



West Hants

something inspiring awaits

**WEST HANTS REGIONAL MUNICIPALITY
Planning & Heritage Advisory Committee (PAC/HAC)
November 8, 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 John Smith (District 9)
Bill Preston (Hantsport Representative)
Jane Davis (Hantsport Representative)
Shelley Bibby (Windsor Representative)
Jennifer Nicholls (WHRM Representative)
Lisa Bland (WHRM Representative)
Jamie O’Hanlon (Windsor Representative)
- STAFF:** Madelyn LeMay (Director of Planning and Development)
Sara Poirier (Senior Planner)
Alex Dunphy (Planner)
Mark Phillips (CAO)
Vanessa Lake (Meeting Secretary)
- GUESTS:** Clark Wilkins (Applicant)

Chrystal Fuller (Applicant)

REGRETS: Councillor Ed Sherman (District 7)

Tasha Rogers (WHRM Representative)

Call to Order and Attendance

Prior to the Planning and Heritage Advisory Committee, a Public Information Meeting was held. The meeting concluded at 6:13pm and Chair Ivey called the Planning and Heritage Advisory Committee to order at 6:13pm. Madelyn LeMay took attendance, with all but Ed Sherman and Tasha Rogers present. Chrystal Fuller and Clark Wilkins were also present to answer questions about an application.

Madelyn LeMay announced that Sara has completed her "Associate Certificate in Local Government" from Dalhousie University. The program gives those working in technical fields of local government a broader understanding and working knowledge of the history, organization, challenges and opportunities for local government. Congratulations were given to Sara for this accomplishment.

Approval of Agenda and Additions

Madelyn LeMay asked to have item 6.6, Plan Review SharePoint Site added to the agenda. Moved by Mark McLean and seconded by Bill Preston that the agenda be approved as amended. Motion carried.

Conflict of Interest

There were no conflicts declared.

Approval of Minutes

Madelyn noted that Ed Sherman pointed out an error in the minutes. John Bregante and Krista Beeler are representatives of Dykeland Lodge, not Windsor Elms. The minutes will be corrected. Moved by Mark McLean and seconded by Jane Davis that the minutes be approved as amended. Motion carried.

Questions Arising from PIMs

File # 21-15 65 Ft. Edward St., Windsor PID 45059797; Request to amend the designation from Community Use to Residential and the Zone from Open Space (OS) to Two-Unit Residential (R-2) (Alex Dunphy)

Lisa Bland asked how a decision is made to rezone, and whether Council should discuss this further due to its proximity to a historic site. Alex Dunphy replied that this will be something considered by Council prior to their decision. Madelyn LeMay reminded the committee that this is the very beginning of the process and has not yet been investigated in depth. Jim Ivey added that public input for this matter is accepted until November 23.

Business Arising from the Minutes

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

The Public Hearing for the Windsor Land Use By-law Amendment to allow reduced minimum lot specifications for specific lots on Payzant Drive concluded on October 26 with Council approving the request. The notice of approval was placed in the paper on November 2 which began the 14-day appeal period. The appeal period will end on November 17. If there are no appeals, the planning documents will be updated, and the applicant can then apply for development and building permits.

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

The Public Hearing for the rezoning application in Vaughan was held on October 26 with Council approving the request. The notice of approval was placed in the paper on November 2 which began the 14-day appeal period. The appeal period will end on November 17. If there are no appeals, the planning documents will be updated, and the applicant can then apply for development and building permits.

Update: Civic Addressing By-law Amendment (Madelyn LeMay)

The proposed amendment would allow Council to change a road or street name if Council feels it necessary for the safety of residents. Notice of the Public Hearing has been placed; it is scheduled for November 23.

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

The Public Hearing was held October 26; the notice of approval will appear tomorrow, November 9, and the appeal period will end on November 23.

Update: CDDI By-law (Sara Poirier)

Sara will present the regional Commercial Development District Improvement (CDDI) By-law to Committee of the Whole on November 9 for recommendation to Council.

Plan Review SharePoint

Madelyn noted that some members should have received an email October 14 from Jeff Henshaw advising them that they had access to the Plan Review 2021 site on SharePoint. Any material that PAC/HAC has agreed be included in the Review document will be placed in the folder as time permits; the folder is up to date now.

Building and Development Activity Report

The report was not circulated with the agenda package and was sent to the committee after the meeting. There were no questions.

New Business

File # 20-25 Fairfield Court Development Agreement (Alex Dunphy)

Alex gave a presentation to provide an overview of the information in the staff recommendation report to enter a development agreement to permit a one-story residential building containing three dwelling units.

There was a question to clarify who would require the environmental study. Sara responded that the environmental study is required to be submitted to the Development Officer prior to a development permit being issued. There was a question to clarify the number of parking spots. Alex responded that as per the development agreement, there would be two (2) driveways, and five (5) parking spaces.

Moved by Debbie Francis and seconded by Lisa Bland that PAC recommends that Council give First Reading and hold a Public Hearing to consider entering into a development agreement to permit a one storey residential building containing three dwelling units at PID 45383742 on Fairfield Court, Windsor, in a manner substantively the same as the draft set out in Attachment C to the report #20-25 to the Planning and Heritage Advisory Committee dated November 8, 2021. Motion carried.

File # 21-04 College Road MPS and LUB Amendments (Sara Poirier)

Sara gave a presentation to provide an overview of the information in the staff recommendation report to redesignate and rezone PID 45336203 on College Road to College Road Comprehensive Development District (CR-CDD) designation and zone.

There were concerns about traffic. Sara informed the committee that the Traffic Authority will investigate it, and that Public Works has been studying intersections in the area.

Moved by John Smith and seconded by Debbie Francis that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider amending the text and the map of the Windsor Municipal Planning Strategy and the map of the Windsor Land Use By-law to include PID 45336203 on College Road in the College Road Comprehensive Development District

designation and zone in a manner substantively the same as the draft set out in Figure 3, Figure 4 and Attachment A of the report to the Planning and Heritage Advisory Committee report #21-04 dated November 8, 2021. Motion carried.

File # 21-14 O'Brien St. Development Agreement and Discharge (Sara Poirier)

Sara gave an overview presentation of the information in the staff recommendation report and supplementary report to PAC/HAC. This application is to consider a development agreement to permit two (2), four (4) storey 56-unit apartment buildings on PID 45055902 on O'Brien Street in Windsor.

The committee had concerns about the proposed number of parking spaces and how many people would live in each unit. Chrystal Fuller responded on behalf of Clark Wilkins to explain that the current trend is to reduce parking spaces to encourage walking, and that experience has shown that parking is often over-developed. As for property management, that is something the developer must undertake. There were also concerns about the marshland behind the lots, which has a history of flooding, as well as previous site contamination. Sara informed the committee that the Municipality now has a Project Engineer to provide comment on such matters. They have required the developer to provide a stormwater management plan to ensure stormwater is managed on site and does not affect any abutting properties. As for the site contamination, the developer is in the process of cleaning it up. An environmental assessment would be required for the portion of the lot designated "Environmental Constraints" if a building is to be constructed there. Currently the developer is proposing amenity space in that location. There were two recommendations for the committee.

Moved by Shelley Bibby and seconded by Jane Davis that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider entering into a development agreement to permit two (2), four (4) storey, 56-unit apartment buildings which include up to 10,000 sq ft of commercial space on the ground floor of one building at PID 45055902 on O'Brien Street, Windsor, in a manner substantively the same as the draft set out in Attachment C to the report #21-14 to the Planning and Heritage Advisory Committee dated November 8, 2021, taking note that this development agreement will discharge and replace the development agreement recorded at the Registry of Deeds on April 9, 2010 as document 9561229. Motion carried.

Moved by Lisa Bland and seconded by Bill Preston that PAC/HAC recommends that Council require that the development agreement with 3331814 Nova Scotia Limited be signed within 120 days from the date of final approval by Council or the date that any appeals have been disposed of; otherwise, this approval will be void and obligations arising hereunder shall be at an end. Motion carried.

Notices from Adjacent Municipal Units

A notice was received from Kings county regarding a request to build 5 tourist cabins on Bishopville Road.

Questions and Comments from the Public

There were no questions or comments. The public is encouraged to leave comments on the Facebook video. These comments will be addressed by the appropriate staff members.

Next Meeting

The next meeting date is scheduled for December 2. This is to accommodate the revised Council schedule, adjusted for the holiday season. If there are any changes, the committee will be notified.

Adjournment

Moved by Mark McLean and seconded by Debbie Francis that the meeting adjourn at 7:37pm. Motion carried.