



West Hants



Planning and Heritage Advisory Committee  
West Hants Land Use By-law Amendments: “Housekeeping”  
October 13, 2022

# Housekeeping Amendments

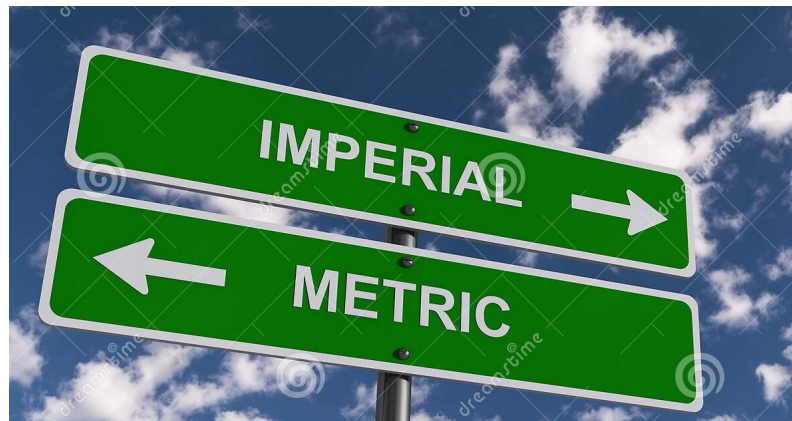
- West Hants Land Use By-law (WHLUB) approved 2008
- in a document of this size and complexity errors occur
- errors are corrected when found if they are likely to cause difficulty for any property owner
- two errors came to development control staff's attention this summer as a result of inquiries from the public



# Amendment #1

## Imperial/Metric Equivalent

- Two Unit Residential (R-2) Zone & Multiple Residential (R-3) Zone contain a front yard setback of “15 ft. (7.62 m)”.
- metric equivalent of 15 ft. is **4.57** metres.
- 4.57 m is used as the equivalent for 15 ft. in nine (9) other locations in WHLUB



# Amendment #1

## Imperial/Metric Equivalent

- WHLUB does not contain the usual statement regarding measurements: *“The imperial system of measurement is used throughout this By-law and in all cases represents the required standard. Metric measurements are approximate and for convenience only.”*
- to ensure measurements in the document are clear and not open to interpretation the front yard setback in each zone should be corrected to read “15 ft. (4.57 m)”; and
- a statement regarding the standard of measurement should be added to Section 4.7, “Units of Measurement” of the WHLUB

# Amendment #2

## Development Agreements

### WHLUB Part 6

#### Developments to be considered by Development Agreement

6.1 The following developments may be considered only by development agreement in accordance with the *Municipal Government Act* and the *Municipal Planning Strategy*:

...

- “(q) *Local Commercial (LC), Hamlet Industrial (M-2) or Rural Commercial (RC) uses in existing non-residential buildings which exceed the commercial floor area limit in the Hamlet and Resource designations, in accordance with **Policy 4.5.1** of the Municipal Planning Strategy;*”.

# Amendment #2

## Development Agreements

- Policy 4.5.1 of the WHMPS is related to development on municipally-owned land in any zone rather than to uses in existing non-residential buildings in the Hamlet and Resource designations.
- Policy 4.6.1 of the WHMPS, however, clearly refers to and establishes the criteria for “*existing non-residential buildings exceeding the commercial floor area limit in the Hamlet and Resource designations*”.



# Process

Public Information Meeting – September 6, 2022

Staff Review

PAC/HAC Review & Recommendation October 13, 2022

Council First Reading October 25, 2022\*

Public Hearing & Second Reading November 22, 2022\*

Notice of Approval in Paper

14 Day Appeal period

\*anticipated dates;  
final dates set by  
Council

# Recommendation

...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 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.