



WEST HANTS REGIONAL MUNICIPALITY

Public Hearing Minutes – 426 Ashdale Road (opening)

November 24, 2020 6:00 pm

In-Person at Sanford Council Chambers, 76 Morison Drive, Windsor, NS

Also held via Zoom and Facebook Livestreamed

1. Call to Order

The Public Hearing was called to order at 7:28 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

Todd Richard, Dir. Public Works

Diana Gibson, Manager, Accounting and
Financial Reporting

Saira Shah, Planner

Jamie Juteau, Chief Windsor Fire Dept.

Paul McCulley, Brooklyn Fire Dept.

Shelleena Thornton, Administrative
Supervisor

Rhonda Brown, Municipal Clerk

Madelyn LeMay, Dir. Planning &
Development

Sara Poirier, Planner

Jason Cochrane, Chief Brooklyn Fire Dept.

Daniel Oulton, Presenter at Council

There were three (3) members of the public present in the Council Chambers, other 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 the meeting will adjourn until 6:00 pm on January 26, 2021. Members of the public may submit comments or questions to Planner Shah by December 18, 2020.

Councillors were reminded that to vote on the development agreement they must have been present at both parts of the Public Hearing tonight and on January 26th when Council will consider the amendment and may ask questions.

3. Presentation by Planner

Planner Shah reviewed the presentation (attached) of the proposed Development Agreement for an automotive repair shop at 426 Ashdale Rd.

Mayor Zebian declared the Public Hearing adjourned until January 26, 2020.

The meeting ended at 7:35 pm.

Abraham Zebian, Mayor

Rhonda Brown, Municipal Clerk

The logo consists of the letters 'WWH' in a bold, sans-serif font. The first 'W' is dark blue, the second 'W' is a lighter blue, and the 'H' is dark blue. The background features abstract geometric shapes in shades of blue and green on the left and right sides.

WWH

WINDSOR / WEST HANTS

TOGETHER



**426 Ashdale Rd.
Development Agreement**

November 24, 2020

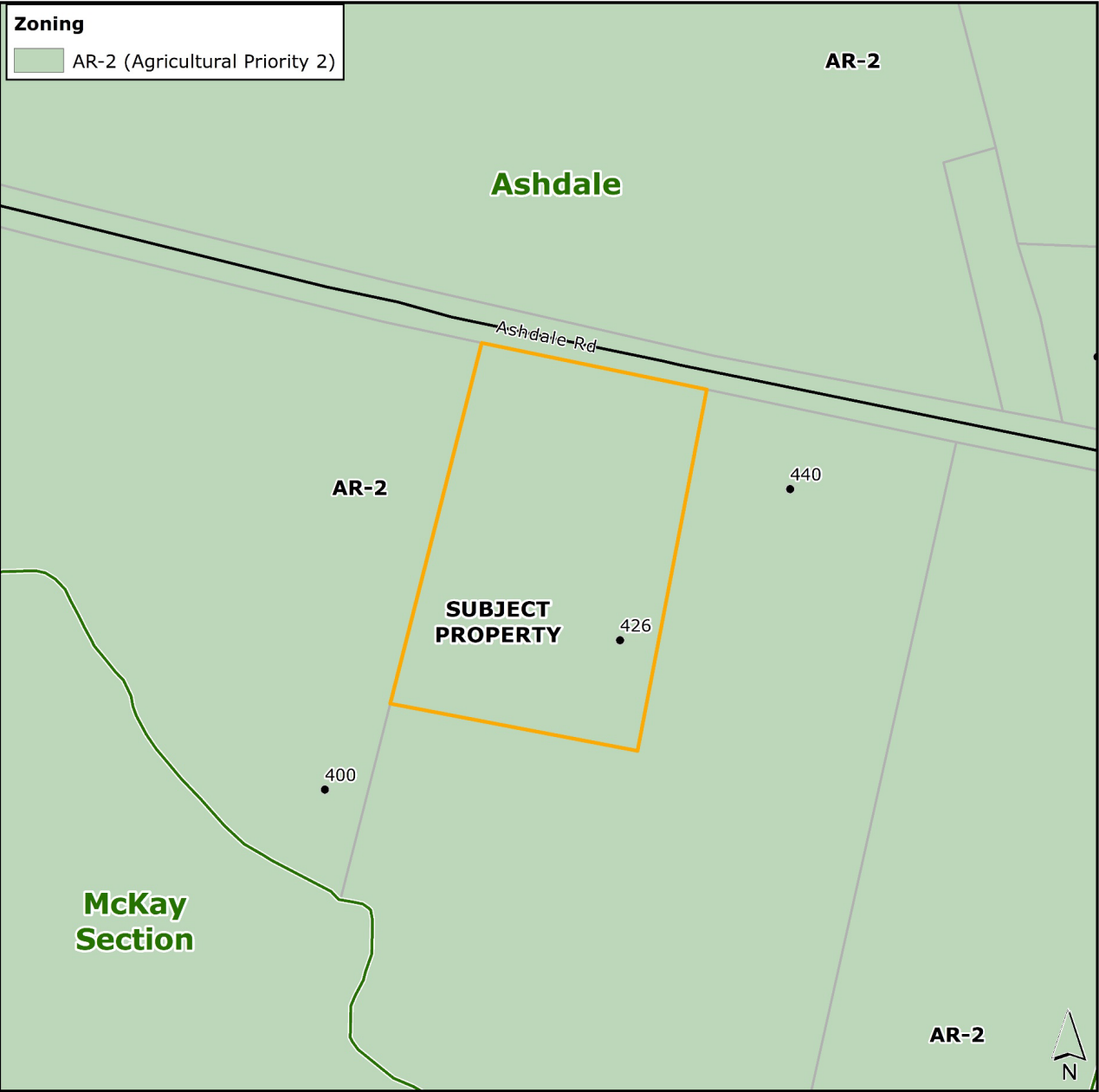
Application

- ▶ On June 26 Adrian and Nicole Parker applied for a development agreement to permit an automotive repair shop at 426 Ashdale Rd., Ashdale.
- ▶ The property is approximately 5.5 acres and the automotive repair shop will be confined to within the existing garage. There will be up to five (5) parking spaces permitted on the site for the automotive repair shop.
- ▶ A development agreement is a legal contract between the Municipality and a property owner to permit a use that is not permitted in the underlying zone









Policy

- ▶ **Policy 8.9.4** enables Council to consider new non-resource Rural Commercial (RC), Recreation Commercial (RecC), **Resource Industrial (M-1)** or Open Space (OS) uses by development agreement.
- ▶ **Policy 16.3.1** states general criteria in West Hants

Resource Industrial (M-1) Zone

- ▶ Abattoirs, agricultural processing industries and Commercial greenhouses
- ▶ Any activity connected with the automobile trade other than an automobile scrap yard or automobile related commercial recreation establishment
- ▶ Any manufacturing, processing, industrial, assembly or warehousing operation conducted within an enclosed building and which is not obnoxious by reason of sound, odour, dust, fumes, smoke, or other obnoxious emission of refuse matter or water-carried waste, or by reason of unsightly open storage
- ▶ Building supply, equipment depots and bulk storage of sand and gravel, commercial and office uses accessory to a main use
- ▶ Excavation, landscaping operations, farm supplies and equipment sales and service, structures related to sand and gravel excavation and processing
- ▶ Feed and fertilizer industries and fruit and vegetable sorting, grading and packaging establishments, fuel storage depots and Heavy equipment sales and service
- ▶ Licensed Standard Cultivation and Processing, Micro-Cultivation and Micro-Processing of cannabis, Cannabis Nurseries
- ▶ Railway uses, Recycling depots, saw mills, service industries, Utility facilities, Wood processing and manufacturing establishments
- ▶ One dwelling unit in conjunction with a permitted industrial use, either located in the same building or as a single unit dwelling or manufactured home on the same lot

Applicant Requests

- ▶ In the WHLUB an automotive repair shop is defined as: a commercial establishment for the repair or replacement of parts in automotive, farm or forestry vehicles, machinery or equipment.
- ▶ The applicant has specifically stated they have no plans to include farm or forestry vehicles in their business.
- ▶ A definition for minor automotive repair shop based on what the applicant has requested is included in the development agreement.

Applicant Requests

- ▶ The applicant has stated they intend to operate the business on a part-time basis to start and hope to turn it into a full-time operation.
- ▶ To ensure the applicant has flexibility, the development agreement permits the automotive repair shop to operate between the hours of 8 a.m. and 9 p.m. daily.
- ▶ Staff discussed parking needs with the applicant and determined that five (5) parking spots for the automotive repair shop would be sufficient.

WHMPS Specific Criteria

- ▶ Policy 8.9.4 (a) requires an agrologist report to determine that the development site has little or no agricultural capability in accordance with Policy 8.6.1.
- ▶ However, the automotive repair shop will only take place in an existing building not resulting in any new buildings.
- ▶ The parking spaces cannot be constructed of paved material to reduce potential impact on soil.

WHMPS Specific Criteria

- ▶ Staff considered the challenges in obtaining an agrologist and determined that an agrologist report is not necessary for this application.
- ▶ Although this criterion has not been met staff made a positive recommendation due to the application meeting the overall intent of Council.

WHMPS Specific Criteria

- ▶ In summary, the remaining criteria are met since:
 - ▶ the automotive repair shop will be in an existing building and the parking will be unpaved and will therefore have no new impact on agricultural capability;
 - ▶ the automotive repair shop and accessory parking is not one which, because of its size or nature, would be more appropriately located in a Growth Centre, Village or Hamlet; and
 - ▶ Department of Transportation and Infrastructure Renewal confirmed the existing access is acceptable for the automotive repair shop.

WHMPS General Criteria

- ▶ Policy 16.3.1 of the WHMPS states general criteria for any development agreement considered in West Hants.
- ▶ In summary:
 - ▶ the proposal is not premature or inappropriate for the area;
 - ▶ no municipal costs related to the proposal are anticipated; and
 - ▶ the Fire Chief, Senior Building Official, Director of Public Works and DTIR have no major concerns.

PAC

- ▶ A Public Information Meeting was held on September 21st
- ▶ PAC recommended in favour of the proposed amendments on October 8th

Process

Notice was placed in the Chronical Herald and website/Facebook

A sign was placed on the applicant's property and letters sent to neighbours within 500 ft. of the property.



Process

- ▶ Comments and questions can be submitted by the public until December 18th
- ▶ Only comments directly related to the Municipal Planning Strategy Criteria will be shared
- ▶ 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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