dwellings existing prior to the adoption of the Hantsport Planning Documents in September 2010 and the definition of "existing" in the LUB would be amended to reflect this. It was the consensus of PAC that these housekeeping amendments would keep everything up to date.

**Moved and Seconded that PAC recommend that Council hold First Reading of the proposed Hantsport Land Use By-law amendments to permit existing two unit dwellings in the Single Unit Residential (R-1) Zone, as contained in the Planning Staff Report to the Hantsport Area Advisory Committee dated July 13, 2016.**

**Motion carried.**

## **BUSINESS ARISING FROM MINUTES**

### **Update - Forest Lakes Country Club Resort**

Ms. Dempsey advised that staff have had their monthly meeting with Terra Firma Development Corporation representatives on the progress of the development. Ms. Dempsey advised that the two amending agreements were closer to being signed. Building permits have been issued for a 12 unit dwelling, two 4 unit dwellings, and several single unit dwellings to date.

### **Update – LUB Amendment – Sustainable Blue Fish Farming**

Ms. Dempsey advised the appeal period expired with no appeals received by the UARB. She stated that the zoning map has been changed to reflect the amendment. This matter can now be removed from the agenda.

### **Update – MPS and LUB Amendments – Multiple Unit Dwellings**

Ms. Dempsey advised that First Reading of the amendments was held at the July 12 Council meeting. The Public Hearing and Second Reading are scheduled for the August 9, 2016 Council meeting.

### **Update – Re Infrastructure Charges**

Ms. Dempsey gave a verbal update with respect to research on infrastructure charges. She advised that PAC directed staff to review records such as minutes, reports, etc. with respect to the status of infrastructure charges. Ms. Dempsey advised in February 2014, Council passed a motion and directed staff to start a RFP. Unfortunately, this was not followed through due to the many issues the Municipality was dealing with at that time. Ms. Dempsey advised that in discussion with the CAO, Ms. Osborne suggested that PAC refer the matter to her.

**Moved and Seconded that the matter of infrastructure charges be referred to the CAO to begin the RFP process.**

**Motion carried.**

## **BUILDING AND DEVELOPMENT ACTIVITY REPORT**

### **Monthly Report of June 2016**

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

**Motion carried.**

## **NEW BUSINESS**

### **Staff Report – MPS Amendment to enable consideration of rezoning land currently zoned Mineral Resource (MR)**

Ms. Dempsey advised that staff received an inquiry from a resident who was interested in starting up an auto repair shop on their property that contains a house and garage and is zoned MR. However, an auto repair shop is not a permitted use under the MR zone, and there are no policies in the MPS to allow Council to consider rezoning land zoned Mineral Resource to any other zone.

Ms. Dempsey advised that there are a number of properties that are zoned MR, and that the Municipality could receive similar requests. She suggested that this matter could be dealt with by developing a policy to enable the rezoning of MR land. Ms. Dempsey stated that it is staff's opinion that it should be considered as a housekeeping amendment as it would have an impact on other properties zoned MR. Ms. Dempsey stated that staff is asking for direction from the Committee.

### **Moved and Seconded that PAC recommend that a detailed report be done on how Council could enable, through a housekeeping amendment to the MPS, the rezoning of land now zoned Mineral Resource to accommodate other uses.**

Discussion was held with respect to pros and cons of rezoning properties that are zoned MR.

Councillor Zwicker expressed a concern that if the zoning was changed on the properties currently zoned MR it may affect the potential of Fundy Gypsum restarting their operations in the future.

Chair Pineo felt that this issue would be better addressed during the Plan Review.

Councillor Matheson felt that dealing with the matter now would be something that the Committee would not have to deal with during the Plan Review.

Councillor Daniels voiced her support and suggested that it was important to encourage home based businesses in the Municipality.

### **Motion carried.**

Ms. Dempsey noted that the amendments would not affect the existing Fundy Gypsum properties. However, if the company decides to sell any of their properties, then there would a policy in place to rezone property zoned MR to deal with other uses.

Staff will prepare a detailed report on this matter, considering how this would impact other areas, as well as what would be the best options for Council to provide the future re-use of the lands zoned MR.

## **MISCELLANEOUS**

No miscellaneous business was heard.

## **NOTICES FROM ADJACENT MUNICIPAL UNITS**

**Municipality of Chester**  
**Municipality of East Hants**

**Moved and Seconded to receive the Public Hearing Notice from Sean Gillis, Planner, Municipality of the District of Chester, dated June 20, 2016, re Municipal Planning Strategy and Land Use By-law amendments – industrial development at Kaizer Meadow; and to receive the Municipal Plan Review Public Hearing Notice from Connie Nolan, CAO & Municipal Clerk, Municipality of East Hants, dated July 4, 2016.**

**Motion carried.**

## **QUESTIONS & COMMENTS FROM PUBLIC**

Bill Preston noted the Committee's discussion with respect to infrastructure charges and wondered if the new Glooscap development would impact Hantsport water and sewer rates. He stated that residents are concerned that the rates will increase.

Councillor Zwicker advised that the water services are provided by Hantsport; sewer services are provided by Kings County. He stated that the Glooscap development will make the water utility run more efficiently. Councillor Zwicker surmised that there probably will not be any increases.

Chair Pineo advised that the Municipality has no authority to change the rates. The Nova Scotia Utility and Review Board is the body that makes changes to the water rates, in which there would have to be a water rate study done.

Ms. Dempsey stated that with respect to infrastructure charges, they would apply to the Growth Centres of Falmouth and Three Mile Plains, and Hantsport, as new development occurs. Ms. Dempsey quoted "Development related to growth should pay for itself rather than imposing a burden on existing residents".

Councillor Zwicker noted that the sewer services agreement with Kings County needed to be reviewed to see if it was cost equitable.

**ADJOURNMENT**

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

**Motion carried.**

The meeting adjourned at 7:00 p.m.

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Chair