



**MUNICIPALITY OF THE DISTRICT OF WEST HANTS
Planning/Heritage Advisory Committee
July 19, 2018, 6:00 p.m.
Sanford Council Chambers**

- PRESENT:** Councillor Jennifer Daniels, Chair
Councillor Tanya Leopold, Vice Chair
Warden Abraham Zebian
Deputy Warden Paul Morton
Councillor David Keith
Councillor Robbie Zwicker
Councillor Randy Hussey
Councillor Kathy Monroe
Councillor Rupert Jannasch
Mr. John Smith, Resident Member
- STAFF:** Madelyn LeMay, Director of Planning & Development
Saira Shah, Planner
Sara Campbell, Planner
Velma Macumber, Admin Assistant
- REGRETS:** Councillor Debbie Francis
Mr. Matt Smith, Resident Member
- PUBLIC:** 41 members of the public

MEETING CALLED TO ORDER

Chair Daniels called the meeting to order at 6:00 p.m. and reviewed fire evacuation procedures. Regrets were received from Councillor Francis and Mr. Matt Smith that they would not be attending this meeting.

Chair Daniels introduced the Public Information Meetings.

**PUBLIC INFORMATION MEETING – Hantsport Municipal Planning Strategy
Amendments – Commercial Development Districts**

Ms. Campbell reviewed the information provided in her report which was earlier circulated to PAC with the PAC/HAC agenda package. She explained Bill 177 and the proposed Commercial Development District (CDD) designation for the community of Hantsport.

In response to a question from the public, Ms. Shah explained that the purpose of the amendments to the Hantsport Municipal Planning Strategy and Hantsport Land Use By-law, that came into effect May 1, 2018, was to create two new commercial zones which would allow more flexibility for property owners. Zoning is not tied to property assessment values or tax rates; therefore, these changes would not have any effect on either.

MOVED and SECONDED that Council give First Reading and hold a Public Hearing to consider amending the map and the text of the Hantsport Municipal Planning Strategy to designate a Commercial Development District, attached to the report #18-04 to the Planning Advisory Committee dated July 19, 2018 as Appendix A and B.

Motion carried.

PUBLIC INFORMATION MEETING – West Hants Municipal Planning Strategy Amendments – Commercial Development Districts

Ms. Campbell reviewed the information provided in her report which was earlier circulated to PAC with the PAC/HAC agenda package. She explained the proposed CDD designation for the areas of Falmouth and Three Mile Plains.

The public had the following questions and comments for Ms. Campbell and the Planning Advisory Committee:

- How does this change affect commercial properties, assessment-wise and resale value? Ms. Campbell advised that the proposed CDD will not change the assessment of any commercial properties. It would only provide incentive to commercial property owners within the area if they apply for the phase in tool program at the same time they apply for a building permit to complete development or renovations. Up to fifty percent (50%) of the increase in commercial tax assessment due to the renovations could be phased in over a period of 10 years. Additionally, as a property's zoning or designation is not tied to its assessment value, planners in Nova Scotia do not consider resale value as a criteria of planning decisions.
- The letter I received states this will affect my property, how will it? Ms. Campbell stated that it may not affect their property directly if they are currently using it for residential purposes. It would only provide incentives to commercial properties within this area if they apply for the phase in program and complete renovations that increase their commercial tax assessment. Notices were sent to all property owners within the proposed area to make them aware of the planning meetings, so they could find out more information.
- I have current plans to expand my commercial operation, how would these changes affect those plans? Ms. Campbell discussed that these amendments would not provide incentive to commercial property owners that are currently undergoing construction until the by-law is enacted by Council which should be early next year. Once the by-law is in place, a commercial property owner in the designated area would be able to apply to the Municipality to enter into the phase in program. They

could then apply for building permits to complete renovations, upgrades or an expansion of commercial operations.

- What if I already have my building permit? Am I not able to start until this comes into place? Ms. Campbell responded that if you have your building permit you are able to complete the work outlined in the approved building permit. However, you will not be able to utilize the phase in tool until it is in place, as the building permit triggers the reassessment from Property Valuation Services Corporation (PVSC). A property owner would have to apply for the building permit after they have applied for the phase in tool program.
- My property is zoned commercial and in this new proposed commercial designation but a portion of it is marshland, how can it be commercial? Ms. Campbell advised that the marshland/wetlands would be identified when building permits were applied for. Ms. LeMay stated that the designations are determined for an area through the policy of Council. The commercial designation of the Municipal Planning Strategy (MPS) is where Council has determined commercial uses should be concentrated. The MPS designations do not determine the viability of the land for those uses.
 - How can I be assessed for commercial when my property cannot be fully utilized as commercial due to marshland that cannot be built on? As the municipality does not determine assessments, Ms. Campbell and Councillor Daniels suggested contacting PVSC to discuss the marshland on the property to determine if PVSC would change the assessment due to the inability to build there.
- Can residential uses be built in this new designation? Ms. Campbell advised that residential uses would only be able to be built if they are listed as a permitted use in the underlying zone of the property. It would be property specific based on the zoning. The member of the public suggested that this be assessed during the Plan Review due to vacant properties not being able to be developed as residential.
- Will agriculture land lose its designation? It is currently tax exempt. Ms. Campbell stated that the proposed designation will not change any current zoning or designations and will only be an extra layer to provide incentives to commercial properties within these areas. Ms. LeMay stated that there are two different things being discussed: 1. The Generalized Future Land Use Map which shows the designations of Council and informs the zoning; and 2. The proposed CDD which will just be an additional layer which does not change the existing designations. The CDD only pertains to Bill 177.
- What about vacant land? If someone wants to have a building lot, would they be allowed to subdivide? Ms. Campbell suggested that if it is an individual property inquiry, the member of the public should come into the planning office for staff to take a closer look at the property in detail.
- Will agriculture land remain un-taxed? Ms. Campbell reiterated that the proposed designation will not change the current tax assessment. If the property was converted to a commercial use, then it would change.
- If agriculture land changes use to commercial, where does the 20% change of use tax go? Ms. LeMay stated that this was not relevant to the CDD and was not something that had been investigated for this amendment. It would be something the planning staff would look into.

- What effect would this have on the existing residential uses adjacent to the commercial properties? Ms. Campbell stated that there are specific buffering requirements in the Land Use By-law when developing or extending commercial uses adjacent to residential uses. This would be outlined in the zone requirements and those requirements would have to be met before a building permit could be issued for the building or an expansion.
- Regarding the Town of Windsor and the Joint Industrial Park, why would you consider it when all land is already sold? Councillor Daniels stated that the Municipality is trying to partner with the Town of Windsor on certain projects and that this could be one of them. She also stated that staff are aware of where the developable land is. The Committee reminded the public that the Municipality has a substantial parcel of land behind the new fire station, which needs to be further looked at in order to utilize it to its fullest potential. These changes will encourage some growth that will benefit the community.
- Has the Planning Advisory Committee reached out to current commercial business owners in these areas? Ms. Campbell advised that the business owners in these areas would have been sent the same letter as residents in these areas. This will have been first in-person contact with property owners in these areas.
- Who picked these areas? Ms. Campbell reported that these areas were designated as Commercial on the Generalized Future Land Use Map by Council during the last Plan Review. Councillor Daniels stated that the last review was in 2008 and this was the intent of the previous Council.
- I am a residential property owner next to Oulton Fuels, I do not want my property to change. Ms. Campbell advised that the uses allowed on the property would not change. The zoning and the residential tax assessment would not change. It only gives incentives to commercial properties in these areas.

MOVED and SECONDED that Council give First Reading and hold a Public Hearing to consider amending the text and the map of the West Hants Municipal Planning Strategy to designate a Commercial Development District, attached as Appendix A, B and C to the report #18-05 dated July 19, 2018.

Motion carried.

Councillor Hussey clarified that this is an incentive brought forward by the Province to allow communities to encourage commercial growth. It allows commercial business owners to develop without seeing the initial large property tax increase as it spans it over ten years. It does not affect residential properties at all.

PUBLIC INFORMATION MEETING – Land Use By-law Amendment – 269 Town Road, Falmouth

Ms. Campbell reviewed the information provided in her report which was earlier circulated to PAC with the PAC/HAC agenda package.

There was one question from the public inquiring about the effect the rezoning will have on adjacent residential properties. Ms. Campbell states that property tax assessments are not considered as criteria when rezoning land. Tax assessments come from PVSC and zoning does not factor in their evaluation.

MOVED and SECONDED that Council give First Reading and hold a Public Hearing to consider amending the zoning map of the West Hants Land Use By-law to enable the lot located at 269 Town Road, Falmouth, PID 45197332 to be rezoned from the Institutional (I) Zone to the Single Unit Residential (R-1) Zone, as shown on the map attached to the Planning Advisory Committee report #18-06 dated July 19, 2018 as Figure 2.

Motion carried.

The public information meetings concluded at 6:52 p.m.

APPROVAL OF AGENDA & ADDITIONS

Chair Daniels asked the Committee if they wished to defer Items 7, 8, 9, 11, 12, and 13 of the Agenda due to a Joint Council meeting being scheduled for 7:00 p.m. There was enough time left in this meeting to deal with Item 10. The Committee agreed.

MOVED and SECONDED that the agenda be approved as circulated.

Motion carried.

APPROVAL OF PLANNING ADVISORY MEETING MINUTES OF JUNE 21, 2018.

MOVED and SECONDED that the Planning Advisory Committee meeting minutes of June 21, 2018 be approved as circulated noting any errors or omissions.

Motion carried.

IN PRIVATE MEETING – DEVELOPMENT PROPOSAL

MOVED and SECONDED that the Planning and Heritage Advisory Committee go in a private meeting to deal with development proposal.

Motion carried.

The Committee went into the private meeting at 6:55 p.m. and came out of the private meeting at 6:58 p.m. It was the consensus of the Committee to proceed with an application should an application be received.

ADJOURNMENT

MOVED and SECONDED that the meeting adjourn.

Motion carried.

The meeting adjourned at 6:59 p.m.

Chair