

WEST HANTS REGIONAL MUNICIPALITY
Council Meeting Agenda **AMENDED**
January 24, 2023 - 6:00 p.m.
Virtual via Zoom (also FB Livestream)



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1. Call to Order
 2. Attendance
 3. Announcements
 4. Approval of the Agenda, including additions or deletions
 - a) Dashboard Action Items – Information Log
 - b) Dashboard Action Items – Dangerous or Unsightly Premises
 5. Declaration(s) of Conflict of Interest
 6. Approval of Previous Meeting Minutes
 - a) 2022-12-13 Council Meeting Minutes
 7. Presentations
 - a) Valley Regional Enterprise Network (VREN) – Jennifer Tufts, Chief Executive Officer and Paul Dixon, Board Chair
 8. Public Hearings
 - i. Cole Drive Windsor MPS and LUB Amendments, PID 45366432 – Planner Dunphy
 - ii. Cole Drive West Hants MPS and LUB Amendments, PID 45366432 – Planner Dunphy
 - iii. 394 Greenhill Road, Greenhill PID 45118502, Development Agreement - Planner Dunphy
 - iv. Coastal Protection Plan Policy Updates West Hants, Windsor and Hantsport – (3 Reports, 3 Motions) Planner Dunphy
 - v. West Hants Land Use By-law Housekeeping Amendments – Director LeMay
 9. Second Readings
 - i. Cole Drive Windsor MPS and LUB Amendments, PID 45366432 – Planner Dunphy
 - ii. Cole Drive West Hants MPS and LUB Amendments, PID 45366432 – Planner Dunphy
 - iii. 394 Greenhill Road, PID 45118502, Development Agreement - Planner Dunphy
 - iv. Coastal Protection Plan Policy Updates West Hants, Windsor and Hantsport (3 Reports, 3 Motions) – Planner Dunphy
 - v. West Hants Land Use By-law Housekeeping Amendments – Director LeMay
 10. Unfinished Business/Postponed Motions

- a) Public Participation Program Policy Amendment - Director LeMay
- b) Supplementary Report for the WFD Rescue Engine Tender Award – Supervisor Thornton
- c) Municipal Boundary Review/Mapping Discussion on Next Steps

11. Mayor’s Report

12. Committee(s) of Council Excerpts/Recommendations

- a) Committee of the Whole Excerpts (January 10/11th , 2023)
 - i. BFD Pumper Tanker Over Budget Equipment, including all invoices
 - ii. Electronic Sign
 - iii. Grants and Contributions Policy RCOFN-0012.00
 - iv. Meeting and Committee Procedural Policy RCOGE-003.00 Amendment
 - v. Region 6 Budget
 - vi. Regional High School Bursary Policy
 - vii. Subdivision Street Lighting
 - viii. West Hants Sports Complex Acoustics

- b) Planning and Heritage Recommendations (January 12, 2023) (First Readings)
 - i. Bog Road, Hantsport/Hants Border PIDs 45366473, 45366481, 45366499, 45366507, and 45366515 – Rezoning (Hantsport) and Rezoning (West Hants) – Planner Dunphy
 - ii. Highway 215 Cheverie, PID 45178944 (Campground) Development Agreement – Planner Dunphy
 - iii. Burgess Crescent, Windsor, PID 45338688 Development Agreement Multi-Unit – Planner Dunphy
 - iv. 4190 Highway 1, Garlands Crossing, PID 45003357 Development Agreement – Planner Poirier
 - v. Hantsport MPS Amendment Related to Public Participation Program Policy RCOPL-006.00 – Director LeMay
 - vi. West Hants MPS Amendment Related to Public Participation Program Policy RCOPL-006.00 – Director LeMay
 - vii. Windsor MPS Amendment Related to Public Participation Program Policy RCOPL-006.00 – Director LeMay
 - viii. Heritage Plaque Presentations – Director LeMay

13. Councillor Municipal Business/Activity Reports

- a) Councillor Ivey, District 11 Activity Report

14. Correspondence

- a) Information
 - 1. Avon Causeway Activity Log as of January 19th, 2023 - No new correspondence

 - 2. Correspondence Received Activity Log as of January 24th, 2023
 - i. 2023-01-24 Graham Sanford re File to Rezone Lots along Bog Road

3. Fort Edward Activity Log as of January 19th, 2023 – No new correspondence
4. Storm Wastewater Activity Log as of January 19th, 2023 - No new correspondence
- b) Requests – None
- c) Outgoing Correspondence Log as of January 19th, 2023 - No new correspondence
15. New Business
16. In-Camera
 - a) ~~MGA 22(2)(a) Contract Matter~~ b) MGA 22(2)(a) Contract Matter
 - b) ~~MGA 22(2)(a) Contract Matter~~ a) MGA 22(2)(a) Contract Matter
17. Next Meeting Date / Adjournment – February 14, 2023 Committee of the Whole 6 p.m.



1. Call to Order

The Public Hearing was called to order at 7:39 pm.

2. Council:

Abraham Zebian, Mayor

Rupert Jannasch, Councillor, District 1(ZOOM)

Scott McLean, Councillor, District 2

Mark McLean, Councillor, District 3

Jeff Hartt, Councillor, District 4

Debbie Francis, Councillor, Dist. 5

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

Staff and Guests:

Mark Phillips, CAO

Shelleena Thornton, Mun. Ops Supervisor

Todd Richard, Dir. Public Works

Diana Gibson, Acting Dir. Financial Services

Madelyn LeMay, Dir. Planning & Development
(ZOOM)

Deanna Snair Municipal Clerk

Sara Poirier, Senior Planner

Alex Dunphy, Planner

Jennifer Tufts and Paul Dixon, VREN

Shawn Foote - Mainland South
Developments

Darren Shupe, Planner, Brighter
Planning

Ryan Richard, Chief, BFD

Daniel Lavers and Jamie Harvey, Deputy
Chiefs, WFD

Regrets:

Kathy Kehoe, Director Community Development

3. Public Hearings – All public hearings and presentations are available on the Municipal website.

Coastal protection Plan Policy Update, Hantsport, West Hants and Windsor

Planner Dunphy reviewed the report highlighting the Coastal Protection General Policy Update.

During the September 14th, 2022 MCCAP Meeting staff presented new information regarding the Coastal Protection Act regulations which would render previous decisions on policy impossible to implement due to conflict with said regulations. The Committee recommended that staff pursue a more general set of policies which can be used until the Coastal Protection Act regulations are implemented.

The only planning document found which specifically addresses the Coastal Protection Act was the Wolfville Municipal Planning Strategy. The policy (included within the package) was a straightforward example of how to display the intention of Council to meet the requirements of the Coastal Protection Act, once the regulations are officially released.

As the Regional Municipality has three (3) sets of planning documents (West Hants, Windsor, and Hantsport), a policy has been drafted for inclusion in each document. The addition of any policy which depends on the boundary of the Coastal Protection Zone would be ineffective until that boundary was provided to the Municipality.

As a general inclusion the following was an example of the preamble that would be included in each document:

Preamble:

The Coastal Protection Act was passed in 2019 and will come into effect with the approval of accompanying regulations. When that happens, a new Coastal Protection Zone will extend along the coast of Nova Scotia and new requirements will apply to constructing houses and other structures in the zone. The regulations will outline the protections for sensitive coastal ecosystems and ensure that construction is at a safer height and distance from coastal shorelines. The purpose is to mitigate impacts from sea level rise, coastal flooding and coastal erosion.

Policy It shall be the policy of Council to identify a Coastal Protection Zone to comply with the regulations of Bill 106, the Coastal Protection Act.

The Public Information Meeting was held October 13, 2022. At the November 10th, 2022 PAC/HAC mtg a recommendation was made. First Reading was held on November 22, 2022. The Public Hearing was advertised in the paper January 3rd and 10th. The deadline for comments was Friday, January 20th with no comments received.

If approved the policy will be sent for Ministerial review and approval.

Planner Dunphy noted that all statutory requirements had been met.

The presentation ended at 7:43 p.m.

Discussion Points:

- A complete set of regulations has not been provided from the province as to who will be responsible ensure the document and the regulations are held to a standard. If done at the municipal level it will likely be a combination of both the Building and Planning departments collaborating with the province.
- The interpretation was that approval of the policy was to show intent to meet the requirements. As soon as any regulations were provided or changed it was the municipalities responsibility to get the new information included in municipal documents.
- No map has been provided identifying the Coastal Protection zone. Awaiting the map and the measurements of what is determined to be in or outside the coastal protection zone from the province.

4. Adjournment

Mayor Zebian declared the Public Hearing closed at 7:43 p.m.

Abraham Zebian, Mayor

Deanna Snair, Executive Assistant/Clerk



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Mayor Zebian and Members of West Hants Regional Municipality Council

Submitted by: _____
Alex Dunphy, Planner

Date: January 24th, 2023

Subject: File 20-31C: Coastal Protection and Flood Planning Policy Update (Hantsport)

LEGISLATIVE AUTHORITY

Municipal Government Act Section 212 (4)

RECOMMENDATION

If Council wishes to approve the amendment following the Public Hearing, the following motion would be in order:

... that Council gives Second Reading and approves amending the Hantsport Municipal Planning Strategy in a manner substantively the same as the draft set out in Attachment A of the report File # 20-31 to the Municipal Climate Change Action Plan Committee dated November 9, 2022.

BACKGROUND

Property <input type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input checked="" type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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Coastal Flooding was added to the 2021 MCCAP Workplan on January 21st, 2020. During the February 10th, 2021 MCCAP meeting, the Committee discussed a number of policy options for flood proofing and coastal flooding.

During the MCCAP meeting on September 14th, 2022 I updated the Committee with new information I had acquired through a meeting with Climate Change and Planning staff from HRM. In that meeting, I had learned some of the issues faced by HRM staff pertaining to the implementation of coastal protection policies in preparation for the release of the Coastal

Protection Act regulations. I had asked the Committee for direction, given that the Coastal Protection Act regulations would render previous policies impossible to implement due to new requirements given by the Coastal Protection Act regulations. The Committee recommended that staff pursue a more general set of policies which can be used until the Coastal Protection Act regulations are implemented.

DISCUSSION

Staff presented a recommendation report to the Municipal Climate Change Action Plan Committee (MCCAP) on November 9th, 2022. During the November 9th meeting, MCCAP recommended in favour of the amendment.

On November 10th, 2022, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A).

During the November 10th meeting, PAC/HAC recommended in favour of the amendment.

On November 22nd, 2022, staff presented the PAC/HAC recommendation to Council for First Reading (Appendix A).

NEXT STEPS

The proposed amendment has been considered based on the Coastal Protection Act. As a result, it is reasonable to consider the amendment as a display of intent to conform to the requirements of the Coastal Protection Act once they are published.

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

In response to the application, Council may decide to:

- approve the amendment as drafted or as specifically revised by direction of Council; or
- provide alternative direction such as requesting further information on a specific topic.

APPENDICIES

Appendix A 2022-11-10 Staff Report - File 20-31A: Coastal Protection and Flood Planning Policy Update (Hantsport)

CHIEF ADMINISTRATIVE OFFICER REVIEW

The recommendation and proposed amendments essentially are a preparatory step to ensure the Municipality's Planning Strategies (Hantsport / Windsor and West Hants) are prepared and include language referencing the forthcoming Coastal Protection Act Regulations.

I support the recommendation.

Report Prepared by: _____

Alex Dunphy, Planner

Report Approved by: _____

Madelyn LeMay, Director of Planning and Development

Report Approved by: _____



Mark Phillips, Chief Administrative Officer

**Appendix A – 2022-11-10 Staff Report - File 20-31A: Coastal Protection and Flood Planning
Policy Update (Hantsport)**



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation X <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Members of Planning and Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
Alex Dunphy, Planner

Date: November 10th, 2022

Subject: File 20-31A: Coastal Protection and Flood Planning Policy Update (Hantsport)

LEGISLATIVE AUTHORITY

Municipal Government Act Section 212 (4)

RECOMMENDATION

To allow the amendment, staff recommends that PAC/HAC forward a positive recommendation by passing the following motion:

... that PAC/HAC recommend that Council give First Reading and hold a Public Hearing to consider amending the Hantsport Municipal Planning Strategy in a manner substantively the same as the draft set out in Attachment A of the report File # 20-31 to the Municipal Climate Change Action Plan Committee dated November 9, 2022.

BACKGROUND

Property <input type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment X <input checked="" type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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During the MCCAP meeting on September 14th, 2022 I updated the Committee with new information I had acquired through a meeting with Climate Change and Planning staff from HRM. In that meeting, I had learned some of the issues faced by HRM staff pertaining to the

implementation of coastal protection policies in preparation for the release of the Coastal Protection Act regulations. I had asked the Committee for direction, given that the Coastal Protection Act regulations would render previous policies impossible to implement due to new requirements given by the Coastal Protection Act regulations. The Committee recommended that staff pursue a more general set of policies which can be used until the Coastal Protection Act regulations are implemented.

DISCUSSION

Staff presented a recommendation report to the Municipal Climate Change Action Plan Committee (MCCAP) on November 9th, 2022. (Attachment A). During the November 9th meeting, MCCAP recommended in favour of the amendment.

NEXT STEPS

Discussion by PAC/HAC will be incorporated into the report and presentation to the Council.

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

PAC/HAC may:

- provide alternative direction, such as requesting further information on a specific topic.

ATTACHMENTS

Attachment A File 20-31: Coastal Protection and Flood Planning Policy Update (Hantsport)

Report Prepared by: _____

Alex Dunphy, Planner

Report Approved by: _____

Madelyn LeMay, Director of Planning and Development

Attachment A

File 20-31: Coastal Protection and Flood Planning Policy Update (Hantsport)



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Members of Municipal Climate Change Action Plan Committee (MCCAP)

Submitted by: _____
Alex Dunphy, Planner

Date: November 9th, 2022

Subject: File 20-31: Coastal Protection and Flood Planning Policy Update (Hantsport)

LEGISLATIVE AUTHORITY

Municipal Government Act Section 212 (4)

RECOMMENDATION

To allow the amendment, staff recommends that the MCCAP Committee forward a positive recommendation by passing the following motion:

...that the MCCAP Committee recommends that PAC/HAC recommend that Council give First Reading and hold a Public Hearing to consider amending the Hantsport Municipal Planning Strategy in a manner substantively the same as the draft set out in Attachment A of the report File # 20-31 to the Municipal Climate Change Action Plan Committee dated November 9, 2022.

BACKGROUND

Property <input type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input checked="" type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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During the last MCCAP meeting on September 14th, 2022 I updated the Committee with new information I had acquired through a meeting with Climate Change and Planning staff from HRM. In that meeting, I had learned some of the issues faced by HRM staff pertaining to the

implementation of coastal protection policies in preparation for the release of the Coastal Protection Act regulations. I had asked the Committee for direction, given that the Coastal Protection Act regulations would render previous policies impossible to implement due to new requirements given by the Coastal Protection Act regulations. The Committee recommended that staff pursue a more general set of policies which can be used until the Coastal Protection Act regulations are implemented.

DISCUSSION

In research for what other municipal units have done in preparation for the implementation of the Coastal Protection Act, I have found that Wolfville's Municipal Planning Strategy is the only document which directly addresses the Coastal Protection Act. Other municipal units have sections within their Municipal Planning Strategies which address coastal setbacks or other similar matters, but no direct references to the Coastal Protection Act or associated regulations. In the Wolfville Municipal Planning Strategy, outlined under the Provincial and Regional Coordination Section and immediately following a policy to 'comply with the Statements of Provincial Interest' is the following policy: *"It shall be the policy of Council: 2) To designate a Coastal Protection Zone to comply with the regulations of Bill 106, the Coastal Protection Act."* The inclusion of a straightforward policy similar to this would display the intention of Council to meet the requirements of the Coastal Protection Act once the Act has official regulations for municipalities to implement. Staff have included the draft policy for each of the Municipal Planning Strategies within the Regional Municipality and attached the draft as Attachment A.

The Coastal Protection Zone is a major component of the Coastal Protection Act. The boundaries of that Zone will be provided by the official regulations of the Act. Until those boundaries are provided to the Municipality and added to the planning documents, including policy which depends on the Coastal Protection Zone would be ineffective.

NEXT STEPS

Discussion by MCCAP Committee will be incorporated into the report and presentation to the Planning and Heritage Advisory Committee (PAC/HAC).

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

The MCCAP Committee may:

- provide alternative direction, such as requesting further information on a specific topic.

ATTACHMENTS

Attachment A Draft General Policy - Coastal Protection Act

Report Prepared by: _____

Alex Dunphy, Planner

Report Approved by: _____

Madelyn LeMay, Director of Planning and Development

Attachment A

Draft General Policy – Coastal Protection Act

Note: coloured text indicates a change from the present HMPS and is provided only for the convenience of PAC/HAC and Council. The purple text is proposed amendments recommended by staff.

Purpose: Text amendments to the Hantsport Municipal Planning Strategy to provide intention to comply with the regulations of the Coastal Protection Act.

Hantsport Municipal Planning Strategy

- 1. Amend Section 2.2.2, *Conservation*, of the Hantsport Municipal Planning Strategy to include a description of the Coastal Protection Act and a new policy immediately following the note after the text of Policy ICSP-1 to read as follows:**

The Coastal Protection Act was passed in 2019 and will come into effect with the approval of accompanying regulations. When that happens, a new Coastal Protection Zone will extend along the coast of Nova Scotia and new requirements will apply to constructing houses and other structures in the zone. The regulations will outline the protections for sensitive coastal ecosystems and ensure that construction is at a safer height and distance from coastal shorelines. The purpose is to mitigate impacts from sea level rise, coastal flooding and coastal erosion.

Policy ICSP-1A

It shall be the policy of Council to designate a Coastal Protection Zone to comply with the regulations of Bill 106, the Coastal Protection Act.



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Mayor Zebian and Members of West Hants Regional Municipality Council

Submitted by: _____
Alex Dunphy, Planner

Date: January 24th, 2023

Subject: File 20-29C: Coastal Protection and Flood Planning Policy Update (West Hants)

LEGISLATIVE AUTHORITY

Municipal Government Act Section 212 (4)

RECOMMENDATION

If Council wishes to approve the amendment following the Public Hearing, the following motion would be in order:

... that Council gives Second Reading and approves amending the West Hants Municipal Planning Strategy in a manner substantively the same as the draft set out in Attachment A of the report File # 20-29 to the Municipal Climate Change Action Plan Committee dated November 9, 2022.

BACKGROUND

Property <input type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input checked="" type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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implementation of coastal protection policies in preparation for the release of the Coastal Protection Act regulations. I had asked the Committee for direction, given that the Coastal Protection Act regulations would render previous policies impossible to implement due to new requirements given by the Coastal Protection Act regulations. The Committee recommended that staff pursue a more general set of policies which can be used until the Coastal Protection Act regulations are implemented.

DISCUSSION

Staff presented a recommendation report to the Municipal Climate Change Action Plan Committee (MCCAP) on November 9th, 2022. During the November 9th meeting, MCCAP recommended in favour of the amendment.

On November 10th, 2022, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A).

During the November 10th meeting, PAC/HAC recommended in favour of the amendment.

On November 22nd, 2022, staff presented the PAC/HAC recommendation to Council for First Reading (Appendix A).

NEXT STEPS

The proposed amendment has been considered based on the Coastal Protection Act. As a result, it is reasonable to consider the amendment as a display of intent to conform to the requirements of the Coastal Protection Act once they are published.

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

In response to the application, Council may decide to:

- approve the amendment as drafted or as specifically revised by direction of Council; or
- provide alternative direction such as requesting further information on a specific topic.

APPENDICIES

Appendix A 2022-11-10 Staff Report - File 20-29A: Coastal Protection and Flood Planning Policy Update (West Hants)

CHIEF ADMINISTRATIVE OFFICER REVIEW

The recommendation and proposed amendments essentially are a preparatory step to ensure the Municipality's Planning Strategies (Hantsport / Windsor and West Hants) are prepared and include language referencing the forthcoming Coastal Protection Act Regulations.

I support the recommendation.

Report Prepared by: _____

Alex Dunphy, Planner

Report Approved by: _____

Madelyn LeMay, Director of Planning and Development

Report Approved by: _____

Mark Phillips, Chief Administrative Officer

**Appendix A – 2022-11-10 Staff Report - File 20-29A: Coastal Protection and Flood Planning
Policy Update (West Hants)**



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation X	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Members of Planning and Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
Alex Dunphy, Planner

Date: November 10th, 2022

Subject: File 20-29A: Coastal Protection and Flood Planning Policy Update (West Hants)

LEGISLATIVE AUTHORITY

Municipal Government Act Section 212 (4)

RECOMMENDATION

To allow the amendment, staff recommends that PAC/HAC forward a positive recommendation by passing the following motion:

... that PAC/HAC recommend that Council give First Reading and hold a Public Hearing to consider amending the West Hants Municipal Planning Strategy in a manner substantively the same as the draft set out in Attachment A of the report File # 20-29 to the Municipal Climate Change Action Plan Committee dated November 9, 2022.

BACKGROUND

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HRM. In that meeting, I had learned some of the issues faced by HRM staff pertaining to the implementation of coastal protection policies in preparation for the release of the Coastal Protection Act regulations. I had asked the Committee for direction, given that the Coastal Protection Act regulations would render previous policies impossible to implement due to new requirements given by the Coastal Protection Act regulations. The Committee recommended that staff pursue a more general set of policies which can be used until the Coastal Protection Act regulations are implemented.

DISCUSSION

Staff presented a recommendation report to the Municipal Climate Change Action Plan Committee (MCCAP) on November 9th, 2022. (Attachment A). During the November 9th meeting, MCCAP recommended in favour of the amendment.

NEXT STEPS

Discussion by PAC/HAC will be incorporated into the report and presentation to the Council.

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

PAC/HAC may:

- provide alternative direction, such as requesting further information on a specific topic.

ATTACHMENTS

Attachment A File 20-29: Coastal Protection and Flood Planning Policy Update (West Hants)

Report Prepared by: _____

Alex Dunphy, Planner

Report Approved by: _____

Madelyn LeMay, Director of Planning and Development

Attachment A

File 20-29: Coastal Protection and Flood Planning Policy Update (West Hants)



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation X	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Members of Municipal Climate Change Action Plan Committee (MCCAP)

Submitted by: _____
Alex Dunphy, Planner

Date: November 9th, 2022

Subject: File 20-29: Coastal Protection and Flood Planning Policy Update (West Hants)

LEGISLATIVE AUTHORITY

Municipal Government Act Section 212 (4)

RECOMMENDATION

To allow the amendment, staff recommends that the MCCAP Committee forward a positive recommendation by passing the following motion:

...that the MCCAP Committee recommends that PAC/HAC recommend that Council give First Reading and hold a Public Hearing to consider amending the West Hants Municipal Planning Strategy in a manner substantively the same as the draft set out in Attachment A of the report File # 20-29 to the Municipal Climate Change Action Plan Committee dated November 9, 2022.

BACKGROUND

Property <input type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment X	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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implementation of coastal protection policies in preparation for the release of the Coastal Protection Act regulations. I had asked the Committee for direction, given that the Coastal Protection Act regulations would render previous policies impossible to implement due to new requirements given by the Coastal Protection Act regulations. The Committee recommended that staff pursue a more general set of policies which can be used until the Coastal Protection Act regulations are implemented.

DISCUSSION

In research for what other municipal units have done in preparation for the implementation of the Coastal Protection Act, I have found that Wolfville's Municipal Planning Strategy is the only document which directly addresses the Coastal Protection Act. Other municipal units have sections within their Municipal Planning Strategies which address coastal setbacks or other similar matters, but no direct references to the Coastal Protection Act or associated regulations. In the Wolfville Municipal Planning Strategy, outlined under the Provincial and Regional Coordination Section and immediately following a policy to 'comply with the Statements of Provincial Interest' is the following policy: *"It shall be the policy of Council: 2) To designate a Coastal Protection Zone to comply with the regulations of Bill 106, the Coastal Protection Act."* The inclusion of a straightforward policy similar to this would display the intention of Council to meet the requirements of the Coastal Protection Act once the Act has official regulations for municipalities to implement. Staff have included the draft policy for each of the Municipal Planning Strategies within the Regional Municipality and attached the draft as Attachment A.

The Coastal Protection Zone is a major component of the Coastal Protection Act. The boundaries of that Zone will be provided by the official regulations of the Act. Until those boundaries are provided to the Municipality and added to the planning documents, including policy which depends on the Coastal Protection Zone would be ineffective.

NEXT STEPS

Discussion by MCCAP Committee will be incorporated into the report and presentation to the Planning and Heritage Advisory Committee (PAC/HAC).

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

The MCCAP Committee may:

- provide alternative direction, such as requesting further information on a specific topic.

ATTACHMENTS

Attachment A Draft General Policy - Coastal Protection Act

Report Prepared by: _____

Alex Dunphy, Planner

Report Approved by: _____

Madelyn LeMay, Director of Planning and Development

Attachment A

Draft General Policy – Coastal Protection Act

Note: coloured text indicates a change from the present WHMPS and is provided only for the convenience of PAC/HAC and Council. The purple text is proposed amendments recommended by staff.

Purpose: Text amendments to the West Hants Municipal Planning Strategy to provide intention to comply with the regulations of the Coastal Protection Act.

West Hants Municipal Planning Strategy

- 1. Amend Section 12.1, *Dykeland Areas*, of the West Hants Municipal Planning Strategy to include a description of the Coastal Protection Act and a new policy immediately following the text of Policy 12.1.10 to read as follows:**

The Coastal Protection Act was passed in 2019 and will come into effect with the approval of accompanying regulations. When that happens, a new Coastal Protection Zone will extend along the coast of Nova Scotia and new requirements will apply to constructing houses and other structures in the zone. The regulations will outline the protections for sensitive coastal ecosystems and ensure that construction is at a safer height and distance from coastal shorelines. The purpose is to mitigate impacts from sea level rise, coastal flooding and coastal erosion.

Policy 12.1.11 *It shall be the policy of Council to identify a Coastal Protection Zone to comply with the regulations of Bill 106, the Coastal Protection Act.*



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation X	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Mayor Zebian and Members of West Hants Regional Municipality Council

Submitted by: _____
Alex Dunphy, Planner

Date: January 24th, 2023

Subject: File 20-30C: Coastal Protection and Flood Planning Policy Update (Windsor)

LEGISLATIVE AUTHORITY

Municipal Government Act Section 212 (4)

RECOMMENDATION

If Council wishes to approve the amendment following the Public Hearing, the following motion would be in order:

... that Council gives Second Reading and approves amending the Windsor Municipal Planning Strategy in a manner substantively the same as the draft set out in Attachment A of the report File # 20-30 to the Municipal Climate Change Action Plan Committee dated November 9, 2022.

BACKGROUND

Property <input type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment X	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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Coastal Flooding was added to the 2021 MCCAP Workplan on January 21st, 2020. During the February 10th, 2021 MCCAP meeting, the Committee discussed a number of policy options for flood proofing and coastal flooding.

During the MCCAP meeting on September 14th, 2022 I updated the Committee with new information I had acquired through a meeting with Climate Change and Planning staff from HRM. In that meeting, I had learned some of the issues faced by HRM staff pertaining to the implementation of coastal protection policies in preparation for the release of the Coastal

Protection Act regulations. I had asked the Committee for direction, given that the Coastal Protection Act regulations would render previous policies impossible to implement due to new requirements given by the Coastal Protection Act regulations. The Committee recommended that staff pursue a more general set of policies which can be used until the Coastal Protection Act regulations are implemented.

DISCUSSION

Staff presented a recommendation report to the Municipal Climate Change Action Plan Committee (MCCAP) on November 9th, 2022. During the November 9th meeting, MCCAP recommended in favour of the amendment.

On November 10th, 2022, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A).

During the November 10th meeting, PAC/HAC recommended in favour of the amendment.

On November 22nd, 2022, staff presented the PAC/HAC recommendation to Council for First Reading (Appendix A).

NEXT STEPS

The proposed amendment has been considered based on the Coastal Protection Act. As a result, it is reasonable to consider the amendment as a display of intent to conform to the requirements of the Coastal Protection Act once they are published.

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

In response to the application, Council may decide to:

- approve the amendment as drafted or as specifically revised by direction of Council; or
- provide alternative direction such as requesting further information on a specific topic.

APPENDICIES

Appendix A File 20-30A: Coastal Protection and Flood Planning Policy Update
(Windsor)

CHIEF ADMINISTRATIVE OFFICER REVIEW

The recommendation and proposed amendments essentially are a preparatory step to ensure the Municipality's Planning Strategies (Hantsport / Windsor and West Hants) are prepared and include language referencing the forthcoming Coastal Protection Act Regulations.

I support the recommendation.

Report Prepared by: _____

Alex Dunphy, Planner

Report Approved by: _____

Madelyn LeMay, Director of Planning and Development

Report Approved by:  _____

Mark Phillips, Chief Administrative Officer

**Appendix A – 2022-11-10 Staff Report - File 20-30A: Coastal Protection and Flood Planning
Policy Update (Windsor)**



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Members of Planning and Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
Alex Dunphy, Planner

Date: November 10th, 2022

Subject: File 20-30A: Coastal Protection and Flood Planning Policy Update (Windsor)

LEGISLATIVE AUTHORITY

Municipal Government Act Section 212 (4)

RECOMMENDATION

To allow the amendment, staff recommends that PAC/HAC forward a positive recommendation by passing the following motion:

... that PAC/HAC recommend that Council give First Reading and hold a Public Hearing to consider amending the Windsor Municipal Planning Strategy in a manner substantively the same as the draft set out in Attachment A of the report File # 20-30 to the Municipal Climate Change Action Plan Committee dated November 9, 2022.

BACKGROUND

Property <input type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input checked="" type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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Coastal Flooding was added to the 2021 MCCAP Workplan on January 21st, 2020. During the February 10th, 2021 MCCAP meeting, the Committee discussed a number of policy options for flood proofing and coastal flooding.

During the MCCAP meeting on September 14th, 2022 I updated the Committee with new information I had acquired through a meeting with Climate Change and Planning staff from HRM. In that meeting, I had learned some of the issues faced by HRM staff pertaining to the

implementation of coastal protection policies in preparation for the release of the Coastal Protection Act regulations. I had asked the Committee for direction, given that the Coastal Protection Act regulations would render previous policies impossible to implement due to new requirements given by the Coastal Protection Act regulations. The Committee recommended that staff pursue a more general set of policies which can be used until the Coastal Protection Act regulations are implemented.

DISCUSSION

Staff presented a recommendation report to the Municipal Climate Change Action Plan Committee (MCCAP) on November 9th, 2022. (Attachment A). During the November 9th meeting, MCCAP recommended in favour of the amendment.

NEXT STEPS

Discussion by PAC/HAC will be incorporated into the report and presentation to the Council.

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

PAC/HAC may:

- provide alternative direction, such as requesting further information on a specific topic.

ATTACHMENTS

Attachment A File 20-30: Coastal Protection and Flood Planning Policy Update (Windsor)

Report Prepared by: _____

Alex Dunphy, Planner

Report Approved by: _____

Madelyn LeMay, Director of Planning and Development

Attachment A

File 20-30: Coastal Protection and Flood Planning Policy Update (Windsor)



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation X	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Members of Municipal Climate Change Action Plan Committee (MCCAP)

Submitted by: _____
Alex Dunphy, Planner

Date: November 9th, 2022

Subject: File 20-30: Coastal Protection and Flood Planning Policy Update (Windsor)

LEGISLATIVE AUTHORITY

Municipal Government Act Section 212 (4)

RECOMMENDATION

To allow the amendment, staff recommends that the MCCAP Committee forward a positive recommendation by passing the following motion:

...that the MCCAP Committee recommends that PAC/HAC recommend that Council give First Reading and hold a Public Hearing to consider amending the Windsor Municipal Planning Strategy in a manner substantively the same as the draft set out in Attachment A of the report File # 20-30 to the Municipal Climate Change Action Plan Committee dated November 9, 2022.

BACKGROUND

Property <input type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment X	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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Coastal Flooding was added to the 2021 MCCAP Workplan on January 21st, 2020. During the February 10th, 2021 MCCAP meeting, the Committee discussed a number of policy options for flood proofing and coastal flooding.

During the last MCCAP meeting on September 14th, 2022 I updated the Committee with new information I had acquired through a meeting with Climate Change and Planning staff from HRM. In that meeting, I had learned some of the issues faced by HRM staff pertaining to the

implementation of coastal protection policies in preparation for the release of the Coastal Protection Act regulations. I had asked the Committee for direction, given that the Coastal Protection Act regulations would render previous policies impossible to implement due to new requirements given by the Coastal Protection Act regulations. The Committee recommended that staff pursue a more general set of policies which can be used until the Coastal Protection Act regulations are implemented.

DISCUSSION

In research for what other municipal units have done in preparation for the implementation of the Coastal Protection Act, I have found that Wolfville's Municipal Planning Strategy is the only document which directly addresses the Coastal Protection Act. Other municipal units have sections within their Municipal Planning Strategies which address coastal setbacks or other similar matters, but no direct references to the Coastal Protection Act or associated regulations. In the Wolfville Municipal Planning Strategy, outlined under the Provincial and Regional Coordination Section and immediately following a policy to 'comply with the Statements of Provincial Interest' is the following policy: *"It shall be the policy of Council: 2) To designate a Coastal Protection Zone to comply with the regulations of Bill 106, the Coastal Protection Act."* The inclusion of a straightforward policy similar to this would display the intention of Council to meet the requirements of the Coastal Protection Act once the Act has official regulations for municipalities to implement. Staff have included the draft policy for each of the Municipal Planning Strategies within the Regional Municipality and attached the draft as Attachment A.

The Coastal Protection Zone is a major component of the Coastal Protection Act. The boundaries of that Zone will be provided by the official regulations of the Act. Until those boundaries are provided to the Municipality and added to the planning documents, including policy which depends on the Coastal Protection Zone would be ineffective.

NEXT STEPS

Discussion by MCCAP Committee will be incorporated into the report and presentation to the Planning and Heritage Advisory Committee (PAC/HAC).

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

The MCCAP Committee may:

- provide alternative direction, such as requesting further information on a specific topic.

ATTACHMENTS

Attachment A Draft General Policy - Coastal Protection Act

Report Prepared by: _____
Alex Dunphy, Planner

Report Approved by: _____
Madelyn LeMay, Director of Planning and Development

Attachment A

Draft General Policy – Coastal Protection Act

Note: coloured text indicates a change from the present WMPS and is provided only for the convenience of PAC/HAC and Council. The purple text is proposed amendments recommended by staff.

Purpose: Text amendments to the Windsor Municipal Planning Strategy to provide intention to comply with the regulations of the Coastal Protection Act.

Windsor Municipal Planning Strategy

- 1. Amend Section 12.0, *Environmental Constraints*, of the Windsor Municipal Planning Strategy to include a description of the Coastal Protection Act and a new policy immediately following the text of Policy 12.0.3 to read as follows:**

The Coastal Protection Act was passed in 2019 and will come into effect with the approval of accompanying regulations. When that happens, a new Coastal Protection Zone will extend along the coast of Nova Scotia and new requirements will apply to constructing houses and other structures in the zone. The regulations will outline the protections for sensitive coastal ecosystems and ensure that construction is at a safer height and distance from coastal shorelines. The purpose is to mitigate impacts from sea level rise, coastal flooding and coastal erosion.

Policy 12.0.4 *It shall be the policy of Council to designate a Coastal Protection Zone to comply with the regulations of Bill 106, the Coastal Protection Act.*