



**MUNICIPALITY OF THE DISTRICT OF WEST HANTS
Planning/Heritage Advisory Committee
November 16, 2017, 6:00 p.m.
Sanford Council Chambers**

- PRESENT:** Councillor Jennifer Daniels, Chair
Councillor Tanya Leopold, Vice Chair
Warden Abraham Zebian
Councillor David Keith
Councillor Rupert Jannasch
Deputy Warden Paul Morton
Councillor Kathy Monroe
Councillor Debbie Francis
Councillor Randy Hussey
Mr. Matt Smith, Citizen Member
Mr. John Smith, Citizen Member
- STAFF:** Madelyn LeMay, Director of Planning & Development
Saira Shah, Planner
Sara Campbell, Planner
Hartley Atwell, GIS Technician
- REGRETS:** Councillor Robbie Zwicker
- PUBLIC:** 29 members of the public were present throughout the three Public Information Meetings

Chair Daniels called the meeting to order at 6:00 p.m. and reviewed fire evacuation procedures. She noted that regrets were received from Councillor Zwicker, and that Mr. Matt Smith and Councillor Francis would be leaving at 7:00 p.m.

PUBLIC INFORMATION MEETING – LAND USE BY-LAW AMENDMENTS – BRISON DEVELOPMENTS (SAIRA SHAH)

Chair Daniels introduced the Public Information Meeting.

Ms. Shah reviewed her November 16, 2017 report which was earlier circulated to PAC with the Agenda package.

Members of the public present raised the following concerns:

- traffic flow and the number of vehicles; it is very busy when people are trying to get to work in the morning;
- the area has never been properly developed;
- there should be a second access; and
- one individual noted that she lives in the Town of Windsor and wanted clarification on when the Town of Windsor would have an opportunity to provide a statement regarding this development.

Planning staff noted that the number of dwelling units developed will be restricted in the Land Use By-law by figures developed by a consultant preparing a Traffic Impact Analysis, and approved by Department of Transportation and Infrastructure Renewal (DTIR). In response to a question, planning staff also noted that the Town of Windsor will be advised of the Public Hearing regarding the proposed amendments and can comment to the Municipality if it so wishes.

PUBLIC INFORMATION MEETING – DEVELOPMENT AGREEMENT - DEVELOPMENT AGREEMENT TO PERMIT A DISTILLERY AT 329 FALMOUTH DYKE ROAD, FALMOUTH (SAIRA SHAH)

Chair Daniels introduced the Public Information Meeting.

Ms. Shah reviewed her November 16, 2017 report which was earlier circulated to PAC with the Agenda package. Members of the public present raised the following questions and concerns:

- would the size of the distillery be limited to the current garage by the development agreement?
- what other uses are allowed on the lot by the development agreement?
- concerned about noise, odours and traffic

The developer commented that:

- all stillage will be disposed of off-site
- only natural cleaning products will be used
- ingredients are natural (sugar and yeast)
- since the product is flammable, the fire code will be strictly applied and followed
- NSLC requires them to have retail space; since they do not want retail space, they would not object to more restricted retail hours
- starting the business at this location would provide a good incubation site and they have no intention of expanding on the site
- the ethanol fumes will be primarily contained within the site; if they lose fumes they lose alcohol

Members of the public were also concerned with:

- fumes affecting individuals with lung problems
- the Municipality sounds "pro" this development
- it is questionable whether the development is beneficial for the area
- distilleries are dangerous
- the development is much larger than the letter implied
- retail sales are a surprise
- Falmouth should be a safe clean environment and a quiet area for children

A member of the public noted that:

- no one wants to live next to a distillery; he does not want explosions next door
- other places could be rented or leased for this work

Planning staff explained how an application is measured against criteria established in the Municipal Planning Strategy by Council rather than whether staff feel the development is "good" or "bad". It was noted that the criteria was established in 2008 and will be reviewed during the overall review of planning documents that is beginning now.

PUBLIC INFORMATION MEETING– WEST HANTS LAND USE BY-LAW AMENDMENTS – HOUSEHOLD LIVESTOCK (SAIRA SHAH)

Chair Daniels introduced the Public Information Meeting.

Ms. Shah reviewed her November 16, 2017 report which was earlier circulated to PAC with the Agenda package. The following comments were made by members of the public present:

- chickens are a gateway to agriculture for children
- allowing chickens would be a very positive step
- roosters could perhaps be considered if a family member is registered in a 4H program
- "meat" birds might be as appropriate as laying hens as they are on a lot a shorter time
- number of chickens could be directly related to lot size and changed incrementally
- allowance could be expanded to all fowl, so it would include ducks; it should be more inclusive
- a rooster is needed for show birds
- a member of the Federation of Agriculture would be pleased to help design or in carrying out enforcement if needed

- there could be a rat problem; the By-law should regulate the manner in which the feed is stored and require that coops be kept clean

Since no further members of the public wished to speak, the public information meetings were closed.

The Chair introduced a new planner, Sara Campbell, and welcomed staff member Hartley Atwell to the meeting.

APPROVAL OF AGENDA & ADDITIONS

The following items were added:

- the request for a heritage grant at 744 Highway 236 was added as 10(e)
- consideration to change the date of the December PAC/HAC was added as 10(f)
- Item #12, Municipal Planning Strategy review was moved to follow 10 (a).

Moved and Seconded that the agenda be approved as amended.

Motion carried.

APPROVAL OF PLANNING ADVISORY MEETING MINUTES OF OCTOBER 19, 2017

MOVED and SECONDED that the Planning Advisory Committee meeting minutes of October 19, 2017 be approved as circulated noting any errors or omissions.

Motion carried.

HANTSPORT AREA ADVISORY COMMITTEE UPDATE FROM CHAIR

In the absence of the Chair, planning staff noted that:

- considerable discussion had taken place regarding Household Livestock and further information will be given to HAAC; and
- a discussion paper regarding the Hantsport Commercial designation and zone resulted in the HAAC requesting a report be drafted regarding one of the options presented.

BUSINESS ARISING FROM MINUTES

Update - Hantsport Land Use By-law Amendments – Multiple Residential (R-3) Zone

Ms. LeMay advised that the process is now complete, and the amendments are in place. This item can now be removed from the agenda.

Update: Hantsport Land Use By-law Amendment to Rezone 7 Jubilee Road from Single Unit Residential (R-1) to Two Unit Residential (R-2)

Ms. LeMay advised that the process is now complete, and the amendments are in place, and Mrs. McQueen was notified. This item can now be removed from the agenda.

Update - HLUB Amendment: Addition of Museums to the Commercial (C) Zone

Ms. LeMay advised that the Public Hearing and Second Reading by Council took place on November 14; the amendment was approved, and notice will appear in next week's paper.

Update – Land Use By-law Amendments: Rezone 1989 Wentworth Road, Newport Station, and Text Amendment to allow Aquaculture and aquaponic industries in the Hamlet Industrial (M-2) Zone

Ms. LeMay advised that the Public Hearing and Second Reading by Council took place on November 14; the amendment was approved, and notice will appear in next week's paper as well.

BUILDING AND DEVELOPMENT ACTIVITY REPORT

Monthly Report – October 2017

No comments or questions were heard with respect to the report.

Mr. Smith and Councillor Francis left the meeting at 7:00 p.m.

NEW BUSINESS

Supplementary Staff Report - Land Use By-law Amendments – Brison Developments Ltd. (Saira Shah)

PAC/HAC members noted that the Joint Border Committee is being re-developed and the need for a second access/egress in this area would be a useful discussion.

Concern was also raised that reducing the side yard requirements would pose issues for fire fighters and contribute to an unattractive development.

Planning staff indicated that both the Building and Fire Codes will still have to be met. The reduced side yards and lot frontages proposed for the LUB amendment reflect the requirements now in the development agreement. By reducing the requirements in the Land Use By-law will help ensure non-conforming uses are not created in the long term. In terms of creating an unattractive development, details regarding appearance of the development will be included in the development agreement.

MOVED and SECONDED that PAC recommends that Council give First Reading and hold a public hearing to consider amending:

- **the map of the West Hants Land Use By-law to amend the zoning of lands within the Underwood Road Area from the Two Unit Residential (R-2) Zone to the Multiple Residential (R-3) Zone as attached as Figure 3 to the planning staff report to the Planning Advisory Committee dated October 19, 2017; and**
- **the text of the West Hants Land Use By-law to limit development in the Underwood Road Area and add a definition for Community Use/Local Commercial Building as attached as Appendix A to the planning staff report to the Planning Advisory Committee dated October 19, 2017.**

Motion carried.

MISCELLANEOUS

Discussion – Municipal Planning Strategy Review

Ms. Atwell and Ms. Shah reviewed the process being used to prepare updated land use mapping as one of the bases for the plan review. Ms. Atwell described the mapping process, the use of the Provincial Land Use Code which she has modified and tailored for use in West Hants, the areas which have been mapped and remain to be mapped, and the types of uses encountered.

Ms. Atwell also described the “side project” of revising the future draft of the zoning map so it will be ready to accept changes, hopefully during the plan review. Parcels will be zoned individually rather than as a block, and the zone boundary will be moved to the center line of the roads so that zones actually abut one another.

NEW BUSINESS continued

Supplementary Staff Report – Development Agreement to permit a Distillery at 329 Falmouth Dyke Road, Falmouth (Saira Shah)

PAC members queried whether a plebiscite is needed, but no plebiscite is required. It was noted that it is uncertain whether the product will be successful, so this location provides an opportunity to determine the likely success.

The Warden has received several e-mails and calls as it is within his District. He noted that the area is densely developed, and homes are valuable, and he would like more information. The Senior Building Official's suggestion that the owners hire a Fire Protection Engineer to develop structural and evacuation plans etc. was discussed. It was noted that allowing small businesses to develop in association with a home provided a good place for incubator businesses, but the neighbourhood also needs to be respected.

MOVED and SECONDED that Council give First Reading and hold a public hearing to consider entering into a development agreement to allow a distillery and retail operations at 329 Falmouth Dyke Road, (PID45370780) which is attached as Appendix A in the Planning Advisory Committee staff report dated November 16, 2017.

Motion carried.

Councilor Leopold suggested an additional motion to reduce the hours of operation and require the applicant hire a fire protection engineer in the development agreement before the application is received by Council.

MOVED and SECONDED that that planning staff consult with the owners regarding reducing the hours of operation and hiring a Fire Protection Engineer and that these be included within a revised draft development agreement.

Motion carried.

Recommendation Report - Household Livestock Amendment West Hants (Saira Shah)

It was noted that having a deer hanging in a garage may be more "offensive" than having chickens slaughtered on a lot. A conversation regarding other livestock such as goats and pigs should also take place.

MOVED and SECONDED that staff consider further options and return a discussion paper which should include:

- broadening consideration to all fowl
- consider including rabbits
- slaughter of fowl on the lot
- perhaps differentiate the requirements and allowances by zone
- address food storage and condition of coops
- consider allowing roosters

Motion carried.

Request for Heritage Permit: 744 Highway 236; Dimock House (Madelyn LeMay)

Ms. LeMay reviewed her November 16, 2017 report which was earlier circulated to PAC with the Agenda package in detail.

MOVED and SECONDED that Council consider the removal of the Selkirk chimney, the replacement of the existing rain gutters and downspouts with either vinyl or aluminum versions, including adding gutters and downspouts where needed, and the removal of one window on the east side of the ell as non-substantial alterations and advise the applicant that no Heritage Permit is required.

Motion carried.

Request for Heritage Grant: 744 Highway 236; Dimock House (Madelyn LeMay)

Ms. LeMay reviewed her report.

MOVED and SECONDED that Council provide a maximum grant of \$5,000.00 to Dawson Shupe and Hailee Kehoe, owners of 744 Highway 236, Scotch Village, in order to facilitate the alterations to the main building located at 744 Highway 236, Scotch Village listed in Appendix A of the report dated November 16, 2017, and that the funding be provided from Account # 0126110-21130 only in accordance with the provisions of the *Municipal Heritage Property Conservation Work Grant Guidelines*.

Motion carried.

Next Meeting

The next PAC/HAC meeting will be scheduled for December 14, 2017 at 6:00 p.m.

NOTICES FROM ADJACENT MUNICIPAL UNITS

No notices were received.

QUESTIONS AND COMMENTS FROM PUBLIC

No further questions or comments were heard by the public who were present.

ADJOURNMENT

MOVED and SECONDED that the meeting adjourn.

Motion carried.

The meeting adjourned at 8:35 p.m.

Chair