



**MUNICIPALITY OF THE DISTRICT OF WEST HANTS  
Planning/Heritage Advisory Committee  
May 24, 2018, 6:00 p.m.  
Sanford Council Chambers**

- PRESENT:** Councillor Jennifer Daniels, Chair  
Councillor Tanya Leopold, Vice Chair  
Warden Abraham Zebian  
Councillor Robbie Zwicker  
Councillor Kathy Monroe  
Councillor David Keith  
Councillor Rupert Jannasch  
Councillor Debbie Francis  
Councillor Randy Hussey  
Mr. Matt Smith, Resident Member
- STAFF:** Madelyn LeMay, Director of Planning & Development  
Saira Shah, Planner  
Sara Campbell, Planner  
Kristyn Remme, Planning Intern  
Velma Macumber, Admin Assistant
- REGRETS:** Deputy Warden Paul Morton
- ABSENT:** Mr. John Smith, Resident Member
- PUBLIC:** One member of the public was present.

**MEETING CALLED TO ORDER**

Chair Daniels called the meeting to order at 6:00 p.m. and reviewed fire evacuation procedures. She introduced Kristyn Remme, Planning Intern, who is from Avonport and will graduate from the Natural Resources Environmental Technology program at the NSCC in Port Hawkesbury in June. Ms. Remme's goals are to pursue a career in land reclamation, rehabilitation, and conservation work.

**APPROVAL OF AGENDA & ADDITIONS**

**MOVED and SECONDED that the agenda be approved as circulated.**

**Motion carried.**

## **APPROVAL OF PLANNING ADVISORY MEETING MINUTES OF APRIL 19, 2018**

**MOVED and SECONDED that the Planning Advisory Committee meeting minutes of April 19, 2018 be approved as circulated noting any errors or omissions.**

**Motion carried.**

## **HANTSPORT AREA ADVISORY COMMITTEE UPDATE FROM CHAIR**

Councillor Zwicker gave a verbal report. He advised that the main discussion at the HAAC meeting dealt with the matter of household livestock. Councillor Zwicker noted that there are two public information sessions scheduled in June; one afternoon session and an evening session. The purpose of the sessions is to get input from the community on the household livestock amendments. He advised that Bill 177 was also discussed at the meeting.

## **BUSINESS ARISING FROM MINUTES**

### **Update – Land Use By-law Amendment – Rezoning 80 Robert Drive from Rural Residential (R-4) Zone to Hamlet Industrial (M-2) Zone (Sara Campbell)**

Ms. Campbell noted that the Appeal Period expired on May 9, 2018 with no appeals received by NSUARB. This matter can be removed from the agenda.

### **Update – Hantsport Commercial Zone (Saira Shah)**

Ms. Shah advised that correspondence was received from Municipal Affairs, stating that the documents were reviewed, and it was determined that the amendments do not fall within any of the categories requiring Ministerial approval. The Notice of Approval was published in the Valley Journal Advertiser on May 1, 2018 and the amendments became effective on that date. This matter can now be removed from the agenda.

### **Update – Development Agreement to allow a chiropractic clinic on Falmouth Dyke Road, Falmouth (PID 45394210) (Sara Campbell)**

Ms. Campbell advised that the Appeal Period expired on May 3, 2018 with no appeals received by NSUARB. The applicant and Warden signed the agreement on May 22, 2018. The agreement has been sent to the lawyer to record at the Land Registry Office. This matter can be removed from the agenda.

### **Update – Household Livestock – (Saira Shah)**

Ms. Shah informed the Committee that six (6) Public Information Meetings have been arranged for June 2018. Posters to advertise the meetings were provided for Committee members to distribute.

### **Bill 177 – (Sara Campbell)**

Ms. Campbell provided the Committee with an overview of Bill 177 and how the Municipality can make use of this opportunity. She described that the first step in this process is to designate a Commercial Development District through an amendment to the Municipal Planning Strategy. She asked the Committee members what area(s) they would like to designate as the Commercial Development District.

The Committee members agreed that they would like to explore the possibility of including the Windsor-West Hants Joint Industrial Park as part of the Commercial Development District. Staff will contact the Town of Windsor staff on this matter. The Committee also agreed with Ms. Campbell's suggested areas for the Commercial Development District designation in Three Mile Plains and Falmouth. The Committee directed staff to extend the Commercial Development District designation in the Falmouth Growth Centre to include the area around Pothier Motors.

Ms. Campbell advised that the process for the MPS Amendment could take approximately six months and the By-law Development process may coincide with this.

**MOVED and SECONDED that PAC recommends that staff prepare the necessary revisions to the Planning Documents and create the by-law to outline the phased in assessment to utilize Bill 177.**

**Motion carried.**

### **Update – Heritage Information (Madelyn LeMay)**

Ms. LeMay advised that Rhonda Brown, Municipal Clerk, had prepared a Notice of Public Hearing for the revisions to the Heritage Property By-law.

### **Municipal Planning Strategy: Public Engagement (Saira Shah and Sara Campbell)**

Ms. Shah presented a proposed Public Engagement Schedule for the Plan Review. In the proposed schedule, staff will prepare for the public engagement in the summer of 2018 and hold public engagement meetings in the fall of 2018.

**MOVED and SECONDED that PAC recommends that Council approve the public engagement schedule for the Municipal Planning Strategy review attached as Appendix A to the report dated May 24, 2018.**

**And**

**that PAC accept and place on file the Municipal Planning Strategy Background Reports attached as Appendix B to the report dated May 24, 2018.**

**Motion carried.**

Ms. LeMay advised that staff reserve the right to edit the background reports for typographical errors. Chair Daniels commented that she appreciated the inclusion of youth in the Public Engagement Schedule.

## **BUILDING AND DEVELOPMENT ACTIVITY REPORT**

### **Monthly Report - April 2018**

No comments were made on the report.

## **NEW BUSINESS**

### **Discharge of Development Agreement: Kaleb and Sarah Fifield (Madelyn LeMay)**

Ms. LeMay presented information with respect to the request for discharge of a development agreement. In 2006, West Hants entered into a development agreement with Peter and Valerie Lewis to allow a variety of "non-resource" commercial retail uses and a restaurant on their lot (PID #45166329). The lot was sold to the present owners, Benjamin and Amy Hunter. Although the uses have never been established, the development agreement does not contain a standard clause which would require the uses to begin within an agreed-upon period.

Ms. LeMay advised that the property was subdivided in 2016 and a portion of the lot was sold to and consolidated with an adjacent lot owned by Mr. and Mrs. Fifield. Because of this subdivision and consolidation, the development agreement was automatically attached to the Fifield lot. Mr. and Mrs. Fifield have no interest in the development agreement and have requested that the agreement be discharged from their lot. Mr. and Mrs. Hunter wish to keep the agreement on their lot as they see it as a benefit.

**MOVED and SECONDED that PAC recommends that Council discharge the Development Agreement entered into on June 29, 2006 between the Municipality of the District of West Hants and Peter and Valerie Lewis for the lot at 1166 Highway 236 (PID 45166329) from only that portion of the lot subdivided from PID #45166329, conveyed to Kaleb and Sarah Fifield in 2016 and consolidated with PID #45193570.**

### **Motion carried.**

A brief discussion was held about how long a development agreement remains in place. It was noted that most agreements contain a clause which permits Council to discharge a development agreement if there has not been development within a certain amount of time.

### **NOTICES FROM ADJACENT MUNICIPAL UNITS**

No notices were received during April 2018 that were relevant to West Hants.

Councillor Jannasch left the meeting at 6:36 p.m.

### **MISCELLANEOUS**

#### **Presentation: Creating Incentives and Regulating Low Impact Development (LID) (Intern Kristyn Remme)**

Ms. Remme gave a PowerPoint Presentation to the Committee with respect to creating and regulating Low Impact Development (LID). She advised that the MCCAP Committee determined that the three most concerning hazards are: inland flooding, coastal flooding, and drought. Ms. Remme's report covered the basics of LID and how it can be used within the Municipality to reduce flooding risks in the future. She gave some background information on the issue of storm water volumes and how LID can be a solution.

Ms. Remme reviewed some LID site design strategies and structural designs. She also highlighted methods used by other municipal units to regulate and encourage LID. Ms. Remme noted that there are some limitations for LID in West Hants such as karst terrain and the winter season.

Councillor Munroe asked if the West Hants planning documents have any LID controls. She felt it could be more expensive for developers, but it would be worthwhile for the Municipality to consider including such controls. Ms. Remme stated it was a common misconception that it would be more expensive, however in certain areas there are cost savings such as not having to put in curbs, etc.

Ms. LeMay noted that there are some LID requirements in some development agreements. At the MCCAP Committee meeting, Don Dignan had asked whether the LID measures that Forest Lakes Country Club Resort used came from Forest Lakes or the Municipality. She advised that in the development agreement there are several requirements dealing with storm water management and the impact of development on the land; there is no indication of whether these were required by West Hants or suggested by the developer. Ms. LeMay stated that when looking at the Garlands

Crossing development agreement there is a requirement for a 30 ft. wide buffer between the development and the stream. In addition, in the planning documents there are dykeland regulations which regulate development.

Councillor Munroe noted that the lot on which Newport Rink has been built has little or no permeable land remaining and surmised that there could be potential erosion issues. Ms. LeMay stated that this example was noted at the MCCAP meeting as a missed opportunity and that perhaps it could be retrofitted or used as a pilot project.

Chair Daniels suggested that perhaps LID controls could be put in place to coincide with Bill 177 for any future development.

Ms. Remme advised that LID controls are mainly used in urban areas, but there are some in the rural areas. She noted that many places in Nova Scotia are heading in the right direction.

Mr. Smith stated that drought is a concern. He noted that Barrington a few years ago, experienced a drought and many people were scrambling for water. He suggested it would be a good opportunity to look at a rain barrel incentive.

**MOVED and SECONDED that PAC accept the May 24, 2018 report "Stormwater Management: Utilizing Low Impact Development" prepared by Kristyn Remme, Planning Intern, as background material for consideration in developing policy during the Plan Review.**

**Motion carried.**

Chair Daniels asked if Public Works has considered a policy to require low impact designs for future streets.

Ms. LeMay advised that Mr. Carrigan attended the MCCAP meeting, and he is supportive of low impact development.

Councillor Zwicker suggested that perhaps the Hantsport Fire Hall and Chittick Avenue could become LID opportunities for the Municipality.

Ms. LeMay noted that in the planning documents there are strict restrictions on road construction on dykeland which has a significant impact on flooding.

Ms. Shah suggested that a new policy for Public Works to incorporate low impact design could be discussed at the next MCCAP meeting.

Chair Daniels commended Ms. Remme on her hard work on the Stormwater Management: Utilizing Low Impact Development Report.

## **QUESTIONS AND COMMENTS FROM PUBLIC**

No comments or questions were heard from the public who were present.

## **ADJOURNMENT**

**MOVED and SECONDED that the meeting adjourn.**

**Motion carried.**

The meeting adjourned at 7:15 p.m.

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Chair