

WEST HANTS REGIONAL MUNICIPALITY

Public Hearing Minutes – Highway 14, Vaughan, PID 45288750 Land Use

By-Law Map Amendment

Tuesday, October 26, 2021 - 6:00 pm

In-person Sanford Council Chambers and virtually via ZOOM

(also Facebook Livestreamed)



1. Call to Order

The Public Hearing was called to order at 6:14 pm.

2. Council:

Abraham Zebian, Mayor

Rupert Jannasch, Councillor, District 1

Scott McLean, Councillor, District 2

Mark McLean, Councillor, District 3

Jeff Hartt, Councillor, District 4

Paul Morton, Deputy Mayor, District 8

Bob Morton, Councillor District 6

Ed Sherman, Councillor, District 7

John A. Smith, Councillor, District 9

Laurie Murley, Councillor, District 10

Jim Ivey, Councillor, District 11

Regrets: Debbie Francis, Councillor, Dist. 5

Staff and Guests:

Mark Phillips, Chief Administrative Officer

Shelleena Thornton, Mun. Oper. Super.

Deanna Snair, Exec. Asst/ Clerk

Kathy Kehoe, Dir. Community Development

Madelyn LeMay, Dir. Planning & Development

Carlee Rochon, Dir. Financial Services

Todd Richard, Dir. Public Works

Sara Poirier, Planner

Gallery: one member

Clarence Tibbotts, Resident

Stephen Zeng, Resident

Members of the public watched the meeting using Facebook Live.

3. Public Hearings – All public hearings and presentations are available

Highway 14, Vaughan, PID 45288750 Land Use By-Law (LUB) Map Amendment

Discussion Points:

- The application is to amend the LUB to rezone the property from General Resource (GR) to Rural Commercial (RC) to permit tourist accommodations and a variety of commercial uses which may include an office, arts and crafts studio, farm market, personal services shop, restaurant, and retail store.
- A completed application was received on June 21, 2021 from Nikhil Vidwans.
- Policy 9.1.6 enables Council to consider rezoning land zoned as General Resource (GR) to allow for commercial or industrial uses permitted in the Commercial (RC) zone. Policy 16.3.1 states general criteria for any West Hants Land Use By-Law amendment.

- There are two additional amendments associated with this application. 1. Staff are recommending adding “arts and craft studios” as a permitted use in the Rural Commercial (RC) zone. 2. The other recommended amendment is to Section 5.27 of the West Hants Land Use By-Law to permit multiple buildings, such as multiple tourist accommodations, to be permitted on the lot.
- A virtual Public Information Meeting was held on July 28, 2021 and broadcasted live on the Municipal Facebook page. August 31, 2021 was the deadline for comments. There were five verbal comments received, mostly regarding the driveway access, how to keep resident or visitors on the lot, water, and sewer service. No letters or emails received. Two requests were received from residents wishing to attend tonight’s Public Hearing virtually. Residents raised questions regarding what is being proposed? Planner Poirier reviewed the proposal. Another concern was regarding the changes to the lane, what traffic would look like? The lot frontage is 66’ and are working with Department of Transportation on the private lane requirements. It also to remain within the property that is owned. Concern was raised regarding the number of people utilizing the services. Concern regarding the intersection between Highway 14 and New Ross. Department of Transportation is aware and reviewing.
- Notice of the decision will be placed in the local paper following tonight’s meeting to begin the 14-day appeal period.

4. Mayor Zebian declared the Public Hearing closed.

The Public Hearing ended at 6:41 pm.

Abraham Zebian, Mayor

Deanna Snair, Executive Assistant/Clerk



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Hwy 14, Vaughan, PID 45288750 Land Use By-law Amendment

Public Hearing
October 26, 2021

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Application

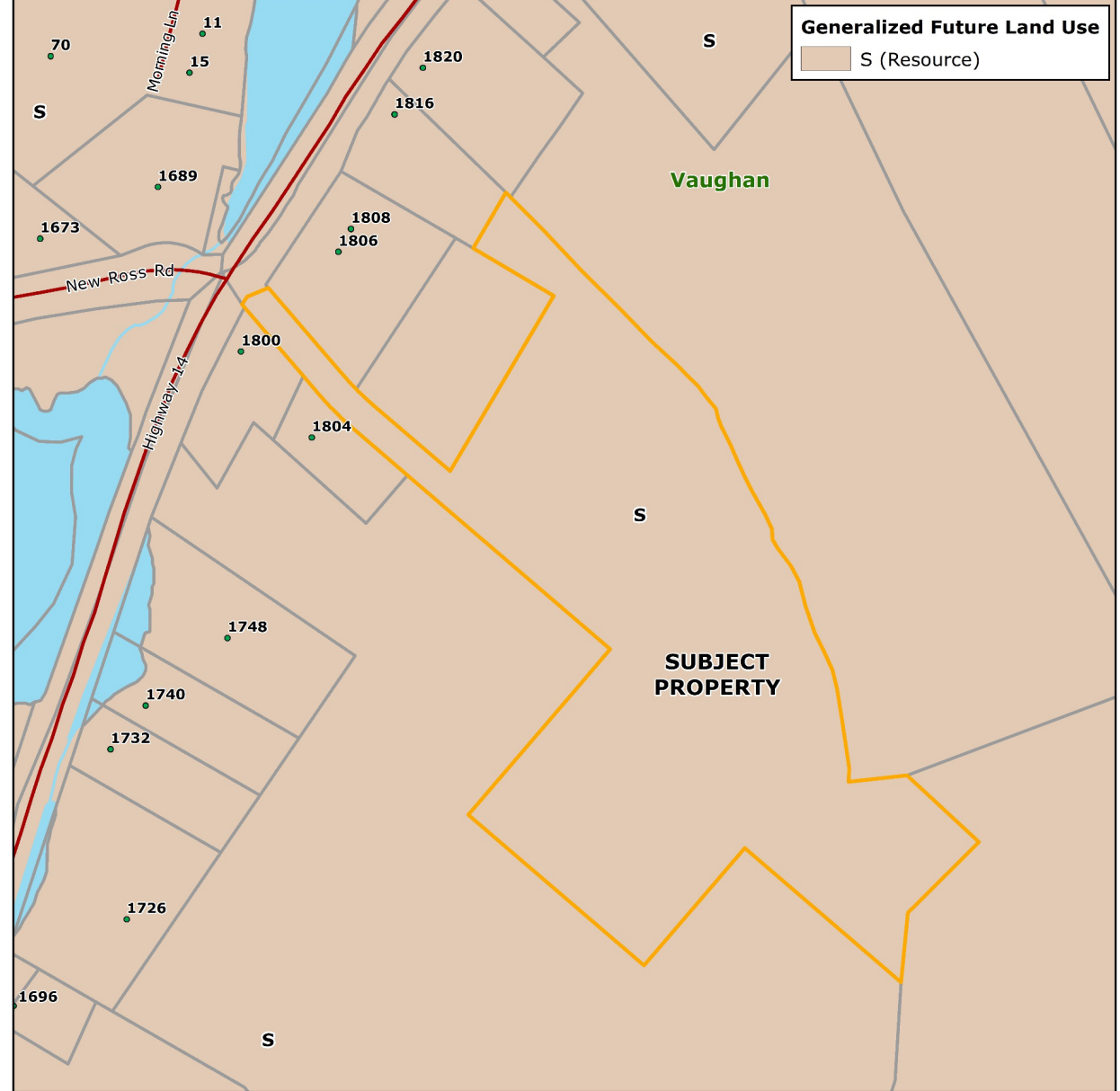
- A completed application was received on June 21, 2021 from Nikhil Vidwans to rezone his property from General Resource (GR) to Rural Commercial (RC) to permit tourist accommodations and a variety of commercial uses which may include an office, arts and craft studio, farm market, personal service shop, restaurant and retail store



Orthophoto

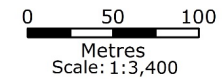


GFLUM



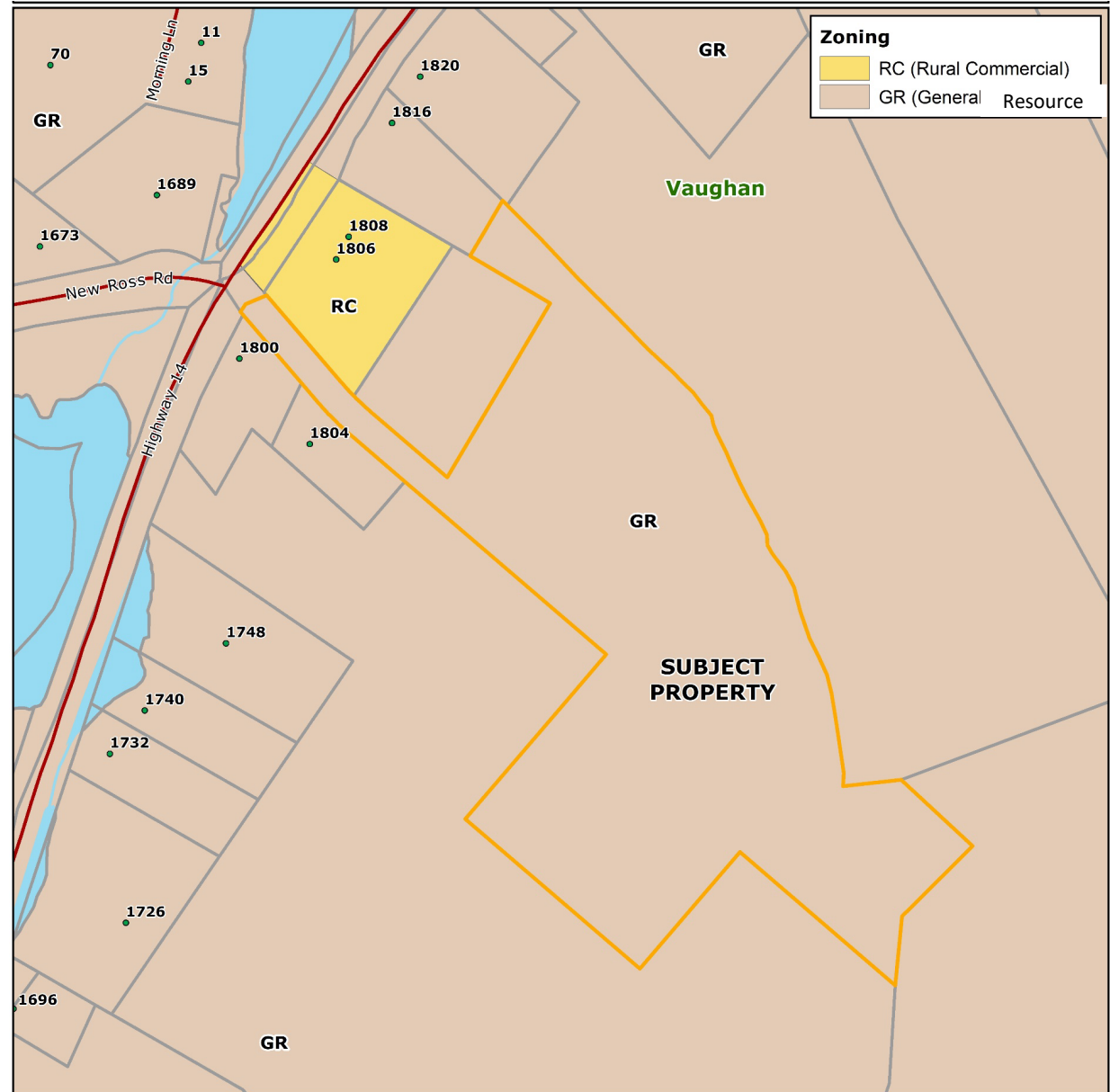
Base data derived from the Nova Scotia Property Records Database (NSPRD) and the Nova Scotia, Geomatics Centre (NSGC), Copyright Her Majesty The Queen in Right of the Province of Nova Scotia. This map is a graphical representation only. It is not a land survey and is not intended for used for legal descriptions or to calculate exact dimensions or area. Prepared by: West Hants Regional Municipality Planning and Development Department June 2021

Generalized Future Land Use



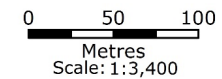
- Subject Property
- Civics
- Parcels
- Roads
- Water


Zoning



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Zoning



-  Subject Property
-  Civics
-  Parcels
-  Roads
-  Water

WHMPS 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) zone
- **Policy 16.3.1** states general criteria for any West Hants Land Use By-law amendment



Rural Commercial (RC) Zone

Permitted Uses

- 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



Rural Commercial (RC) Zone

Permitted Uses Cont.

- Licensed Cannabis Nurseries
- **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**
- **Retail stores**
- Existing dwellings



Rural Commercial (RC) Zone Zone Requirements

- **Maximum Commercial Floor Area:** 5,000 ft² (464.50 m²)

does not apply to automobile service stations, clubs, farm equipment sales and service, garden and nursery production, and hotels, motels and other tourist accommodations

- **Lot Access:** Driveways shall meet Nova Scotia Department of Transportation and Active Transit (DTAT) requirements for commercial access
- **Uses that Involve Flammable Goods:** any automobile service station or farm supplies and equipment sales and service business is required to:
 - (i) have access to a minimum of two (2) exit routes for the lot; and
 - (ii) provide evidence of a water supply that meets the local Fire Department requirements.



Additional Amendments

Arts and Craft Studios

- All proposed uses except “arts and craft studios” are permitted in the Rural Commercial (RC) zone as-of-right
- Staff are recommending adding “arts and craft studios” as a permitted use in the Rural Commercial (RC) zone



Additional Amendments

Multiple Buildings on a Lot

- The applicant is proposing multiple tourist accommodations and commercial uses
- Staff are recommending amendments to Section 5.27 of the West Hants Land Use By-law to permit multiple buildings, such as multiple tourist accommodations, to be permitted on the lot



Specific Criteria for Amendment

- *Policy 9.1.6* establishes specific criteria to be considered by Council
- In summary, the criteria are met since:
 - ✓ the proposed uses will be contained within buildings on the subject lot and are not expected to adversely affect existing resource uses in the area;
 - ✓ DTAT is requiring an access management review and upgrades to the driveway to meet its private lane design criteria to ensure safe and efficient access is provided; and
 - ✓ the proposed uses are not considered obnoxious by virtue of noise, odours, dust, fumes or other emissions.



General Criteria for Amendment

- *Policy 16.3.1* states general criteria for any West Hants Land Use By-law amendment
- 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, Manager of Building and Fire Inspection Services, Development Officer, and Project Engineer for the Public Works Department have no major concerns.



Public Information Meeting Notes

- A virtual Public Information Meeting was held on July 28. The meeting was broadcast live on the Municipal Facebook page.
- The deadline for comments was August 31
- Five (5) residents provided verbal comments
 - Driveway access, keeping visitors on the property, sewer/water and timeline
- No emails or letters were received

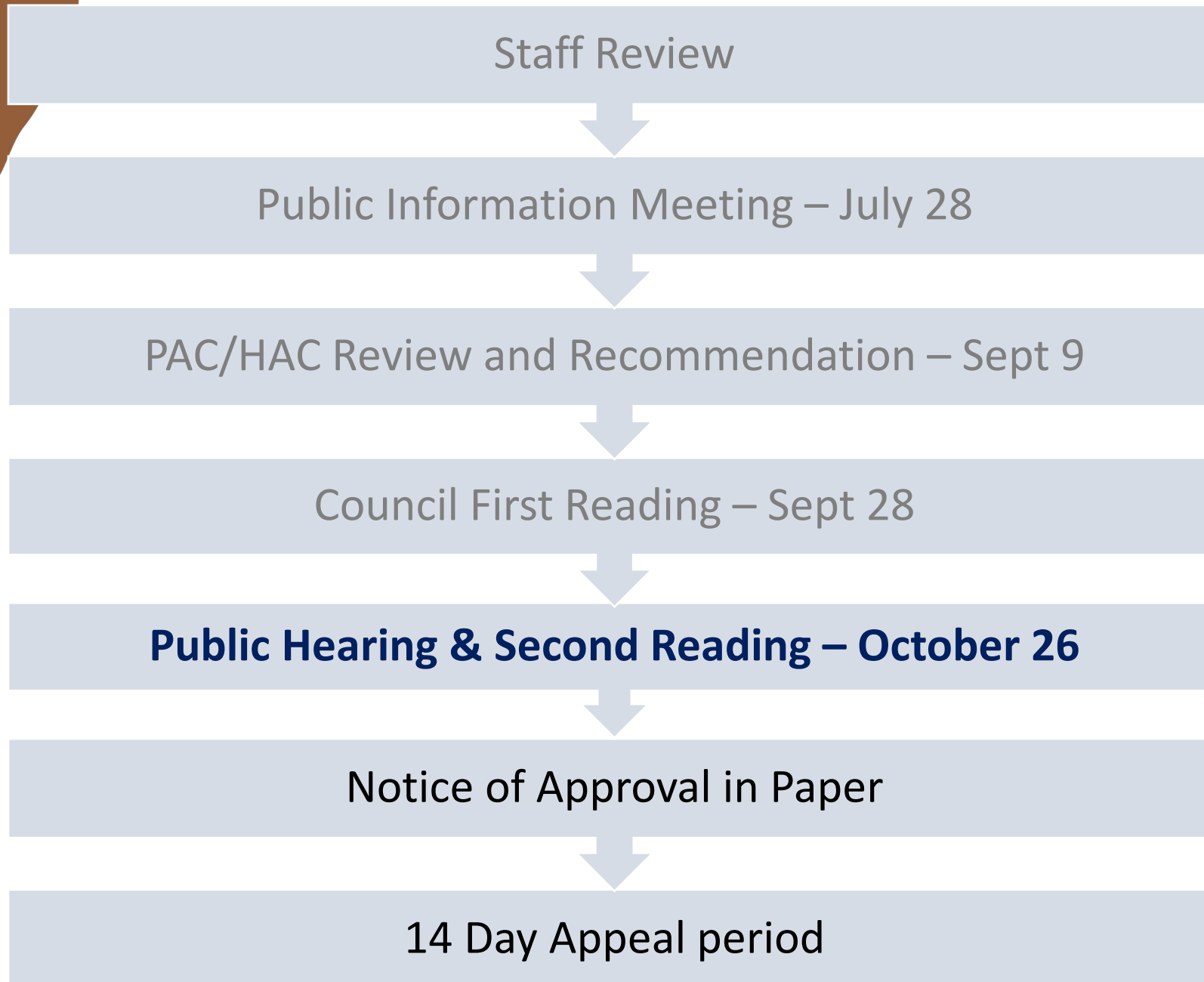


Questions / Comments

- Two residents asked to attend tonight's Public Hearing virtually:
 - Clarence Tibbo
 - Stephen Zheng
- I would like to provide this opportunity for those residents to ask any questions or provide comments on the application at this time
- No other comments/questions were received



Process





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Recommendation

...that Council gives Second Reading to and approves amending the Zoning Map of the West Hants Land Use By-law by re-zoning PID 45288750, Vaughan from the General Resource (GR) zone to the Rural Commercial (RC) zone; by amending the text of the West Hants Land Use By-law by adding “Arts and crafts studios” to the list of permitted uses in the Rural Commercial (RC) zone; and by allowing more than one main building on a lot in the Rural Commercial (RC) zone, all as shown on the map attached as Figure 3 and in Attachment A to the report #21-12 to the Planning and Heritage Advisory Committee dated September 9, 2021.