



West Hants
something inspiring awaits

**WEST HANTS REGIONAL MUNICIPALITY
Planning & Heritage Advisory Committee (PAC/HAC)
October 13, 2022 – 6:00pm
In-person and via Zoom**

**NOTE: Three Public Information Meetings (PIMs) were held at 6:00pm.
PAC/HAC began immediately following the close of the PIMs.**

- PRESENT:** Councillor Jim Ivey (District 11, Chair)
Abraham Zebian (Mayor)
Councillor Rupert Jannasch (District 1)
Councillor Mark McLean (District 3)
Councillor Debbie Francis (District 5)
Councillor John Smith (District 9)
Jane Davis (Hantsport Representative)
Jennifer Nicholls (WHRM Representative)
Lisa Bland (WHRM Representative)
Shelley Bibby (Windsor Representative)
Bill Preston (Hantsport 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:** Doug Faulkner (Applicant)

PUBLIC: No members of the public were present for the meeting.

REGRETS: Jamie O’Hanlon (Windsor Representative)

Public Information Meeting

Three Public Information Meetings (PIMs) were held prior to the PAC/HAC meeting. Chair Ivey called the PIMs to order at 6:00pm. These meetings concluded at 6:16pm.

Call to Order and Attendance

Chair Ivey called the PAC/HAC meeting to order at 6:17pm. Madelyn LeMay took attendance. Regrets had been received from Jamie O’Hanlon, and all other committee members were in attendance. Applicant Doug Faulkner was present to speak on his application.

Announcements

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

Approval of Agenda and Additions

File # 22-19, 697 Greenhill Road, Greenhill, was added to the agenda as item 9.6. Moved by Mayor Zebian and seconded by Rupert Jannasch that the agenda be approved as amended. Motion carried.

Conflict of Interest

No conflicts were declared.

Approval of Minutes

Moved by Mayor Zebian and seconded by Debbie Francis that the minutes be approved as circulated. Motion carried.

Business Arising from the PIMs

File # 22-05 Cole Drive, Garlands Crossing/Windsor (PID 45366432) and West Hants Planning Document Amendments (Alex Dunphy)

Lisa Bland asked about the difference between the Residential designations in the West Hants and Windsor documents. Alex explained that the designations are comparable and are needed to enable the development. Chair Ivey asked about mixed-use. Mixed-use is the intent, but the designation change is required first.

File # 22-21 Development Agreement: 394 Greenhill Road, Greenhill (PID 45118502) (Alex Dunphy)

Lisa expressed concern over the rezoning of Agricultural land, and Alex explained that applications are measured against documents and policy, which allow this application to be considered; however, an agrologist report is required. Lisa asked if it was possible to rezone back to Agriculture in the future. Alex was unsure and will double-check.

File # 22-22 Development Agreement: Tidal Drive, Cheverie (PID 45178944) (Alex Dunphy)

Alex noted that the Public Information meeting has been deferred to the November PAC/HAC meeting and that this application will be titled "215 Cheverie" in the future.

Business Arising from the Minutes

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

Council adjourned this topic until October 25.

Update: Heritage Plaques (Madelyn LeMay)

Council approved PAC/HAC's recommendation to use version D. The artwork has been done and the first plaque has been ordered. This item may now be removed from the agenda.

Update: File # 22-03 Development Agreement: Wentworth Road, Windsor (PID 45059631) (Sara Poirier)

The development agreement was registered on the property on October 3. The property owner is now able to apply for development and building permits as outlined in the agreement. This item can now be removed from the agenda.

Update: Heritage Grant Request: 376 Falmouth Dyke Road (Sara Poirier)

Council approved the grant request on July 26. The property owner is now eligible to complete the authorized repairs and receive up to 50% of eligible project costs to a maximum of \$10,000 towards those repairs. This item can now be removed from the agenda.

Update: File # 22-06 Hantsport, 22-07 West Hants and 22-08 Windsor: Small Options Housing LUB Amendments

Council has scheduled Public Hearings for Small Options Housing for October 25, 2022; however, the Public Hearing will be delayed to November as the second notice did not appear in the newspaper.

Update: File # 21-10 Development Agreement: Community Way, Windsor (PIDs 45055167, 45364775, 45421146) (Sara Poirier)

The Public Hearing and second reading were held on September 27. Council approved the application at that time. The notice of approval was placed in the paper on October 4 advertising the 14-day appeal period to the Nova Scotia Utility and Review Board. Following the conclusion of the appeal period, pending no appeals, the applicant will then come into the office to sign the development agreement.

Update: Windsor Plan Review Meeting (Sara Poirier)

Staff hosted the Windsor Plan Review meeting at the Windsor Community Centre at 6pm on Thursday, September 22. There were approximately 38 residents in attendance and good discussion on the topic areas of: residential, commercial, industrial, agriculture and community use policies. Staff are preparing a “What We Heard” report of all the responses received during the meeting for the November PAC/HAC meeting.

Building and Development Activity Report (September)

There were no questions or comments. Madelyn noted that the numbers were up.

New Business

File # 22-12 Hantsport, 22-13 West Hants, 22-14 Windsor, MPS and LUB Amendments: Secondary Suites in Accessory Buildings (Sara Poirier)

Sara gave a presentation to outline the definitions and specifications of Secondary Suites in Accessory Buildings. These changes align with both Council’s intent and a Statement of Provincial Interest regarding Housing. The committee had questions about water, septic and electric hookups. Sara explained that in most cases, such things would be shared between the main building and accessory building, but new lines may be established if necessary. If a lot has capacity issues to begin with, it is unlikely that a Secondary Suite would be built on the site. Water may have a potential for conflict, but after a discussion, the committee decided not to tailor the requirements to rural areas, for consistency across applications. There was deemed no need for a hydro-geological survey.

There were three separate recommendations presented, one for each regional document.

Moved by Lisa Bland and seconded by Mayor Zebian that PAC/HAC recommends 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 detached secondary suites accessory to single and two-unit dwellings, in a manner substantively the same as Attachment A of the staff report to the Planning and Heritage Advisory Committee #22-12 dated October 13, 2022. Motion carried.

Moved by Lisa Bland and seconded by Mayor Zebian that PAC/HAC recommends 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 detached secondary suites accessory to single and two-unit dwellings, in a manner substantively the same as Attachment A of the staff report

to the Planning and Heritage Advisory Committee #22-13 dated October 13, 2022. Motion carried.

Moved by Lisa Bland and seconded by Mayor Zebian that PAC/HAC recommends 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 detached secondary suites accessory to single and two-unit dwellings, in a manner substantively the same as Attachment A of the staff report to the Planning and Heritage Advisory Committee #22-14 dated October 13, 2022. Motion carried.

File # 22-16 WHLUB Housekeeping Amendments (Madelyn LeMay)

The West Hants Land Use By-law was last approved in 2008, and 2 errors have come to the attention of staff. There was a typo which converted Imperial to Metric incorrectly, and nothing stating Imperial may override Metric measurements. A recommendation to correct these errors was presented.

Moved by Shelley Bibby and seconded by John Smith that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider amending the text of the West Hants Land Use By-law to correct errors in the metric equivalent of front yard requirements in the Two-Unit Residential (R-2) Zone and the Multiple Residential (R-3) Zone, add a general clause to the West Hants Land Use By-law regarding the required standard of measurement, and correct the reference to the West Hants Municipal Planning Strategy policy for uses in existing non-residential buildings which exceed the commercial floor area limit in the Hamlet and Resource designations, all as shown in Appendix D of the October 13, 2022, report #22-16 ,West Hants Land Use By-law Housekeeping Amendments. Motion carried.

File # 22-17 WHLUB Amendments: Wentworth Road (PID 45190386) and Cole Drive (PID 45366457) (Sara Poirier)

Sara gave a presentation outlining the Land Use By-law map and text amendments to allow the requested application. The application is requesting a series of single and two-unit dwellings, and Sara gave an overview of the proposed development site plan. A Public Information Meeting was held for this topic on September 8, and at the September 23 deadline, 9 comments had been received voicing various safety and infrastructure concerns. The committee held a discussion about the requested minimum lot sizes and potential issues that may arise.

Moved by Abe Zebian and seconded by John Smith that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider amending the zoning map of the West Hants Land Use By-law to rezone a portion of the lot located at PID 45190386, Wentworth Road, Garlands Crossing from the Agricultural Priority Three (AR-3) Zone to the Multiple Residential (R-3) Zone and rezone a portion of the lot located at PID 45366457, Cole Drive, Garlands Crossing from the Joint Industrial Type Three (LI-3) zone to the Multiple Residential (R-3) zone, as shown on Figure 3, and amend the text of the West Hants Land Use By-law to reduce the minimum lot specification requirements for PID 45190386 and 45366457 owned by J. D. Irving Limited on Wentworth Road and Cole Drive, in a manner substantively the same as the draft set out in Attachment A of the report File #22-17 to the Planning and Heritage

Advisory Committee dated October 13, 2022. Motion passed 7-5, with Mayor Zebian, Shelley Bibby, John Smith, Bill Preston, Debbie Francis, Jennifer Nicholls and Mark McLean in favour, and Tasha Rogers, Jane Davis, Jim Ivey, Lisa Bland, and Rupert Jannasch opposed.

File # 22-04 PID 45038361, 4245 Hwy 14: WHLUB Amendment (Alex Dunphy)

Alex gave a presentation to review the application. The applicant wishes to rezone the property to General Resource from Rural Commercial to allow two dwelling units. Alex noted that a defined access point (i.e., a driveway) would be required for this property. A Public Information Meeting was held on September 8. No comments were received.

Moved by Lisa Bland and seconded by Mayor Zebian that PAC recommends that Council give First Reading and hold a Public Hearing to consider amending Schedule A of the West Hants Land Use By-law by rezoning 4245 Highway 14, Windsor Forks (PID 45038361) from the Rural Commercial (RC) zone to the General Resource (GR) zone. Motion carried.

File # 22-10 Development Agreement: 4701 Hwy 1, Three Mile Plains (Sara Poirier)

Sara gave a presentation to review the application. The application is to permit an Automotive Repair Shop on a property in Three Mile Plains within an existing structure. A Public Information meeting was held on September 8 and no comments were received. Debbie Francis asked about the listed hours of operation, which Sara replied were requested by the applicant. Lisa Bland asked about the access point, noting that there is a connection between this property and an adjacent one. Sara replied that the shop would be accessible from Highway 1 only, and that the access easement with the adjacent property is for personal use only.

Two recommendations were presented.

Moved by Mayor Zebian and seconded by Debbie Francis 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 4701 Highway 1, Three Mile Plains (PID 45005733) which is substantively the same as the draft set out in Attachment C of the report File #22-10 to the Planning and Heritage Advisory Committee dated October 13, 2022. Motion carried.

Moved by Mayor Zebian and seconded by Rupert Jannasch that PAC/HAC recommends that Council require that the development agreement with Phil Marryatt for 4701 Highway 1, Three Mile Plains PID 45005733 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.

File # 22-19, 697 Greenhill Road, Greenhill (Alex Dunphy)

Alex gave a presentation to review the application, and applicant Doug Faulkner was present to answer questions and provide further information. The application is to rezone the property from Agricultural to Rural Residential to allow for subdivision of lots. There is a limit of one subdivision per Agriculturally zoned lot per year. The applicant has provided the required agrologist report. A Public Information Meeting was held on September 8 and received 3 comments, concerned about the residential density and impact on the water table. From these concerns, staff recommended a hydrological report be completed.

Doug Faulkner noted that some of these comments were received from people beyond the 500ft radius required to notify nearby residents. He has done his own local research and already submitted an agrologist report and questioned whether an additional hydrological report was required. PAC/HAC members discussed the need for a hydrogeological report and decided it was unnecessary.

A recommendation was presented with the study included, but the motion was made without it.

Moved by Rupert Jannasch and seconded by Mayor Zebian that PAC recommends that Council give First Reading and hold a Public Hearing to consider amending Schedule A of the West Hants Land Use By-law by rezoning 697 Greenhill Road, Greenhill (PID 45026010) from the Agricultural Priority Two (AR-2) zone to the Rural Residential (R-4) zone. Motion carried.

Notices from Adjacent Municipal Units

There were no announcements.

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 contact staff directly if there are any specific questions or comments.

Next Meeting Date / Adjournment

The next PAC/HAC meeting is scheduled for November 10, 2022, at 6:00pm. This meeting will be entirely in-person and be the first meeting of the new PAC/HAC Committee, which will be appointed on October 25. Chair Ivey thanked the current committee and staff for all their hard work.

Moved by Rupert Jannasch and seconded by Shelley Bibby that the meeting be adjourned at 8:44pm. Motion carried.