



**WEST HANTS REGIONAL MUNICIPALITY  
Planning Advisory Committee (PAC) Agenda  
June 11, 2020 – 6:00p.m.  
Virtual Meeting (Zoom)**

**1.0 Call to Order**

1.1 Introductions and background of members

**2.0 Election of Chair and Vice Chair**

**3.0 Approval of Agenda and Additions**

**4.0 Approval of Minutes**

(none)

**5.0 Business Arising from the Minutes**

(none)

**6.0 Hantsport Area Advisory Committee (HAAC) Updates (Bill Preston)**

**7.0 Windsor Area Advisory Committee (WAAC) Updates (Shelley Bibby)**

**8.0 Building and Development Activity Report**

8.1 Monthly Application and Permit Reports

**9.0 New Business**

9.1 File # 20-01 Ski Martock Rd. LUB Amendment Application Recommendation Report and PIM Notes (Saira Shah)

9.2 File # 20-16 543 O'Brien Street, Windsor, Discharge of Development Agreement (Sara Poirier)

9.2 Meetings and Procedural Policies (Madelyn LeMay; questions from members?)

9.3 Committee Terms of Reference (Madelyn LeMay; discussion of draft & possible recommendation)

9.4 Planning and Development department overview (Madelyn LeMay)

9.5 What is Planning? (Saira Shah and Sara Poirier)

**10.0 Notices from Adjacent Municipal Units**

(none)

**11.0 Questions and Comments from Public?**

**12.0 Adjournment**



## WEST HANTS REGIONAL MUNICIPALITY RECOMMENDATION REPORT

**To:** Members of Planning Advisory Committee

**Submitted by:** \_\_\_\_\_  
Saira Shah, Planner

**Date:** 2020-06-11

**Subject:** File # 20-01 Ski Martock Rd. Land Use By-law Amendment  
Recommendation Report

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### LEGISLATIVE AUTHORITY

Section 210 of the Municipal Government Act.

### RECOMMENDATION

Should the Planning Advisory Committee (PAC) wish to forward a positive recommendation, the following motion would be in order:

**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 for PID 45038510 to the Rural Commercial (RC) Zone as shown on Figure 3 and amending the text of the West Hants Land Use By-law to ensure adequate separation is provided for residential uses abutting a property zoned Rural Commercial (RC), in a manner substantively the same as Appendix A, all as attached to the planning staff report dated June 11, 2020.**

### BACKGROUND

The applicants, Stanley Joseph Boyd and Patricia Boyd, have applied for an amendment to the Land Use By-law to permit a proposed tourist accommodation consisting of several cottages at PID 45038510 located on Ski Martock Road in Windsor Forks. The application was completed on February 28, 2020.

### DISCUSSION

Mr. and Ms. Boyd own the property on Ski Martock Road. The property is designated Resource on the Generalized Future Land Use Map of the Municipal Planning Strategy (Figure 1) and zoned General Resource (GR) on the zoning map of the Land Use By-law (Figure 2).

The applicants are proposing a tourist accommodation consisting of several cottages to serve the traveling public visiting Ski Martock and the surrounding area. The General Resource (GR) zone permits two (2) seasonal dwellings as-of-right.

A seasonal dwelling is defined in the West Hants Land Use By-law (WHLUB) as *"a cottage or secondary residence used for recreation, rest or relaxation from time to time throughout any season of the year, but not used or intended to be used for year-round occupancy or as a principal residence"*.

A seasonal dwelling can be a cottage used for tourist accommodations. However, the applicants would like to have more than two (2) cottages on the site.

Policy 9.1.6 of the West Hants Municipal Planning Strategy (WHMPS) enables Council to consider rezoning land in the General Resource (GR) zone to allow for commercial uses permitted in the Rural Commercial (RC) zone. The proposed map amendment (Figure 3) would permit tourist accommodations. This would enable the applicants to develop more than two (2) cottages on the site.

The proposed map amendment would also permit all other uses which are permitted in the Rural Commercial (RC) zone in the WHLUB.

Policy 7.2.1 of the WHMPS states, *It shall be the policy of Council to establish a Rural Commercial (RC) zone which will apply to Hamlets and resource areas and permit a variety of commercial uses intended to provide a service to local residents, as well as limited highway commercial and tourist commercial uses. Residential uses will be permitted in conjunction with a commercial use.*

Council's intention for the Rural Commercial (RC) zone is to provide services to residents and tourist commercial uses, such as accommodations. The only restriction for tourist accommodations is height which is set at a maximum of 35 ft. in the WHLUB. The proposed amendment would allow an unlimited number of cottages if setbacks are maintained.

As part of the usual process, to determine if this application meets the criteria in the WHMPS, staff sent inquiries to the appropriate organizations/individuals. None of the responses received touched on major concerns.

During the staff review consideration was given to the abutting zone requirements section of the Rural Commercial (RC) zone. Policy 9.1.6 (f) states the proposed use should not be considered obnoxious due to noise, odour, dust, fumes or other emissions. If a commercial use permitted in the Rural Commercial (RC) zone abuts a lot in a residential zone the commercial use must provide a planting strip and

increased minimum side yard and outdoor storage in the side yard of the commercial use is prohibited. These requirements decrease the potential for a commercial use to be considered obnoxious however, they do not benefit residential uses located outside of residential zones. Staff recommend an amendment to the abutting zone requirements so that they apply to commercial properties which abut any residential uses as opposed to just properties with residential zoning (Appendix A). This will ensure Policy 9.1.6 (f) is met.

### **MPS Specific Criteria**

Policy 9.1.6 of the WHMPS states the specific criteria to be considered for this proposal. These criteria are examined in detail in Appendix B.

In summary, Policy 9.1.6 is met as:

- the proposed uses are not ones which, because of their size or nature, would be more appropriately located in a Growth Centre, Village or Hamlet;
- the development is compatible with adjacent land uses; and
- staff recommend amendments to ensure abutting zone requirements apply to all commercial uses which abut properties with residential uses in any zone.

### **WHMPS General Criteria**

Policy 16.3.1 of the WHMPS states general criteria for any WHLUB amendment considered in West Hants. These criteria are examined in detail in Appendix C.

In summary:

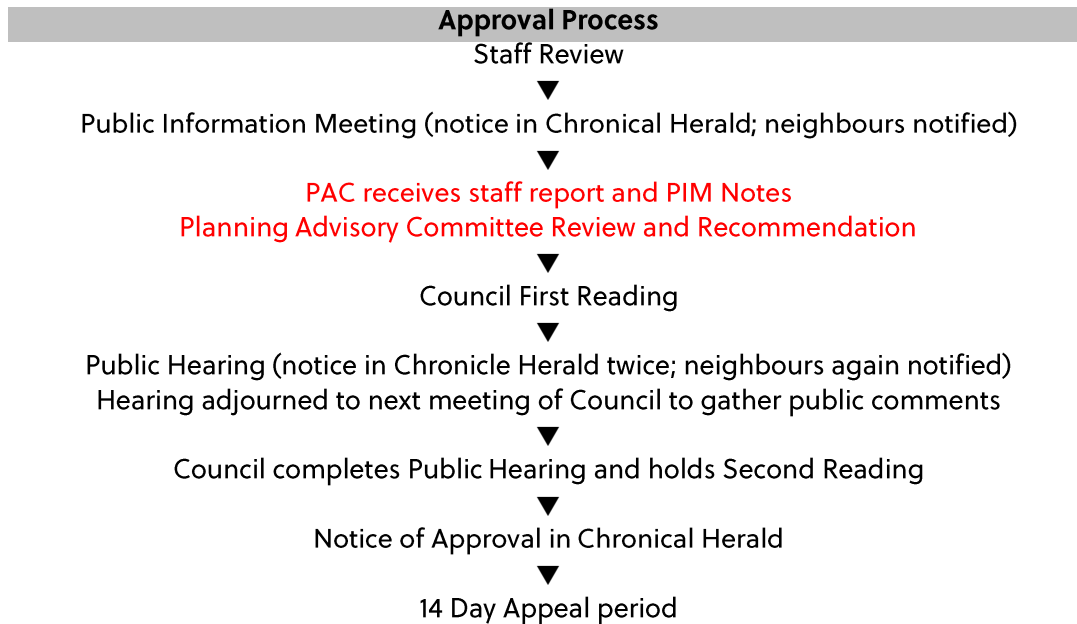
- the proposal is not premature or inappropriate for the area;
- the Manager, Building and Fire Inspection and Fire Chief have no major concerns regarding fire protection and emergency services; and
- the property is approximately five (5) acres in area and has sufficient space for the intended uses.

### **Municipal Climate Change Action Plan**

This amendment has not been examined in relation to the Municipal Climate Change Action Plan (MCCAP).

### **NEXT STEPS**

As noted above, the proposed amendment has been considered within the context of the specific and general policies of the WHMPS and is consistent with the intent, objectives and policies of the WHMPS. The amendment meets the specific and general criteria for a WHLUB amendment. As a result, it is reasonable to consider amending the zone of PID 45038510 from General Resource (GR) to Rural Commercial (RC) on the zoning map of the WHLUB and the text of the WHLUB to amend the abutting zone requirements for the Rural Commercial (RC) zone.



## **FINANCIAL IMPLICATIONS**

There are no financial implications associated with this application.

## **ALTERNATIVES**

In response to the application, PAC may recommend that Council:

- hold First Reading and authorize a Public Hearing to approve the WHLUB amendment as drafted or as specifically revised by direction of PAC;
- provide alternative direction such as requesting further information on a specific topic.

## **ATTACHMENTS**

Figure 1 Existing Generalized Future Land Use Map

Figure 2 Existing Zoning Map

Figure 3 Proposed Map Amendment

Appendix A Draft Amendments

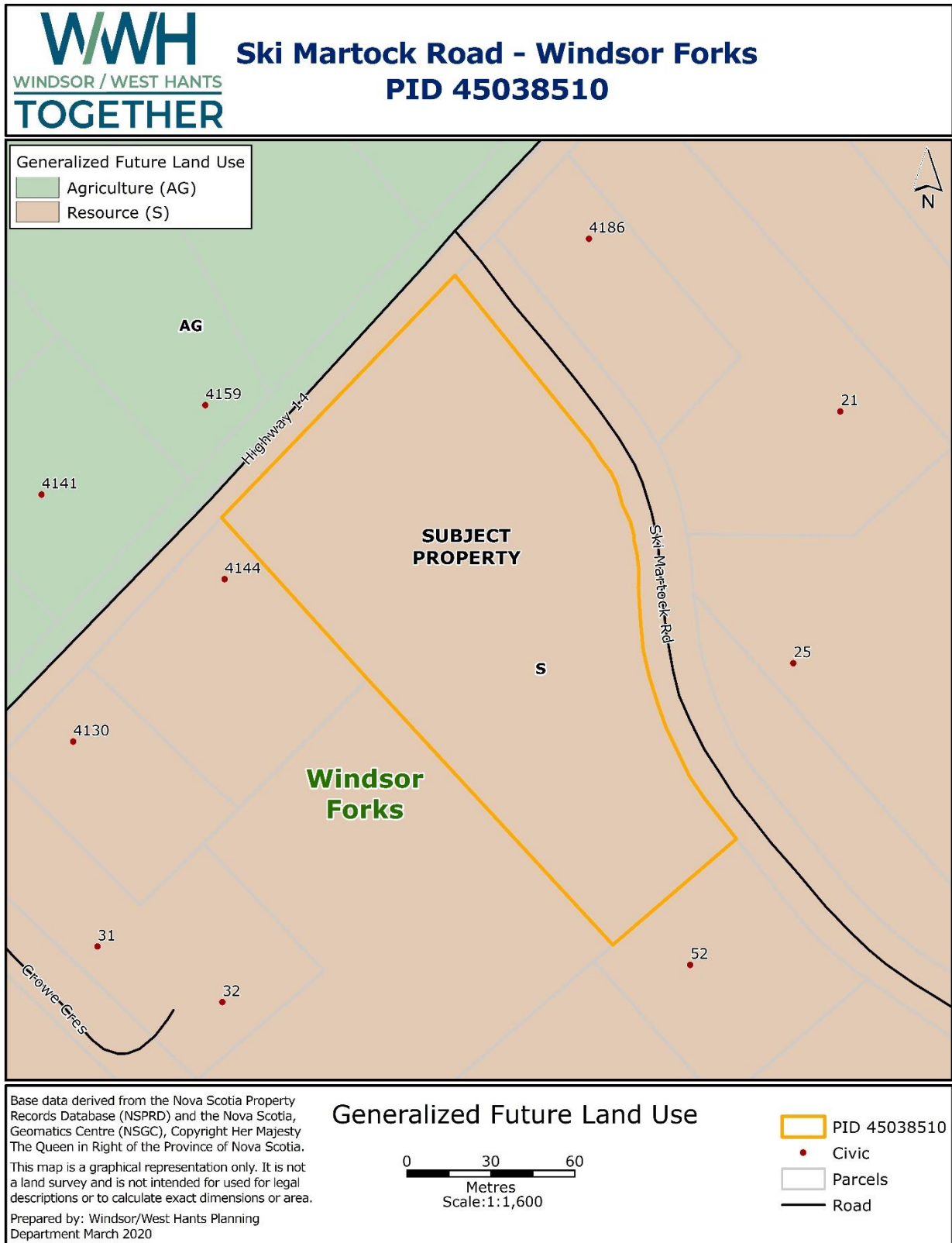
Appendix B Specific Criteria for a Rural Commercial (RC) Map Amendment

Appendix C General Criteria for Land Use-By-law Amendment

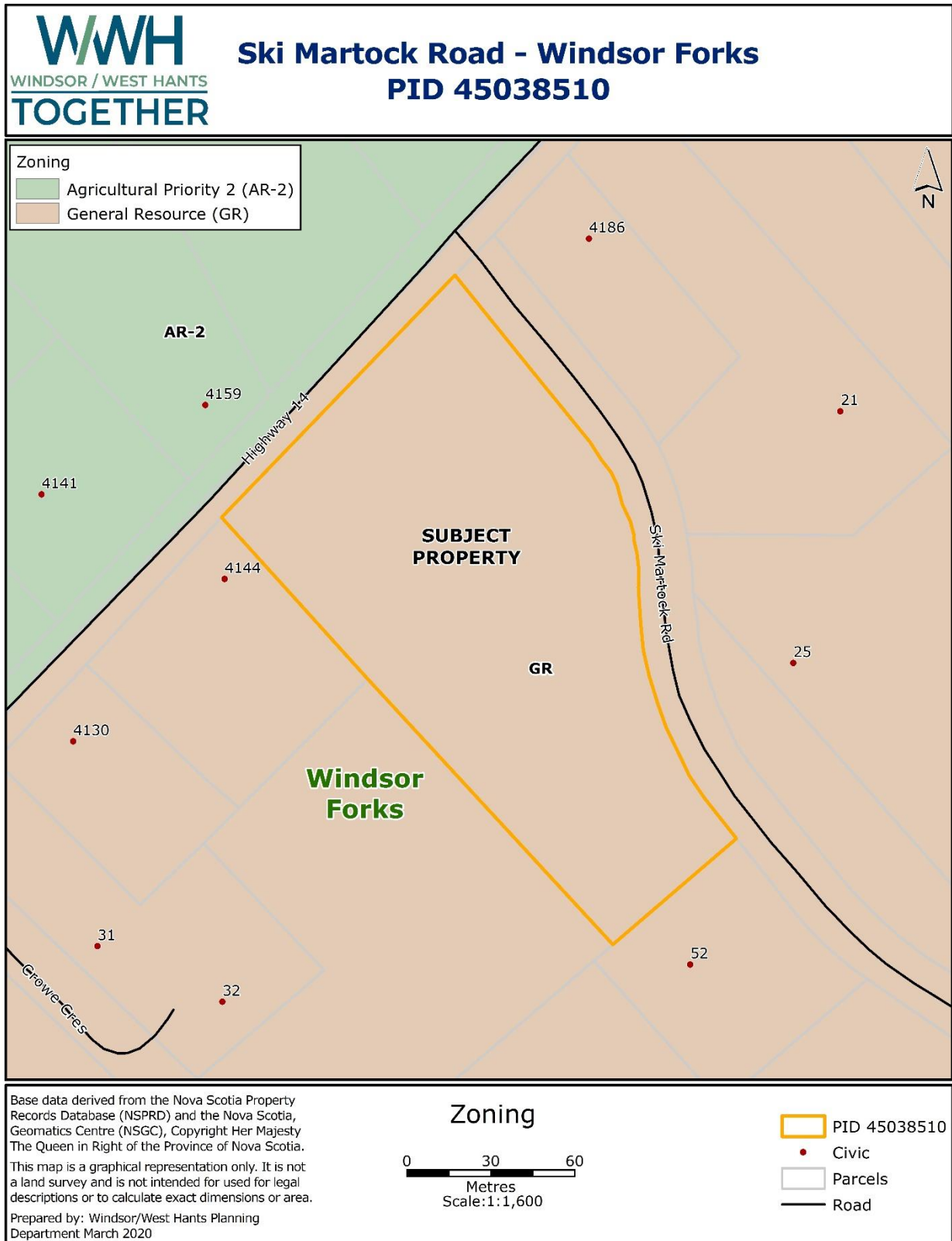
Report Approved by: \_\_\_\_\_

Madelyn LeMay, Director of Planning and Development

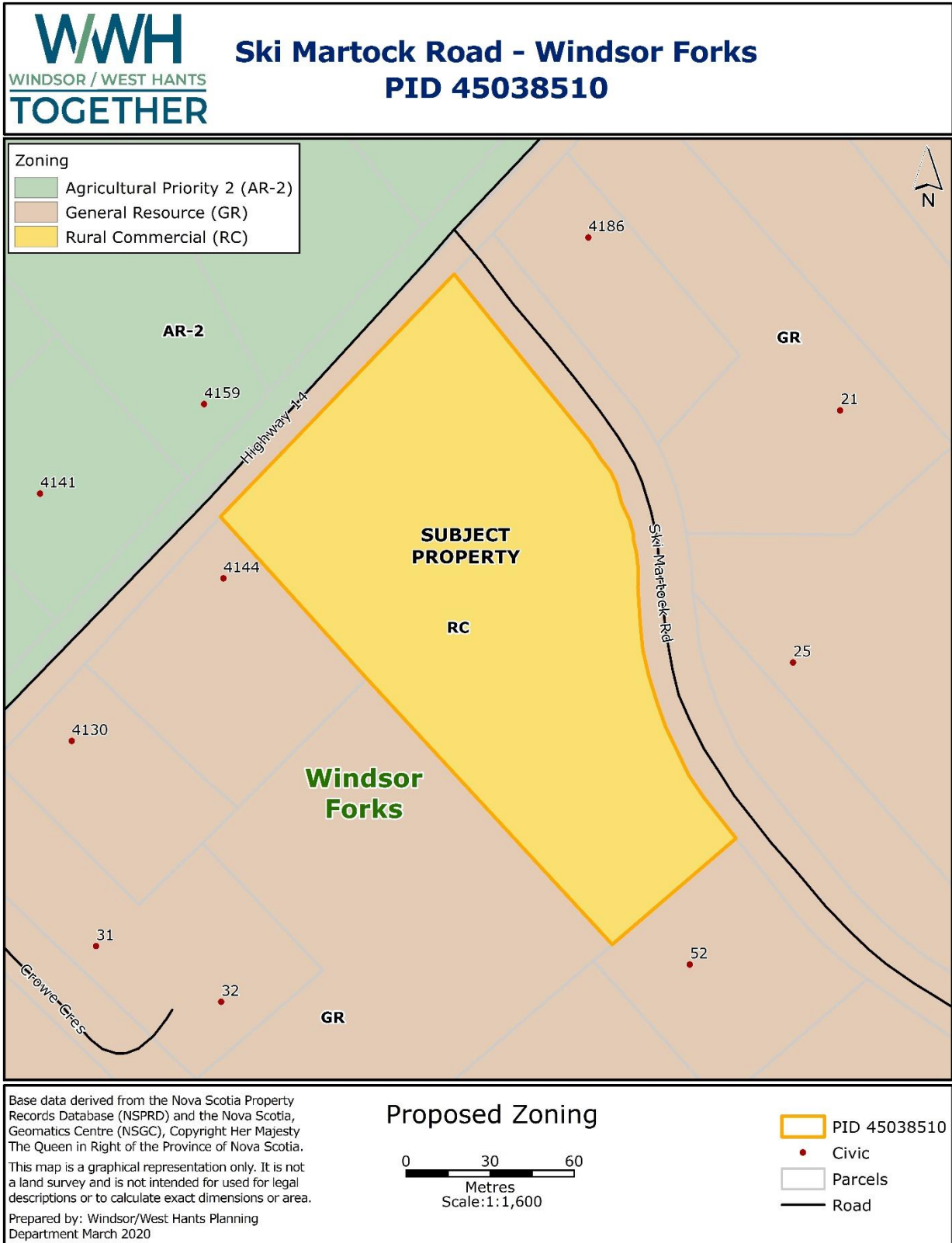
**Figure 1**  
**Existing Generalized Future Land Use Map**



**Figure 2  
Existing Zoning Map**



**Figure 3  
Proposed Map Amendment**



## **Appendix A Draft Amendments**

Text Amendment to the West Hants Land Use By-law to ensure the abutting zone requirements for the Rural Commercial (RC) zone apply to all residential uses.

1. **Amend Section 16.4 *Abutting Zone Requirements* in Part 16 of the West Hants Land Use By-law, *Rural Commercial (RC) Zone*, by replacing: the title “*Abutting Zone Requirements*” with “*Abutting Use Requirements*”, the phrase “*Where a RC zone abuts a lot in a residential zone, the following standards apply*” with “*Where any commercial use permitted in the Rural Commercial (RC) zone is developed on a lot which abuts a lot with a residential use, the following standards shall apply*” and the phrase “*residential zone*” with “*the lot with the residential use*” in subsection (c) so that it reads as follows:**

### *Abutting Use Requirements*

16.4 *Where any commercial use permitted in the Rural Commercial (RC) zone is developed on a lot which abuts a lot with a residential use, the following standards shall apply:*

- (a) *the minimum side yard requirement for the commercial use from the abutting lot line shall be 20 ft (6.10 m);*
- (b) *no open storage or outdoor display shall be permitted in an abutting side yard;*  
*and*
- (c) *the part of the commercial lot directly adjoining the lot with the residential use shall be used for no purpose other than a planting strip having a minimum of 5 ft (1.52 m) measured perpendicular to the lot line.*

**Appendix B**  
**Specific Criteria for Rural Commercial (RC) Map Amendment**

**Policy 9.1.6** *It shall be the intention of Council to consider rezoning land zoned General Resource (GR) to allow for commercial or industrial uses permitted in the Rural Commercial (RC) or Resource Industrial (M-1) zones subject to the following:*

Criteria	Rural Commercial Uses
<i>(a) the use will not adversely affect existing resource uses in the area;</i>	The uses will be contained within the site and are not expected to cause an adverse effect on existing resource uses.
<i>(b) the use is not one which, because of its size or nature, would be more appropriately located in a Growth Centre, Village or Hamlet;</i>	Policy 7.2.1 states <i>It shall be the policy of Council to establish a Rural Commercial (RC) zone which will apply to Hamlets and resource areas and permit a variety of commercial uses intended to provide a service to local residents, as well as limited highway commercial and tourist commercial uses.</i> The uses within the Rural Commercial (RC) zone are appropriate based on size and nature of the uses permitted.
<i>(c) safe and efficient roadway access is provided;</i>	Department of Transportation and Infrastructure Renewal (DTIR) confirmed that commercial access can be obtained and will be limited to Ski Martock Road. DTIR does not anticipate a negative impact to the Provincial road network. The applicant has been informed.
<i>(d) adequate on-site parking is provided;</i>	The property is five (5) acres in size which is sufficient space to provide parking and loading areas on-site.
<i>(e) the development is compatible with adjacent land uses with respect to:</i>	

<p>(i) <i>traffic generation and traffic safety;</i></p>	<p>Please see 9.1.6 (c)</p>
<p>(ii) <i>hours of operation;</i></p>	<p>This criterion is not relevant for this application as the hours of operation can only be regulated by a Development Agreement.</p>
<p>(iii) <i>size and design of building(s);</i></p>	<p>The applicant will be required to meet all regulations regarding size in the West Hants Land Use By-law. There are no requirements regarding design in the West Hants Land Use By-law.</p>
<p>(iv) <i>signage; and</i></p>	<p>The applicant will be required to meet all regulations regarding signage in the West Hants Land Use By-law.</p>
<p>(v) <i>pedestrian circulation and safety;</i></p>	<p>Please see 9.1.6 (c)</p>
<p>(f) <i>the use is not considered obnoxious by virtue of noise, odours, dust, fumes or other emissions;</i></p>	<p>Any noise, odour, dust, fumes, or other emissions from this development will be similar to emissions from existing commercial development in the area. A planting strip and increased minimum side yard are required if the commercial use abuts a lot in a residential zone. However, this does not apply to residential uses in the General Resource (GR) zone. Staff have recommended an amendment to ensure these requirements benefit all residential uses regardless of zone.</p>
<p>(g) <i>adequate buffering or screening, setbacks and yards are provided, and open storage is controlled;</i></p>	<p>Adequate buffering, screening, setbacks, and yards must be provided, and open storage controlled as required by the West Hants Land Use By-Law.</p>
<p>(h) <i>any other matter which may be addressed in a Land Use By-law; and</i></p>	<p>No other matter has been raised.</p>

<i>(i) Policy 16.3.1.</i>	Please see Appendix C for further details

**Appendix C**  
**General Criteria for Land Use By-Law Amendment**

**Policy 16.3.1** *In considering development agreements and amendments to the West Hants Land Use By law, in addition to the criteria set out in various policies of this Strategy, Council shall consider”:*

<i>(a) whether the proposal is considered premature or inappropriate in terms of:</i>	Rural Commercial Uses
<i>(i) the adequacy of sewer and water services;</i>	The Public Works Director has stated the proposal is not within a Municipally serviced area. The applicant is responsible for determining adequate services for the proposed uses. The applicant has been informed.
<i>(ii) the adequacy of school facilities;</i>	No impact on school facilities is anticipated.
<i>(iii) the adequacy of fire protection and other emergency services;</i>	The Manager, Building and Fire Inspection and Fire Chief for the area have no concerns with regards to fire protection and emergency services. The Manager, Building and Fire Inspection has noted that a service station is the only listed permitted use that would have significantly stricter standards based on the Building and Fire Codes. The applicant has been informed.
<i>(iv) the adequacy of road networks adjacent to, or leading to the development; and</i>	Please see 9.1.6 (c) for further details.
<i>(v) the financial capacity of the Municipality to absorb any costs relating to the development.</i>	No municipal costs related to this amendment are anticipated.
<i>(b) whether the development is serviced, or capable of being serviced, by a potable water supply and either</i>	As noted above in (a) (i), the applicant will be responsible for the provision of water and on-site sewage disposal.

<i>central sewer or an approved on site sewage disposal system;</i>	
<i>(c) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;</i>	Please see 9.1.6 (c) for further details
<i>(d) the adequacy of the dimensions and shape of the lot for the intended use;</i>	The property is five (5) acres in area and has sufficient space for the intended uses.
<i>(e) the pattern of development which the proposal might create;</i>	The uses permitted in this zone will not create a pattern of development that is unusual for the area.
<i>(f) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses or wetlands, and susceptibility of flooding;</i>	The applicant will be responsible for determining the suitability of the area for the proposed uses.
<i>(g) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other relevant municipal by laws and regulations; and</i>	The proposed amendment meets all relevant municipal, provincial and federal regulations.
<i>(h) any other matter required by relevant policies of this Strategy.</i>	Please see Appendix B for further details.



## REGION OF WINDSOR AND WEST HANTS MUNICIPALITY

### Recommendation Report to the Windsor Area Advisory Committee

**To:** Members of the Windsor Area Advisory Committee (WAAC)

**Submitted by:** Sara Poirier, Planner

**Date:** June 4, 2020

**Subject:** Discharge of Development Agreement: 543 O'Brien Street, Windsor; PID 45055928

**File #** 20-16

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#### 1.0 LEGISLATIVE AUTHORITY

Section 229 of the Municipal Government Act.

#### 2.0 BACKGROUND

An application has been received from Clark Wilkins to discharge a development agreement which permits “a retail gas bar for members of the developer only and all accessory uses normally associated with a retail gas bar; business and professional office; existing dwelling; garden centre; and grocery store” on the property at 543 O'Brien Street, Windsor. This site was once the location of the Co-op Atlantic which was demolished in 2011 and is now vacant. The property is owned by 3331814 Nova Scotia Limited; Mr. Wilkins is the Director.

This development agreement was written in 1991 and does not include the now-usual clause which would allow the uses permitted in the underlying zone. If the development agreement is not discharged, the only uses permitted on the property are those specified in the development agreement.

### **3.0 RECOMMENDATION**

Staff recommends that the WAAC forward a positive recommendation by passing the following motion:

**WAAC recommends that PAC recommend that Council discharge the development agreement entered into between the Town of Windsor and Hants Cooperative Services Limited and Co-Op Atlantic Limited for the property at 543 O'Brien Street, Windsor, PID 45055928 recorded at the Registry of Deeds on June 23, 1992 as document 3189.**

### **4.0 DISCUSSION**

The property is designated Commercial (C) on the Generalized Future Land Use Map of the Windsor Municipal Planning Strategy (WMPS) and zoned General Commercial (GC) on the Zoning Map of the Windsor Land Use By-law (WLUB). Uses permitted once the development agreement is discharged are the uses permitted in the General Commercial (GC) Zone (Appendix B).

#### **4.1 Development Agreement**

There is no specific termination clause in the development agreement however Section 229 (2) of the *Municipal Government Act* states that "Council may discharge a development agreement, in whole or in part, in accordance with the terms of the agreement or with the concurrence of the property owner."

As noted above, a request to discharge was received from the owner of the property.

#### **4.2 Land Use By-law**

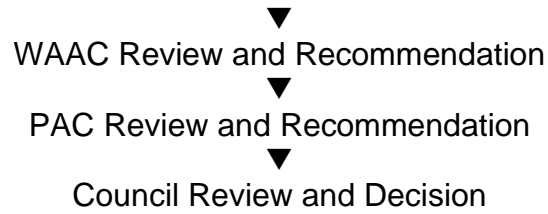
The property is currently vacant. A building and development permit will be required for any new use on the property. Any new use would need to be in accordance with the uses permitted in the General Commercial (GC) Zone of the LUB.

### **5.0 CONCLUSION**

As noted above, the proposed discharge has been considered within the context of both the development agreement and the Land Use By-law. As a result, it is reasonable to consider approving the discharge of this development agreement.

### **6.0 PROCESS**

Staff Review



## 7.0 OPTIONS

In response to the application, WAAC may recommend that PAC:

- follow the process to discharge the development agreement as drafted or as specifically revised by direction of WAAC;
- provide alternative direction, such as requesting further information on a specific topic.

## 8.0 APPENDICES

**Appendix A** Draft Discharge

**Appendix B** General Commercial (GC) Zone

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Report Reviewed by: Madelyn LeMay, Director of Planning and Development

**Appendix A**  
**DRAFT DISCHARGE**

**THIS DISCHARGE OF DEVELOPMENT AGREEMENT** made this \_\_\_\_ day of \_\_\_\_\_, 2020,

**BETWEEN:**

**WEST HANTS REGIONAL MUNICIPALITY** a body corporate, hereinafter called the "Municipality" of the one part

-and-

**CLARK WILKINS**, Director of 3331814 Nova Scotia Limited, a body corporate, owner of 543 O'Brien Street, Windsor (PID 45055928), hereinafter called the "Owner" of the other part

**WHEREAS** the Town of Windsor entered into a development agreement with Hants Cooperative Services Limited and Co-Op Atlantic Limited dated June 17, 1992 and recorded at the Registry of Deeds, Nova Scotia on June 23, 1992 as document 3189;

**AND WHEREAS** the Owner has requested that the Municipality discharge the development agreement;

**AND WHEREAS** pursuant to Section 229 of the *Municipal Government Act*, on \_\_\_\_\_, 2020, Council of the Municipality approved this request;

**NOW THIS** discharge witnesseth that in consideration of the foregoing recitals and pursuant to the development agreement hereinbefore referred to, that the West Hants Regional Municipality hereby terminates and discharges the said development agreement and hereby gives notice that the terms of the Windsor Land Use By-law shall apply with respect to the lands referred to in the development agreement.

**IN WITNESSETH WHEREOF** the Municipality has caused this discharge to be executed by its proper officers and has caused its seal to be affixed hereto.

**SIGNED, SEALED AND DELIVERED**  
in the presence of:

**WEST HANTS REGIONAL MUNICIPALITY**  
)  
)  
)  
)



CANADA  
PROVINCE OF NOVA SCOTIA

AFFIDAVIT

I, \_\_\_\_\_, of \_\_\_\_\_, Nova Scotia, make oath and say that:

1. I am the \_\_\_\_\_ of the West Hants Regional Municipality, the "Municipality" and have a personal knowledge of the matters herein deposed to.
2. I executed the foregoing instrument for and on behalf of the Municipality.
3. I am authorized to execute the foregoing instrument on behalf of the Municipality and thereby bind the Municipality.
4. I acknowledge that the Municipality executed the foregoing Instrument by its proper officer(s) duly authorized in that regard on the date of this affidavit; this acknowledgement is made for the purposed of registering such Instrument pursuant to s.31(a) of the *Registry Act*, R.S.N.S. 1989, c.392 or s. 79(1)(a) of the *Land Registration Act* as the case may be, for the purpose of registering the instrument.
5. The Municipality is a resident of Canada under the *Income Tax Act* (Canada).

SWORN TO at \_\_\_\_\_, )  
in the County of Hants, Province of )  
Nova Scotia, this \_\_\_\_\_ day of )  
\_\_\_\_\_, 2020, before me: )  
\_\_\_\_\_)  
\_\_\_\_\_)  
\_\_\_\_\_)  
A Barrister of the Supreme Court )  
of Nova Scotia )

\*\*\*\*\*

I CERTIFY that on this \_\_\_\_ day of \_\_\_\_\_, 2020, the West Hants Regional Municipality, one of the parties hereto, caused the foregoing indenture to be executed on its behalf by \_\_\_\_\_, its duly authorized \_\_\_\_\_ in my presence and that I signed as a witness to such execution.

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A Barrister of the Supreme Court  
of Nova Scotia

## 17.0 GENERAL COMMERCIAL (GC)

### Permitted Uses

17.1 The following uses shall be permitted in the General Commercial (GC) zone:

- Arts and crafts studios including photography
- Banks and financial institutions
- Clubs and community organizations
- Commercial schools
- Country inns
- Day care centres, licensed and non-licensed
- Entertainment, recreation and assembly uses within a wholly enclosed building
- Garden and nursery sales and supplies
- Licensed liquor establishments
- Local shopping centres containing uses permitted in the GC zone
- Microbrewery, Microdistillery, Winery (*Amended WLUB 18-01 Effective January 29, 2019*)
- Offices
- Parking structures
- Repair and rental establishments
- Residential uses (not on the ground floor)
- Restaurants, excluding drive-through restaurants
- Retail stores
- Service and personal service shops
- Taxi, train and bus stations
- Veterinary clinics and animal hospitals
- Existing residential uses

### GC Zone General Requirements

17.2 In the GC zone, no development permit shall be issued except in conformity with the following:

<b>Minimum lot area</b>	10,000 ft <sup>2</sup> (929.00 m <sup>2</sup> )
<b>Minimum lot frontage</b>	100 ft (30.48 m)
<b>Minimum front yard</b>	25 ft (7.62 m)
<b>Minimum rear yard</b>	25 ft (7.62 m)
<b>Minimum side yard</b>	15 ft (4.57 m)
<b>Maximum height of main building</b>	35 ft (10.67 m)
<b>Maximum height of accessory building</b>	15 ft (4.57 m)

### Open Storage

17.3 No open storage shall be permitted in the GC zone.

## **Residential Uses**

- 17.4 Residential uses as part of the same building as a commercial use are permitted provided the total floor area of the residential use does not exceed two-thirds (66 percent) of the total floor area of the building.

## **Access**

- 17.5 Entrance to and exit from properties zoned GC shall be restricted to not more than two driveways on any street or road. On a corner lot, access shall be restricted to not more than three driveways to the lot.

*PLANNING AND HERITAGE ADVISORY COMMITTEE TERMS OF REFERENCE*

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**1. Official Name**

The official name of this committee is the Planning and Heritage Advisory Committee. It may be referred to as PAC/HAC.

**2. Members/Composition**

The Committee will consist of seven (7) members as follows:

- four (4) members of Council of which one is the Mayor;
- one (1) member of WAAC;
- one (1) member of HAAC; and
- one (1) Resident member who is not a member of Council or a Municipal employee.

All members of the Committee are appointed by resolution of Council, and each member appointed serves the Committee for a term specified in the policy establishing the Committee. Members are eligible for reappointment.

Resident members are chosen through an evaluation process and appointment by Council.

All positions, whether or not an existing member has re-offered, will be reviewed through the evaluation process when the specified term is over.

In the case of any unexpected vacancy, Council may undertake the selection process to fill the position, with that new person appointed to serve the remainder of the term of the person replaced.

The Chair and the Vice-Chair are elected by a majority of the members and hold office for a one-year term. The Chair acts as the liaison with Council.

PAC/HAC members are requested to notify the Planning Meeting Secretary and Director of Planning and Development if they are unable to attend a meeting. PAC/HAC may recommend to Council that a Committee member who fails to attend three (3) consecutive meetings of PAC/HAC, without good reason accepted by the PAC/HAC Chair be dismissed from the Committee. Council may only dismiss Committee members on recommendation of PAC/HAC if PAC/HAC considers that they failed to adequately fulfill the identified responsibilities/mandate of the Committee.

PAC/HAC may meet with Area Advisory Committees once a year to discuss any planning issues or concerns.

**3. Goals**

*PLANNING AND HERITAGE ADVISORY COMMITTEE TERMS OF REFERENCE*

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The intent of PAC/HAC is to advise Council respecting the preparation or amendment of planning documents and respecting planning matters generally.

**4. Deliverables**

The Committee will:

- work with staff and residents to develop and recommend draft land use policy and regulations for the Region to Council;
- advise staff of any planning issue or concern and request an investigation into options to address such concerns;
- review recommendations from the Windsor and Hantsport Area Advisory Committees and make recommendation regarding any amendments to planning documents which affect these communities to Council;
- advise staff and Council regarding any public participation program respecting planning matters in the Region;
- advise staff, committees and Council regarding planning matters generally;
- help raise public awareness on planning matters in the Region.;
- advise Council regarding all matters related to heritage including:
  - the inclusion of buildings, public-building interiors, streetscapes, cultural landscapes or areas in the in the Registry;
  - applications for permission to substantially alter or demolish a Municipal Heritage Property;
  - the preparation, amendment, revision or repeal of a Conservation Plan and Conservation By-law;
  - the administration of Heritage Conservation Districts pursuant to the provisions of the Heritage Property Act;
  - applications for a certificate that is required by the Heritage Property Act or the referral of a Conservation Plan and Conservation By-law to Council for a public hearing; and
  - any other matters conducive to the effective carrying out of the intent and purpose of the Heritage Property By-law and the Heritage Property Act.

**5. Jurisdiction**

PAC/HAC is an advisory committee under Sections 200 of the Municipal Government Act (MGA) and was formed pursuant to the Meeting and Committee Procedural Policy dated March 23, 2020.

The Committee's duration is indefinite, based on:

- Council's continued support of the above Goals and Deliverables; and
- the existence of planning documents within the Region.

**6. Resources/Budget**

Following their appointment new Committee members will be given an introductory workshop organized by staff to assist them in their duties.

*PLANNING AND HERITAGE ADVISORY COMMITTEE TERMS OF REFERENCE*

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PAC/HAC resident members are remunerated in accordance with the Councillor Remuneration Policy.

Municipal planning staff will provide ongoing support to the Committee. Staff will:

- arrange meeting times and venues and take Committee minutes;
- circulate meeting agendas and minutes;
- provide reports or status updates on identified projects or applications; and
- make public presentations on behalf of the Committee as required.

**7. Governance**

PAC/HAC meetings will generally take place on the second Thursday of the month but additional meetings may be called by the Chair on an as-needed basis or as directed by Council. Members will be informed of all meetings and supplied with an agenda prior to each scheduled meeting date.

A quorum is a majority of the number of appointed members at the time of the meeting.

Orders and rules of conduct for debate for PAC/HAC meetings are the same as those for Council in the Meeting and Committee Procedural Policy.

**8. Communications**

PAC/HAC members and staff will communicate with each other at meetings (in person or electronic), by telephone or by email.

Draft minutes of PAC/HAC meetings are available to the public and will be approved at the next meeting.

All PAC/HAC meetings are open to the public, except as specified in Section 203 of the MGA.

Public notice of meetings is in accordance with Section 203(2) of the MGA.

PAC/HAC agendas may set aside a period of time during the meeting for public comment or presentation.

**9. Related Policies, Procedures and Legislation**

Municipal Government Act  
Hantsport Municipal Planning Strategy  
Hantsport Land Use By-law  
Hantsport Subdivision By-law  
Windsor Municipal Planning Strategy  
Windsor Land Use By-law  
Windsor Subdivision By-law

*PLANNING AND HERITAGE ADVISORY COMMITTEE TERMS OF REFERENCE*

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- West Hants Municipal Planning Strategy
- West Hants Land Use By-law
- West Hants Subdivision By-law
- Meeting and Committee Procedural Policy
- Council Remuneration Policy

Approved by: \_\_\_\_\_  
 Committee Chair

<b>Adoption</b>	
Notice to Council:	Not Applicable
Approval:	
Description:	