



## WEST HANTS REGIONAL MUNICIPALITY

Public Hearing Minutes – 20 Main Street, Hantsport (PID 45043312 and 45043304)

Rezoning (opening)

February 23, 2021, 6:00 pm

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

Also held via Zoom and Facebook Livestreamed

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### 1. Call to Order

The Public Hearing was called to order at 6:18 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

Carlee Rochon, Dir. Financial Services

Kathy Kehoe, Dir. Community Services

Tim Carr, Co-Chair Branding Committee

Shelleena Thornton, Administrative Supervisor

Rhonda Brown, Municipal Clerk

Madelyn LeMay, Dir. Planning & Development

Sara Poirier, Planner

There were no 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 March 23, 2021. Members of the public may submit comments or questions to Planner Poirier.

Councillors were reminded that to vote on the map amendment they must have been present at both parts of the Public Hearing tonight and on March 23<sup>rd</sup> when Council will consider the application and may ask questions or make comments.

### 3. Presentation by Planner

Planner Poirier reviewed the presentation (attached) of the of the application to rezone 20 Main Street, Hantsport from Institutional (I) to Mixed Commercial / Residential (C-2). She noted the two parcels of land are being consolidated into one with a new property identification number (PID), as the current lot lines run through the existing structure.

Members of the public will have until March 19<sup>th</sup> to provide comments or questions to Planner Poirier.

**Mayor Zebian declared the Public Hearing adjourned until March 23, 2021.**

*The meeting ended at 6:29 pm.*

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Abraham Zebian, Mayor

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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**

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**TOGETHER**



**20 Main Street, Hantsport  
Land Use By-law Amendment**

Public Hearing  
February 23, 2021

# Application

- ▶ The property is owned by West Hants Regional Municipality
- ▶ On October 27, Council approved a motion to allow the Chief Administrative Officer (CAO) to submit an application to the Planning and Development Department for the rezoning of the property
- ▶ A completed application was received on October 29 from Mark Phillips, CAO, to rezone two lots at 20 Main Street, Hantsport from Institutional (I) to Mixed Commercial / Residential (C-2)

# Application Cont.

- ▶ The property is the former location of the Town Hall of the former Town of Hantsport, and most recently the West Hants Public Works Office
- ▶ Since consolidation with the former Town of Windsor in April 2020, the Regional Municipality no longer actively uses the property
- ▶ On November 24, Council passed a motion to deem the property surplus and to list the property for sale at market value

# Application Cont.

- ▶ The rezoning is being requested to allow the opportunity for the existing building to be sold and used for commercial or residential uses
- ▶ The applicant has advised that they are proceeding with migration and consolidation of the two lots

# 20 Main Street *Orthophoto*



## 20 Main Street *Front Exterior*



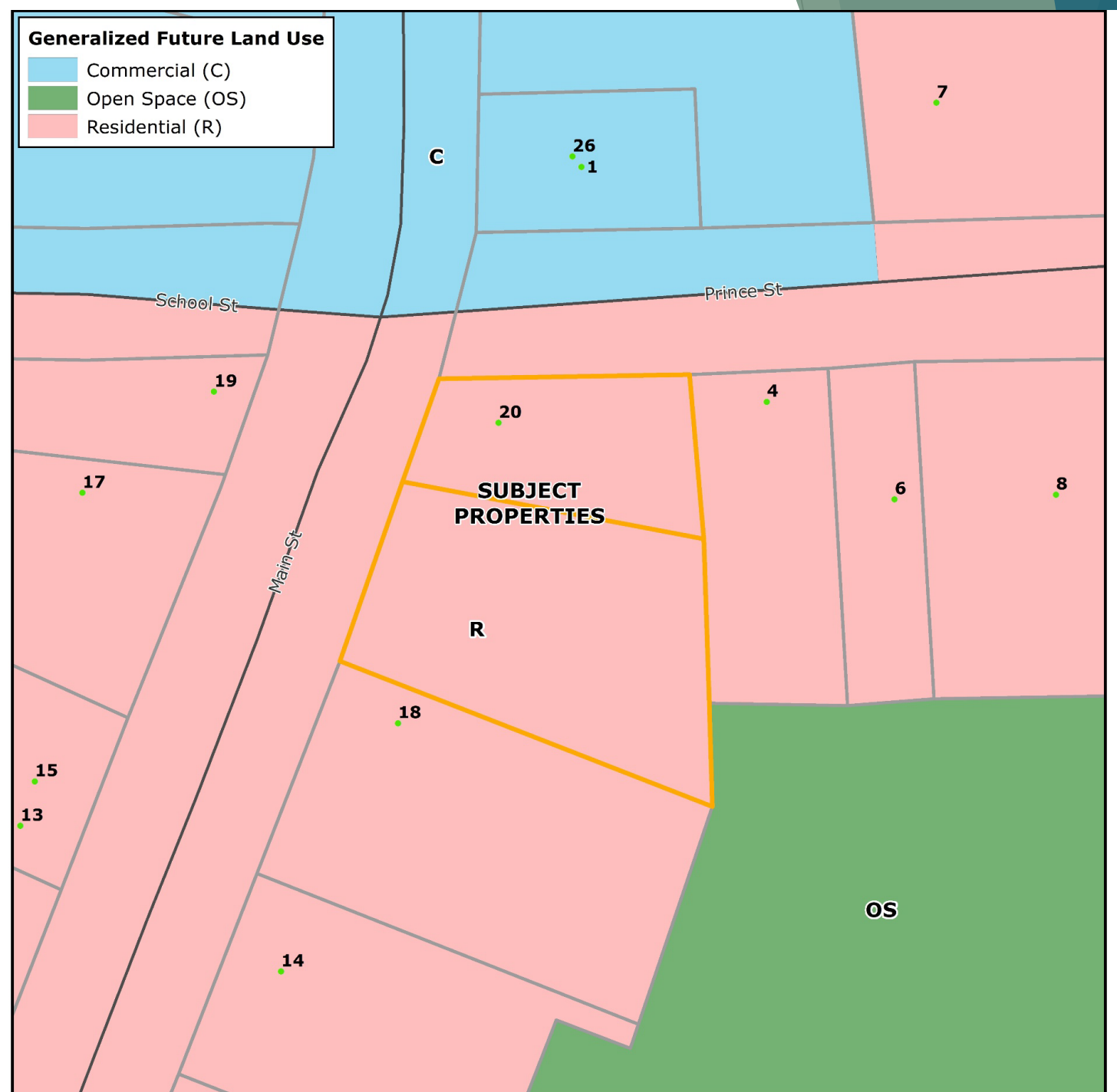
The front of the building located on the corner of Main St. and Prince St.

## 20 Main Street *Rear Exterior*

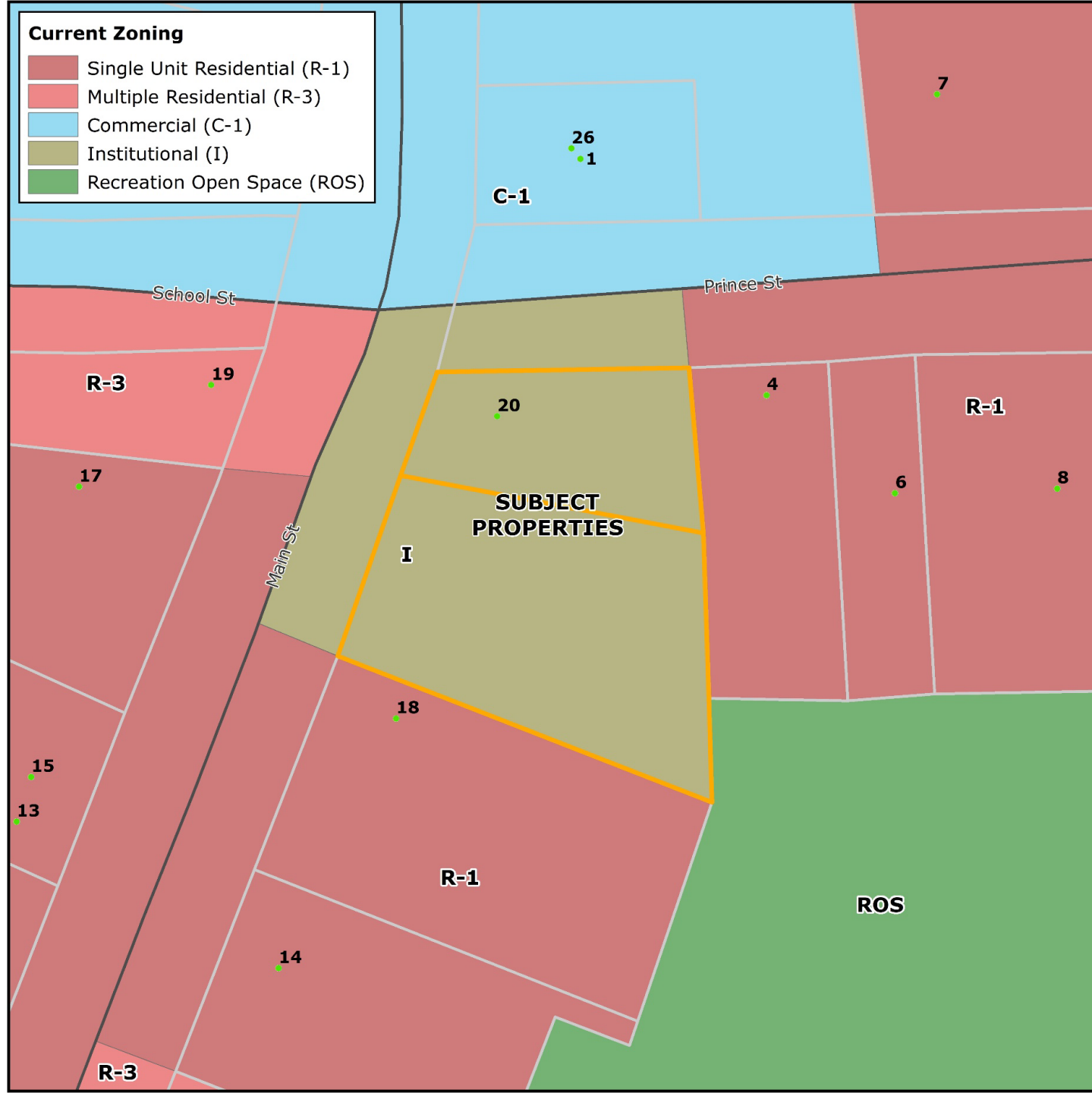


The rear of the building and the large parking area

# 20 Main Street GFLUM



# 20 Main Street Current Zoning



# Document Review

- ▶ Section 4.0 of the HMPS contains the residential policies for Hantsport
- ▶ There are no policies or criteria within Section 4.0 that outline a path to rezone to a commercial zone within the residential designation

# Document Review Cont.

- ▶ However, there is a general policy in Section 9.0, *Implementation*, which would allow Council to consider the rezoning
- ▶ **Policy IM-4** enables Council to “*consider a Land Use By-law amendment to zone any area immediately adjacent to a given land use designation on the Generalized Future Land Use Map (Map 1) to a zone permitted in the adjacent designation without requiring a Strategy amendment, provided that all policies of the Strategy are satisfied*”

# Mixed Commercial / Residential (C-2) Zone

## Permitted Uses

- ▶ all commercial uses
- ▶ artisan workshops
- ▶ offices
- ▶ medical clinics
- ▶ museums
- ▶ residential uses existing as of May 1, 2018
- ▶ single detached dwellings
- ▶ two-unit dwellings
- ▶ multiple unit dwellings
- ▶ residential day care centres
- ▶ guest houses
- ▶ bed and breakfast homes
- ▶ boarding rooms

# Mixed Commercial / Residential (C-2) Zone Cont.

## Permitted Uses

- ▶ institutional uses existing as of May 1, 2018 as follows:

<b>Civic Address</b>	<b>Owner</b>	<b>Use</b>
58 Main Street	3262992 NOVA SCOTIA LIMITED	Nursing Home
59 Main Street 61 Main Street	Parish of Avon Valley Rector Wardens and Vestry of Saint Andrews Church	Place of Worship
67 Main Street	Roman Catholic Episcopal Corporation	Place of Worship
19 Chittick Avenue	Municipality of The District of West Hants	Department of Public Works
1 Oak Street 3 Oak Street 36 William Street	Municipality of The District of West Hants	Food Bank
5 Oak Street	Municipality of The District of West Hants	Fire Station

# Migration and Consolidation

- ▶ As shown on the maps, the property at 20 Main Street, Hantsport is two separate lots, PID 45043312 and PID 45043304
- ▶ The Development Officer has specified that the lot line runs through the existing structure and consolidation of the lots should be pursued to remove the encroachment
- ▶ Upon direction from the CAO, the Municipal Solicitor has advised that they are proceeding with deemed consolidation of the lots as per Section 268A, *Deemed Consolidation*, of the *Municipal Government Act*

# Migration and Consolidation Cont.

- ▶ The lots were migrated (registered) in the online property registration system on December 7, 2020
- ▶ The statutory declaration to consolidate the lots was prepared by the Municipal Solicitor, however, it has not yet been registered on the online property registration system
- ▶ Once the statutory declaration is registered the lots will be considered consolidated and a new PID number will be assigned

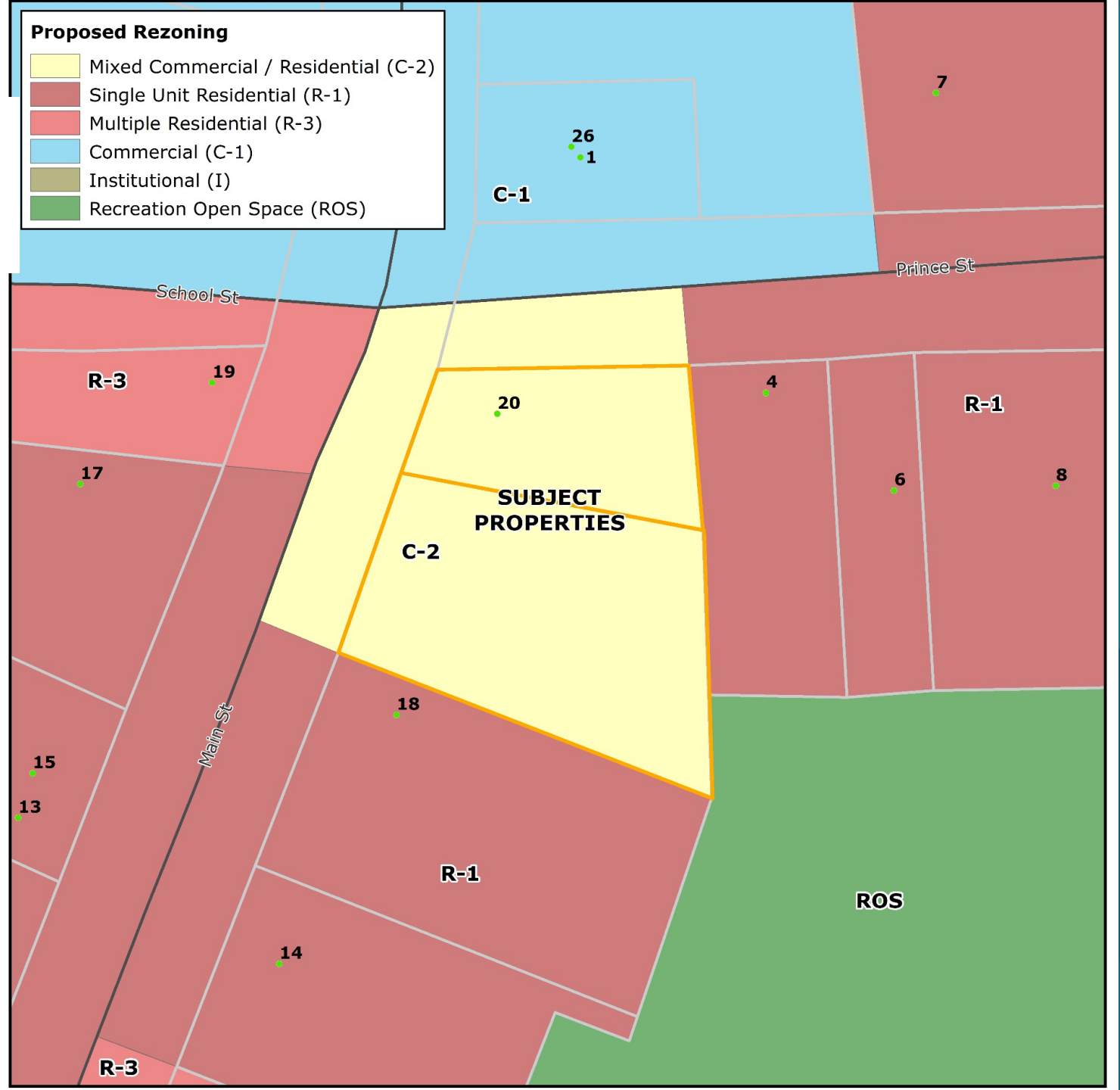
# Migration and Consolidation Cont.

- ▶ In the understanding that:
  - ▶ the Municipal Solicitor is working on the consolidation,
  - ▶ the lots have been used together for at least the last three decades, and
  - ▶ the lot line runs through the existing structure
- ▶ staff are confident that the consolidation will proceed, and that Policy IM-4 can be used to consider the rezoning
- ▶ The motion for Second Reading states that the recommendation is conditional on the consolidation of the lots and identifies that the PID number will change during consolidation

# Map Amendment

- ▶ For the requested uses to be developed on the lot, an amendment to the Zoning Map is required

# 20 Main Street *Proposed Amendment*



# Additional Amendments

- ▶ The applicant has suggested that in the future the Municipality may decide that it would like to use the property as a government office again
- ▶ Staff are recommending amendments to Part 9.2.1 of the HLUB, *Permitted Uses* in the Mixed Commercial / Residential (C-2) Zone, to permit the property at 20 Main Street to be used by the Municipality as a government office

# Additional Amendments Cont.

- ▶ The property was used as a Municipal Office prior to May 1, 2018 and continues to be owned by the Municipality at this time
- ▶ This amendment would ensure the building could be converted back to a government office if the owner so chooses without going back through the amendment process

# Additional Amendments Cont.

## 9.2 Mixed Commercial/Residential (C-2)

### 9.2.1 Permitted Uses

- ▶ institutional uses existing as of May 1, 2018 as follows:

Civic Address	Owner	Use
20 Main Street	West Hants Regional Municipality	Government Office
58 Main Street	3262992 NOVA SCOTIA LIMITED	Nursing Home
59 Main Street 61 Main Street	Parish of Avon Valley Rector Wardens and Vestry of Saint Andrews Church	Place of Worship
67 Main Street	Roman Catholic Episcopal Corporation	Place of Worship
19 Chittick Avenue	Municipality of The District of West Hants	Department of Public Works
1 Oak Street 3 Oak Street 36 William Street	Municipality of The District of West Hants	Food Bank
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# HMPS Specific Criteria

- ▶ **Policy IM-4** does not have any specific criteria therefore staff used the general criteria in Policy IM-3 to evaluate the application

# HMPS General Criteria

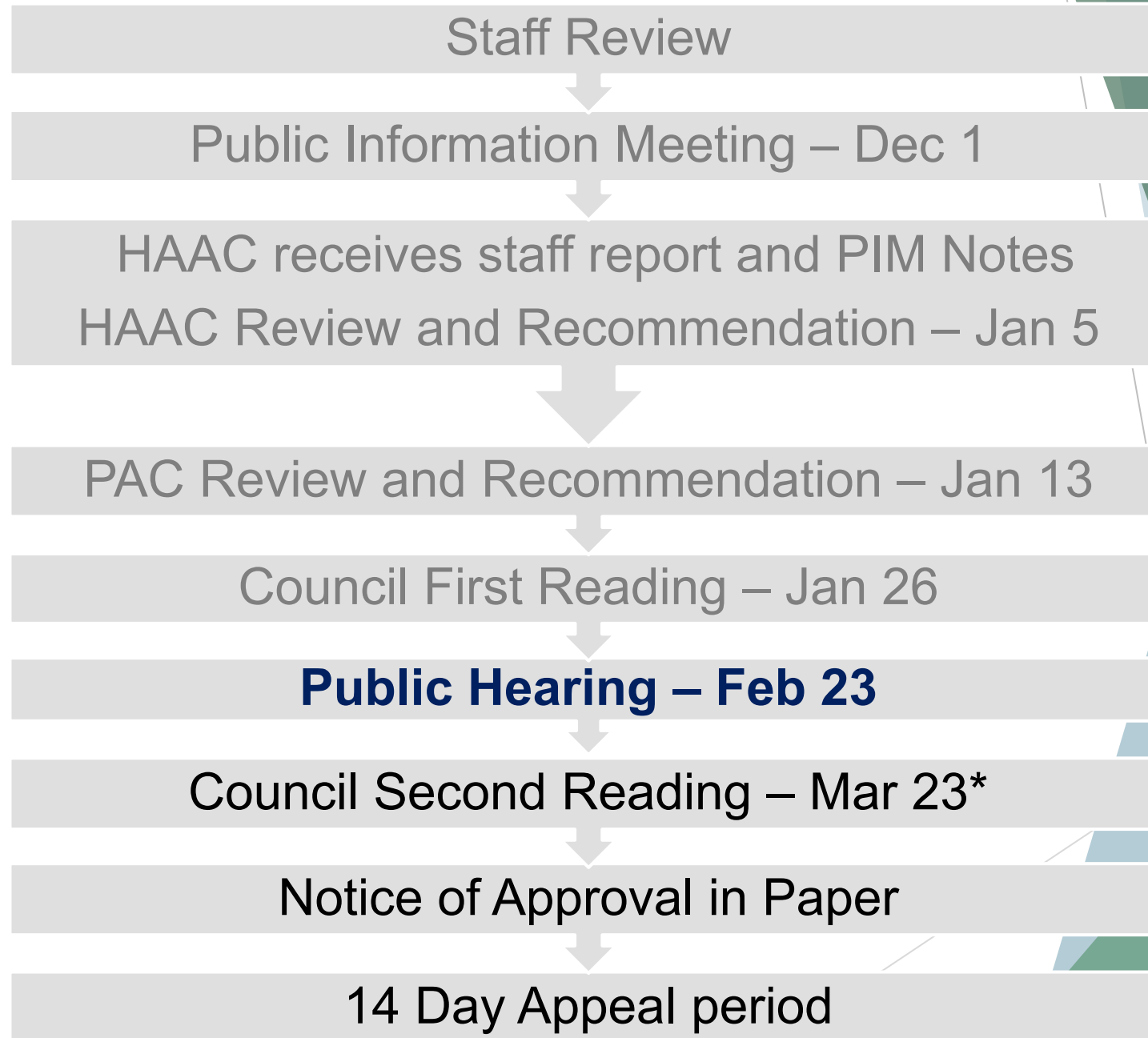
- ▶ **Policy IM-3** states general criteria for any amendments considered in Hantsport
- ▶ Once the lots are consolidated, the proposal will meet the general criteria
- ▶ In summary:
  - ✓ the proposal is not premature or inappropriate for the area;
  - ✓ minimal municipal costs related to the proposal are anticipated;
  - ✓ the Fire Chief, Development Officer, Manager of Building and Fire Inspection Services, Director of Public Works and Traffic Authority have no concerns.

# Comments / Questions to date

- ▶ No comments / questions received

# Process

\*anticipated dates;  
final dates will be  
set by Council



# Comment Submission

- ▶ Comments and questions can be submitted until **March 19**
- ▶ All correspondence should be sent to:  
Sara Poirier, Planner

Phone	902-798-8391 ext. 117
Email	<a href="mailto:spoirier@westhants.ca">spoirier@westhants.ca</a>
Mail	76 Morison Drive, PO Box 3000 Windsor NS B0N 2T0
Drop box	Regional office at 76 Morison Drive



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