



**WEST HANTS REGIONAL MUNICIPALITY
Planning and Heritage Advisory Committee (PAC/HAC) Agenda
June 10, 2021**

Zoom

**NOTE: A PUBLIC INFORMATION MEETING (PIM) WILL BE HELD AT 6:00 PM.
PAC/HAC will begin immediately following the close of the PIM.**

1.0 Call to Order, Attendance, Welcome to New Council Member and Introductions

2.0 Approval of Agenda and Additions

3.0 Approval of Minutes

4.0 Business Arising from the Minutes

4.1 Terms of Reference: Possible Revision regarding the Chair Voting

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

4.3 Update: File # 19-15 Meadows, Falmouth Development Agreement (Madelyn LeMay)

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

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

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

4.7 Mobile Bars – information

4.8 Recreational Vehicles – information

5.0 Building and Development Activity Reports

6.0 New Business

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

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

6.3 File 21-05 20 Empire Lane, Windsor Development Agreement (Sara Poirier)

6.4 MPS Review Discussion (deferred from May 13, 2021)

- Cemeteries, Yards, Frontage on a Street and Measurement System (Madelyn LeMay)

- Household livestock (Sara Poirier)

7.0 Notices from Adjacent Municipal Units

East Hants Notice of Plan Review (deferred from May 13, 2021)

8.0 Questions and Comments from Public

9.0 Adjournment



**WEST HANTS REGIONAL MUNICIPALITY
Planning & Heritage Advisory Committee (PAC/HAC)
June 10, 2021 – 6:00p.m.
Zoom**

- PRESENT: Councillor Jim Ivey (District 11) (Chair)
Councillor Rupert Jannasch (District 1)
Councillor Mark McLean (District 3)
Councillor Debbie Francis (District 5)
Councillor Ed Sherman (District 7)
Councillor Paul Morton (District 8)
Bill Preston (Hantsport Representative)
Jane Davis (Hantsport Representative)
Shelley Bibby (Windsor Representative; Vice-Chair)
Jamie O’Hanlon (Windsor Representative)
Jennifer Nicholls (WHRM Representative)
Tasha Rogers (WHRM Representative)
Lisa Bland (WHRM Representative)
Abraham Zebian (Mayor)
John Salah (Applicant)
- 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

Chair Jim Ivey called the meeting to order at 6:16pm, directly following the Public Information Meeting which was streamed before this meeting. Madelyn LeMay took attendance. All members were present.

Approval of Agenda and Additions

Moved by Ed Sherman and seconded by Mark McLean that the agenda be approved as circulated. Motion carried.

Approval of Minutes

Moved by Ed Sherman and seconded by Mark McLean that the minutes be approved as circulated. Motion carried.

Business Arising

Terms of Reference: Possible Revision Regarding the Chair Voting

Madelyn LeMay was advised by the previous clerk that in these committees, the Chair typically does not vote unless it is to break a tie or attendance is low. The committee discussed this at length and decided to continue to allow the Chair to vote.

Moved by Shelley Bibby and seconded by Ed Sherman that the Terms of Reference for PAC/HAC be amended to include a statement that the Chair will vote. Motion carried.

Update: File # 20-28 234 Mountain Rd., Three Mile Plains / Mobile Homes in Three Mile Plains

The Public Hearing concluded on May 25 with Council recommending in favour of the amendment during Second Reading. The notice of approval was placed in the paper on June 1 which began the 14-day appeal period. If the appeal period closes with no appeals being received the amendment would come into effect on June 15.

Update: File # 19-15 Meadows, Falmouth Development Agreement

The Public Hearing concluded on May 25 with Council recommending in favour of the amendment during Second Reading. The notice of approval was placed in the paper on June 1 which began the 14-day appeal period. If the appeal period closes with no appeals being received the amendment would come into effect on June 15.

Update: File # 20-10 Heritage Property By-law

No comment has yet been received from the Minister; the draft was recommended to him May 6 by Provincial staff.

Update: Files # 20-27, 20-29, 20-30 Secondary Suites: Amendments to the West Hants, Windsor and Hantsport MPS and LUB

First Reading took place May 25, and the Public Hearing is scheduled to begin June 22. The recommendations of PAC/HAC will be considered at Public Hearing except the proposal for West Hants: a parking space for each unit will be considered at Public Hearing.

Update: Mobile Canteen Vending By-law

The Mobile Canteen Vending By-law was presented to Committee of the Whole on Tuesday. COTW chose to recommend the by-law and an increase in fees to \$1000 per year if the mobile canteen stays on the same property during that period. These recommendations will move on to Council for First Reading on June 22.

Mobile Bars – Information

Madelyn LeMay said she had been in contact with staff at the Alcohol and Gaming Authority. They said that mobile bars would be possible with a special occasion license, but special occasion licenses for either private events for invited guests or a public event for fund raising must be at a fixed address.

Recreational Vehicles – Information

RVs are not considered a dwelling under West Hants or Windsor LUBs. Both documents have the same definition: "Dwelling means ... and shall not include a hotel, motel, apartment hotel, recreation vehicle, or travel trailer."

In addition, there are policies which limit using a "truck, bus, coach or structure of any other kind other than a dwelling unit erected and used in accordance with this and other bylaws..." to being used for 30 days within the community of Windsor, and 60 days in areas regulated by the West Hants LUB. There is nothing in the Hantsport LUB that would prohibit living in an RV in the area regulated by that document.

As a result, the rules Councils have established are that anyone living in an RV in Windsor for more than 30 days at a time or in an RV in any area regulated by the WHLUB for more than 60 days at a time is doing so illegally. There are no related regulations in Hantsport, so individuals could live in an RV there without being in violation of the LUB.

There is nothing in the Building Code or Regulations for recreational vehicles. They have wheels and a hitch, must conform to Department of Transportation and Active transit when on a road. These units are self-contained, with holding tanks for potable water and sewer. No building permit is required, and no occupancy permit is issued. These are not designed for full time or year-round use.

As with any other violations Planning and Development generally only has the resources to follow up on complaints, but if we are made aware of people living in RVs for more than 30 days in the area regulated by the Windsor LUB and 60 days in the area regulated by the West Hants LUB, we would follow up with the landowner

and if there is a violation, require that no one be living in the RV beyond the maximum time frame.

Building and Development Activity Report

Madelyn LeMay informed the committee that applications are up by 30% compared to this time last year but have slowed down in recent weeks.

New Business

File # 21-08 233 Gray St. and Abutting Lot, Windsor, Development Agreement

Madelyn LeMay presented a summary of the application and process.

Following discussion, it was moved by Debbie Francis and seconded by Lisa Bland that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider entering into a development agreement to permit the required parking for two fifteen-unit apartment buildings, located on 233 Gray Street, PID 45059938 and the abutting lot, PID 45354065, to be located in a manner substantively the same as described in the draft set out in Attachment A of the report to the Planning and Heritage Advisory Committee regarding File 21-08 dated June 10, 2021.

Motion carried.

File # 20-02 101 Three Mile Plains Cross Rd. Development Agreement

Sara Poirier gave a presentation about the development agreement for 101 Three Mile Plains Cross Road. All criteria have been met. The Public Information Meeting was held on May 8, and one verbal comment in favour of the development agreement was received.

Moved by Debbie Francis and Seconded by Paul Morton that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider entering into a development agreement to allow an automotive repair shop at 101 Three Mile Plains Cross Rd., Three Mile Plains (PID 45197456) which is substantively the same as the draft set out in Attachment C of the report to the Planning Advisory Committee dated June 10, 2021.

Motion carried.

File # 21-05 20 Empire Lane, Windsor Development Agreement

Sara Poirier gave a presentation overviewing the proposed amendment to the 20 Empire Lane Development agreement. All criteria have been met. A Public Information Meeting was held on April 28, and the deadline for comments and appeals was May 11. None were received.

Moved by Lisa Bland and seconded by Tasha Rogers that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider entering into a development agreement which replaces the original development agreements at 20 Empire Lane, PID 45055746, and allows interior changes to the existing building to accommodate an additional three (3) dwelling units in a manner substantively the same as the draft set out in Attachment C of the report #21-05 to the Planning and Heritage Advisory Committee dated June 10, 2021, taking note that this development agreement will discharge and replace the development agreements recorded at the Registry of Deeds on March 10, 1998 and June 24, 1998 as documents 900 and 2485.

Motion carried.

MPS Review Discussion:

Cemeteries

PAC/HAC members noted that opportunities for location and types of cemeteries should be as broad as possible, keeping in mind changes to burial and cremation practices such as memorial gardens and columbaria.

Greenhouse gas emissions from cremations and heavy metals from traditional burials are becoming more of an issue. Safe access and egress to a new cemetery should be considered.

Yards

Madelyn LeMay gave the official definitions and requirements of a "yard." The committee discussed parking and yards at length. Regulation of parking spaces was considered.

Frontage on a Street

This section was largely just providing information on Lot Frontage, and the committee did not have any questions or comments.

Measurement System

The Imperial System of measurement will be used as the primary measurement system for the Review documents.

Household Livestock

Sara Poirier began the presentation on the proposed Household Livestock policies.

Moved by Paul Morton and seconded by Debbie Francis to remove the community of Hantsport from the discussion on household livestock.

Moved by Debbie Francis to amend the motion to include Growth Centres less than one (1) acre. Motion was lost for lack of a seconder. No debate ensued as the motion was incomplete.

Moved by Lisa Bland and seconded by Tasha Rogers that the motion be tabled until the end of the discussion period when staff have gone through all the proposed policies and regulations in both the Municipal Planning Strategy and Land Use By-law. Motion carried with four (4) opposed: Mark McLean, Bill Preston, Debbie Francis and Paul Morton.

Planner Poirier provided an overview of proposed household livestock policies and regulations for the regional documents.

Discussion regarding the MPS background and policy included the removal of household livestock provisions for the community of Hantsport and for lots less than one (1) acre in size in the Growth Centres of Falmouth and Three Mile Plains based on community engagement that was done over the past few years in these areas on the topic of household livestock.

Lisa Bland read comments that she had received from community members in Three Mile Plains who are in favour of household livestock and having the ability to harvest the animals on site.

Mark McLean commented that "slaughtering" could be changed to "harvesting" in the proposed documents as a more appropriate and gentler term.

Debbie Francis and Lisa Bland wanted clarification regarding the harvesting of animals to ensure harvesting of animals is permitted in the Growth Centres on lots greater than one (1) acre.

Rupert Jannasch proposed changing the term "barns" to "housing" in the proposed documents regarding the potential housing options for household livestock as some won't need barns; the term barn suggests a building larger than that needed for many of these animals. He also suggested changing the name of the section from "livestock" as some may be considered pets and the term may not hold up in court. No suggestions as to alternative names were provided by the Committee.

Bill Preston commented on the number of household livestock permitted on a lot with two-unit dwellings that share the same lot. Sara Poirier will investigate.

Jamie O'Hanlon asked if the numbers of animal units represent animal welfare standards. Lisa Bland commented that animal welfare standards for livestock outline the number of animals per acreage and would be found in provincial and federal agricultural documents.

The Committee discussed how else to restrict livestock as some members felt that the Growth Centres were too large, and boundaries may need to be reconsidered. It was also noted that attention should be paid to regulating the fencing/confinement of animals.

More information was requested for the animal unit numbers proposed.

Regarding regulating beekeeping, the Committee was concerned with the number of beehives permitted on certain lot sizes due to safety concerns. Staff noted that these provisions came from the current Windsor documents, however staff will review the size and number of beehives further before incorporating the information

into the draft documents. The Committee also asked what would happen if the planning documents did not regulate beekeeping. Sara Poirier responded that it would then be up to the Department of Agriculture to deal with any complaints and enforce its regulations. It was also noted that feral bees won't be considered as "household livestock" as control isn't possible.

Moved by Tasha Rogers to remove the regulations for beekeeping from the planning documents. As there was no seconder the motion was lost.

PAC/HAC agreed by consensus that staff should not bring the proposed household livestock policies back to the Committee separately. These can return as part of the overall draft Regional Municipal Planning Strategy and Regional Land Use By-law.

Moved by Lisa Bland to take the original motion from the table.

Moved by Paul Morton and seconded by Debbie Francis that the community of Hantsport be removed from the discussion on household livestock.

Moved by Debbie Francis and seconded by Paul Morton to amend the original motion by also removing Growth Centres less than one (1) acre from the discussion on household livestock.

The motion to amend was approved, with five (5) opposed: Tasha Rogers, Jane Davis, Jennifer Nicholls, Shelley Bibby and Rupert Jannasch.

The vote was then taken on the amended motion. The motion was defeated with six (6) in favour: Mark McLean, Debbie Francis, Ed Sherman, Lisa Bland, Bill Preston, Paul Morton and seven (7) opposed: Rupert Jannasch, Jane Davis, Jamie O'Hanlon, Jennifer Nicholls, Jim Ivey, Shelley Bibby and Tasha Rogers.

Notices from Adjacent Municipal Units

There was a notice from East Hants relating to their Plan Review. It has no effect on WHRM and there were no questions from committee members.

Next Meeting

The next meeting is scheduled for July 8th, 2021, at 6:00pm.

Adjournment

Moved by Bill Preston and seconded by Mark McLean that the meeting adjourn at 9:57pm. Motion carried.