



**WEST HANTS REGIONAL MUNICIPALITY
Planning and Heritage Advisory Committee (PAC/HAC) Agenda
September 9, 2021 – 6:00pm
Zoom**

1.0 Call to Order, Attendance, and Introductions

2.0 Approval of Agenda and Additions

3.0 Approval of Minutes

4.0 Business Arising from the Minutes

4.1 Update: File #s 20-27, 20-29 & 20-30 Secondary Suites: Amendments to the West Hants, Winsor and Hantsport MPS and LUB (Madelyn LeMay)

4.2 Update: Mobile Canteen Vending By-law (Sara Poirier)

4.3 Update: File 21-08 233 Gray Street and Abutting Lot, Windsor, Development Agreement (Madelyn LeMay)

4.4 Update: File 21-02 101 Three Mile Plains Cross Road Development Agreement (Sara Poirier)

4.5 Update: File 21-05 20 Empire Lane, Windsor Development Agreement (Sara Poirier)

4.6 Update: File 21-14 Fees Policy (Madelyn LeMay)

4.7 Update: File # 21-09 Payzant Drive, PIDs 45358314, 45366986, 45055167, 45276441, 45190493 and 45364775 Windsor LUB Amendment (Sara Poirier)

5.0 Building and Development Activity Reports (July & August)

6.0 New Business

6.1 Under Consideration: DA to allow a triplex on Fairfield Court. (Sara)

6.2 Under Consideration: DA Amendment for multi-unit buildings on O'Brien Street

6.3 Civic Addressing By-law Amendment (Madelyn LeMay)

6.4 Information Report: Processes for Planning Applications (Madelyn LeMay)

6.5 File # 21-11 Windsor LUB Amendments: Farm Markets in the Fairground (FG) Zone (Madelyn LeMay)

6.6 File # 21-12 West Hants LUB Amendments: Hwy 14, Vaughan PID 45288750 (Sara Poirier)

6.7 Heritage Permit Application: 744 Highway 236; Dimock House (Madelyn LeMay)

6.8 MPS Review Discussion: Statements of Provincial Interest

7.0 Notices from Adjacent Municipal Units

8.0 Questions and Comments from the Public

9.0 Adjournment

ACTIVITY REPORT

For Month of July 7/31/2021

Type	Jul 2020			Jul 2021		
	Permits	Units	Value of Construction	Permits	Units	Value of Construction
Single Family	16	3	2,494,330	18	11	2,736,000
Duplex/Semi	0	0	0	0	0	0
Apartments	0	0	0	0	0	0
Other Residential	28	0	410,822	23	0	434,517
Commercial	1	0	25,000	0	0	0
Industrial	0	0	0	1	0	5,000
Inst & Gov	0	0	0	0	0	0
Agriculture	0	0	0	2	0	847,318
Other	0	0	0	0	0	0
Total	45	3	2,930,152	44	11	4,022,835
Year To Date	199	21	12,458,899	219	73	23,398,780
Demolition	5	0		3	0	
Sign Permits	2			0		
Sub Applications	2	2 (Lots Requested)		8	12 (Lots Requested)	

ACTIVITY REPORT

For Month of August 8/31/2021

Type	<i>Aug 2020</i>			<i>Aug 2021</i>		
	Permits	Units	Value of Construction	Permits	Units	Value of Construction
Single Family	12	1	1,423,850	19	10	4,765,026
Duplex/Semi	0	0	0	0	0	0
Apartments	1	0	180,000	0	0	0
Other Residential	10	0	231,000	15	0	323,000
Commercial	0	0	0	2	0	35,000
Industrial	0	0	0	0	0	0
Inst & Gov	0	0	0	0	0	0
Agriculture	2	0	16,000	1	0	47,900
Other	0	0	0	0	0	0
Total	25	1	1,850,850	37	10	5,170,926
Year To Date	224	22	14,309,749	256	83	28,569,706
Demolition	3	0		4	0	
Sign Permits	0			0		
Sub Applications	3	2 (Lots Requested)		4	5 (Lots Requested)	



**WEST HANTS REGIONAL MUNICIPALITY
RECOMMENDATION REPORT**

To: Members of Planning Advisory Committee/Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
Madelyn LeMay, Director, Planning and Development

Date: September 9, 2021

Subject: Civic Addressing By-law Amendment
File # 21-16

1.0 LEGISLATIVE AUTHORITY

Municipal Government Act (MGA) s.313

2.0 RECOMMENDATION

If PAC/HAC wishes to forward a positive recommendation the following motion would be in order:

PAC/HAC recommends that Council give First Reading and proceed to a Public Hearing to amend the Civic Addressing By-law, RC-001, by adding a new clause to allow Council to change a road name without support of those owning lots on the street, in a manner substantively the same as that included as Attachment A to the report entitled *Civic Addressing By-law Amendment* dated September 9, 2021.

3.0 BACKGROUND

West Hants Regional Municipality approved a Civic Addressing By-law on November 24, 2020. Since then it has come to the attention of staff that the only way to rename a road is by the Civic Addressing Coordinator receiving a

petition signed by the owners of seventy-five percent (75%) of the lots with frontage on the road.

4.0 DISCUSSION

The 2020 By-law works well when a road is named or when a name change is wanted by those who own property on the street. However, within the 2020 By-law there is no opportunity for Council itself to change a road name should it become necessary for reasons of safety and/or to meet the requirements of the Nova Scotia Civic Address File (NSCAF) system.

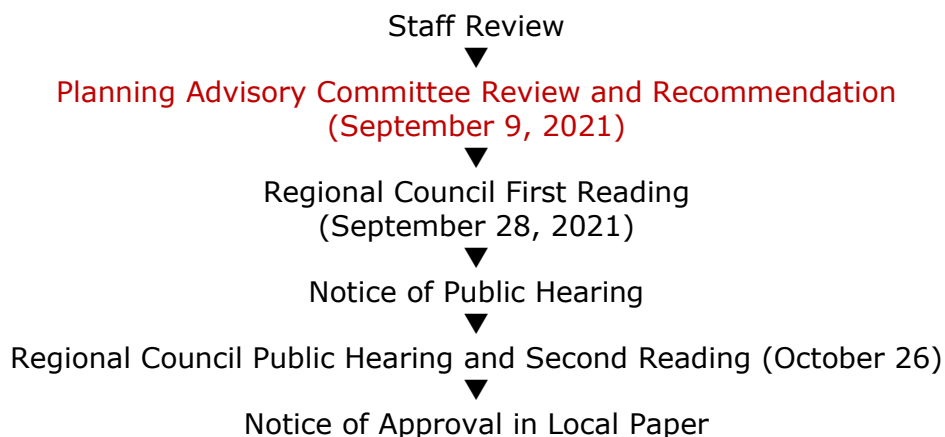
As a result, staff are recommending that Council amend the Civic Addressing By-law (Attachment A) by adding the following clause:

6.2.1 *When a road owned by West Hants Regional Municipality should be named or a name changed in order to comply with or reflect the criteria used by the Nova Scotia Civic Address File (NSCAF) to ensure safety of residents, WHRM Council may direct the Civic Addressing Coordinator to change the road name to a specific road name determined by Council and reviewed by the Civic Addressing Coordinator to ensure it complies with the requirements of Section 6.3, Road Naming Evaluation Criteria, without public consultation. Notice to those affected must be provided a minimum of sixty (60) days prior to the name being changed in the Civic Address File.*

When a road is being named or the name changed because of safety concerns, no opportunity for those who own property on the road to object to Council should be provided. NSCAF requirements need to prevail to ensure emergency services can reach and find residents.

5.0 NEXT STEPS

The following process is required for amendment of the By-law:



▼
Notice of Approval to Municipal Affairs and Housing

6.0 FINANCIAL IMPLICATIONS

There are no financial implications for the Region associated with amending the existing By-law.

7.0 ALTERNATIVES

Should PAC/HAC not wish to recommend this amendment to Council, PAC/HAC may:

- recommend specific amendments to the proposed draft;
- provide alternative direction, such as requesting further information on a specific topic.

8.0 ATTACHMENTS

Attachment A	Region of West Hants Civic Addressing By-law, RC-001, with proposed amendments
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Report Prepared by: _____

Madelyn LeMay, Director, Planning and Development

and

Tracy Babineau, Civic Addressing Coordinator

Civic Addressing Bylaw

Proposed Changes Shown in RED

1.0 This By-law is made pursuant to the Municipal Government Act, RSNS 1998, as amended from time-to-time and hereinafter referred to as the "Act" and shall be known and may be cited as the Civic Addressing By-law.

2.0 DEFINITIONS

In this By-law:

- (a) "building" means any structure used, or intended to be used, to support or shelter any use or occupancy, and includes an incomplete building once the footings have been constructed, but does not include a structure accessory to another structure on the same lot or a structure which, if it were now being built for the first time, would not require a Building Permit to authorize its construction;
- (b) "civic address" means the combination of an assigned civic number, the road name and the community;
- (c) "Civic Address File" means the database maintained by the Region containing geographically referenced civic address information including civic points, street network files, and community boundaries;
- (d) "Civic Addressing Coordinator" means the person who administers this By-law;
- (e) "civic number" means the number assigned to a lot or building by the Civic Addressing Coordinator in accordance with this By-law;
- (f) "community" means a geographic area contained within the Region of Windsor and West Hants;
- (g) "owner" has the same meaning as the owner of property in the Municipal Government Act or successor legislation from time to time;
- (h) "private road" means any street, road, lane, bridge or other thoroughfare accessible to motor vehicles which is not a public road defined in clause 2.0 (k) and which serves as a principal vehicular access to three or more dwelling units;

CIVIC ADDRESSING BY-LAW

- (i) "property" means a lot of land;
- (j) "public road" means a road or highway owned and maintained by the Region or the Province of Nova Scotia;
- (k) "Region" or "West Hants Regional Municipality" means the Municipality incorporated by the Region of Windsor and West Hants Act, SNS 2018, c.26 irrespective of whether it has had its name changed by virtue of Section 11 of that Act or otherwise;
- (l) "road name" means the official name of a street, road, or highway as it appears in the Civic Address File.

3.0 DUTIES of CIVIC ADDRESSING COORDINATOR

The Civic Addressing Coordinator shall be responsible for:

- (a) assigning or re-assigning civic numbers to lots or buildings and the keeping of the Civic Address File;
- (b) reviewing and approving all proposed road names for new public and private roads created through the subdivision approval process;
- (c) reviewing and approving all proposed road names for existing unnamed roads; and
- (d) reviewing and recommending to Regional Council the acceptance or rejection of proposed road names submitted through the application process for changing an existing Provincial or Regional road name.

4.0 CIVIC NUMBERS**4.1 Existing Civic Numbers**

A civic number that is recorded in the Civic Address File for a lot or building on the date of the first reading of this By-law is hereby assigned to that lot or building until such time as the Civic Addressing Coordinator, by written notice to an owner, directs otherwise.

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4.2 Assignment of Civic Numbers

4.2.1 The Civic Addressing Coordinator may assign civic numbers to:

- (a) buildings that have permanent or temporary occupancy or use; and
- (b) vacant lots or developed sites and in the assignment of a number shall take into consideration the public use thereof which may require emergency services, such as parks, playgrounds and trails where public activity will occur.

4.2.2 The Civic Addressing Coordinator may assign more than one civic number to a lot or building.

4.2.3 The Civic Addressing Coordinator shall assign new civic numbers using a spatial formatting system which has all roads divided into intervals and numbers are assigned depending upon where the driveway intersects the road.

4.2.4 The Civic Addressing Coordinator may assign a new civic number with a spatial formatting system based on the surrounding civic numbers where an existing civic number prevents the use of the usual spatial formatting system.

4.2.5 The Civic Addressing Coordinator shall assign a new civic number where:

- (a) a building permit has been issued; or
- (b) there is no building permit issued, once a site inspection has been done by the Building Inspector or Civic Addressing Coordinator to confirm whether a civic number is required.

4.3 Deletion of Civic Numbers

Deletion of civic numbers shall be at the discretion of the Civic Addressing Coordinator.

4.4 Refusal of Civic Number

The Civic Addressing Coordinator shall not issue a civic number if they are made aware of an outstanding order against the property under the National Building Code, Fire Safety Act, or the Municipal Government Act.

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4.5 Change and Reassignment of Existing Civic Numbers

- (a) The Civic Addressing Coordinator may, by sixty (60) days written notice to an owner, change or reassign civic numbers where necessary to avoid potentially confusing numbering irregularities and to assure an adequate supply of civic numbers for existing and future development.
- (b) The Region shall not be liable for any costs or damages whatsoever that may be incurred by an owner related to the reassignment of a civic number.

5.0 POSTING of CIVIC NUMBERS**5.1 Civic Number Specifications**

The owner of a property for which a civic number is issued shall keep the assigned civic number posted on the lot or building in the following manner:

- (a) civic numbers shall be in Arabic numerals;
- (b) the numerals shall be right side up;
- (c) the colour of the numerals shall clearly contrast with the background upon which the numbers are displayed;
- (d) civic numbers shall either be composed of highly reflective material or be effectively illuminated during the hours of darkness;
- (e) the bottom of the numbers shall be a minimum of 90 centimeters (36 inches) above grade;
- (f) the height of the numerals shall not be less than 65 millimeters (2.5 inches);
- (g) civic numbers shall be posted within 6 meters (20 feet) of the closest edge of the traveled portion of the public road or private road which forms part of the civic address for the lot or building;

CIVIC ADDRESSING BY-LAW

- (h) the civic number shall be posted on the building or on a gatepost, signpost, or other structure on the lot on which the building is situated, excluding a utility pole for electrical, telephone, or other utility service;
- (i) civic numbers shall face towards the public road or private road upon which the lot or building is situated and which forms part of the civic address for the lot or building, except that double-sided signage may be used, in which event the civic number shall be on both sides of the sign and perpendicular to the public road or private road;
- (j) civic numbers shall be posted in a location which is not obstructed from view when viewed from the closest place on the traveled portion of the public or private road upon which the lot or building is situated or from which it has access and from all points at least 10 meters (33 feet) in either direction from that place, except that an intervening tree trunk or a vertical pole or post shall not alone be considered an obstruction for purposes of this subsection; and
- (k) no person shall post or permit to be posted a number that could be reasonably confused with a civic number as determined by the Civic Addressing Coordinator.

5.2 Occupancy Permit

An occupancy permit shall not be issued for a property unless a civic number is posted on that property.

6.0 ROAD NAMING**6.1 Application Process for Naming New Roads Created Through Subdivision Approval**

- (a) The applicant shall complete the "Application to Name a Road" form and submit it to the Civic Addressing Coordinator;
- (b) The Civic Addressing Coordinator shall review the application;
- (c) If the road name does not meet the evaluation criteria, the Civic Addressing Coordinator shall advise the applicant and provide an explanation for the rejection;

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- (d) If the road name meets the evaluation criteria, the Civic Addressing Coordinator shall approve the name;
- (e) Within one week of notification of final approval of the plan of subdivision, the Civic Addressing Coordinator shall notify the appropriate agencies. Once the road is constructed the Civic Addressing Coordinator shall record the location of the road in the Civic Address File;
- (f) If a subdivision plan creating a new road is repealed, all agencies notified of the new road name(s) shall be notified of the repeal; and
- (g) The Civic Addressing Coordinator shall contact all property owners on the road(s) to inform them of the name of the new road(s).

6.2 Application Process for Naming an Existing Unnamed Road or Changing an Existing Road Name

6.2.1 When a road owned by West Hants Regional Municipality should be named or a name changed in order to comply with or reflect the criteria used by the Nova Scotia Civic Address File (NSCAF) to ensure safety of residents, WHRM Council may direct the Civic Addressing Coordinator to change the road name to a specific road name determined by Council and reviewed by the Civic Addressing Coordinator to ensure it complies with the requirements of Section 6.3, *Road Naming Evaluation Criteria*, without public consultation. Notice to those affected must be provided a minimum of sixty (60) days prior to the name being changed in the Civic Address File.

6.2.2 When individuals wish to have an unnamed road named, or a name changed, the following process must be followed:

- (a) Application shall be made by completing the "Application to Name a Road" form and submitting it to the Civic Addressing Coordinator. The application shall be accompanied by a petition signed by the owners of seventy-five percent (75%) of the lots with frontage on the road;
- (b) The Civic Addressing Coordinator shall review the application;
- (c) If the road name does not meet the evaluation criteria, the Civic Addressing Coordinator shall advise the applicant and provide an explanation for the rejection;

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- (d) If the application meets the evaluation criteria, the Civic Addressing Coordinator shall:
 - (i) seek approval from the authority having jurisdiction over the road, if applicable, and approve the name; or
 - (ii) seek approval from Council when an existing Provincial or Regional Road name is to be changed.
 - (e) Within one week of the approval of the new road name, the Civic Addressing Coordinator shall record the new name in the Civic Address File and notify the appropriate agencies; and
 - (f) The Civic Addressing Coordinator shall contact all owners of property on the road to inform of the new road name. If a subdivision plan creating a new road is repealed, all agencies notified of the new road name(s) shall be notified of the repeal.

6.3 Road Naming Evaluation Criteria

- (a) The name must be easy to pronounce and spell and have recognizable words or an acceptable combination of words;
- (b) Consideration must be given to the long-standing local usage of the name by the local public;
- (c) Road names must be in good taste;
- (d) Qualifying words (such as Upper, Lower, New, Old, etc.) should be avoided, but may be accepted in cases where the qualifier has been applied in an official context (e.g., as found in the Nova Scotia Gazetteer);
- (e) All names must have an associated road type and the road type must be checked against a standard list before the submitted name can be accepted;
- (f) Road names must be alphanumeric (e.g. First Street); name submissions using a numeral (e.g. 1st Street) shall be rejected;
- (g) Where a new road is a continuation of an existing road, wherever possible the new road shall be given the same name as the existing road;

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- (h) There must be no duplication of road names within the Region and, if possible, duplication of road names used in immediately adjoining municipal units shall be avoided;
- (i) All road name submissions must be checked against the alias field in the road names database both for the community in question and its adjacent communities. If the suggested name appears as an alias, it must be rejected;
- (j) There should be no like-sounding names within the Region;

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- (k) Official road names, including road type, must have no more than 35 characters (including special characters and spaces);
- (l) If the road is named after a topographic feature, the name must reflect the official name found in the Nova Scotia Gazetteer;
- (m) A personal name (given name and surname) should not be applied to a road unless such application is in the public interest. The person commemorated should have contributed significantly to the area where the road is located. The adoption of a personal name during the lifetime of the person concerned should only be made in exceptional circumstances and with the person's written consent;
- (n) No formal titles of distinction may be associated with the personal name (e.g., Captain, Major);
- (o) Company or commercial product names, as well as names associated with copyright or trademarks, shall be avoided;
- (p) The spelling and accenting of names must agree with the rules of the language in which they are written; and
- (q) Changes to established existing road names shall be discouraged unless there are recognized difficulties with the existing name.

7.0 POSTING ROAD SIGNS**7.1 Public Road Signs**

Identification of provincially or municipally owned public roads is the responsibility of the respective jurisdiction.

7.2 Private Road Signs

The owners of a private road shall ensure that a road sign is erected and maintained according to specifications outlined in this Civic Addressing By-law.

7.3 Posting Private Road Signs through the Nova Scotia Department of Transportation (DTIR)

CIVIC ADDRESSING BY-LAW

- 7.3.1 Private roads which intersect with public roads shall be identified only by an approved road name sign.
- 7.3.2 Private roads which intersect with public roads and are not already identified by an approved road name sign shall be provided with a road name sign upon the written request of one or more residents of the road subject to the following criteria:
- (a) prior to approval of a sign by the Civic Addressing Coordinator the applicant(s) has paid to the Region one hundred percent (100%) of the fees charged by DTIR for such purchase; and
 - (b) the name of the road is to be that designated by the Civic Addressing Coordinator; and
 - (c) the administrative process developed by the Region from time-to-time shall be followed for the erection of private road signs.
- 7.3.3 When a private road sign requires repair, removal or replacement, costs shall be determined by DTIR and borne by the applicant.

7.4 Posting Private Road Signs by Applicant

- 7.4.1 The applicant shall erect, maintain in good condition and replace as necessary, a sign and signpost at the intersection of the private road and the public street in a manner consistent with any conditions attached to such permission and other lawful requirements; and
- 7.4.2 The residents of a private road shall apply for and obtain permission to erect an identifying sign and a signpost from any person or regulatory authority whose permission is required by law to erect an identifying sign and a signpost, subject to the following requirements:
- (a) the cost of fabrication and installation of such sign shall be the responsibility of the residents;
 - (b) it will be the residents' responsibility to install, maintain in good condition and replace as necessary the sign and signpost;

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- (c) the name of the road is to be that designated by the Civic Addressing Coordinator;
- (d) to the extent possible, the signpost is to be located in an unobstructed line of sight for vehicles approaching the private road from either direction along the intersecting public street, and is to be set back a minimum of 1.5 meters (5 feet) from the outside edge of the travel lane of the intersecting public road;
- (e) double-sided signage placed perpendicular to the intersecting road shall be used so that the name of the road is visible for vehicles approaching the private road from either direction;
- (f) lettering of the private road name shall be 100 millimeters (4 inches) in height and in uppercase letters;
- (g) the sign shall be painted with reflective paint with lettering in black against a white background;
- (h) the bottom of the sign shall be between 1.5 meters (5 feet) and 2.5 meters (8 feet) above the road grade of the intersecting public road; and
- (i) the signpost shall be made of pressure-treated lumber with cross-sectional dimensions not less than 85 millimeters (3.3 inches) by 85 millimeters (3.3 inches), or rigid non-ferrous metal, and sufficiently fastened to the ground to hold the sign rigidly in place and to prevent turning of the sign.

8.0 COMPLIANCE**8.1 Special Conditions**

8.1.1 Upon application by an owner, the Civic Addressing Coordinator may provide written authorization for signage for civic numbers or road names to vary from the standards contained in this By-law, with or without conditions, when:

- (a) compliance with the standards is not reasonably possible, due to the physical features of the site or other matters; or

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- (b) compliance with this By-law would not effectively meet the objectives of this By-law as an alternative approach.

8.1.2 The Civic Addressing Coordinator may revoke or vary an authorization under this section. Owners shall comply with any conditions contained within authorizations granted under this section.

9.0 VIOLATIONS

9.1 It shall be an offence for a person to refuse or fail to comply with a written notice issued by the Civic Addressing Coordinator to an owner which assigns, reassigns, or deletes a civic number of a lot or building.

9.2 Any person who violates any provision of this By-law shall be liable on summary conviction to a penalty of not less than \$200.00 and not more than \$5,000.00, and in default of payment to imprisonment for a period of not more than 90 days.

9.3 In the event of contravention of this By-law, the Region may:

- (a) prepare and serve a notice in writing to an owner to undertake work including, but not limited to, the posting or re-posting of a civic number on a building or lot, the erection or re-erection of signage for a private road, or the removal of a civic number or signage for a private road;
- (b) in the event that:
 - (i) required remedial work regarding a road sign has not been completed within thirty (30) days; or
 - (ii) required remedial work regarding a civic number has not been completed within fourteen (14) days,

of the date of service of the notice, enter upon the property of the owner and undertake the work, and the cost of the work with interest at the same rate as taxes from the date of completion until the date of payment, shall be a first lien on the property upon which, or for the benefit of which, the work was done.

9.4 The notice required to be served pursuant to this By-law may be served:

- (a) in person;
- (b) by regular mail to the address shown on the Assessment Roll;
- (c) by electronic mail; or
- (d) by facsimile.

A notice is deemed to have been served on the seventh (7th) day after it was sent.

10.0 REPEAL

- 10.1** The Town of Windsor Civic Addressing By-law dated November 19, 2019 and the Municipality of the District of West Hants Civic Addressing By-law , C-003, dated November 27, 2018 are hereby repealed.

I, Rhonda Brown, Municipal Clerk, of the West Hants Regional Municipality, the Province of Nova Scotia, do hereby certify that this is a true copy of the By-law as adopted by the Council of the West Hants Regional Municipality at a meeting duly called and held on the **24th** day of **November, 2020**.

R. N. Brown
Municipal Clerk

By-law Adoption	
First Reading:	September 22, 2020
Notice Published:	November 3, 2020
Second Reading & Approval	November 24, 2020
Final Publication	December 1, 2020
Notice to Municipal Affairs	December 1, 2020
Description: Initial approval of the Civic Addressing By-law, RC-001, which includes the repeal of previous Civic Addressing By-laws of the former Town of Hantsport and Municipality of the District of West Hants.	



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information X	Recommendation <input type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Planning and Heritage Advisory Committee

Submitted by: _____
Madelyn LeMay, Director, Planning and Development

Date: September 9, 2021

Subject: File#21-14 Enhanced Notification Practices for Planning Matters

1.0 LEGISLATIVE AUTHORITY

Section 205 of the Municipal Government Act.

2.0 BACKGROUND

As a result of the restrictions caused by the pandemic, Council on April 28, 2020 approved Enhanced Notification Practices for Planning Matters which were to be effective only until Council could hold in-person meetings (Attachment A).

West Hants Regional Council also approved the overall Public Participation program on April 28, 2020 (Attachment B).

3.0 DISCUSSION

3.1 Present Practice

While under restrictions due to the Provincial State of Emergency, the process for review of applications for development agreements, amendments to development agreements and Municipal Planning Strategy and Land Use By-law amendments has been somewhat expanded:

- Public Information Meetings are held virtually and a comment period is provided;

- Public Hearings begin at one Council meeting, a comment period of about 3 weeks is provided, and the public hearing concludes at a second Council meeting with Second Reading following at the same meeting.

Since Council is meeting in Chambers and four (4) members of the public can now attend meetings, it is time to revise the practices around planning applications to reflect the reduction in restrictions. Further changes may be made as restrictions are lifted even further.

3.2 Revised Practices

With pandemic restrictions changing, for the immediate future, staff will be using the following practices each of which is in accordance with the Public Participation Program:

Public Information Meetings

All Public Information Meetings (PIM) will be held immediately before PAC/HAC (whether PAC/HAC meetings are in-person, hybrid or via Zoom) and livestreamed on Facebook for all residents to see. The notice of the Public Information Meeting (published and /or mailed to neighbours) will state that the public may attend the PIM and may comment in the usual ways (email, letter, phone call) until a set date approximately two (2) weeks after the PIM.

If the meetings are either hybrid or via Zoom, the public will be encouraged to attend via Zoom rather than in person since multiple PIM's may be held on the same night and more than the permitted four (4) residents may try to attend in person. Members of the public will be required to notify staff of their intent to attend and Zoom invitations will be sent if necessary.

Report and Recommendation

The PIM report and staff recommendation report will be completed and sent to PAC/HAC with the agenda for the following month.

Public Hearings

All public hearings will be held in person in Council Chambers and completed in one meeting with Second Reading generally being held the same night; staff will attend via Zoom but up to four (4) members of the public will be able to attend the Public Hearing in person.

Again, the public will be encouraged to attend via Zoom since multiple Public Hearings are often held on one evening and more than the permitted four (4) residents may try to attend in person. Members of the public will be required to notify staff of their intent to attend and Zoom invitations will be sent as required.

Notifications

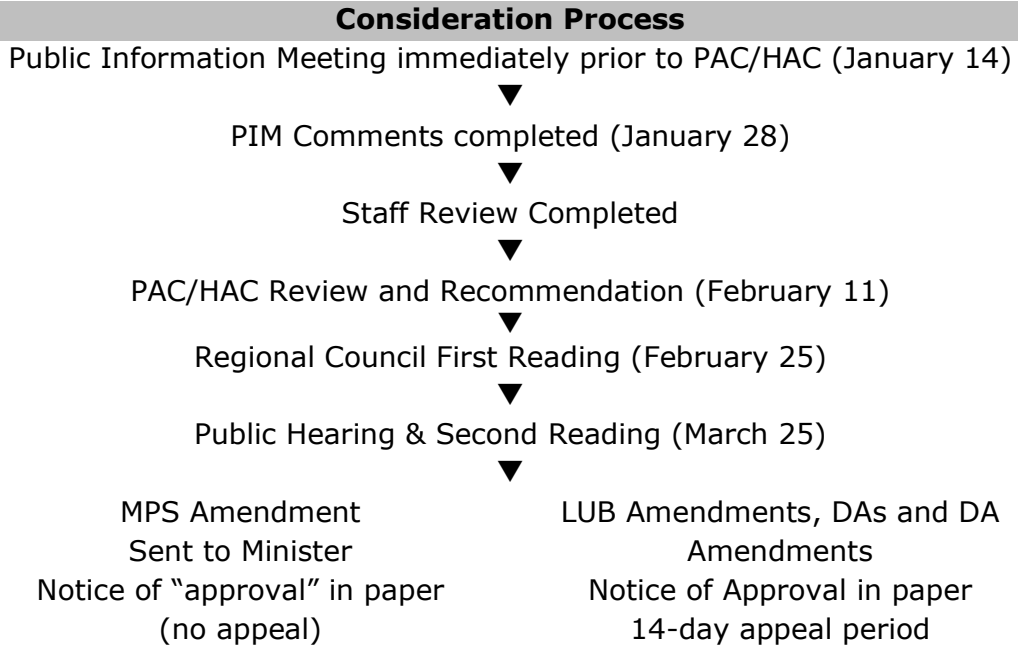
Mailed notices of a proposal will be sent only to those within 300' in Windsor and Hantsport, as required by the Land Use By-laws and notification will be sent to

owners of property within 500' in West Hants as a standard practice as it appears to have improved engagement in the more rural areas.

Signs providing notice of a proposal will still be placed on properties as a standard practice.

Process

The revised process will be as shown below, with the dates in brackets being an indication of the usual time frame:



5.0 NEXT STEPS

Staff will implement these changes as applications are considered. Some applications are too far along in the process for changes now.

6.0 FINANCIAL IMPLICATIONS

There are no financial implications related to the revised process.

7.0 ALTERNATIVES

In response to the application, Council may:

- direct staff to change this process in any manner which meets the requirements of the Public Participation Program.

8.0 ATTACHMENTS

Attachment A Enhanced Notification Practices for Planning Matters
Attachment B Public Participation Program Policy

Report Prepared by: _____
Madelyn LeMay, Director of Planning and Development

ATTACHMENT A

ENHANCED NOTIFICATION PRACTICES FOR PLANNING MATTERS EFFECTIVE ONLY UNTIL COUNCIL MAY HOLD IN-PERSON MEETINGS

1. In addition to the methods of notification established in the Public Participation Program Policy, Council shall give notice of any Public Information Meeting or Public Hearing required under the Planning Act by:
 - placing a sign or signs on the site noting the dates and the contact information, including how to find out how to attend virtual meetings;
 - notifying by mail the owners of properties within 500' of the site regarding a proposed amendment to a specific property.

2. Public Information Meetings will be held at one Planning Advisory Committee (PAC) meeting and a recommendation by PAC made at the following meeting once comments have been received from the public by phone, e-mail, regular mail or in the Region's on-site mail-drop box. Comments will be conveyed to PAC with the agenda for the following meeting and read into the record at the meeting for the benefit of the public.

3. Public Hearings will be held prior to one Council meeting and adjourned until prior to the next Council meeting at a date and time specified. This would give the public the opportunity to listen to the presentation during the public hearing and submit comments or ask questions via phone, e-mail, regular mail or in the Region's on-site mail-drop box while the public hearing is still technically in session. This will avoid Council receiving any new information once a hearing has been closed and before making a decision (second reading) but allow the public to comment after a presentation has been made. Comments will be conveyed to Council with the agenda for the following meetings and read into the record at the meeting for the benefit of the public.

ATTACHMENT B



Region of Windsor and West Hants Municipality *Public Participation Program Policy*

1. PURPOSE

- 1.1. Section 204 of the *Municipal Government Act* requires Council to adopt a public participation program before undertaking the preparation or amendment of development agreements or planning documents.

2. DEFINITIONS

- 2.1. The terms used in this Policy have the same meaning as those found in the *Municipal Government Act*.

3. COMPREHENSIVE REVIEW of PLANNING DOCUMENTS

- 3.1. Council resolves to seek the views of the public and encourage public participation regarding any comprehensive review by developing and implementing a public engagement plan to inform the public and receive comments from the public. The contents are at the discretion of Council but may involve committees, meetings, open houses, surveys, questionnaires, and publications.

4. DEVELOPMENT AGREEMENTS and AMENDMENTS to DEVELOPMENT AGREEMENTS; AMENDMENTS to PLANNING DOCUMENTS and AMENDMENTS to the LAND-USE BY-LAW

- 4.1. Council resolves to seek the views of the public and encourage public participation regarding development agreements, amendments to development agreements, and amendments to the West Hants and/or Hantsport Planning Documents or Land Use By-law by, at a minimum:
 - holding one or more public meetings, usually hosted by the Planning Advisory Committee, prior to First Reading of any proposed development agreement or amendment;
 - advertising any public participation or information meeting regarding any proposed development agreement or amendment by notifying by mail the owners of neighbouring properties of the site of both the

- public information meeting and any public hearing regarding a proposed amendment to a specific property;
- advertising any public hearing regarding any proposed development agreement or amendment by:
 - placing a notice in a newspaper circulating in the local area;
 - notifying by mail the owners of neighbouring properties of the site of both the public information meeting and any public hearing regarding a proposed amendment to a specific property;

5. GENERAL

- 5.1. Councillors shall receive no new information regarding a planning matter once a public hearing is complete.
- 5.2. Any fees related to any action required by the Public Participation Program will be established by policy of Council.

6. REPEAL

- 6.1 The Public Participation Program Policy COPL-002.00, dated October 10, 2017, of the former Municipality of the District of West Hants and the Public Participation Program Policy dated March 26, 2019 of the former Town of Windsor are hereby repealed.

7. RELATED LEGISLATION, POLICIES and PROCEDURES

- 7.1. Municipal Government Act
 I, Rhonda Brown, Municipal Clerk of the Region of Windsor and West Hants, Province of Nova Scotia, do hereby certify that this is a true copy of the policy as adopted by the Council of the Region of Windsor and West Hants at a meeting duly called and held on the ____ day of _____(month), _____ 2020.

(Signature of Municipal Clerk) _____

R.N Brown, Municipal Clerk

<i>Adoption</i>	
<i>Notice to Council:</i>	<i>Date</i>
<i>Approval:</i>	<i>Date</i>
<i>Description:</i>	



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation X	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Members of Planning and Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
Madelyn LeMay, Director, Planning and Development

Date: September 9, 2021

Subject: File 21-11 Farm Markets Windsor LUB Amendment

1.0 LEGISLATIVE AUTHORITY

Section 205 of the Municipal Government Act.

2.0 RECOMMENDATION

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

...that Council give First Reading and hold a Public Hearing to consider amending the Windsor Land Use By-law to change the definition of farm markets to include outdoor spaces and to add farm markets to the list of permitted uses in the Fairground (FG) zone in a manner substantively the same as Appendix E of the staff report to PAC/HAC dated September 9, 2021.

3.0 BACKGROUND

An application was received June 8, 2021 from Lisa Hines, acting for the Windsor Agricultural Society, to add farmers' market to the list of permitted uses in the Fairground (FG) Zone of the Windsor Land Use By-law (WLUB) so that the Windsor Farmers' Market could locate indoors in the Exhibition buildings during the winter months (Appendix A). The Windsor Farmers' Market is now open seasonally outdoors on the Exhibition grounds.

4.0 DISCUSSION

4.1 Windsor Municipal Planning Strategy (WMPS)

The exhibition grounds are designated Commercial on the Generalized Future Land Use Map (GFLUM) of the Windsor Municipal Planning Strategy (WMPS) and zoned Fairground (FG) on the Zoning map of the WLUB.

The intent of the Fairground (FG) zone is expressed in WMPS policy 8.6.18: *"It shall be the policy of Council to establish a Fairground (FG) zone to apply to Exhibition Park which permits agricultural, exhibition, recreational, hotels, motels and related uses."*

There are no policies in the WMPS that relate directly to farmers' markets. There is only one specific mention of farm markets: in the background section of the Pesaquid Comprehensive Development District farm markets are noted as a possible use on the waterfront.

4.2 Windsor Land Use By-law (WLUB)

The term "Farm Market" is both defined and used in the WLUB. It has a fairly narrow definition as *"a building or part thereof in which farm produce comprises the major portion of goods offered or kept for sale directly to the public at retail value;"*. As the term "Farm Markets" is used and defined in the WLUB, that is the term used for this application.

Farm markets now are specifically permitted in the Town Centre (TC), Highway Commercial (HC), Shopping Centre (SC) and Wentworth Road Commercial (WR-C) zones. They are not a listed permitted use in the Fairground (FG) zone.

4.3 Additional Consideration

Farm markets are a retail commercial use that often generate a lot of traffic while they are open.

At the moment, any farm market held outdoors in Windsor is considered a "special use" and there is no requirement for a development permit. In order to limit outdoor farm markets to the areas where commercial development is permitted, outdoor farm markets must be included within the definition of farm market.

4.4 Proposed Amendments

4.4.1 *Addition of Farm Markets to Permitted Uses in the Fairground (FG) Zone*

The broad range of uses within the Fairground (FG) zone (Appendix B) and the designation of the Exhibition grounds as Commercial on the GFLUM both indicate that the addition of farm markets to the list of permitted uses in the Fairground (FG) Zone is in accord with Council's intentions for the area.

4.4.2 *Change of Definition*

As noted above, to regulate outdoor farm markets the definition needs to be changed to incorporate outdoor spaces. This can be accomplished by adding the text shown in blue: *Farm Market means a building or lot or part of a building or lot where farm produce comprises the major portion of goods offered or kept for sale directly to the public;*

4.5 Municipal Climate Change Action Plan (MCCAP)

The Windsor MCCAP (2014) highlights two simulated flooding scenarios. The first is based on a storm surge that occurred in 1997, which shows the damage is expected to occur along the coastline. The second shows the simulated flooding extent for probable maximum flood due to climate change. Under this scenario most of the community of Windsor, including the subject, lot would experience flooding and properties within the Tregothic Marsh Body will experience extensive flooding.

In addition, Milestone 3 of the Partners for Climate Protection (PCP) program is intended to develop a local greenhouse gas emission reduction action plan. One of the goals in the draft action plan is to *"make it easier to buy from local vendors and eat local food"*. The requested amendment supports this goal.

4.6 WMPS Specific Criteria

There are no specific criteria for this text amendment.

4.7 WMPS General Criteria

The proposal meets the general criteria for amendment established in WMPS policy 16.3.1. The criteria are examined in detail in Appendix C. In summary, the proposal is neither premature nor inappropriate and no problems are anticipated by the Traffic Authority, Manager of Building and Fire Inspection Services or Windsor Fire Chief.

4.8 Public Information Meeting

A Public Information Meeting was held via Zoom on on June 29, 2021; the comment period ended on July 20, 2021 with no comments received (Appendix D).

5.0 NEXT STEPS

As noted above, the proposed amendments have been considered within the context of the general policies of the WMPS and are consistent with the intent, objectives and policies of the WMPS. The proposed amendments which will permit indoor farm markets in the Fairground (FG) zone and include outdoor markets in the definition reflect the intent of the existing policies of the WMPS. As a result, staff recommends proceeding with the approval/refusal process for the proposed amendments. Dates shown are anticipated; actual dates will be determined by Council.

Approval/Refusal Process

Public Information Meeting (June 29)



Staff Review



Planning Advisory Committee receives staff report and PIM Notes
Planning Advisory Committee Review and Recommendation (Sept 9)



Regional Council First Reading (September 28)



Public Hearing & Second Reading
(October 26)



Notice of Approval in Local Paper begins 14-day appeal period

6.0 FINANCIAL IMPLICATIONS

There are no financial implications related to the proposed amendment.

7.0 ALTERNATIVES

In response to the application, PAC/HAC may:

- request further information on a specific topic;
- determine that the application does not meet the criteria of the WMPS and make this recommendation to Council.

8.0 APPENDICES

Appendix A Windsor Agricultural Society Submission
Appendix B Fairground (FG) Zone
Appendix C General Criteria for WLUB Amendment
Appendix D Public Information Meeting Notes
Appendix E Draft WLUB Amendments

Report Prepared by: _____
Madelyn LeMay, Director of Planning and Development

APPENDIX A



Proposal for Farmer's Market – June 08/2021

For as long as the exhibition grounds has been at the Wentworth Road location (since early 1950's) it has been an event facility in the spring summer and fall, and until last year a hockey rink in the winter months. The fairgrounds is owned by the not for profit Windsor Agricultural Society, and is home to the Oldest Agricultural Fair in North America. The Hants County Exhibition began as a farmers' market back in 1765

The Hants County Exhibition itself is a mix of equestrian events, livestock events, displays and exhibits, entertainment, food vendor booths, commercial vendor booths, and midway etc.

In addition to the Hants County Exhibition throughout a "normal" season the exhibition grounds (or fairgrounds) hosts various events including but not limited to flea markets, music festivals, truck pulls, horse shows, ox pulls, 4H and pony club events, clinics, family reunions, luncheons, vehicle shows, meetings etc.

The exhibition grounds has also been host to lobster dinners, weddings, beer gardens, big name concerts, and a large Farmers' Market (before Farmers' Markets were the thing). In fact all of the infrastructure existing in the food vendor hall of the Industrial Building was built for a farmers' market (The Windsor Country Fair) - multiple serviced booths with water/sewer and power

HCEX Fairgrounds has the existing infrastructure to easily meet public health guidelines for multiple food permits. In fact, while completing the public market process over the past month (in conjunction with our NS Farmer's Market membership) the Public Health Officer asked why we didn't move indoors to take advantage of the serviced booths that were designed for farmers' market purpose in the food vendor hall of the Industrial Building. Covid-19 restrictions make it is simpler to host a market outside in 2021, but if successful moving indoors would be a sensible move in the future.

During a recent site assessment and business planning process (funded by ACOA and the province of NS) a farmers' market was recognized as being a reasonable event to try again as part of the fairground's seasonal operations. Recognizing also that a farmer's market dovetails nicely with the Windsor Agricultural Society's efforts to support and promote agriculture. The plan was presented in the fall of 2019, and of course Covid 19 has left the fairgrounds shuttered for the most part since then. A huge financial challenge for the Society, as the costs of keeping the facility still exist.

Interest in local food and local food security has risen with Covid 19, and with our inability to host larger events, we wish to explore the opportunity to introduce a weekly indoor farmers' market event to meet these demands in the future.

The Windsor Agricultural Society respectfully requests Farmers' Market be included in the Fairground zoning at 221-249 Wentworth Road in Windsor.

Sincerely,

Lisa Hines, GM

APPENDIX B

Taken from the Windsor LUB July 29, 2021

23.0 FAIRGROUND (FG)

Permitted Uses

23.1 The following uses shall be permitted in the Fairground (FG) zone:

- Arenas
- Campgrounds
- Exhibition grounds
- Hotels and motels
- Livestock barns
- Recreation uses

FG Zone General Requirements

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

Minimum lot area	3 acres (1.21 hectares)
Minimum front yard	30 ft (9.14 m)
Minimum rear yard	30 ft (9.14 m)
Minimum side yard	20 ft (6.10 m)
Minimum distance between buildings or structures	15 ft (4.57 m)*
Maximum height of main building(s) or any structure(s)	40 ft (12.19 m)

*When fire resistant walls are constructed, distance requirements may be reduced to zero.

APPENDIX C
General Criteria for Amendment

16.0 IMPLEMENTATION

16.3 Land Use By-law Amendments and Development Agreements

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

CRITERIA	COMMENT
<i>(a) whether the proposal is considered premature or inappropriate in terms of:</i>	
<i>(i) the adequacy of sewer and water services;</i>	Not applicable, as this is a text amendment.
<i>(ii) the adequacy of school facilities;</i>	Not applicable, as this is a text amendment.
<i>(iii) the adequacy of fire protection;</i>	The Senior Building Official has no concerns with the proposed addition. The Fire Chief has noted that Fire ground operations should not be impacted much, if at all, by this change.
<i>(iv) the adequacy of road networks adjacent to, or leading to the development; and</i>	The Traffic Authority has no concerns regarding the road network adjacent to, or leading to the Exhibition grounds if farm markets are permitted within buildings in the Exhibition grounds.
<i>(v) the financial capacity of the Town to absorb any costs relating to the development.</i>	There are no anticipated costs to the Municipality related to this proposed change.
<i>(b) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;</i>	Not applicable, as this is a text amendment and no new buildings are proposed.
<i>(c) the adequacy of the dimensions and shape of the lot for the intended use;</i>	Not applicable, as this is a text amendment and no new buildings are proposed.
<i>(d) the pattern of development which the proposal might create;</i>	Not applicable, as this is a text amendment.

<i>(e) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses, marshes or bogs and susceptibility of flooding;</i>	Not applicable, as this is a text amendment.
<i>(f) 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>	Not applicable, as this is a text amendment.
<i>(g) any other matter required by relevant policies of this Strategy.</i>	Nothing else is required.

APPENDIX D

Public Information Meeting Notes June 29, 2021- July 20, 2021 File 21-11; Farm Markets in Windsor LUB

Meeting date and time	A public information meeting was held on June 29, 2021 beginning at 6:00p.m. The meeting was broadcast live on the Municipal Facebook page.
File Number	21-11
Attending	Councillor Laurie Murley, PIM Chair Madelyn LeMay, Director, Planning and Development Vanessa Lake, Meeting Secretary As this meeting was held virtually there were no members of the public present.
Applicant Lisa Hines Windsor Agricultural Society 221-249 Wentworth Road Windsor B0N 2T0	Ms. LeMay outlined the application for amendment to the Windsor Land Use By-law to allow indoor Farm Markets in the Fairground (FG) zone. The applicant did not make a presentation.
Comments	No telephone, email or written comments were received.
Adjournment	The presentation portion of the PIM ended at approximately 6:15 p.m.; comments could be submitted by the public by mail, drop-off at the Municipal Office, e-mail and telephone to Ms. LeMay until July 20, 2021.

APPENDIX E

Draft Amendments

Note: coloured text indicates a change from the present WMPS or WLUB and is provided only for the convenience of PAC/HAC and Council

Text amendments to the Windsor Land Use By-law to amend the definition of “farm market” and to permit farm markets in the Fairground (FG) zone.

1. Delete the definition of “farm market” and replace it with:

Farm Market means a building or lot or part of a building or lot where farm produce comprises the major portion of goods offered or kept for sale directly to the public;

2. Amend section 23.1 of the WLUB by inserting the phrase “farm markets” between the phrases “Exhibition grounds” and “Hotels and motels” so that section 23.1 reads as:

23.0 FAIRGROUND (FG)

Permitted Uses

23.1 The following uses shall be permitted in the Fairground (FG) zone:

- Arenas
- Campgrounds
- Exhibition grounds
- Farm markets
- Hotels and motels
- Livestock barns
- Recreation uses

FG Zone General Requirements

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

Minimum lot area	3 acres (1.21 hectares)
Minimum front yard	30 ft (9.14 m)
Minimum rear yard	30 ft (9.14 m)
Minimum side yard	20 ft (6.10 m)
Minimum distance between buildings or structures	15 ft (4.57 m)*
Maximum height of main building(s) or any structure(s)	40 ft (12.19 m)

*When fire resistant walls are constructed, distance requirements may be reduced to zero.



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Members of Planning and Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
Sara Poirier, Senior Planner

Date: 2021-09-09

Subject: West Hants Land Use By-law Map Amendment: Hwy 14, Vaughan, PID 45288750; File #21-12

LEGISLATIVE AUTHORITY

Section 210 of the Municipal Government Act.

RECOMMENDATION

To allow the requested development, staff recommends that PAC/HAC forward a positive recommendation by passing the following motion:

...that PAC recommends 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 PID 45288750 in Vaughan to be rezoned from the General Resource (GR) zone to the Rural Commercial (RC) zone; to amend the text of the West Hants Land Use By-law to add "Arts and crafts studios" to the list of permitted uses in the Rural Commercial (RC) zone; and to allow more than one main building on a lot in the Rural Commercial (RC) zone, all as shown on the map attached as Figure 3 and in Attachment A to the report #21-12 to the Planning and Heritage Advisory Committee dated September 9, 2021.

BACKGROUND

A completed application was received on June 21, 2021 from Nikhil Vidwans to consider rezoning the lot at PID 45288750 in Vaughan from General Resource (GR) to Rural Commercial (RC) to permit tourist accommodations, an office, arts and craft studios, farmers market, restaurant, personal service shops, and retail stores. Arts and craft studios are not currently a permitted use in the Rural Commercial (RC) zone therefore a

text amendment to the permitted uses in the Rural Commercial (RC) zone is requested. The applicant is proposing multiple uses on the lot therefore a text amendment to the General Provisions section of the West Hants Land Use By-law is also being requested to permit more than one main building per lot within the Rural Commercial (RC) zone. The lot is owned by XALTCRAFT INC.; Mr. and Mrs. Vidwans are Directors of the company.

DISCUSSION

The 20 acre subject lot is located on Highway 14 in Vaughan. The lot is designated Resource on the Generalized Future Land Use Map (Figure 1) of the West Hants Municipal Planning Strategy (WHMPS) and zoned General Resource (GR) on the Zoning Map of the West Hants Land Use By-law (WHLUB) (Figure 2). Part 9.0 of the WHMPS contains the overall intention for properties designated Resource in West Hants. Only two (2) cottages would be permitted to be developed as-of-right as per the General Resource (GR) zone requirements. Additional tourist accommodations and certain commercial uses are not permitted as-of-right in the General Resource (GR) zone.

The subject lot directly abuts properties zoned General Resource (GR) and one property zoned Rural Commercial (RC) which provides services such as a gas station, convenience store, liquor store and take-out food establishment to people traveling along Highway 14. The abutting properties are all designated Resource.

Proposal

The applicant proposes to develop the subject lot in phases. The proposed phases are outlined below:

Phase	Timeline	Development
1	2021	Two (2) log cabins as tourist accommodations
2	2022-2023	Five (5) log cabins as tourist accommodations
3	2023-2025	Commercial uses including a reception office, arts and craft studios, farmers market, restaurant, personal service shops, and retail stores; and Eight (8) – ten (10) log cabins as tourist accommodations
4	2025-2028	Commercial space; Ten (10) – twelve (12) log cabins as tourist accommodations; and Single unit dwelling for the applicants.

The total proposed build out on the subject lot could include 25-29 log cabins as tourist accommodations, a maximum of 5,000 ft² (464.50 m²) of commercial floor area, and a single-unit dwelling.

The Rural Commercial (RC) zone limits the commercial floor area for businesses to 5,000 ft² (464.50 m²). This requirement does not apply to automobile service stations, clubs, farm equipment sales and service, garden and nursery production, and hotels, motels and other tourist accommodations. There are no limits on the number or size of the tourist accommodations.

The applicant has also suggested that they may build a house on the subject lot in the future. The Rural Commercial (RC) zone permits "One dwelling unit in conjunction with a permitted commercial use, located either in the same building or as a single-unit dwelling on the same lot".

Civic Addressing

The driveway of the subject lot provides access to two (2) residential dwellings abutting the subject lot. The Civic Addressing By-law requires that a driveway with "three or more dwelling units" must become a named driveway. The property owner is permitted to develop two (2) cottages as-of-right as per the General Resource (GR) zone requirements. These two (2) cottages would qualify as the third and fourth dwelling unit on the driveway since the Building Officials include cabins and seasonal dwellings in the definition of a dwelling unit.

The process to name a driveway requires seventy-five percent (75%) of the owners of lots with frontage on the driveway to be in agreeance with the proposed road name. Once the road name is approved, the Civic Addressing Coordinator can issue civic addresses for the proposed uses on the subject lot.

Land Use By-law

In addition to the limit on commercial floor area, the Rural Commercial (RC) zone also has abutting use requirements, lot access requirements and requirements for uses that involve flammable goods. The abutting use requirements state that where a commercial use is developed on a lot that abuts a residential use a minimum side yard of 20 ft (6.10 m) is required, no open storage or outdoor display is permitted in that side yard, and a minimum planting strip of 5 ft (1.52 m) is required. The driveway section of the subject lot is the only part that has two residential uses abutting it. The driveway would be maintained by the property owner and no structures are proposed on this section of the lot.

The lot access requirements state that the driveway shall meet Department of Transportation and Active Transit (DTAT) requirements for commercial access. DTAT was contacted for comment on the existing driveway. DTAT responded that "the existing access location is acceptable for low volume development (1 to 10 vehicles per hour)". The change of use to more than three residential structures would require the existing driveway be upgraded to what DTAT terms a "private lane" meeting specific design criteria. In discussions with DTAT they stated that they would work with the property owner to determine these design requirements for this specific location. When asked if there was any additional comments DTAT responded that "the Department has some concerns with the unrestricted access for adjacent properties and would require access management review prior to any future commercial development of PID 45288750." Further comments from DTAT stated that "the proposed construction of two 500-600 sq. ft. seasonal cottages on PID 45288750 as opposed to a single residence on the existing access, is acceptable to this Department. The development of PID 45288750 will require an access management review prior to upgrading the existing

residential driveway to meet private road criteria". The property owner is aware and in discussions with DTAT regarding the requirements for an access management review and upgrades to the driveway to meet DTAT "private lane" design criteria. As per correspondence from DTAT only two (2) tourist accommodations could be constructed on site before these are to be complete.

The Rural Commercial (RC) zone also states that automobile service stations or farm supplies and equipment sales and service businesses must have access to a minimum of two (2) exit routes and provide evidence of a water supply that meets the local Fire Department requirements. The applicant does not propose to have either of these uses on the subject lot therefore these requirements would not apply.

Text Amendment

Arts and Craft Studios

On the subject lot, the applicant proposes to develop tourist accommodations, an office, arts and craft studios, farmers market, restaurant, personal service shops, and retail stores. Should the lot be amended from the General Resource (GR) zone to the Rural Commercial (RC) zone, all of the proposed uses except the arts and craft studios would be allowed as-of-right as they are each listed as a permitted use in the Rural Commercial (RC) zone. Arts and craft studios would serve local residents and tourists which is consistent with the intent of the Rural Commercial (RC) zone. Staff are recommending that the text of Section 16 of the WHLUB be amended as part of this application to list "arts and crafts studios" as a permitted use in the Rural Commercial (RC) zone (Attachment A) to permit all of the requested uses on the subject lot if the rezoning application is successful.

Main Building

The property owner is proposing to have multiple tourist accommodations and commercial uses on the same lot. Section 5.27 of the WHLUB, One Main Building on a Lot, currently states that "No person shall erect more than one main building on a lot except:

- (a) in the Light Industrial (LI-1), Joint Industrial Type Two (LI-2), Joint Industrial Type Three (LI-3) and Resource Industrial (M-1) zones;
- (b) in the Manufactured Home Park (MHP) zone;
- (c) in the Landfill (LF) zone;
- (d) agricultural uses;
- (e) municipal water treatment and distribution uses in the Water Supply (W) zone;
- (f) grouped dwellings;
- (g) institutional uses;
- (h) regional shopping centres;

- (i) a second dwelling will be permitted on a lot where it can be shown that a second lot can be created, the second dwelling can be accommodated on that portion of the lot and the building can be shown to meet all other requirements.”

Staff are recommending amendments to Section 5.27 to include “in the Rural Commercial (RC) zone” to the list of zones permitted to allow multiple main buildings on the subject lot (Attachment A). Without this amendment, the property owner would only be permitted to construct two (2) cabins as tourist accommodations as per 5.27 (i).

Map Amendment

The proposed uses are not permitted in the General Resource (GR) zone. There is a policy option to allow Council to consider rezoning the subject lot to the Rural Commercial (RC) zone. All but one of the proposed uses are permitted in the Rural Commercial (RC) zone. An amendment to the WLUB Zoning Map is required for this application. The proposed map amendment is shown in Figure 2.

Municipal Planning Strategy

Section 9.0 of the WHMPS contains the Resource designation policies for West Hants. Policy 9.1.6 establishes Council’s intention 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”. The subject lot is zoned General Resource (GR) therefore can be considered for rezoning to Rural Commercial (RC) under this policy.

WHMPS Specific Criteria

Policy 9.1.6 establishes Council’s intention to consider rezoning land from General Resource (GR) to Rural Commercial (RC) subject to specific criteria. These criteria are examined in detail in Attachment B. In summary, the criteria are met since:

- the proposed uses will be contained within buildings on the subject lot and are not expected to adversely affect existing resource uses in the area;
- DTAT is requiring an access management review and upgrades to the driveway to meet its private lane design criteria to ensure safe and efficient access is provided; and
- the proposed uses are not considered obnoxious by virtue of noise, odours, dust, fumes or other emissions.

WHMPS General Criteria

The proposal meets the general criteria for amendment set out in WHMPS Policy 16.3.1. These criteria are examined in detail in Attachment B. In summary:

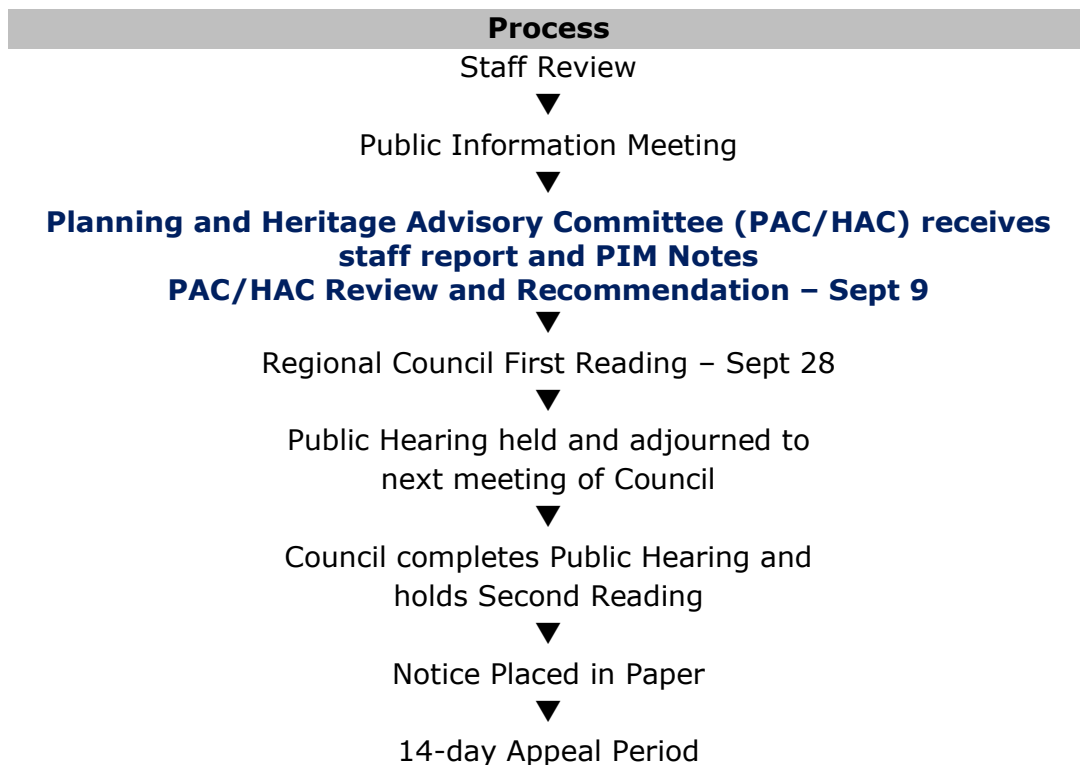
- the proposal is not premature or inappropriate for the area;
- no municipal costs related to the proposal are anticipated; and
- the Fire Chief, Manager of Building and Fire Inspection Services, Development Officer, Director of Public Works and Traffic Authority have no major concerns.

MCCAP

The Inland Flooding and Coastal Flooding maps of the West Hants Municipal Climate Change Action Plan (MCCAP) (2013) do not show any risks of either inland or coastal flooding on the subject lot.

NEXT STEPS

As noted above, the proposed amendment has been considered within the context of both the specific and general policies of the WHMPS and are consistent with the intent, objectives and policies of the WHMPS. The amendment meets the specific and general criteria for amendment to the WHLUB or WHMPS. As a result, it is reasonable to amend the map and text of the West Hants Land Use By-law to rezone the subject lot from General Resource (GR) to Rural Commercial (RC) and to allow arts and craft studios and more than one main building in the Rural Commercial (RC) zone.



FINANCIAL IMPLICATIONS

There are no anticipated costs to the Municipality in regard to this development.

ALTERNATIVES

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

- 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;

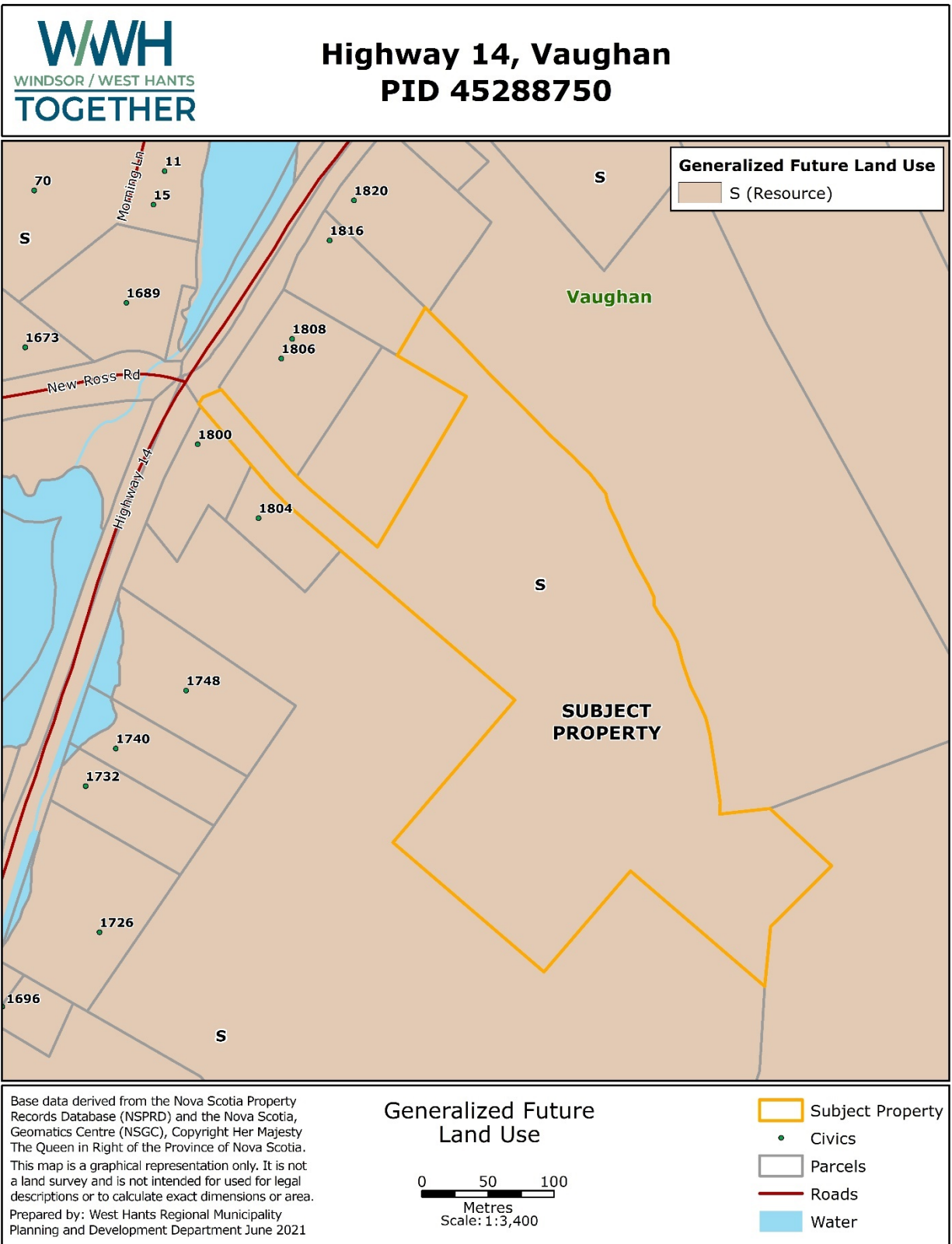
- provide alternative direction such as requesting further information on a specific topic.

ATTACHMENTS

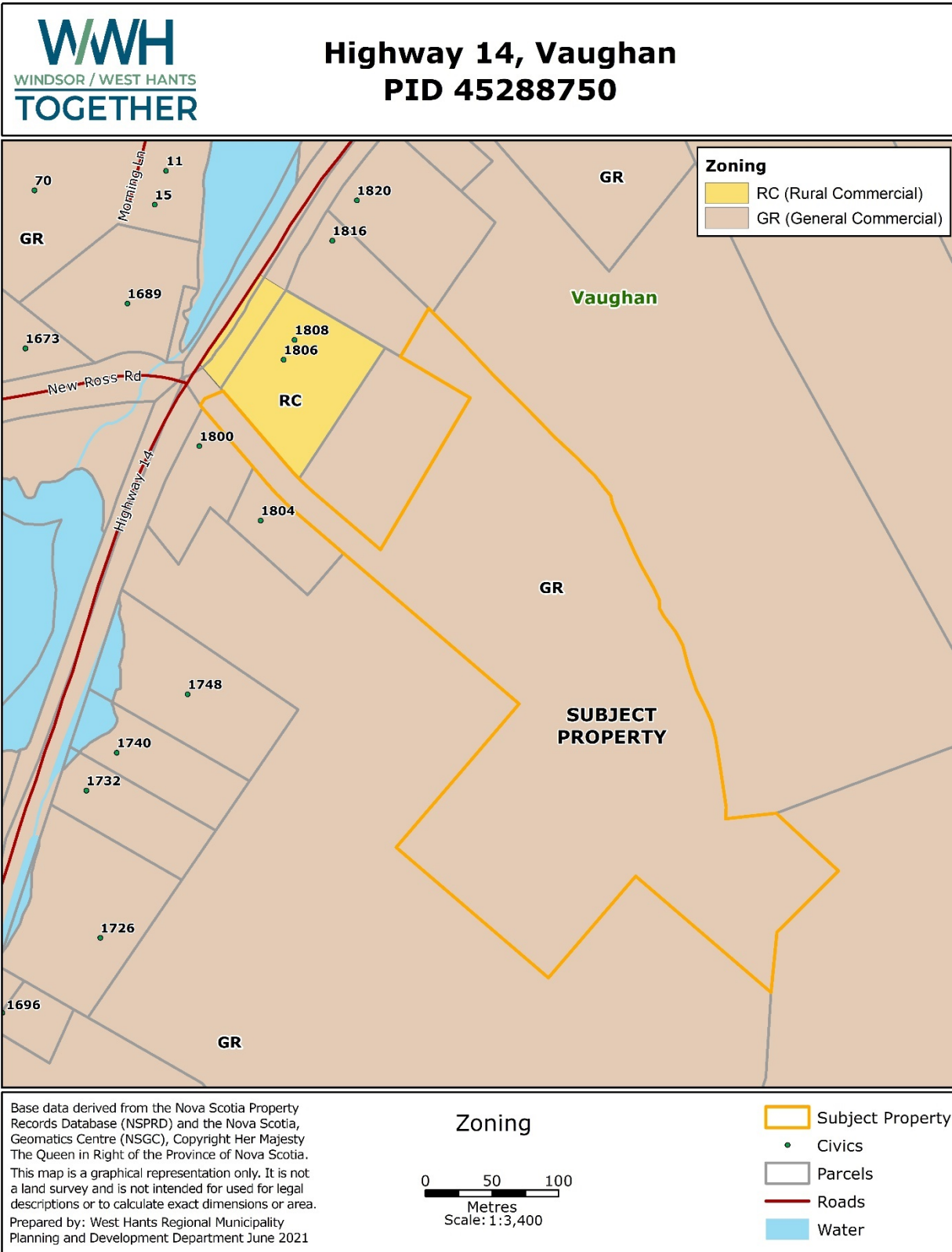
Figure 1	West Hants GFLUM Extract
Figure 2	West Hants Zoning Map Extract
Figure 3	West Hants Proposed Zoning Map Extract
Attachment A	Draft Amendments to the West Hants Land Use By-law
Attachment B	Specific Criteria for Amendment
Attachment C	General Criteria for Amendment
Attachment D	Public Information Meeting Notes

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

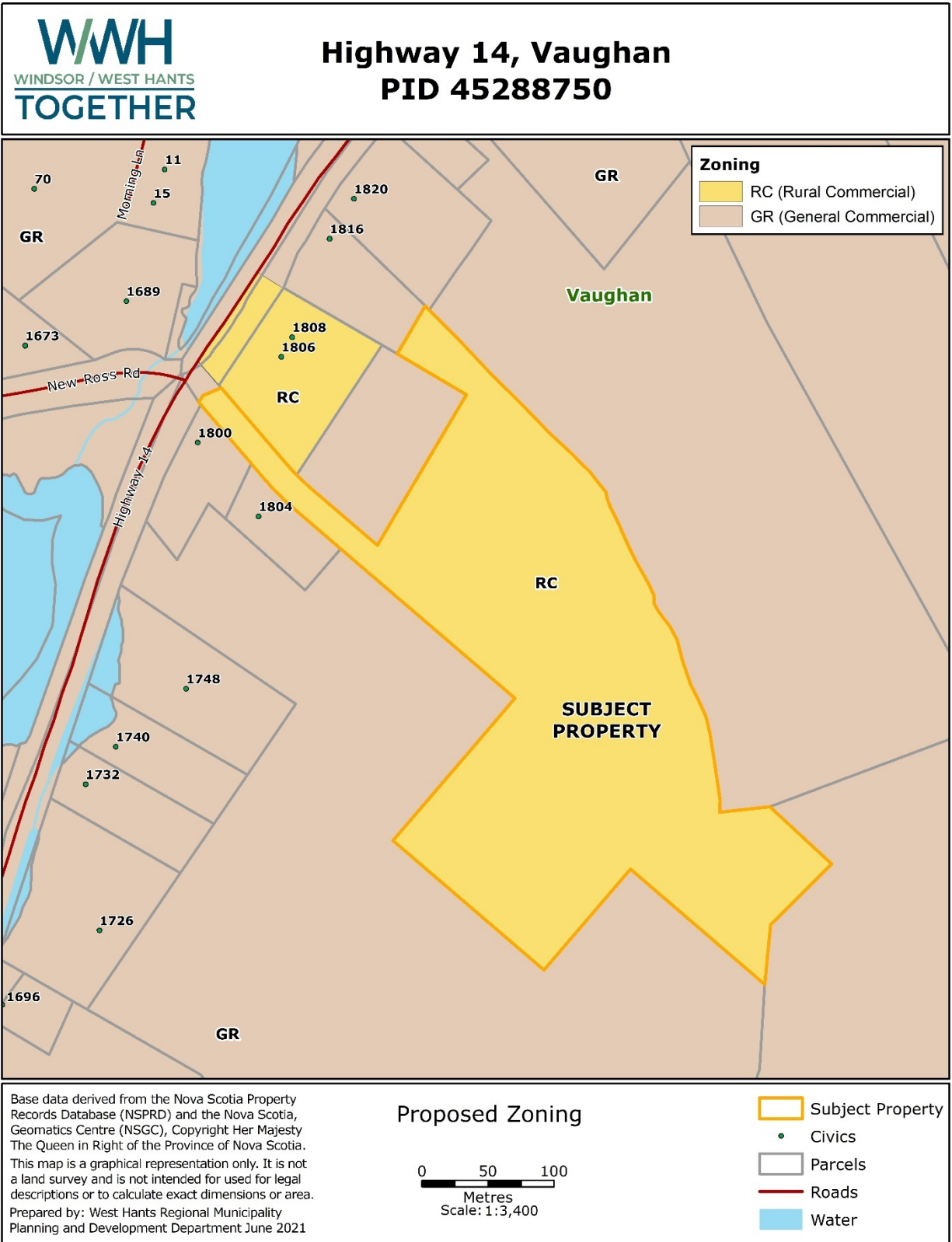
**Figure 1
West Hants GFLUM Extract**



**Figure 2
West Hants Zoning Map Extract**



**Figure 3
West Hants Proposed Zoning Map Extract**



Attachment A
Draft Amendments to the West Hants Land Use By-law

Text amendment to the Rural Commercial (RC) zone to list “arts and crafts studios” as a permitted use in the zone and to the general provisions for all zones to allow more than one main building on the lot in the Rural Commercial (RC) zone. Note: Amendment in blue.

1. Amend Part 16.1, *Permitted Uses*, in Part 16.0 of the West Hants Land Use By-law, *Rural Commercial (RC)*, to include “arts and craft studios”, so that it reads as follows:

16.0 RURAL COMMERCIAL (RC)

Permitted Uses

16.1 The following uses shall be permitted in the Rural Commercial (RC) zone:

- Automobile service stations
- Arts and craft studios
- Banks and financial institutions
- Clubs
- Day care centres, licensed or non-licensed
- Farm supplies and equipment sales and service
- Farm markets
- Funeral homes
- Garden and nursery production, sales and supplies
- Hotels, motels and other tourist accommodations, but does not include campgrounds
- Kennels
- Licensed Cannabis Nurseries
- Offices
- One dwelling unit in conjunction with a permitted commercial use, located either in the same building or as a single unit dwelling on the same lot
- Personal service shops
- Post offices and postal outlets
- Restaurants
- Retail stores
- Existing dwellings

2. Amend Part 5.27, *One Main Building on a Lot*, in Part 5.0 of the West Hants Land Use By-law, *General Provisions for All Zones*, to include “in the Rural Commercial (RC) zone”, so that it reads as follows:

5.0 GENERAL PROVISIONS FOR ALL ZONES

One Main Building on a Lot

5.27 No person shall erect more than one main building on a lot except:

- (a) in the Light Industrial (LI-1), Joint Industrial Type Two (LI-2), Joint Industrial Type Three (LI-3) and Resource Industrial (M-1) zones;
- (b) in the Manufactured Home Park (MHP) zone;
- (c) in the Landfill (LF) zone;
- (d) in the Rural Commercial (RC) zone;
- (e) agricultural uses;
- (f) municipal water treatment and distribution uses in the Water Supply (W) zone;
- (g) grouped dwellings;
- (h) institutional uses;
- (i) regional shopping centres;
- (j) a second dwelling will be permitted on a lot where it can be shown that a second lot can be created, the second dwelling can be accommodated on that portion of the lot and the building can be shown to meet all other requirements.

Attachment B
Specific Criteria for 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	COMMENT
<i>(a) the use will not adversely affect existing resource uses in the area;</i>	The proposed uses will be contained within the 20 acre subject lot and are not expected to cause an adverse effect on existing resource uses in the area.
<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>	The tourist accommodations and commercial uses proposed are not large, urban commercial uses that would be more appropriately located in a Growth Centre, Village or Hamlet. The Rural Commercial (RC) zone ensures the commercial uses permitted provide a service to local residents with limited highway commercial and tourist commercial uses. Commercial uses are limited to 5,000 ft ² of commercial floor area to ensure the scale is compatible with the rural area. All of the commercial uses proposed are to provide services to the tourist accommodations and the immediate community.
<i>(c) safe and efficient roadway access is provided;</i>	DTAT responded that "the existing access location is acceptable for low volume development (1 to 10 vehicles per hour). The change of use to more than three residential structures would require the existing driveway be upgraded to a private lane meeting specific design criteria." In discussions with DTAT they stated that they would work with the property owner to determine these design requirements for this specific location. When asked if there was any additional comments DTAT responded that "the Department has some

	<p>concerns with the unrestricted access for adjacent properties and would require access management review prior to any future commercial development of PID 45288750." Further comments from DTAT stated that "the proposed construction of two 500-600 sq. ft. seasonal cottages on PID 45288750 as opposed to a single residence on the existing access, is acceptable to this Department. The development of PID 45288750 will require an access management review prior to upgrading the existing residential driveway to meet private road criteria". The property owner is aware and in discussions with DTAT regarding the requirements for an access management review and upgrades to the driveway to meet private lane design criteria. As per correspondence from DTAT only two (2) tourist accommodations could be constructed on site before these are to be complete.</p>
<p><i>(d) adequate on-site parking is provided;</i></p>	<p>The Development Officer commented that they do not see parking as an issue due to the lot being approximately 20 acres in size. The property owner would have to follow section 5.31 of the West Hants Land Use By-law, <i>Parking Requirements</i>, for the particular uses that are being requested.</p>
<p><i>(e) the development is compatible with adjacent land uses with respect to:</i></p>	
<p><i>(i) traffic generation and traffic safety;</i></p>	<p>There is a property zoned Rural Commercial (RC) abutting the subject lot which provides services such as a gas station, convenience store, liquor store and take-out food establishment to people traveling along Highway 14. There is also the intersection of Highway 14 and New Ross Road which is located to the west of the subject lot. These areas generate traffic in the immediate area.</p>

	<p>When requested for comment, one of the responses from DTAT stated that “the Department has some concerns with the unrestricted access for adjacent properties and would require access management review prior to any future commercial development of PID 45288750.” This comment relates to the large access area from Highway 14 for multiple residential properties and the property currently zoned Rural Commercial (RC) in the area. DTAT would like to see more defined access routes to the particular uses to ensure traffic safety.</p> <p>The property owner is aware and in discussions with DTAT regarding the requirements for an access management review. The access management review would ensure that safe access is defined and available to the subject lot for the proposed uses.</p>
<p><i>(ii) hours of operation;</i></p>	<p>Hours of operation cannot be regulated through a Land Use By-law amendment. Due to the size of the lot the hours of operation of the proposed uses are expected to have minimal impact on the surrounding properties.</p>
<p><i>(iii) size and design of building(s);</i></p>	<p>The Manager of Building and Fire Inspection Services stated that they did not have any concerns with the size and design of the buildings. They noted that the property owner may require a sprinkler system for the commercial and assembly uses depending on the size of the buildings. A Building and Fire Official will need to do a full review of the plans when the property owner applies for development and building permits. As there is no municipal water system in the area the property owner would have to</p>

	install a tank system if a sprinkler system is required.
<i>(iv) signage; and</i>	The property owner would have to follow section 7.0 of the West Hants Land Use By-law, <i>Signs</i> , for the particular uses that are being requested.
<i>(v) pedestrian circulation and safety;</i>	The subject lot is 20 acres in size which is large enough for the property owners to ensure that pedestrian circulation and safety on the subject lot is achieved.
<i>(f) the use is not considered obnoxious by virtue of noise, odours, dust, fumes or other emissions;</i>	The proposed tourist accommodations, commercial uses and single unit dwelling would not be considered obnoxious by virtue of noise, odours, dust, fumes or other emissions based on the types of uses and size of the subject lot.
<i>(g) adequate buffering or screening, setbacks and yards are provided, and open storage is controlled;</i>	The driveway is the only part of the subject lot that is abutting residential uses however no uses are being proposed on this section of the subject lot. There would be no buffering or screening requirements for the rest of the subject lot as it does not abut existing residential uses. Adequate setbacks and yard will be provided. Open storage is controlled in Section 5.29 of the West Hants Land Use By-law, <i>Open Storage</i> .
<i>(h) any other matter which may be addressed in a Land Use By-law; and</i>	All other matters have been addressed elsewhere in this report.
<i>(i) Policy 16.3.1.</i>	Please see Attachment C for further details.

Attachment C
General Criteria for 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:

CRITERIA	COMMENT
<i>(a) whether the proposal is considered premature or inappropriate in terms of:</i>	
<i>(i) the adequacy of sewer and water services;</i>	The Project Engineer for the Public Works Department commented that there is currently no municipal water or sewer services available in this area, nor are there any plans to provide municipal water and sewer services to this area within the foreseeable future.
<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 local Fire Chief stated that they do not believe the proposal is premature or inappropriate in terms of the adequacy of fire protection or other emergency services. They added that in the future a new dry hydrant should be considered near the boat launch of Mockingee Lake off of the New Ross before Phase 3 of the proposed development is approved as this will provide a closer water source for this development.
<i>(iv) the adequacy of road networks adjacent to, or leading to the development; and</i>	Highway 14 is an arterial road as defined on the Transportation Map of the WHMPS which is adequate to provide access to the subject lot. As noted previously, DTAT requires that the property owner upgrade the driveway to meet private lane design criteria and go through an access management review prior to any additional uses being constructed on the property.
<i>(v) the financial capacity of the Municipality to absorb any</i>	There are no anticipated costs to the Municipality related to this amendment.

<i>costs relating to the development.</i>	
<i>(b) whether the development is serviced, or capable of being serviced, by a potable water supply and either central sewer or an approved on-site sewage disposal system;</i>	See 16.3.1(a)(i) above. The applicant would need to obtain well and septic designs and approvals for this subject property.
<i>(c) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;</i>	See 16.3.1(a)(iv) above. As noted in 9.16(e)(v), the subject lot is large enough to ensure that pedestrian circulation and safety on the subject lot is achieved. Similar to other rural areas of the Municipality, there are no sidewalks along Highway 14 or New Ross Road which means that pedestrians would have to walk along the shoulder of the road if they were accessing the subject lot by foot or walking from the subject lot to the lakes on New Ross Road. There is no rail transportation in the area.
<i>(d) the adequacy of the dimensions and shape of the lot for the intended use;</i>	The lot is 20 acres in size and has adequate dimensions for the proposed uses.
<i>(e) the pattern of development which the proposal might create;</i>	This proposal is not anticipated to change the pattern of development in 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 subject lot slopes upward from Highway 14. There are no watercourses or wetlands identified on the subject lot. The Inland Flooding and Coastal Flooding maps of the West Hants Municipal Climate Change Action Plan (MCCAP) (2013) do not show any risks of either inland or coastal flooding on the subject lot.

	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>	All Municipal, Provincial and Federal regulations will have to be met.
<i>(h) any other matter required by relevant policies of this Strategy.</i>	All other matters have been addressed elsewhere in this report.

Attachment D
Public Information Meeting Notes
July 28, 2021 – August 31, 2021
File 21-12
Hwy 14, Vaughan PID 45288750

Meeting date and time	A virtual Public Information Meeting was held on July 28, 2021 beginning at 6 p.m. The meeting was live broadcast on the Municipal Facebook page.
Attending	<p>In attendance:</p> <p>One (1) Councillor:</p> <ul style="list-style-type: none"> • Councillor Ivey (Chair) <p>Three (3) members of staff:</p> <ul style="list-style-type: none"> • Director LeMay • Planner Poirier • Meeting Secretary Lake <p>The applicant</p> <ul style="list-style-type: none"> • Nikhil Vidwans <p>As this meeting was held virtually there were no members of the public present.</p>
Applicant name and site location (Civic address and PID)	<p>Planner Poirier outlined the request from Nikhil Vidwans to rezone the property at PID 45288750 from General Resource (GR) to Rural Commercial (RC) to permit tourist accommodations, an office, arts and craft studios, farm markets, personal service shops, restaurants and retail stores.</p> <p>The applicant did not make a presentation.</p>
Comments	<p>Comments from the public could be submitted to Planner Poirier by mail, e-mail and telephone between July 28 and August 31, 2021.</p> <p>Five (5) residents provided verbal comments. No emails or letters were received. Staff responses are included in purple.</p> <p>Discussion points from the public included:</p> <ul style="list-style-type: none"> • No problem with the development of rental cottages however the potential of up to 5,000 ft² of commercial space was of concern

	<ul style="list-style-type: none"> • Scale of development with respect to the need for water and sewer on the subject lot and the potential impacts this may have on abutting properties The property owner would require approvals from Department of Environment for well and septic • Concern that the PIM was held virtually when residents in the area are having internet issues Staff provided the option that residents could request a printed or mailed copy of the PIM presentation if they were unable to view the meeting online • The PIM sign at the end of the driveway of the subject lot was removed during the public comment period Staff ensured the sign advertising the PIM was reinstalled • Concern regarding the lack of control the developer will have in terms of keeping visitors on the subject lot There are no municipal requirements for fencing or buffering from the subject lot and these abutting properties. It would be up to the property owner to provide a solution to keep visitors on the subject lot. • Timeline of development Property owners are able to prepare the site which includes moving dirt and removing trees on their lot prior to receiving approval or permits from the Municipality. The property owner is only permitted to construct two (2) cottages as per the current General Resource (GR) zoning. No other requested uses would be permitted on site until Council decides on the rezoning request. All buildings will have to meet Building Code requirements. • Noise concerns of people using the private boat launch <p>Questions from the public included:</p> <ul style="list-style-type: none"> • Driveway – will it need to be expanded or improved? Part of the requirements of the WHLUB for rezoning to Rural Commercial (RC) requires that the driveway meet DTAT commercial access
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	<p>requirements. DTAT has been notified and asked to comment on the proposed development. DTAT is requiring an access management review and upgrades to the driveway to meet private lane design criteria. They have stated they will work with the property owner to determine what upgrades are needed as part of that process. DTAT and the property owner would have to follow the survey plan for the lot and would not be able to expand the driveway outside of the property lines without permission.</p> <ul style="list-style-type: none"> • Is a traffic study required? A traffic study is not required by the Municipality in relation to this application. DTAT is requiring an access management review and upgrades to the driveway to meet private lane design criteria. Only two (2) cottages are permitted to be constructed on the lot prior to this requirement being fulfilled. • Safety concerns with pedestrians trying to cross Highway 14 to access the lakes from New Ross Road. Will sidewalks or shoulders be constructed to address this? DTAT owns the roads in the area therefore it would be a provincial department decision whether sidewalks or wider shoulders should be installed. • What is the potential for a development agreement instead of rezoning the property? The policies of Council in the WHMPS outline that Council will consider the types of uses requested as part of this application through rezoning. There are no policies to consider the uses by development agreement instead. • Are there any limitations on commercial (i.e., hours of operation)? The only limitation for the commercial uses is the commercial floor area permitted in the Rural Commercial (RC) zone being limited to 5,000 ft². Hours of operation cannot be regulated in the Land Use By-law. <p>The applicant did not have an opportunity to respond to the comments before the report was finalized.</p>
Adjournment	The meeting was adjourned at 6:10 p.m.



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation X <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Members of Planning and Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
Madelyn LeMay, Director, Planning and Development

Date: September 9, 2021

Subject: Request for Heritage Permit; Dimock House, 744 Highway 236, Scotch Village

1.0 LEGISLATIVE AUTHORITY

Heritage Property Act s. 17 & 18
WHRM Heritage Property By-law

2.0 RECOMMENDATION

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

...PAC/HAC recommends that Council determine that the proposed addition of a garage to the designated lot at 744 Highway 236, Scotch Village does not affect the character-defining elements listed in the Statement of Significance for the property, and that as a result, Council directs that a heritage permit be issued for the construction of the garage.

3.0 BACKGROUND

An application for a heritage permit to construct a garage on the property at 744 Highway 236 was completed July 15, 2021 by the owners of Dimock House, Dawson Shupe and Hailee Kehoe. The property was designated as a municipal heritage property at the request of the then-owner in 2000.

A heritage permit application is required for any change to a heritage property such as a change to the exterior of an existing building or the addition of a building.

If a request is for a substantial change, the Heritage Advisory Committee (HAC) must review and make a recommendation; applications for changes considered to be “non-substantial” require a letter from staff but do not require review by HAC.

In November 2020, Council approved a list of changes to municipal heritage properties it considers to be non-substantial (Appendix A); these proposed changes require a letter from staff, but do not require review by HAC. The addition of a garage to a municipally designated lot is not on this approved list. As a result, the garage must be considered as a substantial change and requires review and recommendation from HAC.

The background of the property regarding heritage permits includes:

- 2000 Registration as a municipal heritage property;
- 2017 heritage permits for exterior renovations to the dwelling; and
- 2017 heritage grant for exterior renovations to the dwelling.

4.0 DISCUSSION

4.1 Need for a Municipal Heritage Permit

The Heritage Property Act allows municipalities to identify and protect properties of local heritage significance. Following request from the owner and investigation by the respective Heritage Advisory Committee, West Hants Council designated seven (7) properties and Windsor Council designated five (5), each of which is now subject to the WHRM Heritage Property By-law.

As noted above, any substantial change to a municipally - designated property requires a Heritage Permit from Council based on recommendation from HAC.

Clause 7.1 of the WHRM Heritage Property By-law notes that a Municipal Heritage Property “*shall not be substantially altered in exterior appearance or demolished without the approval of the Municipality.*” Clause 7.3 notes that HAC may advise Council regarding an application to substantially alter or demolish a Municipal Heritage Property and clause 7.6 of the By-law notes that the Municipality “*may grant the application either with or without conditions or may refuse it.*”

4.2 Heritage Advice

The Heritage Property Act (HPA) requires HAC to provide recommendation to Council regarding proposed changes to municipally - designated properties. The HPA is silent regarding who, if anyone, provides advice to the HAC; no specific training or education is required and no appointment by Council is needed. In

Nova Scotia, with a few exceptions, planning departments provide heritage advice. As is true in most other municipal units, no member of WHRM staff has any specific training in heritage or architecture.

4.3 Substantial Alterations and Statement of Significance

In August 2000, Dimock House was registered in the Land Registry Office and entered on the Canadian Register of Historic Places (historicplaces.ca) as a municipal heritage property, and the registration included a Statement of Significance (SoS) (Appendix B).

Along with other information, each registration contains a description of the heritage value of the property and a list of "character defining elements". The HPA defines substantial alteration as *"any action that affects or alters the character-defining elements of a property"*.

The "character defining elements" listed for Dimock House are:

- "- simple wood frame construction;*
- central front door with sidelights;*
- wood shingle exterior;*
- unadorned exterior;*
- window and door trim consistent over whole structure;*
- gable roof;*
- one-and-one-half storey;*
- two Italianate style bay windows on front elevation."*

Very often in the past when properties were designated it was not understood that the designation was registered on the entire lot and the entire lot is subject to the requirements of the Heritage Property By-law. The description of this property which appears in the Land Registry Office records for this property clearly indicates the registration of the entire lot, necessitating this heritage permit review. Two abutting lots which are owned by the same individuals are not municipally-designated heritage properties (Figure 1).

The SoS for the property only mentions the exterior of the dwelling and does not mention the property, or site, itself. The list of character-defining elements noted above indicates that the then-West Hants Heritage Advisory Committee (WHHAC) considered only the main dwelling rather than the outbuildings or the setting of the dwelling.

The garage is proposed to be located a minimum of 97' (29.5 m) from the rear of the house and will be entirely of modern construction and appearance.

The proposed addition of this garage to the property will not affect the character-defining elements of the property established in the SoS and listed above.

5.0 NEXT STEPS



6.0 FINANCIAL IMPLICATIONS

There are no financial implications related to the requested heritage permit.

7.0 ALTERNATIVES

In response to the application, PAC/HAC may:

- request further information on a specific topic; or
- determine that a heritage permit should not be granted, citing the specific reasons, and make this recommendation to Council.

8.0 ATTACHMENTS

Figure 1 Orthophoto

Attachment A List of Alterations to Municipally Designated Heritage Properties
which are to be Considered Non-Substantial

Attachment B Dimock House Statement of Significance

Report Prepared by: _____
Madelyn LeMay, Director of Planning and Development

FIGURE 1



ATTACHMENT A
Approved November 24, 2020
WEST HANTS REGIONAL MUNICIPALITY

**List of Alterations to Municipally Designated Heritage Properties which are to
be Considered Non-Substantial**

- replacement of or repair to any element of the exterior or public building interior where no change is intended;
- items which the Heritage Advisor considers to be maintenance;
- changes in storm windows from painted wood to aluminum;
- use of vinyl (or other material) window inserts within the existing opening;
- replacement of shingles with clad board with the same exposure, or clad board with shingles unless cladding is specified as a character-defining element;
- replacement of doors or storm doors with doors within the existing opening;
- replacement of non-traditional elements with traditional (i.e. clad or replace concrete steps with wood; shingle a wall now covered in plywood);
- installation of wooden gutters;
- addition of utilities such as air-conditioning vents and "Selkirk" chimneys to walls which are not visible from the public street;
- installation of solar panels on any roof surface;
- addition of minor accessory structures which do not require a building permit;
- alteration of existing minor accessory structures which do not require a building permit;
- placement of commercial advertising signs;
- construction and repair of fences; or
- landscaping elements such as ground level "patios" or stairways which are not connected to the main building.

Dimock House Statement of Significance

Dimock House

744 Highway 236, Scotch Village, Nova Scotia, B0N, Canada

Formally Recognized: 2000/08/15



Front Elevation



Rear Elevation

OTHER NAME(S)

Dimock House

Bowes House

744 Highway 236

LINKS AND DOCUMENTS

[Marsters, Joseph Dimock. "Genealogy of the Dimock family from the year 1637" Windsor, N.S. : J.J. Anslow 1899](#)

CONSTRUCTION DATE(S)

LISTED ON THE CANADIAN REGISTER: 2009/03/23

STATEMENT OF SIGNIFICANCE

DESCRIPTION OF HISTORIC PLACE

Dimock House is set well back from a rural highway with only the top of the roof visible from the road. The property is located about one kilometre south of the intersection of Highway 236 and Scotch Village Station Road. The land and building are included in the municipal designation.

HERITAGE VALUE

Dimock House is valued for its association with the Dimock family and its early nineteenth century architectural details.

The Dimock family, led by Shubael Dimock (1708-1781), was among the first settlers from New England, known as Planters, who arrived in the Pisiqid area in 1759. Shubael and his son Daniel (1736-1805), established farms on the eastern side of the Avon River in the area of present day Scotch Village. The Dimock family were active in the Baptist Church and were among the founding members of the congregation in the nearby community of Newport in 1799.

Daniel's son Shubael (1773-1848) and his family farmed the property where Dimock House is currently situated. In 1846 Shubael's youngest sons, George and Timothy, purchased the property from their father. The 1888 A. F. Church map shows three homes on the property: one owned by George I. Dimock, a second owned by George Dimock and a third owned by a Mr. Marsters. An adjacent property was sold by the Dimock family to the Trustees of the Calvinistic Baptist Church of Newport in 1840 for the Scotch Village Century Cemetery.

A clear date of construction for the one-and-one-half storey wood frame house is unknown. It is thought to have been built between 1800 and 1835. The basic form of the structure is in the Cape Cod style, with some exterior details from the Greek Revival tradition. The gable roof is absent of dormers and the central entrance has sidelights and no transom.

The two Italianate bay windows on the front façade are believed to have been added between 1880 and 1900. A kitchen ell was also added during that period. Roof and window details such as the plain frieze, moulded hoods and thick cornice moulding with deep return eaves, are consistent between the main structure and the ell; however, it is unclear whether this detailing is original or was added at the time the ell was built. If these are original, it would represent very early use of such detailing in Nova Scotia.

Source: Windsor-West Hants Joint Planning files, Dimock House

CHARACTER-DEFINING ELEMENTS

Character-defining elements of Dimock House include:

- simple wood frame construction;
- central front door with sidelights;
- wood shingle exterior;

- unadorned exterior;
- window and door trim consistent over whole structure;
- gable roof;
- one-and-one-half storey;
- two Italianate style bay windows on front elevation.

RECOGNITION

JURISDICTION

Nova Scotia

RECOGNITION AUTHORITY

Local Governments (NS)

RECOGNITION STATUTE

Heritage Property Act

RECOGNITION TYPE

Municipally Registered Property

RECOGNITION DATE

2000/08/15

HISTORICAL INFORMATION

SIGNIFICANT DATE(S)

n/a

THEME - CATEGORY AND TYPE

Peopling the Land

Settlement

FUNCTION - CATEGORY AND TYPE

CURRENT

Residence

Single Dwelling

ADDITIONAL INFORMATION

LOCATION OF SUPPORTING DOCUMENTATION

Windsor-West Hants Joint Planning Advisory Committee 76 Morison Drive Windsor, NS B0N 2T0 902-798-6900

CROSS-REFERENCE TO COLLECTION

FED/PROV/TERR IDENTIFIER

25MNS0004

STATUS

Published

RELATED PLACES

n/a



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Planning/Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
Sara Poirier, Senior Planner

Date: September 9, 2021

Subject: Plan Review: Statements of Provincial Interest

1.0 LEGISLATIVE AUTHORITY

Municipal Government Act (MGA) Part 8

2.0 BACKGROUND

West Hants Regional Municipality (WHRM) has a separate Municipal Planning Strategy, Land Use By-law and Subdivision By-law for Hantsport, West Hants and Windsor. As part of the plan review, planning staff are working on updating the planning documents and combining the nine (9) documents into three (3) documents: a Municipal Planning Strategy (MPS), Land Use By-law (LUB) and Subdivision By-law (SUB) for the Region. To help ensure a smooth transition, staff are reviewing the general policies of each MPS and developing one consistent policy where possible. Only the Hantsport MPS had any discussion on the Statements of Provincial Interest (SoPI). Staff have compared the current MPS discussion and recommended a background section on the SoPI for the Regional planning documents (Attachment B).

3.0 DISCUSSION

The Province of Nova Scotia has adopted six (6) separate Statements of Provincial Interest (SoPI) which form part of the *Municipal Government Act* (MGA). These SoPI support the principles of sustainable development and serve as guiding principles for the Province, municipalities and individuals making decisions regarding land use. All development undertaken by the Municipality must be reasonably consistent with the SoPI.

The SoPI discuss: the quality of water within municipal water supply watersheds; protection of public safety and property in designated and recognized floodplains; the protection of agricultural lands; the efficient use of municipal water and wastewater infrastructure; the provision of housing opportunities which meet the needs of communities; and the development of the Nova Centre (Attachment A).

To ensure planning staff consider the SoPI when making planning decisions, staff are recommending a section be added to the Regional planning documents to outline the SoPI in relation to the local context.

4.0 NEXT STEPS

Once content is agreed to by PAC/HAC, the section on SoPI will be placed on file to be incorporated during the plan review.

5.0 FINANCIAL IMPLICATIONS

There are no financial implications for the Region associated with the filing of this report.

6.0 ALTERNATIVES

Should PAC not wish to accept the draft policies as written, it may:

- recommend specific amendments to the proposed draft; or
- provide alternative direction, such as requesting further information on a specific topic.

7.0 ATTACHMENTS

Attachment A Statements of Provincial Interest

Attachment B Draft MPS Information – Statements of Provincial Interest

Report Content Prepared by: Planners and Development Officers

Attachment A**N.S. Reg. 101/2001****Statement of Provincial Interests****Introduction**

Nova Scotia's land and water resources are fundamental to our physical, social and economic well-being. But they are finite resources and using them in one way can mean the exclusion of other uses forever. Therefore, it is important that decisions about Nova Scotia's land and water be made carefully. Ill-advised land use can have serious consequences for the physical, economic and social well-being of all Nova Scotians.

These statements of Provincial interest recognize the importance of our land and water resources. The statements also address issues related to the future growth of our communities. They are intended to serve as guiding principles to help Provincial Government departments, municipalities and individuals in making decisions regarding land use. They are supportive of the principles of sustainable development.

Development undertaken by the Province and municipalities should be reasonably consistent with the statements.

As the statements are general in nature, they provide guidance rather than rigid standards. They reflect the diversity found in the Province and do not take into account all local situations. They must be applied with common sense. Thoughtful, innovative and creative application is encouraged.

Definitions

These definitions apply to the Statements of Provincial Interest.

Agricultural Land means active farmland and land with agricultural potential as defined by the Canada Land Inventory as Class 2, 3 and Class 4 land in active agricultural areas, speciality crop lands and dykelands suitable for commercial agricultural operations as identified by the Department of Agriculture and Marketing.

Floodplain means the low lying area adjoining a watercourse.

Floodproofed means a measure or combination of structural and non-structural measures incorporated into the design of a structure which reduces or eliminates the risk of flood damage, usually to a defined elevation.

Floodway means the inner portion of a flood risk area where the risk of flooding is greatest, on average once in twenty years, and where flood depths and velocities are greatest.

Floodway Fringe means the outer portion of a flood risk area, between the floodway and the outer boundary of the flood risk area, where the risk of flooding is lower, on average once in one hundred years, and floodwaters are shallower and slower flowing.

Groundwater Recharge Area means the area of land from which water flows to supply a well.

Hazardous Materials means dangerous goods, waste dangerous goods and pesticides as defined in the *Environment Act* c.1, S.N.S. 1994-95.

Municipal Water Supply Watershed means an area encompassing a surface watershed or recharge area, or a portion of it, serving as a water supply area for a municipal water system.

Off-site Fill means fill that has been imported from outside the floodplain or fill which is transported from the Floodway Fringe to the Floodway.

Planning Documents means a municipal planning strategy, land-use by-law, development agreement and subdivision by-law.

Statement of Provincial Interest Regarding Drinking Water

Goal

To protect the quality of drinking water within municipal water supply watersheds.

Basis

A safe supply of drinking water is a basic requirement for all Nova Scotians.

Inappropriate development in municipal water supply watersheds may threaten the quality of drinking water.

Some water supply watersheds are located outside the municipality using the water. The municipality depending on the water therefore has no direct means of protecting its supply.

Application

This statement applies to all municipal water supply watersheds in the Province including surface watersheds and groundwater recharge areas.

Provisions

1. Planning documents must identify all municipal water supply watersheds within the planning area.
2. Planning documents must address the protection of drinking water in municipal water supply watersheds. Measures that should be considered include
 - (a) restricting permitted uses to those that do not pose a threat to drinking water quality;
 - (b) balancing the expansion of existing uses against the risks posed to drinking water quality;
 - (c) limiting the number of lots. Too many lots may result in development which cumulatively affects drinking water quality. The minimum size of lots and density of development should be balanced against the risks posed to the quality of drinking water;
 - (d) setting out separation distances between new development and watercourses to provide protection from run-off;
 - (e) establishing measures to reduce erosion, sedimentation, run-off and vegetation removal associated with development.
3. Existing land use and the location, size and soil conditions of a municipal water supply watershed will determine the land-use controls that should be applied. Large surface watersheds, for example, may be able to sustain more development than a small groundwater recharge area.

It is recognized that in some situations the long-term protection of the drinking water supply may be impractical. In these cases planning documents must address the reasons why the water supply cannot be protected. Municipalities in this situation should consider locating an alternate source of drinking water where long-term protective measures can be applied.

4. The Province supports the preparation of watershed management strategies for all municipal water supply watersheds. These strategies should be prepared by the concerned municipalities and the municipal water utility, in consultation with all affected parties, including landowners.

Statement of Provincial Interest Regarding Flood Risk Areas

Goal

To protect public safety and property and to reduce the requirement for flood control works and flood damage restoration in floodplains.

Basis

Floodplains are nature's storage area for flood waters.

New development in a floodplain can increase flood levels and flows thereby increasing the threat to existing upstream and downstream development.

Five floodplains have been identified as *Flood Risk Areas* under the Canada-Nova Scotia Flood Damage Reduction Program.

Application

This statement applies to all *Flood Risk Areas* that are designated under the Canada-Nova Scotia Flood Damage Reduction Program. These are

- (1) **East River**, Pictou County,
- (2) **Little Sackville River**, Halifax County,
- (3) **Sackville River**, Halifax County,
- (4) **Salmon and North Rivers**, Colchester County, and
- (5) **West and Rights Rivers and Brierly Brook**, Antigonish County.

There are other areas in the Province that are subject to flooding which have not been mapped under the Canada-Nova Scotia Flood Damage Reduction Program. In these areas, the limits of potential flooding have not been scientifically determined. However, where local knowledge or information concerning these floodplains is available, planning documents should reflect this information and this statement.

Provisions

1. Planning documents must identify *Flood Risk Areas* consistent with the Canada-Nova Scotia Flood Damage Reduction Program mapping and any locally known floodplain.
2. For *Flood Risk Areas* that have been mapped under the Canada-Nova Scotia Flood Damage Reduction Program planning documents must be reasonably consistent with the following:
 - (a) within the *Floodway*,
 - (i) development must be restricted to uses such as roads, open space uses, utility and service corridors, parking lots and temporary uses, and
 - (ii) the placement of off-site fill must be prohibited;
 - (b) within the *Floodway Fringe*,
 - (i) development, provided it is flood proofed, may be permitted, except for

- (1) residential institutions such as hospitals, senior citizen homes, homes for special care and similar facilities where flooding could pose a significant threat to the safety of residents if evacuation became necessary, and
 - (2) any use associated with the warehousing or the production of hazardous materials,
- (ii) the placement of off-site fill must be limited to that required for flood proofing or flood risk management.
3. Expansion of existing uses must be balanced against risks to human safety, property and increased upstream and downstream flooding. Any expansion in the *Floodway* must not increase the area of the structure at or below the required flood proof elevation.
 4. For known floodplains that have not been mapped under the Canada-Nova Scotia Flood Damage Reduction Program, planning documents should be, at a minimum, reasonably consistent with the provisions applicable to the *Floodway Fringe*.
 5. Development contrary to this statement may be permitted provided a hydrotechnical study, carried out by a qualified person, shows that the proposed development will not contribute to upstream or downstream flooding or result in a change to flood water flow patterns.

Statement of Provincial Interest Regarding Agricultural Land

Goal

To protect agricultural land for the development of a viable and sustainable agriculture and food industry.

Basis

The preservation of agricultural land is important to the future of Nova Scotians. Agricultural land is being lost to non-agricultural development.

There are land-use conflicts between agricultural and non-agricultural land uses.

Application

This statement applies to all active agricultural land and land with agricultural potential in the Province.

Provisions

1. Planning documents must identify agricultural lands within the planning area.
2. Planning documents must address the protection of agricultural land. Measures that should be considered include:
 - (a) giving priority to uses such as agricultural, agricultural related and uses which do not eliminate the possibility of using the land for agricultural purposes in the future. Non-agricultural uses should be balanced against the need to preserve agricultural land;
 - (b) limiting the number of lots. Too many lots may encourage non-agricultural development. The minimum size of lots and density of development should be balanced against the need to preserve agricultural land;
 - (c) setting out separation distances between agricultural and new non-agricultural development to reduce land-use conflicts;

- (d) measures to reduce topsoil removal on lands with the highest agricultural value.
3. Existing land-use patterns, economic conditions and the location and size of agricultural holdings means not all areas can be protected for food production, e.g., when agricultural land is located within an urban area. In these cases, planning documents must address the reasons why agriculture lands cannot be protected for agricultural use. Where possible, non-agricultural development should be directed to the lands with the lowest agricultural value.

Statement of Provincial Interest Regarding Infrastructure

Goal

To make efficient use of municipal water supply and municipal wastewater disposal systems.

Basis

All levels of government have made significant investment in providing municipal water supply and municipal wastewater disposal infrastructure systems.

Unplanned and uncoordinated development increases the demand for costly conventional infrastructure.

Application

All communities of the Province.

Provisions

1. Planning documents must promote the efficient use of existing infrastructure and reduce the need for new municipal infrastructure. Measures that should be considered include:
 - (a) encouraging maximum use of existing infrastructure by enabling infill development on vacant land and higher density development;
 - (b) discouraging development from leapfrogging over areas served by municipal infrastructure to unserved areas;
 - (c) directing community growth that will require the extension of infrastructure to areas where serving costs will be minimized. The use of practical alternatives to conventional wastewater disposal systems should be considered;
 - (d) identifying known environmental and health problems related to inadequate infrastructure and setting out short and long-term policies to address the problems including how they will be financed.
2. Where on-site disposal systems are experiencing problems, alternatives to the provision of conventional wastewater disposal systems should be considered. These include the replacement or repair of malfunctioning on-site systems, the use of cluster systems and establishing wastewater management districts.
3. Installing municipal water systems without municipal wastewater disposal systems should be discouraged.
4. Intermunicipal solutions to address problems and provide infrastructure should be considered.

Statement of Provincial Interest Regarding Housing

Goal

To provide housing opportunities to meet the needs of all Nova Scotians.

Basis

Adequate shelter is a fundamental requirement for all Nova Scotians.

A wide range of housing types is necessary to meet the needs of Nova Scotians.

Application

All communities of the Province.

Provisions

1. Planning documents must include housing policies addressing affordable housing, special-needs housing and rental accommodation. This includes assessing the need and supply of these housing types and developing solutions appropriate to the planning area. The definition of the terms affordable housing, special-needs housing and rental housing is left to the individual municipality to define in the context of its individual situation.
2. Depending upon the community and the housing supply and need, the measures that should be considered in planning documents include: enabling higher densities, smaller lot sizes and reduced yard requirements that encourage a range of housing types.
3. There are different types of group homes. Some are essentially single detached homes and planning documents must treat these homes consistent with their residential nature. Other group homes providing specialized services may require more specific locational criteria.
4. Municipal planning documents must provide for manufactured housing.

Implementation

1. These statements of provincial interest are issued under the *Municipal Government Act*. The Minister of Housing and Municipal Affairs, in cooperation with other provincial departments, is responsible for their interpretation.
2. Provincial Government departments must carry out their activities in a way that is reasonably consistent with these statements.
3. New municipal planning documents as well as amendments made after these statements come into effect must be reasonably consistent with them.
4. Councils are encouraged to amend existing planning documents to be reasonably consistent with the statements. Where appropriate, the preparation of intermunicipal planning strategies is encouraged.
5. Reasonably consistent is defined as taking reasonable steps to apply applicable statements to a local situation. Not all statements will apply equally to all situations. In some cases, it will be impractical because of physical conditions, existing development, economic factors or other reasons to fully apply a statement. It is also recognized that complete information is not always available to decision makers. These factors mean that common sense will dictate the application of the statements. Thoughtful innovation and creativity in their application is encouraged.
6. Conflicts among the statements must be considered and resolved in the context of the planning area and the needs of its citizens.

7. The Department of Housing and Municipal Affairs, with other Provincial departments, may prepare guidelines and other information to help municipalities in implementing the statements. Provincial staff are available for consultation on the reasonable application of the statements.

N.S. Reg. 272/2013

Statement of Provincial Interest Regarding the Development of the Nova Centre

Goal

To recognize that the timely construction of the subgrade portion of the proposed development complex by Argyle Developments Inc. in the site bounded by Argyle, Sackville, Market and Prince Street[s] in Halifax Regional Municipality is a matter of Provincial interest and therefore warrants special planning policies and regulations.

Basis

The proposed development complex by Argyle Development Inc. consists of office towers, a hotel, retail shops and underground parking as well as a convention centre. It is referred to, in its entirety and for the purposes of this Statement of Provincial Interest, as the “Nova Centre”.

All levels of government have an interest in the development of the convention centre and as a consequence have an interest in the construction of the Nova Centre (of which the convention centre forms part).

The Governor in Council is satisfied that the adoption of a statement of Provincial interest is necessary to protect the Provincial interest in promoting economic growth and employment opportunities through the timely development of the Nova Centre.

Application

The area bounded by Argyle, Sackville, Market and Prince Streets in Halifax Regional Municipality.

Provisions

The planning documents of Halifax Regional Municipality must contain specific policies and regulation for the timely development and construction of the subgrade portion of the Nova Centre.

Attachment B

Draft MPS: Statement of Provincial Interests

Municipal Planning Strategy			
Hantsport	West Hants	Windsor	Recommendation
<p>Part 9 Implementation</p> <p>11.1 Statements of Provincial Interest</p> <p>The <i>Municipal Government Act</i> requires that a Municipal Planning Strategy be reasonably consistent with Statements of Provincial Interest which have been adopted by the Province. At the time of the preparation of this Strategy the Province had adopted 5 separate statements respecting the following: the quality of water within municipal water supply watersheds; protection of public safety and property in designated and recognized floodplains; the protection of agricultural lands; the efficient use of municipal water and wastewater infrastructure; and the provision of housing opportunities which meet the needs of communities.</p>	<p>None.</p>	<p>None.</p>	<p>The <i>Municipal Government Act</i> requires that a Municipal Planning Strategy be reasonably consistent with Statements of Provincial Interest (SoPI) which have been adopted by the Province. At the time of the preparation of this MPS the Province had adopted six (6) separate (SoPI) respecting: the quality of water within municipal water supply watersheds; protection of public safety and property in designated and recognized floodplains; the protection of agricultural lands; the efficient use of municipal water and wastewater infrastructure; the provision of housing opportunities which meet the needs of communities; and the development of the Nova Centre. The SoPI related to the development of the Nova Centre does not apply to WHRM.</p> <p>West Hants Regional Municipality (WHRM) encompasses three (3) watersheds that supply water to the</p>

<p>There are no designated floodplains in Hantsport. Council has identified wetland and dykeland and has taken steps to protect these areas.</p> <p>Because Hantsport is a town with water and wastewater services, the protection of agricultural land does not carry the same impact as agricultural land in rural municipalities which has little or no likelihood of receiving services. However Council recognized the importance of agricultural uses in its unserviced areas and has provided for them in the Land Use By-law.</p> <p>The other three statements of provincial interest relate directly to Hantsport and Council's policies and regulations are consistent with them.</p>			<p>residents within serviced areas of the municipality. The watersheds are: Davidson Lake, French Mill Brook and Mills Lake. To provide adequate protection of the watershed, each watershed is zoned Water Supply (W) and has a separate Watershed Advisory Committee which is in the process of adopting Best Management Practices.</p> <p>There are no designated floodplains in WHRM as defined by the SoPI. There are a variety of areas of marshland in WHRM which have certain regulations under the <i>Agricultural Marshland Conservation Act</i>. Council has identified wetland and dykeland on the Generalized Future Land Use Map (GFLUM) and will regulate development in these areas.</p> <p>Land with high potential for agricultural use has been identified using the Canada Land Inventory (C.L.I.) Land Capability for Agriculture classification system. Under this system, Class 1 applies to the best agricultural land, while Class 7 refers to land with no agricultural value. There is no Class</p>
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			<p>1 land in Nova Scotia, but there are significant areas of Class 2 and 3 land in the central and northern parts of WHRM particularly around the Avon, Kennetcook, Cogmagun and St. Croix rivers. In all, approximately 91,000 acres in WHRM is rated as C.L.I. Class 2 and 3. In alignment with the SoPI, to protect the viable agricultural land and active farms for future generations the agricultural areas of WHRM are designated and zoned for agricultural uses and Council has established policies to restrict non-agricultural development.</p> <p>There are specific areas in WHRM that have municipal water and wastewater infrastructure. The policies for these areas ensure that these services are provided in an efficient manner to reduce the need for infrastructure to be expanded to areas where services are not currently provided.</p> <p>All policies of the MPS have been developed to align with the needs of the communities. The housing policies in this strategy provide for a wide range of housing types including group homes and</p>
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			manufactured homes to ensure that there are housing options for all residents.
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