



West Hants

something inspiring awaits

**WEST HANTS REGIONAL MUNICIPALITY
Planning & Heritage Advisory Committee (PAC/HAC)
December 2, 2021 – 6:00p.m.
Zoom**

- PRESENT:** Councillor Jim Ivey (District 11, Chair)
Councillor Rupert Jannasch (District 1)
Councillor Ed Sherman (District 7)
Councillor John Smith (District 9)
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)
- STAFF:** Madelyn LeMay (Director of Planning and Development)
Sara Poirier (Senior Planner)
Alex Dunphy (Planner)
Vanessa Lake (Meeting Secretary)
- GUESTS:** Bruce Wright (Federation of Agriculture)
- REGRETS:** Councillor Mark McLean (District 3)

Councillor Debbie Francis (District 5)

Lisa Bland (WHRM Representative)

Call to Order and Attendance

Chair Ivey called the meeting to order at 6:00pm. Madelyn LeMay took attendance. Mark McLean, Lisa Bland and Debbie Francis had sent regrets. All other members were present. Bruce Wright from the Federation of Agriculture was also present.

Announcements

Shelley Bibby read the land right acknowledgements. There were no further announcements.

Approval of Agenda and Additions

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

Conflict of Interest

There were no conflicts declared.

Approval of Minutes

Moved by Bill Preston and seconded by Shelley Bibby that the minutes be approved as circulated. Motion carried.

Business Arising from the Minutes

Infrastructure Charges

Public Works is still gathering information, and this item will be pushed to the January agenda.

Agricultural Buffers: Bruce Wright, Federation of Agriculture

Mr. Wright described areas of concern that the Federation of Agriculture has regarding buffer strips. These included spray drift, industry, noise, smell, livestock and the impact of off-road vehicles. Following his presentation, Madelyn presented a definition of buffer strip revised based on comments from the October meeting and discussion followed on where major and minor buffers could be required. Discussion focused on: the distance and impact of sonic devices, the different sizes of lots that could be affected by requiring buffers – some may have

little land left to use, the difficulty in differentiating between “large” and “small” industries and that a physically small industry could be more obnoxious than a large one, whether a requirement for a buffer could be varied by the Development Officer using the variance provisions of the MGA (Madelyn will check), the potential need for buffer strips to be porous rather than impervious, and the main need may be between residential and agricultural developments. This item will return to the agenda for further discussion as time permits.

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

The PAC recommendation was presented to Council on November 23 for first reading. A Public Hearing is scheduled for December 16. Comments accepted until December 10. Regarding helipad setbacks, Alex reached out to EHS LifeFlight and will have a meeting with one of their engineers.

Update: File # 21-04 College Road MPS and LUB Amendment (Sara Poirier)

The PAC recommendation was presented to Council on November 23 for first reading. A Public Hearing is scheduled for December 16. Comments accepted until December 10.

Update: File # 21-14 O’Brien Street Development Agreement and Discharge (Sara Poirier)

The PAC recommendation was presented to Council on November 23 for first reading. A Public Hearing is scheduled for December 16. Comments accepted until December 10.

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

The appeal period ended on November 17 with no appeals being received. The amendments have now taken effect. This item can be removed from the agenda.

Update: File # 21-12 Windsor LUB Amendments: Farm Markets in the Fairground (FG) Zone (Madelyn LeMay)

The Public Hearing was held by Council November 23; the notice of approval will appear in the paper December 7 and the amendment will be effective following the 14-day appeal period. This item can be removed from the agenda.

CDDI By-law (Sara Poirier)

The Commercial Development District Improvement (CDDI) By-law was presented to Committee of the Whole on November 9. COTW recommended in favour of the Regional By-law. Council held first reading on November 23. A Public Hearing is scheduled for December 16.

Dog Parks and Skate Parks (Sara Poirier)

Following the last PAC/HAC meeting, Sara met with the Director of Community Development and recreation staff to discuss dog parks and skate parks. They were able to provide a variety of best practice documents which Sara is in the process of reviewing. Sara hopes to have a report to PAC/HAC in January with an example of proposed regulations.

Building and Development Activity Report

The report was sent to the committee prior to the meeting. There were no questions or comments.

New Business

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)

Following a motion from Council on September 28, the CAO submitted an application to the Planning and Development Department to redesignate 65 Fort Edward Street, PID 45059797 from Community Use to Residential, and change the zone from Open Space (OS) to Two-Unit Residential (R-2). The lot was the former site of the Windsor Pool, and is currently an empty gravel lot, often used for overflow parking. This does not align with the intent of the current Community Use designation or Open Space (OS) Zone. The deadline for comments was November 23. Jamie O'Hanlon read the comments received, with many residents concerned about the proximity to the Fort Edward National Historic Site. This item was not brought to the Heritage Advisory Committee because it is not a designated property, nor was there a heritage application. Alex presented the staff recommendation.

Moved by Rupert Jannasch and seconded by Ed Sherman that PAC recommends that Council give First Reading and hold a Public Hearing to consider redesignating from Community Use to Residential and concurrently rezoning from Open Space (OS) to Two Unit Residential the lot identified as PID 45059797, 65 Fort Edward Street, Windsor.

Motion defeated with Jennifer Nicholls, Tasha Rogers, Shelley Bibby, Bill Preston, Jane Davis, Jamie O'Hanlon and Rupert Jannasch opposed.

The committee discussed this application at length. There were concerns about the heritage aspect of this location. They asked if the Special Places Act had been considered, and advised staff to contact Sara Beanlands, an archaeologist who is familiar with the site, to ask about the Jewish Legion. Jonathan Fowler and his work with LiDAR was also discussed.

The following recommendations were prepared by the committee:

Moved by Shelley Bibby and seconded by Jane Davis that PAC/HAC recommends that Council delay First Reading and direct staff to complete their research related to any former Town of Windsor outstanding commitments to heritage projects at site (PID 45059797). Motion carried.

Moved by Shelley Bibby and seconded by Bill Preston that that PAC/HAC request staff for comment from the Province of Nova Scotia regarding requirements of the Special Places Protection Act for the site (PID 45059797). Motion carried with Rupert Jannasch opposed.

File # 21-03 294 Falmouth Back Road Heritage Designation (Sara Poirier)

Sara gave a presentation outlining the application for the heritage designation. The application was received in January 2020 but was on hold until April 2021 until the roof replacement was finished. As of November 18, 2021, the applicant is ready to proceed. The designation would apply to the main building only. Sara explained the building received an 82/140 score for heritage criteria and read the Statement of Significance to the Committee. If the building achieves heritage status, a plaque will be placed on site, likely in early 2022.

Moved by Rupert Jannasch and seconded by Ed Sherman that HAC recommends that Council follow the process to designate the main residential building located at 294 Falmouth Back Rd., Falmouth PID 45036720 as a Municipal Heritage Property. Motion carried.

Notices from Adjacent Municipal Units

There were no notices.

Questions and Comments from the Public

The meeting was streamed live on Facebook, where the public is encouraged to leave comments. Staff will address these comments as they are able. Seven comments were received during this meeting, largely regarding the Fort Edward application. Liz Galbraith commented that this property extends up to the trails, and linked to an article about this application (<https://www.saltwire.com/nova-scotia/news/windsor-ns-community-group-rallies-to-delay-the-sale-of-land-near-fort-edward-national-historic-site-for-private-development-100665949/>). John Wilson commented that LiDAR is available publicly. Mick Murray commented that “there was extensive archaeology done around the site in the mid-1990’s.” Matthew Luciano-Toulany sent a link to a tweet (<https://twitter.com/archinacadie/status/1197221806853091328>) about Fort Edward. Other comments will be addressed as time permits.

Next Meeting

The next meeting is scheduled for January 13, 2022, at 6:00pm. If any changes are made, the committee will be notified.

Adjournment

Moved by Ed Sherman and seconded by Bill Preston that the meeting adjourn at 9:00pm. Motion carried.