



West Hants

something inspiring awaits

**WEST HANTS REGIONAL MUNICIPALITY
Planning & Heritage Advisory Committee (PAC/HAC)
January 13, 2022 – 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 John Smith (District 9)
Bill Preston (Hantsport Representative)
Jane Davis (Hantsport Representative)
Shelley Bibby (Windsor Representative)
Jamie O’Hanlon (Windsor Representative)
Lisa Bland (WHRM 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)
Ryan Parker (By-law Enforcement Officer)

Shawn Levy (By-law Enforcement Officer)

PUBLIC: 9 members of the public attended via Zoom.

REGRETS: There were no regrets.

Call to Order and Attendance

A Public Information Meeting was held at 6:00pm prior to the PAC/HAC Meeting. The PIM closed at 6:33pm. At that time the public in attendance via Zoom left the meeting. At 6:35pm, the Chair called the PAC/HAC Meeting to order. Madelyn LeMay took attendance. All Committee members were present. By-law Enforcement Officers Shawn Levy and Ryan Parker were also in attendance.

Announcements

Chair Ivey read the land acknowledgements. There were no further announcements.

Approval of Agenda and Additions

Chair Ivey asked to add item 11, Correspondence, to the agenda.

Moved by Shelley Bibby and Mark McLean that the agenda be approved as amended. Motion carried.

Conflict of Interest

Ed Sherman declared a conflict of interest with items 6 and 7.2. He did not participate in these discussions.

Approval of Minutes

Chair Ivey noted that a statement received from Lisa Bland on Nov 30 2021 for the Dec 2 2021 PAC/HAC meeting relating to the Fort Edward Property file was not read into the meeting record as requested due to oversight by the Chair. Ms. Bland's statement can be found in the record of the Jan 13 2022 PAC / HAC meeting under Correspondence.

The Chair noted that having given it considerable thought, and while he greatly appreciates the thoughts and comments made, it is his view that specific Facebook commentary or any other social media whereby the public may comment on the discussions of Planning (or Council or any other committees), is not appropriate for inclusion in the minutes. The PAC/HAC minutes are an account of the Committee's discussions, direction or decisions. Facebook comments will be removed from the December minutes; everything in the section "Questions and Comments from the Public" following the phrase "largely regarding the Fort Edward application" will be removed. The public is still encouraged to leave comments, and they will be addressed by the appropriate staff member as time permits.

Moved by Lisa Bland and seconded by Debbie Francis that the minutes be approved as amended. Motion carried.

Business Arising from the Public Information Meeting

Sara asked if the Committee had any questions regarding the presentation. Lisa asked about driveways and road access. Sara replied that there will be access from both College Road and Kingsview Drive. Tasha asked about the required green space. Sara replied that the Development Officer has calculated it and the proposed development will be required to meet the minimum. John asked if there will be a difference between driveways, such as one for residents, and one for delivery vehicles and the like. Sara was not sure and will confirm with the applicant. The proposed driveway along College Road is located within the frontage of the lot, she believes the driveway to/from Kingsview Dr. will come later.

Business Arising from the Minutes

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

Alex had a meeting with EHS Lifeflight about the clear-fly zone. It is defined by the power poles at the back of the property, and as the development agreement is for a single-story structure, there should be no conflict. The Public Hearing and Second Reading took place on December 16, with Council approving the development agreement. The appeal period ends on January 14.

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

A Public Hearing for this application was held on December 16. Council approved the Windsor Municipal Planning Strategy and Windsor Land Use By-law amendments to include the lot on College Road in the College Road Comprehensive Development District (CR-CDD). This amendment was sent to the Province for review. It is anticipated that a response will be received in the next few weeks.

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

A Public Hearing was held on December 16. Council approved the development agreement at the meeting. The notice of approval advertisement was placed in the paper on December 22 beginning the 14-day appeal period. The appeal period will expire on January 14.

Update: CDDI By-law (Sara Poirier)

A Public Hearing was held on December 16. Council approved the Commercial Development District Improvement (CDDI) By-law at the meeting. This item can be removed from the agenda.

Update: File # 21-15 65 Fort Edward St., Windsor (Alex Dunphy)

Alex prepared a Supplementary Report to update the Committee on the actions staff have taken to request comment from Johnathan Fowler, Sara Beanlands, and the Province. The correspondence from Johnathan Fowler was a cross-reference of historical data and 3D Modeling (LiDAR). Mr. Fowler's initial investigation has shown 'ample evidence at this location to demonstrate elevated archaeological potential'. The correspondence from Sara Beanlands contained letters regarding a proposed Memorandum of Understanding for the Jewish Legion. The correspondence from the Province was sent by Dr. Catherine Cottreau-Robins and she had recommended that an archaeological assessment take place. The Municipality has responded to this by selecting Johnathan Fowler to carry out a Phase 1 Archaeological Impact Assessment for the subject lot.

The proposed amendment was given First Reading on December 16 and Council decided to pursue staff's recommendation to redesignate and rezone 65 Fort Edward Street. The Public Hearing was set for January 25.

During the January 11 Committee of the Whole Meeting, Shirley Pineo and Gary Nelson of the West Hants Historical Society made a presentation about the Municipally owned-lots neighbouring the Fort Edward Historic Site. They provided information regarding street frontage of both properties based on historical records. Staff have set a meeting to discuss the findings of the presentation and possible affects on the amendment.

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

Council reviewed the heritage designation application on December 16. The notice of recommendation was sent to the owner and our lawyer to register with the Land Registry Office. The owner hearing is planned for the February 22 Council meeting.

Infrastructure Charges

This item has been deferred to the February agenda.

Dog Tags & Fees (Madelyn LeMay)

Madelyn reviewed the report regarding dog tags and fees and noted that PAC/HAC would need to respond to all the questions. By-law Officers Ryan Parker and Shawn Levy were present and participated in the discussion.

There was a lot of discussion on the first question "Should WHRM require that dogs have a municipal tag?" with comments focussing on:

- whether the cost can be pro-rated between different municipalities if the owners move
- the process followed when a dog tagged with a personal rather than municipal tag is picked up
- whether there are municipal units in Nova Scotia that don't require a tag
- the need to be able to renew online
- the decreasing number of dogs running at large
- the number of households having more than one dog
- why so few are registered in WHRM

Discussion began on the second question "Should people be able to get a lifetime tag?" with the main discussion point focused on:

- whether a rebate is possible if a dog dies
- the number of dogs picked up annually
- the cost of a lifetime tag
- the inability to pay online
- potential for tags being for a household rather than individual dogs

At this point Chair Jim Ivey left the Chair and Vice Chair Shelly Bibby assumed the Chair. Jim commented that if purpose is to get the dog back to the owner and not make money, a flat rate of \$15 for a lifetime would be sufficient. Discussion followed on whether municipal tags or tags obtained elsewhere would be sufficient.

Moved by Ed Sherman and seconded by Debbie Francis that a municipal tag be required for each dog at a flat fee of \$15 for a lifetime registration and if anyone needs to retrieve a dog from the Municipality that the charge be the cost of impoundment plus related tickets.

Motion carried with Jane Davis opposed.

Madelyn noted that any amendments to the Fees Policy or other documents that are needed based on PAC/HAC's direction will be prepared and provided to PAC/HAC at the February PAC/HAC meeting; PAC/HAC may then make a recommendation to Council for amendments. It was noted that the cost for a change of address would also need to be considered along with the potential for refund for those who have recently purchased lifetime tags at a cost of \$75.00.

Dog Parks and Skate Parks (Sara Poirier)

Sara reviewed a presentation outlining proposed regulations for dog parks and skate parks to be incorporated into the West Hants Regional planning documents during the plan review. The Committee discussed these regulations at length. The Committee was satisfied with the skate park regulations as revised during Committee discussions. Sara will take the feedback on the

proposed dog park regulations and return with another draft for the Committee to review. Due to the late hour, the rest of the discussion was deferred to the next meeting.

Buffer Strips (Madelyn LeMay)

Due to the late hour, this item was deferred to the next meeting.

Building and Development Activity Report

The report was sent to the Committee prior to the meeting. Due to the late hour, there was no discussion about it.

New Business

Mobile Canteen Vending By-law Amendment (Community Centres) (Alex Dunphy)

Alex provided an Information Report on the Mobile Canteen Vending By-law. The request was first brought forward by Mayor Zebian on September 14, 2021. The proposed amendment is to allow mobile vendors to operate on Community Centre properties. Community Centres are not currently defined in either the Windsor or Hantsport Land Use By-laws (LUBS), and in the West Hants LUB the definition does not currently allow commercial use. The definition would be altered to include “except mobile canteens” and be added to both the Windsor and Hantsport LUBs. Clause 4.1 (f) of the Mobile Canteen Vending By-law will also have to be altered to provide an exception to Community Centre properties. There is also a consideration for Church properties to be added to the amendment, as Church properties are often unused most of the week. There are two types of licensing styles, short-term and long-term, which are beneficial in different circumstances. According to information from the Property Valuation Services Corporation (PVSC), there is no guarantee that property taxation will remain unaffected for a tax-exempt property that allows mobile canteens to operate on site. The Committee had a few clarifying questions, some of which Alex will investigate and return with answers. These questions were about how Church auctions compare to mobile canteen vending, and how taxation would be different if the host does not receive compensation.

The Committee was in favour of allowing mobile canteen vending to be located on Community Centre and church properties. The Committee was comfortable making the recommendation, provided that any taxation implications are made very clear to participants.

Correspondence

Moved by Debbie Francis and seconded by Ed Sherman that Lisa Bland’s statement be accepted into the minutes. Motion carried.

Her statement is as follows: "I fully support the citizen's letter above and agree with her and the many other citizens of West Hants who love the Fort Edward historic site. It is of great cultural

importance to the Acadians in the area, including myself, who had many ancestors who lived in and were at Fort Edward for a time. 65 Fort Edward should remain for this support of tourism to such an important cultural site which deserves much more fanfare than it receives."

Notices from Adjacent Municipal Units

There was a notice from Chester that they are in the process of creating a "Lakeside" zone. There will be a Public Hearing on January 27, 2022, in Chester.

Questions and Comments from the Public

All questions and comments received through social media will be addressed by the appropriate staff member as time permits. The public is encouraged to interact with staff by sending questions and comments directly to individual planners.

Next Meeting

The next meeting date is scheduled for February 10, at 6:00pm.

Adjournment

Moved by Bill Preston and seconded by Mark McLean that the meeting adjourn at 9:33pm. Motion carried.