



**WEST HANTS REGIONAL MUNICIPALITY  
Planning and Heritage Advisory Committee (PAC/HAC) Agenda  
MAY 13, 2021 – 6:00pm  
Zoom**

- 1.0 Call to Order, Attendance, and Introductions**
- 2.0 Election of Chair and Vice-Chair (should an election be needed during the meeting please send your choice/vote only to [mlemay@westhants.ca](mailto:mlemay@westhants.ca))**
- 3.0 Approval of Agenda and Additions**
- 4.0 Approval of Minutes**
- 5.0 Business Arising from the Minutes**
  - 5.1 Business Arising from March 2 Hantsport Area Advisory Committee Minutes, March 4 Windsor Area Advisory Committee Minutes and March 11 PAC/HAC minutes, dissolution of area advisory committees
  - 5.2 Update: File # 20-22 20 Main St., Hantsport Rezoning (Sara Poirier)
  - 5.3 Update File # 20-28 234 Mountain Rd., Three Mile Plains / Mobile Homes in Three Mile Plains (Sara Poirier)
  - 5.4 Update: File # 19-15 Meadows, Falmouth Development Agreement (Madelyn LeMay)
  - 5.5 Update: File # 20-10 Heritage Property By-law (Madelyn LeMay)
  - 5.6 Clarification: Council Members terms on PAC/HAC
  - 5.7 Discussion: Powder Coating as a Home-Based Business  
Prior to the May 13 meeting please review a short video:  
<https://www.youtube.com/watch?v=IFeMX1O6Epk>
- 6.0 Building and Development Activity Reports**

## **7.0 New Business**

- 7.1 Under Consideration: 20 Empire Lane, Windsor Development Agreement (Sara Poirier)
- 7.2 Under Consideration: 101 Three Mile Plains Cross Road Development Agreement (Sara Poirier)
- 7.3 Under Consideration: 233 Gray Street and Abutting Lot, Windsor (Madelyn LeMay)
- 7.4 PAC/HAC Terms of Reference: Approval (Draft Terms of Reference were circulated with the May 6, 2021 PAC/HAC Workshop information.)
- 7.5 Draft Mobile Canteen Vending By-law Information Report (Sara Poirier)
- 7.6 Secondary Suites: Amendments to the West Hants, Windsor and Hantsport MPS and LUB) (Madelyn LeMay)
- 7.7 MPS Review Discussion:
  - Cemeteries, Yards, Frontage on a Street and Measurement System (Madelyn LeMay)
  - Household livestock (Sara Poirier)

## **8.0 Notices from Adjacent Municipal Units**

- **East Hants Notice of Plan Review**

## **9.0 Questions and Comments from Public**

## **10.0 Adjournment**



**WEST HANTS REGIONAL MUNICIPALITY  
Planning & Heritage Advisory Committee (PAC/HAC)  
May 13, 2021 – 6:00p.m.  
Zoom**

PRESENT: Councillor Jim Ivey (District 11) (Acting Chair)  
Councillor Rupert Jannasch (District 1)  
Councillor Mark McLean (District 3)  
Councillor Debbie Francis (District 5)  
Councillor Ed Sherman (District 7)  
Bill Preston (Hantsport Representative)  
Jane Davis (Hantsport Representative)  
Shelley Bibby (Windsor Representative)  
Jamie O’Hanlon (Windsor Representative)  
Jennifer Nicholls (WHRM Representative)  
Tasha Rogers (WHRM Representative)  
Lisa Bland (WHRM Representative)

STAFF: Madelyn LeMay (Director of Planning and Development)  
Sara Poirier (Planner)  
Mark Phillips (CAO)  
Vanessa Lake (Planning Meeting Secretary)

REGRETS: There were no regrets.

PUBLIC: There were no members of the public present.

## **Call to Order / Attendance**

Madelyn LeMay called the meeting to order at 6:00pm and took attendance. At the time, Councillor Jannasch had yet to join the meeting, and all other members were present.

## **Election of Chair and Vice-Chair**

Director LeMay opened the floor to nominations for Chair. Shelley Bibby, Councillor Sherman and Councillor Ivey were nominated, but Shelley Bibby and Councillor Sherman declined. Councillor Ivey accepted the nomination and was declared Chair.

Chair Ivey opened the floor to nominations for Vice-Chair. Shelley Bibby and Jane Davis were nominated, and both accepted the nomination. Votes were sent to Director LeMay via email. At 6:06pm, Councillor Jannasch joined the meeting. After the votes were counted, Shelley Bibby was declared Vice-Chair.

## **Approval of Agenda and Additions**

Moved by Lisa Bland and seconded by Bill Preston that the agenda be approved as circulated. Motion carried.

## **Approval of Minutes**

As this was the first regular meeting of a new Committee, there were no minutes to approve.

## **Business Arising**

### **Minutes from Previous Committees**

Minutes from the previous Planning Advisory Committee meeting, as well as minutes from the now-disbanded Windsor Area Advisory Committee and Hantsport Area Advisory Committee were circulated to give the new Planning Advisory Committee an idea of what has been going on in the area. There was no need to approve these minutes, as they were simply for background information.

### **Update: File # 20-22 Main St., Hantsport (Sara Poirier)**

Planner Poirier stated that Council approved the rezoning of the former municipal office at 20 Main Street in Hantsport on March 22, 2021. The 14-day appeal period was advertised in the local paper. No appeals were received, and the rezoning of the property took effect on April 16, 2021. This item can now be removed from the agenda.

**Update: File # 20-28 234 Mountain Rd., Three Mile Plains / Mobile Homes in Three Mile Plains (Sara Poirier)**

Planner Poirier noted that the Public Hearing for the application to add “mobile homes in the Three Mile Plains Growth Centre” to the list of permitted uses in the Two Unit Residential (R-2) zone began on April 27 and will conclude on May 25. Comments from the public can be submitted to Planner Poirier until Friday May 21.

**Update: File # 19-15 Meadows Development Agreement (Madelyn LeMay)**

Madelyn LeMay noted that Council opened the Public Hearing on April 27 and adjourned it to May 25, at which time comments from the public will be read. Comments will be accepted until May 21. The Public Hearing will close on the 25th and Council will decide to approve/not approve the development agreement.

**Update: File # 20-10 Heritage Property By-law (Madelyn LeMay)**

The Heritage Property By-law was not approved by the Minister of Municipal Affairs on May 6 as anticipated. It was sent to the Minister May 6 by Provincial staff. The work arising will be carried out once it is approved.

**Clarification: Council Members terms on PAC/HAC**

Madelyn LeMay discussed the length of this term for Council members with the then-Clerk and determined that the term for Council members appointed to PAC/HAC in April will be 18 months; they will serve until October 2022. There were no questions or concerns from PAC/HAC members.

Ms. LeMay also noted that Councillor Murphy has resigned from Council. The Chair offered the best wishes of the Committee to Mr. Murphy and said he would be missed as a valuable member of the Committee who was always willing to contribute. Ms. LeMay has asked the CAO to ask Council on May 25 to appoint a replacement member.

**Discussion: Powder Coating as a Home-Based Business**

Madelyn LeMay discussed a previous PAC/HAC meeting where the Committee was discussing the different types of Home-Based Businesses permitted in WHRM. Staff noted that there have been requests for powder coating as a Home-Based Business, but more information was required by the Committee as to what equipment would be used and what kind of noises and odours are associated with powder coating before they could agree to it being a Home-Based Business. Ms. LeMay circulated a video explaining the process of powder coating with this agenda. The Committee

discussed the video and agreed to allow powder coating as a Home-Based Business in the draft Regional planning documents.

### **Building and Development Activity Report**

The report was circulated with the agenda. The number of permits issued is up from this time last year, 94 compared to 65 at the end of April 2020. There was a question about apartment permits and Ms. LeMay explained that they use the same application process but are noted differently in the reports.

### **New Business**

#### **Under Consideration: 20 Empire Lane, Windsor Development Agreement (Sara Poirier)**

Planner Poirier noted that the Public Information Meeting for an application at 20 Empire Lane was held on April 28, 2021. The comment period for residents was open until May 11. The development agreement, staff report and Public Information Meeting notes will be provided for PAC/HAC review and recommendation at the June meeting.

#### **Under Consideration: 101 Three Mile Plains Cross Road Development Agreement (Sara Poirier)**

Planner Poirier advised that a Public Information Meeting will be held at 6 p.m. on Tuesday May 6, 2021, to provide information on the application to permit an automotive repair shop by development agreement at 101 Three Mile Plains Cross Road. The comment period will be open until June 1. The development agreement, staff report and Public Information Meeting notes will be provided for PAC/HAC review and recommendation at the June meeting.

Ms. Poirier said the Public Information Meeting would take place on May 6, but this was a mistake. The actual date is Tuesday, May 18, 2021.

#### **Under Consideration: 233 Gray Street and Abutting Lot, Windsor (Madelyn LeMay)**

The Public Information Meeting was held April 28 and the opportunity for comment ended May 11. A report and draft development agreement should be ready for the June PAC/HAC meeting.

### **PAC/HAC Terms of Reference: Approval**

Draft Terms of Reference were circulated with the May 6, 2021 PAC/HAC Workshop information.

At the introductory Workshop, a member had queried whether timelines were needed for the deliverables specified in the Terms of Reference. Having reviewed the Terms of Reference, MS. LeMay said that no timelines are possible for the deliverables, but the Municipal Government Act does specify a timeline within which Council must advertise a Public Hearing for a requested LUB amendment: Council has 120 days from receipt of a complete application to publish the notice of Public Hearing, or the application is deemed to have been refused.

A member noted a duplication of wording in the "Deliverables"; this was corrected.

Moved by Councillor Sherman and seconded by Councillor Francis that the Terms of Reference be approved. Motion carried.

### **Draft Mobile Canteen Vending By-law Information Report (Sara Poirier)**

Planner Poirier presented a Mobile Canteen Vending By-law report that was attached to the agenda. The Committee discussed the report and other items such as fees for licenses with Ms. Poirier. The consensus of the Committee was to not require licenses for auctioneering, transient vending, temporary vending and mobile refreshment stands within WHRM. The Committee determined that the draft Mobile Canteen Vending By-law was sufficient as drafted. Ms. Poirier noted that the discussion from PAC/HAC would be included in the report and presentation to COTW.

### **Secondary Suites: Amendments to the West Hants, Windsor and Hantsport MPS and LUB (Madelyn LeMay)**

The proposed amendments were reviewed using a PowerPoint presentation. There were nine (9) main areas reviewed by staff and PAC/HAC when considering the proposed amendments:

- Provincial Support
- Municipal Support
- Review: Nearby Municipal Units
- Parking Requirements
- Lot Coverage
- Floor Area
- Number of Secondary Suites per Lot
- Zones
- Appearance of the Main Dwelling Unit

No discussion arose regarding Provincial or Municipal Support, regulations in nearby units, lot coverage, floor area, the zones in which a Secondary Suite could be located or the regulations controlling the appearance of the main dwelling.

There was considerable discussion regarding whether a parking space should be provided for each secondary suite. The rationale presented by members for requiring a space for each secondary suite included:

- more families who work in other areas living in Windsor, and so needing a car
- no public transit
- Manager of Public Works Operations & Traffic Authority for Municipal roads commented that:
- not requiring off-street parking can result in problems for snow clearing, street sweeping and street repairs on streets
- a parking requirement for secondary suites would be in the best interest of the Municipality
- off-street parking can be rented at the swimming pool and community center

The rationale presented by staff for removing the requirement for a parking space included:

- RAD report recommendations 9 & 11 focus on creating walkable communities & addressing climate change and have been approved by Council in principle
- encourage more residents to walk to services and reduce Greenhouse Gas emissions
- parking requirement may hinder the opportunity to increase affordable housing options (reduces potential infill development)
- secondary suite may be intended for someone who does not drive or cannot afford a vehicle
- lack of a requirement doesn't prevent owner from creating additional parking space if there is room and it is needed

Discussion also focused on the number of Secondary Suites permitted on each lot. The report noted that in all LUBs, most lots are now limited to 1 main building as-of-right, but there are some lots with more than 1 dwelling on them. Most of these would have been built before land use regulation; some may now be permitted by specific provisions in the LUBs. If a two-unit dwelling or multiple single unit dwellings are on one lot present restrictions allows a secondary suite in only 1 dwelling, and staff recommend removing this limitation.

There was some discussion of the total number of dwellings that could be located on one lot.

Following discussion, the following motions were considered:

### **Regarding the West Hants MPS and LUB**

Moved by Councillor Francis and seconded by Councillor McLean that Council give First Reading and hold a Public Hearing to consider amending the West Hants Municipal Planning Strategy and Land Use By-law to permit secondary suites in single and two-unit dwellings in a manner substantively the same as Attachment A to the staff report to PAC/HAC dated May 13, 2021.

Motion carried unanimously.

Moved by Shelly Bibby and seconded by Councillor Jannasch that the amendment be changed by adding a limit of one secondary suite per lot (be added).

Motion defeated.

Members asked that Council be advised that this was a split vote, with six members for and six members in opposition to the motion.

Moved by Councillor Jannasch and seconded by Bill Preston that the amendment be changed by adding a requirement of one parking space for each secondary suite.

Motion defeated.

Members again asked that Council be advised that this was a split vote, with six members for and six members in opposition to the motion.

### **Regarding the WINDSOR MPS and LUB**

Moved by Lisa Bland, seconded by Councillor Sherman that Council give First Reading and hold a Public Hearing to consider amending the Windsor Municipal Planning Strategy and Land Use By-law to permit secondary suites in single and two-unit dwellings, in a manner substantively the same as Attachment A of the staff report to PAC/HAC dated May 13, 2021.

Motion carried unanimously.

Moved by Mark McLean seconded by Jamie O'Hanlon that the amendment be changed by adding a limit of one secondary suite per (lot be added).

Motion carried.

Moved by Debbie Francis seconded by Jamie O'Hanlon that the amendment be changed by adding a requirement of one parking space for each secondary suite.

Motion carried.

### **Regarding the HANTSPORT MPS and LUB**

Moved by Councillor McLean seconded by Councillor Sherman that Council give First Reading and hold a Public Hearing to consider amending the Hantsport Municipal Planning Strategy and Land Use By-law to permit secondary suites in single and

two-unit dwellings, in a manner substantively the same as Attachment A of the staff report to PAC/HAC dated May 13, 2021.

Motion carried unanimously.

Moved by Councillor McLean seconded by Councillor Jannasch that the amendment be changed by adding a limit of one secondary suite per lot.

Motion defeated.

Members again asked that Council be advised that this was a split vote, with six members for and six members in opposition to the motion.

Councillor Francis seconded by Jennifer Nicholls that the amendment be changed by adding a requirement of one parking space for each secondary suite.

Motion carried.

Ms. LeMay noted that members will be asked in turn to read submissions related to Public Information Meetings. The information would be provided to the member shortly after the agenda is sent to PAC/HAC.

### **MPS Review Discussion**

Due to the later hour, Madelyn LeMay suggested the rest of the agenda be deferred until the next meeting. Moved by Lisa Bland and seconded by Councillor McLean that the remaining topics be deferred to the June meeting. Motion carried.

### **Notices from Adjacent Municipal Units**

A notice from East Hants regarding their Plan Review had been circulated with the agenda. There was no time to discuss this notice.

### **Next Meeting**

The next Planning and Heritage Advisory Committee is scheduled for June 10<sup>th</sup> at 6:00pm.

### **Adjournment**

Moved by Shelley Bibby and seconded by Councillor McLean the meeting adjourn at 9:00pm. Motion carried.