



West Hants
something inspiring awaits

**WEST HANTS REGIONAL MUNICIPALITY
Planning & Heritage Advisory Committee (PAC/HAC)
June 7, 2023 – 6:00pm
Sanford Council Chambers / Zoom**

PRESENT: Jennifer Nicholls, WHRM Representative (Cheverie), Chair
Councillor Laurie Murley (District 10)
Councillor Jim Ivey (District 11)
Jane Davis, Hantsport Representative
Lisa Bland, WHRM Representative (Three Mile Plains)
Tasha Rogers, WHRM Representative (Newport)
Mayor Abraham Zebian (Arrived 6:46pm)

STAFF: Alex Dunphy, Planner
Mark Fredericks, Senior Planner
Vanessa Lake, Planning Assistant
Mark Phillips, CAO

PUBLIC: 1 member of the public was present.

REGRETS: Jamie O’Hanlon, Windsor Representative
Greg Pace, Hantsport Representative
Stefan Palios, Windsor Representative

1.0 Call to Order and Attendance

Chair Nicholls called the PAC/HAC Meeting to order at 6:07pm. Vanessa took attendance.

Regrets had been received from Jamie O’Hanlon, who is on medical leave until September 2023. Mayor Zebian had a prior engagement and will join the meeting when he is able. Stefan Palios and Greg Pace were not present. All other members were in attendance.

2.0 Announcements

Chair Nicholls read the Land Acknowledgements. There were no further announcements.

3.0 Approval of Agenda and Additions

Alex requested the removal of item 9.2 from the agenda. Moved by Jim Ivey and seconded by Laurie Murley that the agenda be approved as amended. Motion carried.

4.0 Conflict of Interest

Chair Nicholls declared conflict with item 6.1 and will not participate in the discussion. Laurie Murley will take over as Chair for this discussion.

5.0 Approval of Minutes (May 11, 2023)

Moved by Laurie Murley and seconded by Jim Ivey that the minutes be approved as circulated. Motion carried.

6.0 Business Arising from the PIMs (June 6, 2023)

6.1 File #23-07 PID 45180635 Hwy 215, Summerville (Mark Fredericks)

This Public Information Meeting (PIM) was held on June 6 at 6:00pm and was for a development agreement to permit a paintball facility on a portion of PID 45180635, Hwy 215, Summerville. Chair Nicholls left the meeting for this discussion and Laurie Murley took the Chair. Mark Fredericks opened the floor to questions and comments.

The Committee asked about the duration of each game and how far in advance the developer would take bookings, how this would be affected by closing for funerals, and whether the

neighbouring cemetery was Municipally or privately owned. Staff did not have the answers at this time but will investigate these matters.

Chair Nicholls returned to the meeting after the discussion.

6.2 File #23-09 PID 45366432 Cole Drive, Windsor (Alex Dunphy)

This PIM was held on June 6 at 6:00pm and was for a development agreement to permit a 4-storey mixed-used building with up to 42 residential units on PID 45366432, Cole Drive, Windsor. There were no questions or comments.

7.0 Business Arising from the Minutes

7.1 Update: File #23-01 997 Hwy 14, Upper Vaughan (Alex Dunphy)

This is a rezoning application to change the subject lot from the General Resource (GR) to Resource Industrial (M-1) zone. First Reading was held on May 23, and the Public Hearing for this file is scheduled for the July 25 Council meeting. This date was requested by the applicant so they can be present for the meeting.

7.2 Update: File #23-05 PID 45366432 Cole Drive, Garland's Crossing (Alex Dunphy)

This is a development agreement application to permit a 4-storey, mixed-used apartment building with up to 42 units. First Reading was held on May 23 and the Public Hearing for this file is scheduled for the June 27 Council meeting.

7.3 Update: File #22-23 PID 45006947 and 45415668, MacLeod Court, Three Mile Plains (Sara Poirier)

This application was for a development agreement to permit two (2) apartment buildings on the properties. The Public Information Meeting was held on March 9, 2023. There were numerous public comments received during the comment period. The developer has decided to change the concept for the property. This revised concept has yet to be submitted to staff.

7.4 Update: File #22-25 College Road, PID 45336203 (Sara Poirier)

This application is for an amendment to the development agreement for Dykeland Lodge on College Road to increase the maximum number of beds permitted in their home for special care. Council approved the application on April 25 and a notice of approval was placed in the paper on May 2. The appeal period ended on May 16 with no appeals being received. The

development agreement has since been signed and sent to the Land Registry Office for registration. This item can now be removed from the agenda.

7.5 Update: File #21-18 Benjamins Mill Wind Project (Alex Dunphy)

This application is for a development agreement to permit a 24-unit wind turbine project in Benjamins Mill. First Reading was held on April 25. The Public Hearing for this file was originally scheduled for May 23, but has been postponed to the June 27 Council meeting to allow for a legal review to be completed.

7.6 Update: File #22-28 PID 45276441 and PID 45366986, Payzant Dr, Windsor (Sara Poirier)

This application is for a development agreement to permit an 8-storey apartment building on the properties. The Public Hearing was held on May 23, 2023. Council approved the application on that date. A notice of approval was placed in the paper on May 30 initiating the 14-day appeal period.

7.7 Update: File #22-29 PID 45166915 Scotch Village Station Rd (Sara Poirier)

This application was originally for a yoga studio, campground with tourist accommodations and other accessory uses on the properties. The applicant since reduced the application to include the yoga studio and campground with ten tent sites. The Public Hearing was held on May 23, 2023. Council approved the application on that date. A notice of approval was placed in the paper on May 30 initiating the 14-day appeal period.

7.8 Update: File #23-08 Public Participation Program Policy (Sara Poirier)

Council passed a motion on March 28, 2023 to have staff explore amending the Public Participation Program Policy. An information report was presented for discussion at the May 11 PAC/HAC meeting. A recommendation report will be brought back to the PAC/HAC at a future meeting.

7.9 Update: Review of Agricultural Policies (Sara Poirier)

At the April 13, 2023 PAC/HAC meeting, PAC/HAC recommended that Planning and Development staff bring information to the Committee to review currently existing agricultural policies within the Municipality and Statements of Provincial Interest regarding agriculture. The agricultural policies and Statements of Provincial Interest will be reviewed by staff and an information report will be brought back to the PAC/HAC at a future meeting.

7.10 Update: 368 Nesbit Street, PID 45056447 (Sara Poirier)

This application is a request to amend the Windsor Municipal Planning Strategy and Windsor Land Use By-law to permit a mixed-use, multi-unit development and hockey themed tourist destination on the site of the former Textile Mill. An information report was presented for discussion at the May 11 PAC/HAC meeting. A Public Information Meeting is scheduled for 6 p.m. on Monday June 19 in Council Chambers at 76 Morison Drive.

8.0 Building and Development Activity Report (May 2023)

The report was circulated with the agenda package. Tasha noted a large increase in the “other residential” section and asked for clarification on what it entailed. Staff were unsure if they had that information on hand, but it can be sent to PACHAC. Jim noted a drop in the number of units and permits and wondered if it was the beginning of a trend. He suggested adding a footnote of any anomalies for each report. Chair Nicholls suggested a twice-yearly qualitative summary to provide more context for the Committee.

9.0 New Business

9.1 File # 23-03 Pemberton Ave, Garlands Crossing PID 45003563 (Alex Dunphy)

This file is an application to amend the West Hants Land Use By-law to rezone PID 45003563 on Pemberton Avenue, Garlands Crossing, from the General Commercial (GC) to Two Unit Residential (R-2) zone to allow for two semi-detached residential dwellings. Alex gave a presentation outlining the application. The developer’s intent is to rezone first then subdivide the lot and put a two-unit dwelling on each new lot.

During the PIM on May 11, the Committee questioned the subject lot’s access to Highway 1. Alex confirmed that the lot with highway frontage would be given access to Highway 1 as a single access road, i.e., a driveway. Alex noted the driveway held no opportunity to become an actual road. Each two-unit dwellings access from the Highway and from Pemberton Avenue in the final design would be up to the Development Officer and Provincial Public Works. The subdivision plan is not yet available as the lot must be rezoned first before it can be subdivided.

Moved by Jim Ivey and seconded by Laurie Murley that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider amending Schedule A of the West Hants Land Use By-law to rezone PID 45003563 on Pemberton Avenue, Garlands Crossing, from the General Commercial (GC) zone to the Two Unit Residential (R-2) zone. Motion carried.

9.3 File # 23-06 35 William St, Hantsport PID 45044419 (Alex Dunphy)

This file is an application to allow a 40-unit apartment building on 35 William Street, Hantsport (PID 45044419) by amending the text of the Hantsport Land Use By-law (HLUB). Alex gave a presentation outlining the application and proposed amendments. This change would apply to all properties zoned Commercial/Residential (C-2). Inquiries to Building Officials, the Fire Chief, Development Officers, Traffic Authority, and Municipal Public Works Engineering Division showed no concerns for the proposed change. Alex provided a map of all properties zoned Commercial/Residential (C-2) currently in Hantsport for context. Concerns from the public comment period included residential density, parking and traffic, and the water supply.

Mayor Zebian joined the meeting at 6:46pm.

Members of the Committee had concerns that the proposed development would not fit in the historic nature of Hantsport and that the currently permitted 3 storey and 20-unit buildings would be adequate. These were the limits decided by the former Hantsport Area Advisory Committee. The size and affordability of the units was also questioned. Alex will double-check the proposed unit sizes but reminded the Committee that as this application is not a development agreement, the developer cannot be held to the site plan provided. He noted the developer plans to go apply for an Affordable Housing Development Plan. The Committee asked about the current water supply. Alex replied that Public Works Engineering Division had no concern for this development and developments already within the Commercial/Residential (C-2) zone. If every projected development was constructed immediately, it may be an issue, but that is highly unlikely. Public Works Engineering Division did note the Davidson Lake watershed is reaching the withdrawal limit.

Jim commented on developer impact fees and eventual costs to the Municipality from such amendments/developments. He would like staff to return to this eventually. Mayor Zebian

commented that many residents seem happy about the increased density, and this amendment would allow for the redevelopment of other lots.

Moved by Lisa Bland and seconded by Laurie Murley that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider amending the Hantsport Land Use By-law to increase the height and number of dwelling units permitted in the Mixed Commercial/Residential (C-2) zone in a manner substantively the same as Attachment B of the staff report to the Planning and Heritage Advisory Committee report dated June 8, 2023.

Motion carried with Jane Davis and Tasha Rogers opposed.

9.4 Discussion: Affordable Housing Requirements (Jane Davis)

Jane referred the Committee to the “Affordable Housing through Inclusionary Zoning Act.” This Act had First Reading in October 2021 but has not been ratified. Jane opened a discussion on this topic using this Act as a starting point. Currently, within the Municipal Government Act (MGA), Municipalities can “require and regulate the provision of affordable housing within developments, including requiring that a specified percentage of affordable housing units be provided within a development” in a Land Use By-law (220(5)) and “Where provided for in a municipal planning strategy, council may accept money instead of all or part of any required provision of affordable housing” (223A). Staff have discussed incorporating affordable housing policies and regulations during the Plan Review but are unsure if they can work on creating separate Land Use By-law amendments at this time. The Committee wanted the Municipality to take an active role in affordable housing and noted that many other municipalities are already taking action. The Committee did not want to wait for the completion of the Plan Review or the ratification of the Act. They discussed their current jurisdiction and how to implement control over these provisions with input from the CAO.

Moved by Laurie Murley and seconded by Tasha Rogers that PAC/HAC request that Council endorses PAC/HAC and Planning Staff to explore the ability to require and regulate the provision of affordable housing within developments. Motion carried.

9.5 Discussion: Heritage Plaques for Heritage Locations (Lisa Bland)

Lisa wanted to discuss how the Committee and Municipality talks about heritage. Most heritage discussions are around buildings, rather than communities, and a lot of important local history

is lost this way. History is represented in more than just buildings. She wondered if there was anything in the by-laws to recognize historic communities or locations, perhaps in collaboration between the Municipality and community groups. Alex noted this item may not necessarily be up to the Planning Department and PAC/HAC. A collaborative project may be the best way forward. The Committee discussed what capacity they held as a Heritage Advisory Committee to amend by-laws, who they could collaborate with, and for what the heritage grant could be used. CAO Phillips told the Committee that the Community Development team is working on a beautification strategy which includes signage and suggested it may be an opportunity for collaboration. Mark F. clarified that the by-law does enable municipal heritage designations for streetscapes, and cultural landscapes. The current municipal heritage designation process is reliant on community groups, historical societies, etc. to identify and bring forward an application. A standard plaque is then issued to designated properties, and an opportunity for more elaborate and descriptive plaques could be considered. Mark F. extended an invitation to Committee members to attend a Kings Hants Heritage Connection meeting for further insight. The Committee discussed their options and requested more information before moving forward.

Moved by Lisa Bland and seconded by Tasha Rogers that PAC/HAC ask Planning Staff to collaborate with Community Development to discuss a path forward for development of historic districts, view planes, etc. within the West Hants Regional Municipality and bring it back for discussion.

9.6 Discussion: Plan Review

If PAC/HAC wishes to accelerate the rate of the Plan Review, PAC/HAC should make a recommendation to Council to hire a consultant to help with the review and combination of the three sets of documents. One staff member will still need to be primarily allocated to the Plan Review to assist the consultant and ensure local knowledge is incorporated.

The Committee asked if there was no possibility for staff to work on the Plan Review at their current capacity. Staff were directed to prioritize applications over the review. There has been a surge in applications, leaving little time to work on the review, and there are only a few staff members available. Hiring a consultant is a suggestion to help prioritize the review. Chair

Nicholls commented that she has worked on a Plan Review in the past and that there is a large volume of work to be done. She said it is common to bring in a consultant, and the Committee should support staff in any way they can. The Committee discussed how they would like to proceed and what to include in the motion they bring to Council.

Moved by Jim Ivey and seconded by Laurie Murley that PAC/HAC recommends to Council that Planning Staff be given the capacity to engage consultants for furthering the process of the Plan Review for the West Hants Regional Municipality.

10.0 Notices from Adjacent Municipal Units

There were no notices.

11.0 Questions and Comments from the Public

Facebook comments are not followed in real time. The public is encouraged to contact staff directly if there are any questions or comments. Public comments received during the Public Information Meetings and during the comment period will be considered and included in the staff report. There were no questions or comments at this time.

12.0 Next Meeting Date / Adjournment

The next meeting is scheduled for July 13, 2023 at 6:00pm. The Committee will be notified of any changes. Moved by Laurie Murley and seconded by Tasha Rogers that the meeting be adjourned at 7:58pm. Motion carried.

Chair's Signature