



West Hants
something inspiring awaits

WEST HANTS REGIONAL MUNICIPALITY
Planning & Heritage Advisory Committee (PAC/HAC)
January 11, 2024 – 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
Jennifer Nicholls, WHRM Representative (Cheverie)
Tasha Rogers, WHRM Representative (Newport)

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

PUBLIC: There were no members of the public present.

REGRETS: There were no regrets.

Call to Order and Attendance

Chair Carr called the meeting to order at 6:01pm. Vanessa took attendance. All members of the Committee were present.

Announcements

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

Approval of Agenda and Additions

Moved by Mayor Zebian and seconded by Lisa Bland that the agenda be approved as circulated. Motion carried unanimously.

Declaration of Conflicts of Interest

Jennifer Nicholls declared conflict with item 6.10, File #23-07, and will not participate in the discussion. Mayor Zebian declared conflict with item 6.6, File #23-04, and will not participate in the discussion. There were no further conflicts.

Approval of Minutes (December 14, 2023)

Moved by Laurie Murley and seconded by Jennifer Nicholls that the minutes be approved as circulated. Motion carried unanimously.

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: 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 is working on these amendments and will bring them back to a future PAC/HAC meeting for recommendation.

Update: File #23-43 WHMPS Amendments: Wind Farm Policies (Sara Poirier)

During the PAC/HAC meeting on December 14, 2023, the Committee discussed an application to consider amendments to Section 4.24 of the West Hants Municipal Planning Strategy to further evaluate wind farm development proposals within the Municipality. Staff provided an overview of the current wind farms within the WHRM, the policies, regulations, and authorities governing wind farms, and examples from other jurisdictions. Staff 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. The Committee discussed possible amendments at length and concluded that they would like to see maps of specific buffer distances from existing dwellings to determine whether any amendments to the wind turbine setback requirements should be considered. The recommendation from the Committee will be reviewed by Council on January 23, 2024.

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. No appeals were received, and this item can 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 and the Second Reading was postponed to 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. No appeals were received, and this item can be removed from the agenda. The Committee discussed ways that the public can stay informed about such developments. Staff follow what is mandated by the Municipal Government Act by sending letters to neighbouring property owners, newspaper ads, and on-site signage. The municipal website also has a page dedicated to ongoing projects, but after a development agreement or rezoning is approved, updates are no longer provided. Mayor Zebian added that approved developments are also mentioned in the WHRM newsletter.

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

This application is for a development agreement to permit multi-phase residential development on Payzant Drive. Staff will be attending a meeting with the applicant and Public Works to finalize details for the draft development agreement. Staff hope to bring this item to the PAC/HAC meeting in February.

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

This application is a Council request to rezone a Municipally owned property from the Open Space (OS) zone to the Single Unit Residential (R-1) zone. The intent of the application from Council is to rezone the lot and sell it to encourage residential development. The Public Information Meeting was held on November 2, 2023. The recommendation report was brought to PAC/HAC on December 14, 2023 and was recommended in favour of moving forward. This item will go to First Reading on January 23, 2024.

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

This application is for a development agreement to permit the conversion of 5 existing single-unit dwellings on Wagner's Court to two-unit dwellings. The Public Information Meeting was held on November 2, 2023. The recommendation report was brought to PAC/HAC on December 14, 2023 and was recommended in favour of moving forward. This item will go to First Reading on January 23, 2024.

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. No appeals were received, and this item can now be removed from the agenda.

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.

Update: File #23-26 WHLUB Amendment: PID 45215290, Riverview Drive, Brooklyn (Mark Fredericks)

This application is a Council request to rezone a Municipally owned property from the Open Space (OS) zone to the Single Unit Residential (R-1) zone. The intent of the application from Council is to rezone the lot and sell it to encourage residential development. The Public Information Meeting was held on November 2, 2023, and the recommendation report was brought to PAC/HAC on December 14, 2023. This item will go to First Reading on January 23, 2024.

Update: File #23-33 Development Agreement: PID 45402831 Windsor Back Road, Three Mile Plains (Mark Fredericks)

This application is for a development agreement to permit 87 residential units in 3 multi-unit buildings on a vacant property on Windsor Back Road in Three Mile Plains. The Public Information Meeting was held on November 2, 2023, and several comments from the public were received. Staff are currently working with the applicant on the draft development agreement and hope to bring this file for recommendation at a future meeting.

The Committee raised concerns about the endangered species observed on the property. Mark F. replied that staff are aware and have looked at the Provincial Landscape Viewer, a mapping

database from the Province which highlights known areas and habitat of species at risk. This property did not show any known wildlife or habitat. He added that this does not mean those species are not present on this property, but it was not recognized. Jennifer commented that the Province would not consider this mapping a complete assessment, and such a database can only be created with available data, and this property may not have been studied. Chair Carr noted the difficulty of performing a study at this time as the wildlife in question are migratory.

Update: File #23-31 Rezoning: PID 45236601 Millard Court, Union Corner (Alex Dunphy)

There is an upcoming Public Information Meeting, scheduled for January 16, 2024 at 6:00pm for this file. It is a Council request to rezone the subject property from Open Space (OS) to Rural Residential (R-4).

Update: File #23-32 Rezoning: PID 45225018 Saubren Lane, Cheverie (Alex Dunphy)

There is an upcoming Public Information meeting, scheduled for January 16, 2024 at 6:00pm for this file. It is a Council request to rezone the subject property from Open Space (OS) to General Resource (GR).

Jennifer asked why the property is being rezoned to General Resource (GR) rather than a residential zone. Alex replied that it is consistent with neighbouring properties. All residential properties surrounding this lot are zoned General Resource (GR). Further, the policies for rezoning support rezoning to the General Resource (GR) zone.

Update: File #23-45 WHMPS/WHLUB Amendments to the Hamlet Designation (Mark Fredericks)

There is an upcoming Public Information Meeting, scheduled for January 16, 2024 at 6:00pm for this file. It is an application to amend the text of the WHMPS and WHLUB to enable the repurposing of a former church at 20 Musgrave Road, Summerville, into five residential units with a shared community space. The text amendments are expected to be general and would enable similar repurposing of other churches in other communities that are within the Hamlet Designation.

Sara added that the three Public Information Meetings have a storm date of January 25, 2024, should schools be cancelled due to bad weather on January 16, 2024.

Building and Development Activity Reports (December 2023)

The report was circulated with the agenda package.

The Committee asked when a building is considered complete. Sara replied that a building is complete when the Building Inspectors issue an occupancy permit. Upon the approval of a development agreement, the developer may not necessarily obtain a building or development permit straight away. Outstanding building permits are also tracked by the Building Inspectors. The Committee was curious if it was possible to track which development permits have been issued but not yet granted an occupancy permit to track an application to completion. Sara will investigate if this is data that can be pulled from the system. It was also noted that given the importance of Planning and Development, it should perhaps have a more prominent “button” on the municipal website for both residents and developers to see what is being built and the current trends.

New Business

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

This application is a Council request to rezone a Municipally owned property from the Open Space (OS) zone to the General Resource (GR) zone. The Public Information Meeting was held on December 7, 2023. Mark F. explained that there are some site conditions that may cause some difficulty in the development of residential use or a park, but it is similar to neighbouring properties. There were concerns raised at a previous PAC meeting about emergency access in and out of the area. There are currently no requirements in the documents although there are several networks of roads in the area. Staff are considering these types of requirements in the new planning documents.

Moved by Mayor Zebian 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 45218658 on Armstrong Lake East Road in Vaughan, from the Open Space (OS) zone to the General Resource (GR) zone as shown in the report #23-29 to the Planning and Heritage Advisory Committee dated January 11, 2024. Motion carried unanimously.

File #23-39 Windsor MPS/LUB Text Amendment: Pesaquid Comprehensive Development District (Alex Dunphy)

This application is 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, 2023.

Members of Committee raised concerns about the impact on the whole district from these text amendments, such as the loss of a commercial core. By allowing residential uses as-of-right, many developers may choose that option over commercial, and land-use conflicts may arise. The Committee discussed the possibility of creating policies to allow this application to be considered by development agreement. Sara explained that for the proposal to be considered by development agreement, a set of criteria would also have to be created to measure against. Other members felt having people living within the economic district would be a benefit, and favourable to some residents.

Moved by Mayor Zebian and seconded by Paul Beazley 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 allow residential units at the rear of commercial uses on the ground floor of existing buildings in the Pesaquid Comprehensive Development District (P-CDD) zone in a manner substantively the same as Attachment B of the staff report to the Planning and Heritage Advisory Committee report dated January 11, 2024. Motion carried with Stefan Palios, Jim Ivey and Laurie Murley opposed.

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

This file is 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, 2023. Alex clarified that the boundary is between Hantsport and West Hants and is not a county line between West Hants and Kings County.

Moved by Lisa Bland and seconded by Stefan Palios that PAC/HAC recommends that Council give First Reading and hold Public Hearing to consider amending the boundary line shown on the maps of the Hantsport Municipal Planning Strategy and Land Use By-law and the West

Hants Municipal Planning Strategy and Land Use By-law to reflect the former Town of Hantsport boundary as shown in the 2006 survey plan as show in the report File #23-44 to the Planning and Heritage Advisory Committee dated January 11, 2024. Motion carried unanimously.

Moved by Lisa Bland and seconded by Stefan Palios that PAC/HAC recommends that Council give First Reading and hold Public Hearing to consider amending the Generalized Future Land Use Map of the Hantsport Municipal Planning Strategy to include a portion of PID 45046315 and 45366515 in the Residential designation and amending Schedule A of the Hantsport Land Use By-law to include a portion of PID 45046315 and 45366515 in the Two Unit Residential (R-2) zone as show in the report File #23-44 to the Planning and Heritage Advisory Committee dated January 11, 2024. Motion carried unanimously.

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

This is a project requested by the PAC/HAC and Council to investigate regulations for short term rentals. On May 23, 2023 Municipal Council passed a motion for staff to prepare a report and regulations for short term rentals if deemed appropriate. A public meeting was held on November 21, 2023 in the Council Chambers at 100 King Street, Windsor, to gather feedback from the public, and an online survey was available from October 31 to December 15, 2023. Mark F. has compiled the feedback and additional research into the information report. Mark F. provided examples of comments received from both the public meeting and the online survey. The feedback from the public leaned slightly towards no regulation for short term rentals; those at the public meeting were strongly against regulations while survey respondents had more mixed opinions. A common theme among respondents was regulating owners of multiple short term rentals and the Committee felt this was a good idea. The Committee does not want to see “ghost hotels” taking over the housing market. It was noted there is a difference between those who own multiple properties intended solely for short term rental and those who have cottages or other non-winterized dwellings they do not, or can not, use year-round. Other concerns included parking regulations and fire and safety requirements. A member of the Committee felt that running a short term rental was a business, and that all businesses should be regulated. The Plan Review is currently underway, and the Committee felt that this public feedback should be considered when drafting the new Planning documents.

Moved by Lisa Bland and seconded by Jennifer Nicholls that PAC/HAC send forward a recommendation to Council to include these survey results regarding Short Term Rentals in the ongoing Plan Review process for new planning documents. Motion carried with Mayor Zebian opposed.

Discussion: Industrial Lands

At the December 14, 2023 PAC/HAC meeting, there was a request for a discussion on Industrial Lands and whether background information could be provided. A report from Alex’s past file, a rezoning on Cole Drive, was provided. Paul wants the Committee to be aware of what’s out there, and to look at the current environment and see if it is possible to market some of WHRM’s assets. The last county-wide industrial inventory he can recall was done approximately 12 years ago by the RDA. Staff were not able to find this study in time for this meeting but will continue to look for it. Alex’s report offered a quick look, showing about 650.2 acres of industrial zoned lands, or about 0.2% of total land area in the Region. Alex also noted that not all industrial land is owned by the Municipality. The Committee would like a copy of the old RDA report, an up-to-date land inventory, and to know how much of that land is “shovel ready,” that is, readily available for development.

Notices from Adjacent Municipal Units

There were no notices.

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. No members of the public were present at this time.

Next Meeting Date (February 8, 2024) / Adjournment

The next meeting is scheduled for February 8, 2024, at 6:00pm. The Committee and the public will be notified of any changes. Moved by Jennifer Nicholls and seconded by Stefan Palios that the meeting be adjourned at 8:56pm. Motion carried unanimously.