



WEST HANTS REGIONAL MUNICIPALITY
Planning & Heritage Advisory Committee (PAC/HAC)
December 14, 2023 – 6:00pm
Sanford Council Chambers, Zoom / Facebook Live

PRESENT: Tim Carr, Chair (Hantsport Representative)
Mayor Abraham Zebian
Councillor Laurie Murley (District 10)
Councillor Jim Ivey (District 11)
Jane Davis, Hantsport Representative
Stefan Palios, Windsor Representative
Lisa Bland, WHRM Representative (Three Mile Plains)
Paul Beazley, Windsor Representative

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

PUBLIC: There were no members of the public present.

REGRETS: Jennifer Nicholls, WHRM Representative (Cheverie)
Tasha Rogers, WHRM Representative (Newport)

Call to Order and Attendance

Chair Carr called the meeting to order at 6:01pm. Vanessa Lake took attendance. Regrets had been received from Jennifer Nicholls and Tasha Rogers. All other members of the Committee were present.

Announcements

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

Approval of Agenda and Additions

Alex Dunphy requested that item 7.2 be renamed to “File #23-29 WMPS and WLUB Amendments: Pesaquid Comprehensive Development District.” Sara Poirier requested the addition of item 11.1, a notice from the Municipality of Chester. Paul Beazley requested a discussion about growth strategy, housing, and industrial land. This item was added between agenda items 12.0 and 13.0. Moved by Mayor Zebian and seconded by Lisa Bland that the agenda be approved as amended. Motion carried unanimously.

Declaration of Conflicts of Interest

Mayor Zebian declared conflict with item 8.8 and will not participate in the discussion. There were no further conflicts.

Approval of Minutes (November 9, 2023)

Moved by Councillor Ivey and seconded by Stefan Palios that the minutes be approved as circulated. Motion carried unanimously.

Business Arising from the Public Information Meetings

File #23-29 WHLUB Amendment: PID 45218658, Armstrong Lake East Road, Vaughan (Mark Fredericks)

This application was a Council request to rezone a Municipally owned property from the Open Space (OS) zone to the General Resource (GR) zone. This property was listed as appropriate for divestment in the 2016 Parks and Open Space Plan, which led to this rezoning application. The Public Information Meeting was held on December 7, 2023, and 1 member of the public and 1

PAC/HAC member made comments at the meeting. The public comment period remains open until December 21, 2023. Staff expect to bring a recommendation report back to PAC/HAC at the January PAC/HAC meeting.

Lisa Bland asked why there was so much time between the parks and Open Space plan's assessment of the properties and the rezoning process. Mark Fredericks replied that it had to do with Council having time to address it.

File #23-29 WMPS and WLUB Amendments: Pesaquid Comprehensive Development District (Alex Dunphy)

This application was for a text amendment to the Windsor Municipal Planning Strategy and Land Use By-law to allow residential units behind commercial uses on the ground floor of existing buildings. The Public Information Meeting was held on December 7. The public comment period is open until December 21, 2023. A recommendation report is planned to come to the January PAC/HAC meeting. Stefan asked for clarification that the applicants intend to have a residential dwelling in the back of a commercial building and Alex confirmed this is the intent.

File #23-44 HMPS, HLUB, WHMPS and WHLUB Amendments: Bog Road Boundary Review, Hantsport/Hants Border (Alex Dunphy)

This file was for a mapping amendment to both the Hantsport and West Hants Municipal Planning Strategies and Land Use By-laws to conform to a survey plan which identified the former Town boundary line. The Public Information Meeting was held on December 7. The public comment period is open until December 21, 2023. A recommendation report is planned to come to the January PAC/HAC meeting. Two PIDs would be impacted by this change, PID 45046315 and half of PID 45366515. Both PIDs would require designation and zoning amendments to the Residential designation on the Hantsport GFLUM and Two Unit Residential (R-2) zone on the zoning map of the Hantsport Land Use By-law.

Business Arising From the Minutes

Update: File #23-02 WMPS and WLUB Amendments: 368 Nesbitt Street, Windsor (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, 2023, PAC/HAC meeting. A Public Information Meeting was held at 6:00pm on June 19, 2023, in Council Chambers. Sara is waiting for responses from inquiries before she can bring a recommendation forward to the Committee.

Update: Plan Review Consultant (Sara Poirier)

On June 27, 2023 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 document was developed and was posted to the Provincial procurement website with a closing date in October. Two proposals were received and evaluated by staff. On November 28, 2023, Council approved the award of the RFP to WSP. Staff hosted a start up meeting with WSP last week who are eager to get started on the project in the new year. This item can be removed from the agenda at this time. Updates will be provided by staff and the consultants as they occur throughout the project.

Update: Heritage Plaques (Sara Poirier)

On September 26, 2023 Council approved the motion to “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.”

Kathy Kehoe, VanEssa Roberts and Sara Poirier met with representatives from the West Hants Historical Society and Les Amis de Grand-Pré to discuss this project. VanEssa is taking the lead on the project with Kathy and Sara helping develop a budget request for Council to consider during the budget deliberations early next year. This item can be removed from the agenda.

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

At the October 12, 2023 PAC/HAC meeting Sara provided an information report regarding potential amendments to the planning documents to enable more affordable housing developments within the Municipality. The Committee made a recommendation requesting staff consider amendments to the planning documents in advance of the plan review. Sara will work on these amendments as she has time and bring them back to future PAC/HAC meetings for recommendation. Paul Beazley suggested having an emphasis on housing options in the Municipal Planning Strategy. He asked about the Housing Accelerator Fund; Sara confirmed that

WHRM did apply but had not received a response. Mayor Zebian added that he intends to bring a presentation to Council about pallet housing in the new year.

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

This application was the second application for a development agreement to permit a 4-storey mixed-use apartment building on Cole Drive. Council approved the application at Second Reading on October 24, 2023. A Notice of Approval was published in the paper on October 31, 2023, initiating the 14-day appeal period. There were no appeals, and the development agreement has been signed. This item can now be removed from the agenda.

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

This application was for a 6-storey mixed-use apartment building on the corner of Upper Water Street and King Street. The Public Hearing was held on October 24, 2023; however, the Second Reading was postponed to November 28, 2023, to request additional information regarding view planes from Fort Edward, pending legal opinion. Staff then presented the legal opinion and Council approved the application on November 28. A Notice of Approval was published in the paper on December 5, 2023, initiating the 14-day appeal period.

Update: File #23-19 Development Agreement: 411 King Street, Windsor (Alex Dunphy)

This application was for a development agreement to permit an 18-unit stacked townhouse development at 411 King Street. The Second Reading was held on November 28, 2023 and Council approved the application at this time. A Notice of Approval was published in the paper on December 5, 2023, initiating the 14-day appeal period.

File #23-04 Development Agreement: PIDs 45053030, 45343878, 45343894, and 45234382, Payzant Drive, Windsor (Alex Dunphy)

This application was for a development agreement to permit multi-phase residential development on Payzant Drive. Alex received the design report from Design Point on December 14, 2023. The extension of Payzant Drive to King Street still requires comments from Public Works, which will likely be in by the new year. Alex hopes to bring this item to the PAC/HAC meeting in February.

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

There is currently an online survey which is collecting public feedback on the issue of short term rentals which remains open until December 15, 2023. To date, the survey has been completed

by over 425 people. A public meeting was held on November 21, 2023, and was very well attended. The results of the survey and feedback received at the public meeting will be compiled and prepared in an information report to the PAC/HAC in the new year.

Stefan mentioned a comment he heard during the public meeting; “What problems do these regulations hope to solve?” and he would like this addressed in Mark’s report.

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

This application was for a development agreement to permit a private community centre with recreation spaces on the property currently addressed as 187 Payzant Drive in Windsor. The Public Hearing and Second Reading were held on October 24, 2023. The notice of approval was placed in the paper on October 31, 2023, initiating the 14-day appeal period. No appeals were received, and the agreement is being registered to the property. This item can be removed from the agenda.

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

This application was for a development agreement to permit 27 townhouse units off a new public street off MacLeod Court in Three Mile Plains. The Public Hearing and Second Reading were held on November 28, 2023. The notice of approval was published in the paper on December 5, 2023, initiating the 14-day appeal period.

The Committee asked for clarification on the end of the appeal period. Staff confirmed that it ends on midnight of the 14th day and that the UARB will contact staff when it is over. Lisa Bland would like for it to be recognized that this development is within a historic black community, Five Mile Plains.

Update: File #23-07 Development Agreement: PID 45180635 Hwy 215, Summerville (Mark Fredericks)

This application is a request for a development agreement to permit an outdoor paintball facility on a portion of a property on Highway 215, Summerville. The subject property was owned by a deceased member of the applicant’s family and a Will is in the process of being probated, necessary to verify the legal ownership. This process is ongoing, and staff expect to bring the recommendation report back to the PAC/HAC at a future meeting.

Building and Development Activity Reports (November 2023)

The report was circulated with the agenda package. The Committee was curious about the “Industrial” and “Commercial” construction values. Sara will check with her staff and let the Committee know. The Committee would like to know more about the larger construction values for each report. Jim asked if the industrial construction would be in the industrial park. Sara said it may not be in the industrial park but definitely in an industrial zone.

New Business

File #23-24 WHLUB Amendment: PID 4522636, Halewood Drive, Falmouth (Alex Dunphy)

This application was a Council request to rezone the lot from the Open Space (OS) zone to the Single Unit Residential (R-1) zone. A Public Information Meeting was held on November 2, 2023. Alex’s staff report was circulated with the agenda package, and he gave a presentation to the Committee. Alex confirmed that the intent of the application from Council is to rezone the lot to residential to encourage residential development and then sell it. Chair Carr asked about the “community fund” mentioned in the report. Sara confirmed that if/when the property is sold, the Finance Department will set up an account with the proceeds from the sale being provided to the Community Development Department to use towards parkland within the community. The Committee discussed the possible subdivision of this lot and how to make the public better aware of open space in future, as many residents were not aware it was open space.

Moved by Stefan Palios and seconded by Paul Beazley 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 45226636 on Halewood Drive, Falmouth, from the Open Space (OS) zone to the Single Unit Residential (R-1) zone as shown in the report #23-24 to the Planning and Heritage Advisory Committee dated December 14, 2023. Motioned carried with Mayor Zebian and Jane Davis opposed.

File #23-35 Development Agreement: PID 45058310 and 45058344, Wagner's Court, Windsor (Alex Dunphy)

This application was for a development agreement to permit the conversion of 5 existing single unit dwellings on Wagner’s Court to two-unit dwellings. A Public Information Meeting was held on November 2, 2023. Alex’s staff report was circulated with the agenda package, and he gave

a presentation to the Committee. After further examination by the property owner, the flood damage to the 5 buildings was too extensive and the plan is now to demolish and rebuild, rather than remodel. Staff did not view this as a substantive change requiring another Public Information Meeting as the land use is almost identical to the original application. The development agreement would include civic number 171, but this building is not being converted into two-units. Alex mentioned that there are two PIDs involved, but the plan is to consolidate them. A new site plan was recently received, moving the buildings closer to each other by approximately 3ft. The Manager of Building and Fire Inspection Services and the Fire Chief had no issue with this provided non-combustible material are used. The Committee expressed concerns about stormwater management, and this must be addressed by the developer's engineer.

Moved by Stefan Palios and seconded by Paul Beazley that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider entering into a development agreement to allow grouped dwellings, consisting of 11 dwelling units, on PIDs 45058310 and 45058344 on Wagner's Court in Windsor which is substantively the same as the draft set out in Attachment B of the report File #23-35 to the Planning and Heritage Advisory Committee dated November 14, 2023. Motion carried unanimously.

Moved by Stefan Palios and seconded by Paul Beazley that PAC/HAC recommends that Council require that the development agreement with Edward Edelstein which permits grouped dwellings, consisting of 11 dwelling units, on PIDs 45058310 and 45058344 on Wagner's Court 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 #23-26 WHLUB Amendment: PID 45215290, Riverview Drive, Brooklyn (Mark Fredericks)

This application was a Council request to rezone a municipally owned property from the Open Space (OS) zone to the Single Unit Residential (R-1) zone. A Public Information Meeting was held on November 2, 2023. Mark's staff report was circulated with the agenda package, and he gave a presentation to the Committee. Mark explained that this property was not suitable for a park due to the slope, according to the 2016 Parks and Open Space Plan and a November 2023 site visit by Community Development staff. The Committee discussed making open spaces

known to the public as this was another open space the community was not aware of. Sara informed the Committee that there is an interactive zoning map available on the region's website which highlights the location for these open space properties.

Moved by Paul Beazley and seconded by Stefan Palios that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider amending Schedule A: V-1 of the West Hants Land Use By-law to rezone PID 45215290 on Riverview Drive, Brooklyn, from the Open Space (OS) zone to the Single Unit Residential (R-1) zone as shown in the report #23-26 to the Planning and Heritage Advisory Committee dated December 14, 2023. Motion carried with Mayor Zebian and Jane Davis opposed.

Decision Request: Wind Farm Policies (Sara Poirier)

An application was received on November 7, 2023, to consider amendments to the WHMPS Section 4.24 to further evaluate wind farm development proposals within the Municipality. Sara requested direction from the Committee on whether amendments to the West Hants Municipal Planning Strategy and West Hants Land Use By-law should be drafted in response to this application and the extent of those amendments. She gave an overview of the current wind farms within the Municipality, the policies, regulations, and authorities governing wind farms, and examples from other jurisdictions. A map was provided showing a 20km radius around the existing wind farms, which would exclude almost $\frac{3}{4}$ of the Municipality. The Committee discussed these regulations and possible amendments at length. A suggestion was made to measure buffer distances from existing dwellings to determine appropriate locations for new wind farms within the Municipality.

Moved by Stefan Palios and seconded by Paul Beazley that PAC/HAC recommends Council provide the staff resources to do a mapping exercise to point out existing dwellings and map where wind farms could be developed using radius ranges from 1km, which is the existing setback, to 4km, which is a projected discussion range for potential amendments to setbacks. Motion carried unanimously.

Notices from Adjacent Municipal Units

Notice from Chester

WHRM received a notice from the Municipality of Chester on December 14, 2023, advertising a Public Hearing on January 11, 2024, regarding adding a definition for “Small Options Homes” to their planning documents, like what WHRM has already done. These amendments are not of concern to planning staff and do not require any action from the Committee or Council. The letter will be distributed with the minutes.

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.

Discussion for a Future Meeting: Industrial Lands

Paul noted that some previous discussions had answered some of his questions. He mentioned that Burnside is opening new industrial lots and have taken them to auction because there is a hot market for industrial land. He asked if WHRM is in the position to take advantage of this market. He wondered if staff could bring some information to the next meeting. Councillor Ivey noted that an inventory of Industrial land was taken for a previous application, and this can be re-circulated to the Committee for discussion. Paul asked if the Committee was aware of the study done 10 years ago, and many were not. Mayor Zebian commented that the former West Hants Council did look at the study, and lands in Hantsport, Three Mile Plains and Brooklyn were identified as potential industrial lots.

Next Meeting Date (January 11, 2024) / Adjournment

The next meeting is scheduled for January 11, 2024 at 6:00pm. The Committee and the public will be notified of any changes. Chair Carr thanked everyone for attending and watching the meeting during such a busy time of year and wished everyone a happy holiday. Moved by Jim

Ivey and seconded by Stefan Palios that the meeting be adjourned at 9:06pm. Motion carried unanimously.