



West Hants
something inspiring awaits

WEST HANTS REGIONAL MUNICIPALITY

Planning & Heritage Advisory Committee (PAC/HAC)

October 12, 2023 – 6:00pm

Sanford Council Chambers / Zoom

PRESENT: Jennifer Nicholls, WHRM Representative (Cheverie), Chair
Mayor Abraham Zebian
Councillor Laurie Murley (District 10)
Councillor Jim Ivey (District 11)
Jane Davis, Hantsport Representative
Stefan Palios, Windsor Representative
Tim Carr, Hantsport Representative
Tasha Rogers, WHRM Representative (Newport)

STAFF: Sara Poirier, Director of Planning and Development
Alex Dunphy, Planner
Mark Fredericks, Senior Planner
Vanessa Lake, Planning Assistant

GUESTS: Todd Richard, Director of Public Works

PUBLIC: 1 member of the public was present.

REGRETS: Lisa Bland, WHRM Representative (Three Mile Plains)

Call to Order and Attendance

Chair Nicholls called the meeting to order at 6:01pm and read the Land Acknowledgements. Vanessa Lake took attendance. Lisa Bland had sent regrets. All other members of the Committee were present with the Mayor arriving at 6:04pm.

Announcements

The Committee welcomed Tim Carr, the new resident member for Hantsport. Following the September PAC/HAC meeting, Jamie O’Hanlon resigned from the Committee due to personal reasons. Staff have advertised the vacancy with applications closing on October 13.

Approval of Agenda and Additions

Mark Fredericks requested item 9.3, File #23-07 Hwy 215 Summerville be moved to the Business Arising From the Minutes section of the agenda as item 7.12. Moved by Laurie Murley and seconded by Mayor Zebian that the agenda be approved as amended. Motion carried unanimously.

Declaration of Conflicts of Interest

No conflicts were declared.

Approval of Minutes (September 14, 2023)

Moved by Mayor Zebian and seconded by Tim Carr that the minutes be approved as circulated. Motion carried unanimously.

Business Arising from the Public Information Meetings

There were no Public Information Meetings to discuss.

Business Arising From the Minutes

Update: File #23-02 WMPS and WLUB Amendments: 368 Nesbitt Street, PID 45056447 (Sara Poirier)

This application was 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 was held at 6:00pm on June 19 in Council Chambers. As consultant services are stretched thin across the board at the moment, Sara is waiting for responses from inquiries before she can bring a recommendation forward to the Committee.

Update: File #23-04 Payzant Drive, Windsor (Alex Dunphy)

This application was for a development agreement to permit a multi-phase residential development on Payzant Drive. The developer is working with the Public Works Department to develop a site design for the road extension within the development, and the development agreement is being drafted.

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

This application was for a development agreement request to permit a 4-storey mixed-use commercial/residential unit on the subject lot. The First Reading was held on September 26, 2023 and the item is going to Second Reading and Public Hearing at the October 24 Council meeting.

Update: File #23-14 8 Upper Water Street, Windsor (Alex Dunphy)

This application was for a development agreement to permit a 6-storey, mixed-use residential and commercial building at 8 Upper Water Street, Windsor. The First Reading was held on September 26, 2023 and the item is going to Second Reading and Public Hearing at the October 24 Council meeting.

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

This application was for a rezoning to the Two Unit Residential (R-2) zone on Pemberton Avenue in Garlands Crossing. Public Hearing and Second Reading was held on September 26, 2023, and Council approved the application at the time. A notice of approval was placed in the paper on October 3, 2023 initiating the 14-day appeal period.

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

This application was for a text amendment to the Mixed Commercial/Residential (C-2) zone to permit a 5 storey, 40-unit apartment building in Hantsport. Public Hearing and Second Reading

was held on September 26, 2023, and Council approved the application at the time. A notice of approval was placed in the paper on October 3, 2023 initiating the 14-day appeal period.

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

At the September 14 PAC/HAC meeting, the Committee recommended in favour of amendments to the Public Participation Program Policy to:

- increase the notification distance of mail letters to 1,000 ft. (300 m.);
- increase the notification time to at least 14 days prior to the meeting; and
- specify signage requirements.

This recommendation was presented to Council on September 26. Council was not in favour of the proposed changes and did not make any changes to the Policy.

Update: Plan Review Consultant (Sara Poirier)

On June 27 Council passed the motion to give Planning staff the capacity to engage consultants to further the process of the Plan Review. A Request for Proposals is active and has been posted to the Provincial procurement website. The closing date is at the end of October.

Update: Heritage Plaques (Sara Poirier)

At the June 7 PAC/HAC meeting the Committee asked 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.

At the September 14 PAC/HAC meeting, John Wilson presented to the Committee. The Committee made two recommendations following the presentation.

The first to:

- recommend that Council review budgetary process for consistent heritage signage within West Hants Regional Municipality

The second to:

- recommend that Council begin to immediately work with the West Hants Historical Society to create consistent signage to highlight historical places to visit within West Hants before the celebration of the World Acadian Congress in 2024.

Both of these motions passed at the Council meeting on September 26.

Update: File #23-11 Short Term Rentals (Mark Fredericks)

At the September 14 PAC/HAC meeting, staff brought forward an information report on regulating Short Term Rentals. The Committee then recommended that Staff hold a Public Information Meeting-style engagement session to gather input and collect information on Short Term Rental regulations. Preparations are ongoing, but the date of November 21, 2023 at 6:00pm has been chosen, to be held in the Council Chambers at 100 King Street, Windsor. More information will be shared as it becomes available.

Update: File #23-13 187 Payzant Drive, Windsor (Mark Fredericks)

This application was a request for a development agreement to permit a community/recreation centre on a portion of the property currently addressed at 187 Payzant Drive in Windsor. The building currently on the lot will be repurposed. The property will be subdivided in the future and share an access from Community Way, which is currently under construction. The approved development agreement for the adjacent property was amended and this development was included within. This item is going to Second Reading and Public Hearing at the October 24 Council meeting.

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

This application was a request for a development agreement to permit an outdoor paintball facility on a portion of a large vacant property on Highway 215 in Summerville. A recommendation report and draft development agreement have been prepared, but staff have been advised by the Municipal solicitor to delay PAC/HAC consideration until the applicant can confirm the property ownership. The property was owned by a deceased member of the applicant's family, and the Will needs to be probated to verify the legal ownership. Staff hope to bring this item for recommendation in November.

Building and Development Activity Reports (September 2023)

The report was circulated with the agenda package. There were no questions.

New Business

Presentation from Public Works

Todd Richard, Director of Public Works, gave a presentation to the Committee to explain the water, stormwater, and wastewater systems, and how capacity is determined for

developments. He gave an overview of the history of the systems, their capacities and withdrawal limits, and capital plans to upgrade and improve them. Todd noted that the water capacity is “in good shape currently” even with everything that is in the queue. If capital projects and expenditures continue being approved, and improvement plans are followed, there should be little issue. Todd also explained that for larger projects, such as the multi-unit developments, Public Works will request a second opinion from the professional consultant engineers that they have on standing offer.

Todd Richard left the meeting at 7:08pm.

File #22-23 PID 45006947 and 45415668, MacLeod Court, Three Mile Plains (Mark Fredericks)

This application was a revised request for a development agreement to permit 27 townhouse units on a new road that would connect to MacLeod Court in Three Mile Plains. Provincial Public Works indicated that MacLeod Court would need to be paved to support the development. Municipal specs for the new road would require a sidewalk on at least one side of the new road, Red Fox Court. The 75% open space in the site plan would be left as-is. If there was interest in using any of this space for future development, it would require an amendment to the development agreement or a separate application. The Committee discussed a second emergency egress. There is no requirement in the MPS, but it is considered good practice.

Moved by Stefan Palios and seconded by Tasha Rogers that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider entering into a development agreement to allow 27 townhouse units grouped on PID 45006947 and 45415668 in Three Mile Plains which is substantively the same as the draft set out in Attachment C of the report File #22-23 to the Planning and Heritage Advisory Committee dated October 12, 2023. Motion carried unanimously.

Moved by Stefan Palios and seconded by Tim Carr that PAC/HAC recommends that Council require that the development agreement with Faisal Al-Hammadi of FH Development Group Inc. for PID 45006947 and 45415668 in Three Mile Plains 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 unanimously.

File #23-19 411 King Street, Windsor (Alex Dunphy)

This application was for a development agreement for an 18-unit stacked townhouse development at 411 King Street in Windsor. A new definition for “stacked townhouses” was created for this development. The existing church will be demolished, but the spire will be kept as an entryway for the townhouse units. There was concern about water run-off and flooding, but a stormwater management plan will be required before a building permit is issued.

Moved by Mayor Zebian and seconded by Tasha Rogers that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider entering into a development agreement to allow a stacked townhouse development, consisting of 18 dwelling units on PID 45059755 at 411 King Street in Windsor which is substantively the same as the draft set out in Attachment B of the report File #23-19 to the Planning and Heritage Advisory Committee dated October 12, 2023. Motion carried unanimously.

Moved by Mayor Zebian and seconded by Tasha Rogers that PAC/HAC recommends that Council require that the development agreement with Edward Edelstein which permits a stacked townhouse development, consisting of 18 dwelling units on PID 45059755 at 411 King Street in Windsor 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 unanimously.

File #23-16 Affordable Housing Policies (Sara Poirier)

As requested by PAC/HAC on September 14, 2023, Sara provided an information report on affordable housing policies. She outlined what options are available through the Municipal Government Act (MGA), what is currently in the West Hants planning documents, and what is in place in other jurisdictions. The Committee discussed these topics at length.

Moved by Stefan Palios and seconded by Jim Ivey that PAC/HAC requests staff to consider the feasibility, in advance of the Plan Review, to consider amendments that would allow density, such as allowing Mobile Homes, the potential of removing R-1 zoning in serviced areas, reducing both minimum lot size requirements and setback requirements in serviced areas, considering other density as-of-right in serviced areas, allowing mixed uses in serviced areas, and considering what incentives might be possible to incentivize developers to add affordable

units following the broader CMHC definition as well as any addendums that West Hants feel are required for our Municipality. Motion carried unanimously.

Notices from Adjacent Municipal Units

Notice from Kings County

West Hants Regional Municipality received one notice from Kings County. The notice is to advise Council of a Public Hearing for proposed amendments to the text of the Kings County planning documents to allow accessory dwelling units in Residential zones and grouped dwellings within their single unit and two-unit residential zones. The first group of amendments is similar to the amendments WHRM has already completed regarding secondary suites. The amendments to allow grouped dwelling in the single unit and two-unit residential zones is something WHRM planning staff will consider during the Plan Review. Neither amendment is of concern to planning staff or requires any action from the Committee or Council.

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.

One member of the public was present and commented that both Housing NS and Efficiency NS have programs in place to support affordable housing.

Next Meeting Date (November 9, 2023) / Adjournment

The next meeting is scheduled for November 9, 2023 at 6:00pm. The Committee and the public will be notified of any changes. Sara reminded the Committee that at the next meeting, there will be elections for Chair and Vice Chair. Moved by Mayor Zebian and seconded by Stefan Palios that the meeting be adjourned at 8:40pm. Motion carried unanimously.