



WEST HANTS REGIONAL MUNICIPALITY

Public Hearing Minutes – Ski Martock Rd Land Use By-law Amendment PID 45038510

July 28, 2020 6:00 pm

Virtual Meeting – via Zoom

1. Call to Order

The Public Hearing was called to order at 7:00 pm.

Council Present:

Abraham Zebian, Mayor

Rupert Jannasch, Councillor, District 1

Scott McLean, Councillor, District 2

Mark McLean, Councillor, District 3

Jeff Hartt, Councillor, District 4

Debbie Francis, District 5

Paul Morton, Deputy Mayor, District 8

Bob Morton, Councillor, District 6

Ed Sherman, Councillor, District 7

Richard Murphy, Councillor, District 9

Laurie Murley, Councillor, District 10

Jim Ivey, Councillor, District 11

Staff and Guests Present:

Mark Phillips, Chief Administrative Officer

Kathy Kehoe, Dir. Community Development

Shelleena Thornton, Administrative
Supervisor

Saira Shah, Planner

Carlee Rochon, Dir. Financial Services

Rhonda Brown, Municipal Clerk

Madelyn LeMay, Dir. Planning &
Development

Regrets:

Todd Richard, Dir. Public Works

Members of the public watched the meeting using Facebook Live.

2. Introduction

Mayor Zebian advised that Public Hearings for amendments to planning documents and Development Agreements are required by Part 8 of the Municipal Government Act. This virtual public hearing is hosted by Council and following the presentation will adjourn until 6:00 pm on September 22, 2020. During the adjournment members of the public may submit comments or questions to Planner Shah.

Councillors were reminded that to vote on the amendment they must have been present at both parts of the Public Hearing tonight and on September 22nd when Council will consider the amendment and may ask questions.

3. Presentation by Planner

Planner Saira Shah reviewed the presentation (attached). She highlighted the property is on the corner of Highway 14 and Ski Martock Road and is currently vacant except for signage. The Rural Commercial Zone being requested allows for tourist accommodations as well as other permitted uses listed for the zone.

Mayor Zebian declared the Public Hearing adjourned until September 22, 2020.

The meeting ended at 7:08 pm.

Abraham Zebian, Mayor

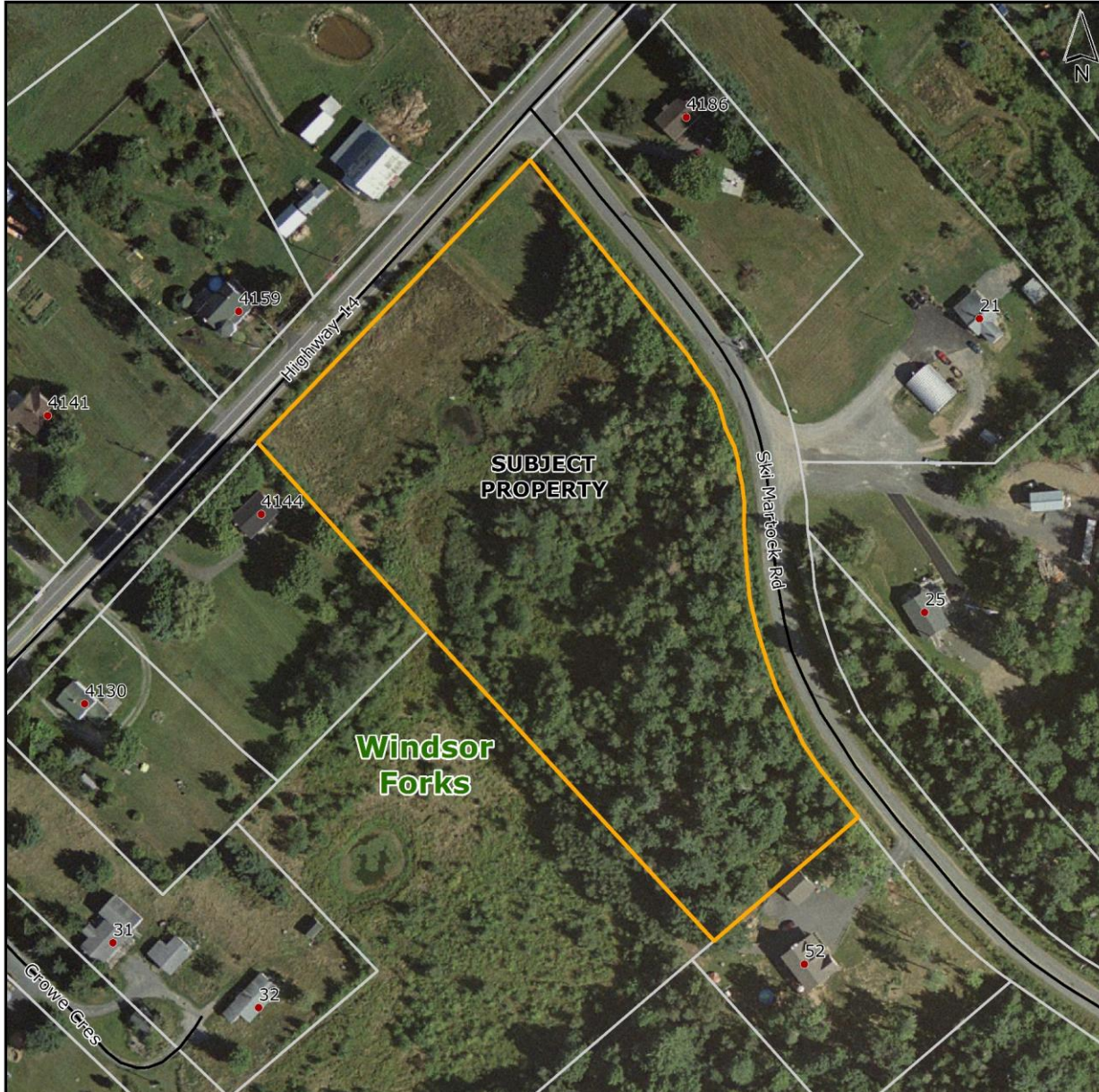
Rhonda Brown, Municipal Clerk

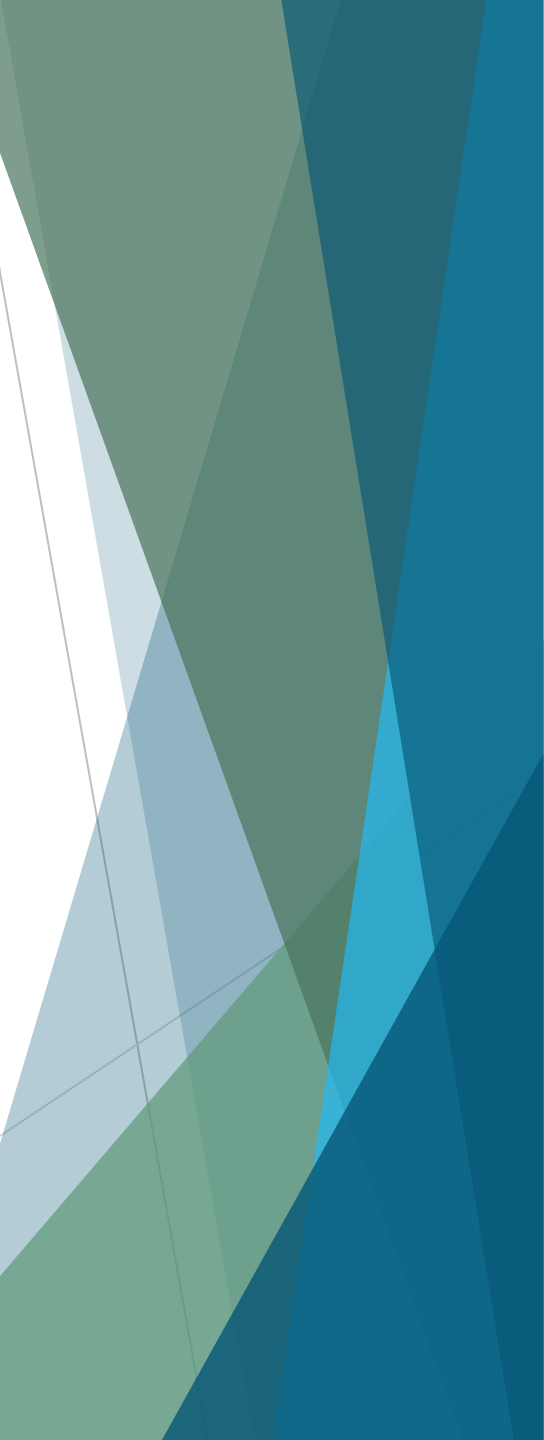


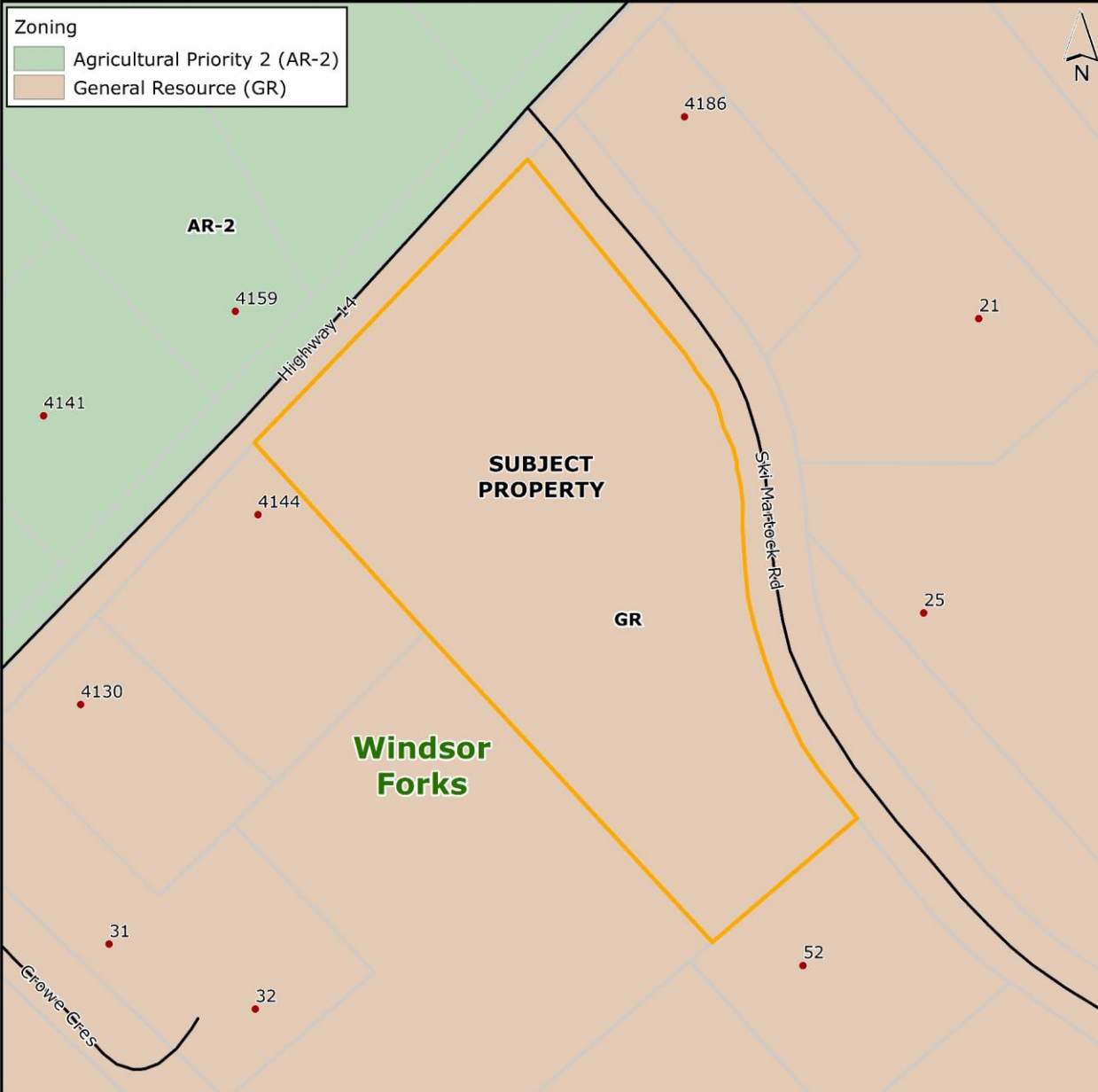
**Ski Martock Rd.
Land Use By-law Amendment
July 28, 2020**

Application

- ▶ On February 28th Stanley Joseph Boyd and Patricia Boyd applied for an amendment to permit a tourist accommodation consisting of several cottages on their property.
- ▶ The current zoning permits two (2) seasonal dwellings as-of-right, the applicant would like the ability to have more than two (2)

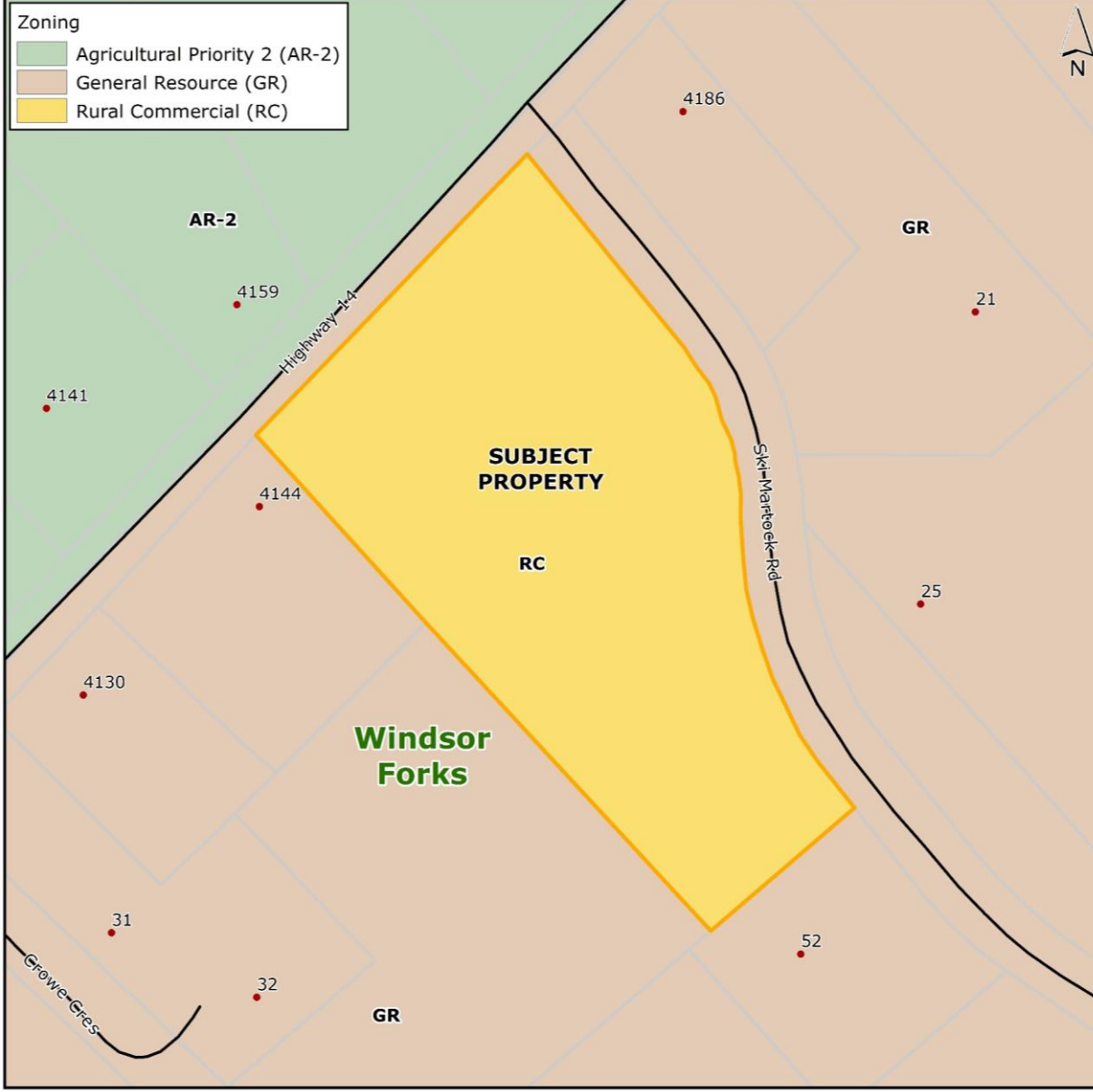






Policy

- ▶ **Policy 9.1.6** enables Council to consider rezoning land zoned General Resource (GR) to allow for commercial or industrial uses permitted in the **Rural Commercial (RC)** or Resource Industrial (M-1) zones.
- ▶ **Policy 16.3.1** states general criteria for any West Hants Land Use By-law amendment.



Rural Commercial (RC) Zone

- ▶ Automobile service stations
- ▶ Banks and financial institutions, clubs
- ▶ Day care centres, licensed or non-licensed
- ▶ Farm supplies and equipment sales and service, farm markets
- ▶ Funeral homes
- ▶ Garden and nursery production, sales and supplies
- ▶ Hotels, motels and other tourist accommodations, but does not include campgrounds
- ▶ Kennels
- ▶ Licensed Cannabis Nurseries (**Amendment 18-08 effective November 26, 2019**)
- ▶ Offices
- ▶ One dwelling unit in conjunction with a permitted commercial use, located either in the same building or as a single unit dwelling on the same lot
- ▶ Personal service shops, post offices and postal outlets
- ▶ Restaurants and retail stores
- ▶ Existing dwellings

Discussion

- ▶ Policy 7.2.1 of the WHMPS states, *It shall be the policy of Council to establish a Rural Commercial (RC) zone which will apply to Hamlets and resource areas and permit a variety of commercial uses intended to provide a service to local residents, as well as limited highway commercial and tourist commercial uses. Residential uses will be permitted in conjunction with a commercial use.*

Additional Amendments

- ▶ Policy 9.1.6 (f) *the use is not considered obnoxious by virtue of noise, odours, dust, fumes or other emissions*
- ▶ An amendment is recommended to the Rural Commercial (RC) zone abutting use requirements to ensure all properties with a residential use benefit from these requirements

Additional Amendments

Abutting Use Requirements

- ▶ 16.4 Where any commercial use permitted in the Rural Commercial (RC) zone is developed on a lot which abuts a lot with a residential use, the following standards shall apply:
 - ▶ (a) the minimum side yard requirement for the commercial use from the abutting lot line shall be 20 ft (6.10 m);
 - ▶ (b) no open storage or outdoor display shall be permitted in an abutting side yard; and
 - ▶ (c) the part of the commercial lot directly adjoining **the lot with the residential use** shall be used for no purpose other than a planting strip having a minimum of 5 ft (1.52 m) measured perpendicular to the lot line.

WHMPS Specific Criteria

In summary, Policy 9.1.6 is met as:

- ▶ the proposed uses are not ones which, because of their size or nature, would be more appropriately located in a Growth Centre, Village or Hamlet;
- ▶ the development is compatible with adjacent land uses; and
- ▶ staff recommend amendments to ensure abutting zone requirements apply to all commercial uses which abut properties with residential uses in any zone.

WHMPS General Criteria

In summary Policy 16.3.1 is met as:

- ▶ the proposal is not premature or inappropriate for the area;
- ▶ the Manager, Building and Fire Inspection and Fire Chief have no major concerns regarding fire protection and emergency services; and
- ▶ the property is approximately five (5) acres in area and has sufficient space for the intended uses.

Process

Notice was placed in the Chronical Herald and website/Facebook

Letters were mailed to residents within 500 ft. of the property.

All statutory requirements have been met.



Process

- ▶ Comments and questions can be submitted by the public until August 11th
- ▶ All correspondences should be sent to:

Planner Shah

Phone	902-798-8391 ext. 118
Email	sshah@westhants.ca
Mail	76 Morison Drive, PO Box 3000 Windsor NS B0N 2T0
Drop box	Regional office at 76 Morison Drive



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