

**WEST HANTS REGIONAL MUNICIPALITY**  
**Council Meeting Agenda **AMENDED****  
**February 28, 2023 - 5:00 p.m.**  
**Virtual via Zoom (also FB Livestream)**



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) 2023-01-24 Council Meeting Minutes
  - b) 2023-01-24 PH Minutes, 394 Greenhill Road, Greenhill PID 45118502, Development Agreement
  - c) 2023-01-24 PH Minutes, Coastal Protection Plan - Hantsport, West Hants and Windsor
  - d) 2023-01-24 PH Minutes, Cole Drive, Windsor and West Hants MPS and LUB Amendments, PID 45366432
  - e) 2023-01-24 PH Minutes, WH Land Use By-Law Housekeeping Amendments
7. Public Hearings
  - i. West Hants, Bog Road, Hantsport/Hants Border PIDs 45366473, 45366481, 45366499, 45366507, and 45366515, Rezoning – Planner Dunphy (2 reports with 2 recommendations)
  - ii. Burgess Crescent, Windsor PID 45338688, Development Agreement – Planner Dunphy (1 report with 2 recommendations)
  - iii. Hwy 215, Cheverie PID 45178944, Development Agreement – Planner Dunphy (1 report with 2 recommendations)
  - iv. 4190 Hwy 1, Garlands Crossing PID 45003357, Development Agreement – Director Poirier (1 report with 2 recommendations)
  - v. Hantsport, West Hants and Windsor: Linking the Public Participation Program Policy to the Municipal Planning Strategy - Director Poirier (3 reports with 3 recommendations)
8. Second Readings
  - i. West Hants, Bog Road, Hantsport/Hants Border PIDs 45366473, 45366481, 45366499, 45366507, and 45366515, Rezoning – Planner Dunphy) (2 reports and 2 recommendations)

- ii. Burgess Crescent, Windsor PID 45338688, Development Agreement – Planner Dunphy (1 report with 2 recommendations)
  - iii. Hwy 215, Cheverie PID 45178944, Development Agreement – Planner Dunphy (1 report with 2 recommendations)
  - iv. 4190 Hwy 1, Garlands Crossing PID 45003357, Development Agreement – Director Poirier (1 report with 2 recommendations)
  - v. Hantsport, West Hants and Windsor: Linking the Public Participation Program Policy to the Municipal Planning Strategy - Director Poirier (3 reports with 3 recommendations)
9. Unfinished Business/Postponed Motions - None
10. Mayor’s Report
11. Committee(s) of Council Excerpts/Recommendations
- a) Committee of the Whole Excerpts (February 14, 2023)
    - i. Audit Committee Citizen Member Appointments
    - ii. College Road Tender WHRMPW22-09
    - iii. Meander River Renaming
    - iv. Noise and Community Standards By-law (Presentation including new recommendation)
    - v. Tax Write Off
    - vi. Temporary Borrowing Resolution (6 recommendations)
    - vii. Tregothic Marsh Body
    - viii. Valley Regional Enterprise Network (VREN)
12. Councillor Municipal Business/Activity Reports
- a) Councillor Ivey, District 11 Activity Report
13. Correspondence
- a) Information
    - 1. Avon Causeway Activity Log as of February 24<sup>th</sup>, 2023 - None
    - 2. Correspondence Received Activity Log as of February 24<sup>th</sup>, 2023
      - i. 2023-02-23 Hants County Federation of Agricultural and the Great Falmouth Marsh Body re Remaining ACOA funds
    - 3. Fort Edward Activity Log as of February 24<sup>th</sup>, 2023
      - i. 2023-02-16 Jon Hall Re Funding History at West Hants Historical Society
    - 4. Storm Wastewater Activity Log as of February 24, 2023 - None
  - b) Requests – None
  - c) Outgoing Correspondence Log as of February 24<sup>th</sup>, 2023

- i. 2023-02-15 Deputy Minister of Environment and Climate Change re costs incurred for fencing at 417 Wentworth Road
- 14. New Business - None
  - a) Provincial Intersection Street Lighting Request for Decision – Councillor M. McLean
- 15. In-Camera - None
- 16. Next Meeting Date / Adjournment – March 14, 2023 Committee of the Whole 6 p.m.

**WEST HANTS REGIONAL MUNICIPALITY**

**Public Hearing Minutes – Hantsport, Windsor, WH link the MPS to the PPPP**

Tuesday, February 28, 2022 – 5:07 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 5:07 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

Debbie Francis, Councillor, Dist. 5

Paul Morton, Deputy Mayor, District 8

Bob Morton, Councillor District 6

John A. Smith, Councillor, District 9

Laurie Murley, Councillor, District 10

Jim Ivey, Councillor, District 11

Regrets:

Ed Sherman, Councillor, District 7

Staff and Guests:

Mark Phillips, CAO

Selleena Thornton, Mun. Ops Supervisor

Diana Gibson, Acting Dir. Financial Services

Sara Poirier, Dir. Planning & Development

Todd Richard, Dir. Public Works

Deanna Snair Municipal Clerk

Alex Dunphy, Planner

Regrets:

Kathy Kehoe, Dir. Community Development

Guests:

Monica Sweetapple, Architect, Garlands

Crossing Development

Paul Dec, UPLAND

Three (3) in the gallery

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

**Hantsport, Windsor, West Hants linking the MPS to the Public Participation Program Policy**

Director Poirier reviewed the report highlighting that the Nova Scotia Minimum Planning Requirements Regulations require that “In addition to the requirements prescribed in subsection 214(1) of the Act, a municipal planning strategy must contain all of the following: (d) a statement of policy describing the procedures to be followed when reviewing a municipal planning strategy that must provide for public consultation and notice.”

WHRM established a Regional Public Participation Program Policy in April 2020 and amendments to the Public Participation Program Policy were considered by Council in January 2023.

There are three sets of planning documents within WHRM: Hantsport, West Hants & Windsor. All require an amendment to refer to the Public Participation Program Policy. Each require a background statement which provides rationale for the policy and a policy that Council intends to “establish and maintain a Public Participation Program Policy”.

A Public Information Meeting was held on December 8<sup>th</sup>, 2023, and broadcasted live on the Municipal Facebook page with no comments received. First Reading was held on January 24<sup>th</sup>, 2023. Public Hearing was advertised in the paper on both February 7<sup>th</sup> and 14<sup>th</sup>.

The presentation ended at 6:50p.m.

#### 4. Adjournment

Mayor Zebian declared the Public Hearing closed at 6:51 p.m.

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Abraham Zebian, Mayor

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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:** \_\_\_\_\_

Sara Poirier, Director of Planning and Development

**Date:** 2023-02-28

**Subject:** Hantsport MPS Amendment Related to Public Participation Program Policy;  
File # 22-31 C

**LEGISLATIVE AUTHORITY**

Municipal Government Act (MGA) 214(4)  
Minimum Planning Requirements Regulations 4(d)

**RECOMMENDATION**

...that Council approves amending the text of the Hantsport Municipal Planning Strategy by adding background and a policy referring to the Public Participation Program Policy, as shown in Appendix D of the January 12, 2023 report File #22-31, Minimum Planning Requirements Regulations: Hantsport.

**BACKGROUND**

Property <input type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input checked="" type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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The Nova Scotia Minimum Planning Requirement Regulations require a policy within each Municipal Planning Strategy (MPS) which describes *“the procedures to be followed when reviewing a municipal planning strategy that must provide for public consultation and notice”*; this has been interpreted by the Province to mean there must be a policy within each MPS referring to the Public Participation Program Policy.

The proposed amendments are in direct response to this requirement.

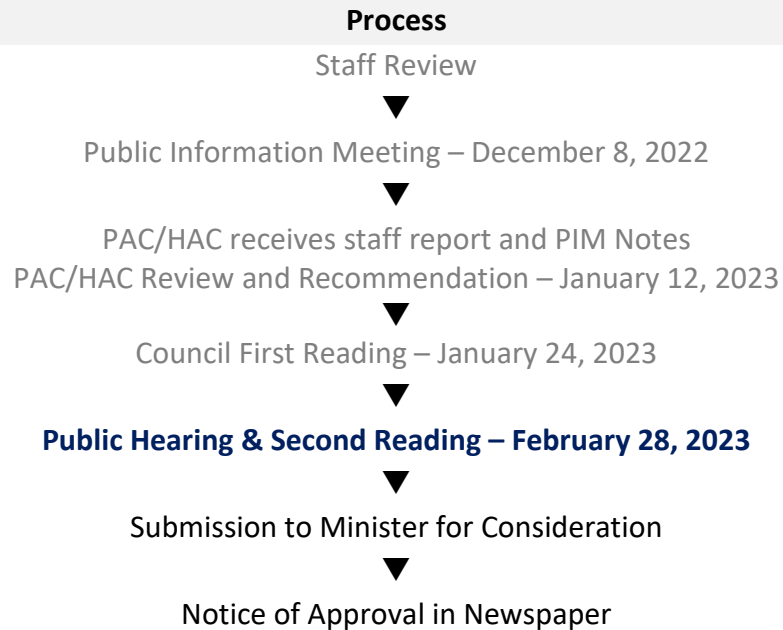
A Public Information Meeting was held on December 8, 2022.

PAC/HAC recommended in favour of the proposed amendments on January 12, 2023.

Council held First Reading on January 24, 2023.

## NEXT STEPS

The process for this proposed amendment is as follows:



## ATTACHMENTS

Attachment A      2023-01-24 Staff report: Hantsport MPS Amendment related to  
Public Participation Program Policy; File # 22-31

## CHIEF ADMINISTRATIVE OFFICER REVIEW

I support the recommendation.

Report Prepared by: \_\_\_\_\_  
Sara Poirier, Director of Planning and Development

Report Approved by:  \_\_\_\_\_  
Mark Phillips, Chief Administrative Officer

ATTACHMENT A



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: \_\_\_\_\_

Madelyn LeMay, Director, Planning and Development

Date: January 24, 2023

Subject: Hantsport MPS Amendment Related to Public Participation Program Policy; File # 22-31B

LEGISLATIVE AUTHORITY

Municipal Government Act (MGA) 214(4)  
Minimum Planning Requirements Regulations 4(d)

RECOMMENDATION

... that Council gives First Reading and will hold a Public Hearing to consider amending the Hantsport Municipal Planning Strategy by adding background and a policy to the Municipal Planning Strategy referring to the Public Participation Program Policy, as shown in Appendix D of the January 12, 2023 report Minimum Planning Requirements Regulations: Hantsport, File # 22-31.

BACKGROUND

Property <input type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input checked="" type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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The Nova Scotia Minimum Planning Requirement Regulations require a policy within each Municipal Planning Strategy (MPS) which describes *“the procedures to be followed when reviewing a municipal planning strategy that must provide for public consultation and notice”*; this has been interpreted by the Province to mean there must be a policy within each MPS referring to the Public Participation Program Policy.

The proposed amendments are in direct response to this requirement.

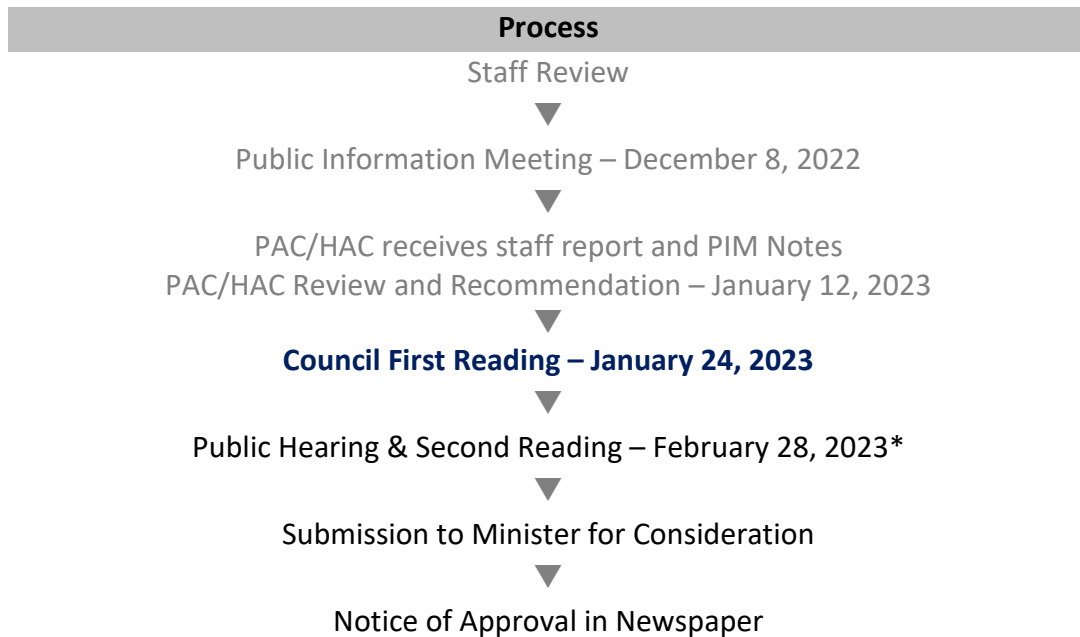
## **DISCUSSION**

A Public Information Meeting was held on December 8, 2022.

PAC/HAC recommended in favour of the proposed amendments on January 12, 2023.

## **NEXT STEPS**

The process for this proposed amendment is as follows:



\*anticipated date; final dates set by Council

## **FINANCIAL IMPLICATIONS**

There are no anticipated costs to the Municipality related to the proposed amendments.

## **ALTERNATIVES**

In response to the application, Council may decide to:

- not hold a public hearing regarding the proposed amendments; or
- provide alternative direction such as requesting further information on a specific topic.

## **ATTACHMENTS**

Attachment A            January 12, 2023 report: Hantsport MPS Amendment related to Public Participation Program Policy

**CHIEF ADMINISTRATIVE OFFICER REVIEW**

Report Prepared by: \_\_\_\_\_  
Madelyn LeMay, Director, Planning and Development

Report Approved by: \_\_\_\_\_  
Mark Phillips, Chief Administrative Officer

ATTACHMENT A



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:** Planning and Heritage Advisory Committee (PAC/HAC)

**Submitted by:** \_\_\_\_\_  
Madelyn LeMay, Director, Planning and Development

**Date:** January 12, 2023

**Subject:** Minimum Planning Requirements Regulations: Hantsport; File # 22-31

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**1.0 LEGISLATIVE AUTHORITY**

Municipal Government Act (MGA) s. 204

**2.0 RECOMMENDATION**

...that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider amending the Hantsport Municipal Planning Strategy by adding background and a policy referring to the Public Participation Program Policy, as shown in Appendix D of the January 12, 2023 report Minimum Planning Requirements Regulations: Hantsport, File # 22-31.

**3.0 BACKGROUND**

The Nova Scotia Minimum Planning Requirements Regulations (Appendix A) in s. 4 specify that *“In addition to the requirements prescribed in subsection 214(1) of the Act, a municipal planning strategy must contain all of the following:*

*...(d) a statement of policy describing the procedures to be followed when reviewing a municipal planning strategy that must provide for public consultation and notice.”*

A Public Information Meeting regarding this requirement was held on December 8, 2022. The comment period ended December 22, 2022; no comments were received (Appendix B).

#### 4.0 DISCUSSION

West Hants Regional Municipality (WHRM) established a Regional Public Participation Program Policy at the first regular Council meeting following consolidation.

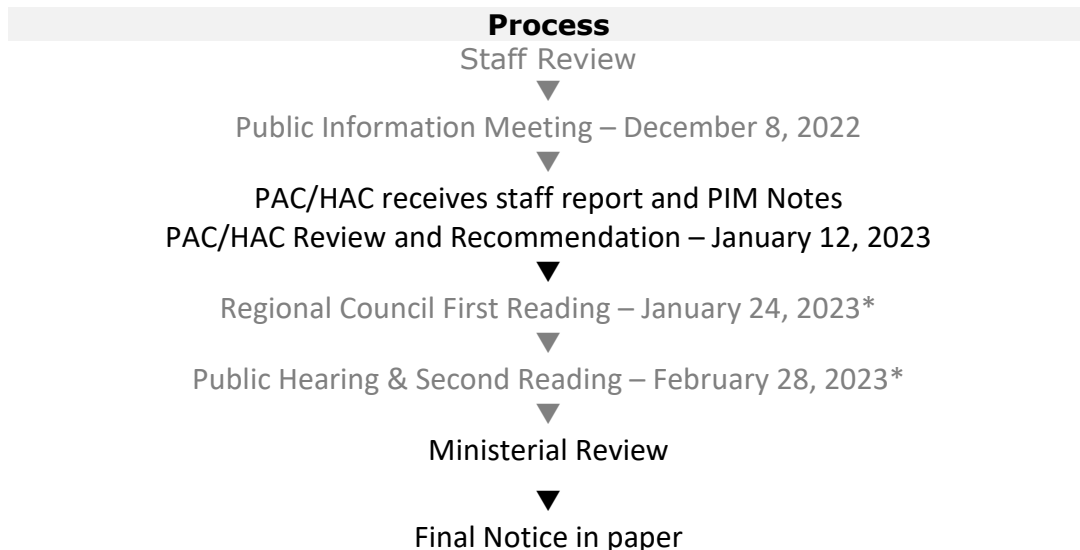
Amendments to the Public Participation Program Policy are also being recommended to the Planning and Heritage Advisory Committee January 12, 2023.

WHRM has three sets of planning documents: Hantsport, West Hants and Windsor. Each of the Municipal Planning Strategies meets the Nova Scotia Minimum Planning Requirements Regulations with one exception: each is missing policy referring to the Public Participation Program Policy. The proposed amendments (Appendices C and D) are intended to meet this requirement.

There are no policies within the HMPS which need to be considered in relation to the proposed amendments.

#### 5.0 NEXT STEPS

The proposed amendments have been considered within the context of, and are consistent with the intent, objectives, and policies of the Hantsport Municipal Planning Strategy (HMPS). There are no proposed map amendments. As a result, it is reasonable to amend the text of the HMPS to clarify and confirm the intent of Council regarding public engagement in planning processes.



\*anticipated dates; final dates set by Council

## **6.0 FINANCIAL IMPLICATIONS**

There are no financial implications for the Region associated with the filing of this report.

## **7.0 ALTERNATIVES**

Should PAC/HAC not wish to accept the draft amendments as written, it may:

- recommend specific amendments to the proposed draft; or
- provide alternative direction, such as requesting further information on a specific topic.

## **8.0 APPENDICIES**

Appendix A Nova Scotia Minimum Planning Requirements Regulations

Appendix B Public Information Meeting Notes

Appendix C Hantsport Municipal Planning Strategy Policies showing Proposed Amendments

Appendix D Draft Amendments to the Hantsport Municipal Planning Strategy

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Report prepared by: \_\_\_\_\_

Madelyn LeMay, Director, Planning and Development

## APPENDIX A

**Minimum Planning Requirements Regulations  
made under Section 214(4) of the  
*Municipal Government Act*  
S.N.S. 1998, c. 18  
N.S. Reg. 140/2019 (effective December 3, 2019)**

### Table of Contents

Please note: this table of contents is provided for convenience of reference and does not form part of the regulations.

[Click here to go to the text of the regulations.](#)

[Citation](#)

[Definitions](#)

[Review of planning documents](#)

[Mandatory content](#)

[Matters subject to other enactment of Province](#)

[Discretionary content related to planning tools](#)

[Discretionary content related to engagement](#)

[Discretionary content related to fiscal matters](#)

[Discretionary content related to the natural environment](#)

[Discretionary content related to social aspects](#)

[Discretionary content related to resource lands, infrastructure and economic development](#)

[Discretionary content related to culture, heritage and landscape features](#)

[Discretionary content related to general matters](#)

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#### Citation

1 These regulations may be cited as the *Minimum Planning Requirements Regulations*.

#### Definitions

2 In these regulations,

“Act” means the *Municipal Government Act*.

#### Review of planning documents

3 (1) A council must include policies in a municipal planning strategy on how it intends to review the municipal planning strategy and land-use by-law that implements the municipal planning strategy.

- (2) A municipal planning strategy and its implementing land use by-law must be reviewed no later than 10 years after the later of the following dates:
  - (a) the date it was adopted;
  - (b) the date it was last reviewed; and
  - (c) the effective date of these regulations.
- (3) Where a municipality has one or more secondary planning strategies, subsection (2) shall be satisfied if a municipal-wide municipal planning strategy and all the land use by-laws applicable in the municipality are reviewed within the timelines provided in subsection (2).
- (4) “Review” in relation to a municipal planning strategy, means a municipality’s consideration of the content of a municipal planning strategy to determine if it should be amended or replaced to ensure that it meets the purposes outlined in Section 213 of the Act and the minimum planning requirements.

#### **Mandatory content**

- 4 In addition to the requirements prescribed in subsection 214(1) of the Act, a municipal planning strategy must contain all of the following:
  - (a) a discussion of the background and contextual information that informed the goals and objectives of the municipal planning strategy;
  - (b) a map of the lands within a municipality that depicts the intended future uses of the lands as contemplated by the municipality’s municipal planning strategy;
  - (c) statements of policy with respect to the lands subject to the municipal planning strategy in relation to all of the following:
    - (i) residential uses,
    - (ii) commercial and industrial uses,
    - (iii) institutional uses,
    - (iv) recreational facilities and public open spaces, ~~and~~
    - (v) resource uses, where resources are present within a municipality;
  - (d) a statement of policy describing the procedures to be followed when reviewing a municipal planning strategy that must provide for public consultation and notice.

### **Matters subject to other enactment of Province**

- 5** (1) A municipality may include in its municipal planning strategy statements of policy on land use relating to any of the matters set out in Sections 6 to 13 unless the matter is the subject of another enactment of the Province.
- (2) Provided it is not prohibited by another enactment, statements of policy referred to in subsection (1) may be more stringent than another enactment.

### **Discretionary content related to planning tools**

- 6** A municipal planning strategy may include statements of policy on the use, content, development, and administration of the following:
- (a) zoning;
  - (b) development agreements;
  - (c) comprehensive development districts;
  - (d) site-plan approval areas;
  - (e) incentive or bonus zoning;
  - (f) accepting and using cash-in-lieu of required parking;
  - (g) studies to be carried out before undertaking specified developments or developments in specified areas;
  - (h) staging development;
  - (i) non-conforming uses and structures;
  - (j) subdividing land; and
  - (k) regulation or prohibition of development in areas based on noise exposure forecast or noise exposure projections.

### **Discretionary content related to engagement**

- 7** A municipal planning strategy may include statements of policy on engaging with provincial and federal departments, First Nations, and non-abutting municipalities.

### **Discretionary content related to fiscal matters**

- 8** A municipal planning strategy may include statements of policy on any of the following:
- (a) municipal investment for public and private development and coordinating public programs relating to the economic, social and physical development of the municipality;
  - (b) eligibility criteria for establishing a commercial development district including all of the following:
    - (i) the percentage increase in the taxable assessed value of the eligible properties, as defined in subsection 71C(1) of the Act, within the proposed commercial development district, and [*sic*]
    - (ii) the period over which the increase in the taxable assessed value of the properties occurs.

**Discretionary content related to the natural environment**

- 9** A municipal planning strategy may include statements of policy on any of the following:
- (a) climate change mitigation and adaptation;
  - (b) protecting the natural environment and biodiversity;
  - (c) protecting the coast;
  - (d) protecting water supplies;
  - (e) identifying, preserving and protecting landscape features;
  - (f) stormwater management and erosion control;
  - (g) excavating or filling of land, the placement of fill or the removal of soil;
  - (h) identifying, protecting, using and developing any of the following:
    - (i) lands subject to flooding,
    - (ii) steep slopes,
    - (iii) lands susceptible to subsidence, erosion or other geological hazards, and [*sic*]
    - (iv) wetlands or other environmentally sensitive areas.

### **Discretionary content related to social aspects**

**10** A municipal planning strategy may include statements of policy on any of the following:

- (a) how social issues must be incorporated into decision making;
- (b) promoting social well-being;
- (c) housing opportunities for a range of social and economic needs and to support aging in place;
- (d) promoting community food security;
- (e) accessibility standards to help prevent and remove barriers that disable people;
- (f) walkability; and [*sic*]
- (g) healthy built environments.

### **Discretionary content related to resource lands, infrastructure and economic development**

**11** A municipal planning strategy may include statements of policy on any of the following:

- (a) protecting and using resource lands;
- (b) infrastructure including municipal services and facilities and the means of recovering their cost;
- (c) generating, using, and conserving energy;
- (d) transportation services and networks including establishing transportation reserves; and [*sic*]
- (e) home occupations and home-based businesses.

### **Discretionary content related to culture, heritage and landscape features**

**12** A municipal planning strategy may include statements of policy on any of the following:

- (a) heritage property protection and heritage buildings;
- (b) sites of cultural, historical or archeological interest; and [*sic*]
- (c) other significant natural or human-made features.

### **Discretionary content related to general matters**

**13** A municipal planning strategy may include statements of policy on any of the following:

- (a) public health and safety; and [*sic*]
- (b) land use matters relating to the physical, economic or social environment of the municipality not otherwise prescribed in these regulations.

**Appendix B**  
**Public Information Meeting Notes**  
**December 8, 2022 – December 22, 2022**  
**File# 22-31A**

**Hantsport Municipal Planning Strategy Amendments: Public Participation Program**

<b>Meeting date and time</b>	A public information meeting was held on December 8, 2022 beginning at 6 p.m. The meeting was broadcast live on the Municipal Facebook page.
<b>File Number</b>	22-31A
<b>Attending</b>	Jennifer Nichols, PIM Chair Madelyn LeMay, Director, Planning and Development Sara Poirier, Senior Planner Alex Dunphy, Planner  No members of the public present expressed interest in the proposed amendments.
<b>Applicant</b> none	Ms. LeMay outlined the proposed amendments, which are required by Regulations made under Section 204A of the MGA.
<b>Adjournment</b>	The presentation portion of the PIM ended at approximately 6:10 p.m.; comments could be submitted by the public by mail, drop-off at the Municipal Office, e-mail and telephone to Ms. LeMay until December 22, 2022.
PIM Submissions	No verbal or written submissions were received.

## Appendix C

### Taken from Hantsport Municipal Planning Strategy December 28, 2022

Proposed Changes shown in blue

#### **11.2 Review of Municipal Planning Strategy**

The *Municipal Government Act* states that a Strategy shall include policies on how Council intends to review the Strategy and Land Use By-law. We live in a world in which conditions relating to development may change rapidly. When Council determines that these types of changes warrant a review of the planning documents it shall conduct a review, and seek public input throughout the process.

The same holds true with the ICSP part of the Strategy. Council may review ICSP policies independently of the entire Strategy when circumstances such as direction from the senior levels of government with respect to sustainability change. Council also believes that a review should occur no later than seven years from the effective date of the Strategy and Land Use By-law.

The Municipal Government Act requires Council to adopt, by policy, a public participation program policy (PPPP) and to have policy within the MPS which establishes Council's intent to have a PPPP.

A PPPP has been in place and utilized in the area regulated by the Hantsport planning documents since before 2010, and planning in Hantsport has been subject to the West Hants Regional Municipality Public Participation Program Policy since April 28, 2020, following the establishment of the Regional government. In order to ensure the requirements of the Municipal Government Act are met, Council is establishing a policy which will link the MPS and PPPP.

#### **Policy IM-1**

It shall be a policy of Council to review the Municipal Planning Strategy and Land Use By-law as deemed necessary by Council due to changing conditions but not later than every seven years.

#### **Policy IM-2**

It shall be a policy of Council to review the ICSP part of the Strategy independently from the rest of the Strategy as deemed necessary by Council or in response to direction from the senior levels of government.

#### **Policy IM-2A**

It shall be the policy of Council to establish and maintain a Public Participation Program Policy.

## APPENDIX D

### PROPOSED HANTSPORT MUNICIPAL PLANNING STRATEGY

#### AMENDMENTS

Purpose: to clarify and add policy to the Municipal Planning Strategy which reflects Council's intention to maintain a Public Participation Program Policy.

1. In Part 11, *Review of Municipal Planning Strategy*, immediately following the second paragraph, add the following two paragraphs:

The Municipal Government Act requires Council to adopt, by policy, a public participation program policy (PPPP) and to have policy within the MPS which establishes Council's intent to have a PPPP.

A PPPP has been in place and utilized in the area regulated by the Hantsport planning documents since before 2010, and planning in Hantsport has been subject to the West Hants Regional Municipality Public Participation Program Policy since April 28, 2020, following the establishment of the Regional government. In order to ensure the requirements of the Municipal Government Act are met, Council is establishing a policy which will link the MPS and PPPP.

so that the entire section reads as:

#### **11.2 Review of Municipal Planning Strategy**

The *Municipal Government Act* states that a Strategy shall include policies on how Council intends to review the Strategy and Land Use By-law. We live in a world in which conditions relating to development may change rapidly. When Council determines that these types of changes warrant a review of the planning documents it shall conduct a review, and seek public input throughout the process.

The same holds true with the ICSP part of the Strategy. Council may review ICSP policies independently of the entire Strategy when circumstances such as direction from the senior levels of government with respect to sustainability change. Council also believes that a review should occur no later than seven years from the effective date of the Strategy and Land Use By-law.

The Municipal Government Act requires Council to adopt, by policy, a public participation program policy (PPPP) and to have policy within the MPS which establishes Council's intent to have a PPPP.

A PPPP has been in place and utilized in the area regulated by the Hantsport planning documents since before 2010, and planning in Hantsport has been

subject to the West Hants Regional Municipality Public Participation Program Policy since April 28, 2020, following the establishment of the Regional government. In order to ensure the requirements of the Municipal Government Act are met, Council is establishing a policy which will link the MPS and PPPP.

2. Immediately following Policy IM-2, add the following Policy IM-2A:

**Policy IM-2A**

It shall be the policy of Council to establish and maintain a Public Participation Program Policy.

so that the policies read as:

**Policy IM-1** It shall be a policy of Council to review the Municipal Planning Strategy and Land Use By-law as deemed necessary by Council due to changing conditions but not later than every seven years.

**Policy IM-2** It shall be a policy of Council to review the ICSP part of the Strategy independently from the rest of the Strategy as deemed necessary by Council or in response to direction from the senior levels of government.

**Policy IM-2A** It shall be the policy of Council to establish and maintain a Public Participation Program Policy.



**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:** \_\_\_\_\_

Sara Poirier, Director of Planning and Development

**Date:** 2023-02-28

**Subject:** West Hants MPS Amendment Related to Public Participation Program Policy;  
File # 22-32 C

**LEGISLATIVE AUTHORITY**

Municipal Government Act (MGA) 214(4)  
Minimum Planning Requirements Regulations 4(d)

**RECOMMENDATION**

...that Council approves amending the text of the West Hants Municipal Planning Strategy by adding background and a policy referring to the Public Participation Program Policy, as shown in Appendix D of the January 12, 2023 report File #22-32, Minimum Planning Requirements Regulations: West Hants.

**BACKGROUND**

Property <input type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input checked="" type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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The Nova Scotia Minimum Planning Requirement Regulations require a policy within each Municipal Planning Strategy (MPS) which describes *“the procedures to be followed when reviewing a municipal planning strategy that must provide for public consultation and notice”*; this has been interpreted by the Province to mean there must be a policy within each MPS referring to the Public Participation Program Policy.

The proposed amendments are in direct response to this requirement.

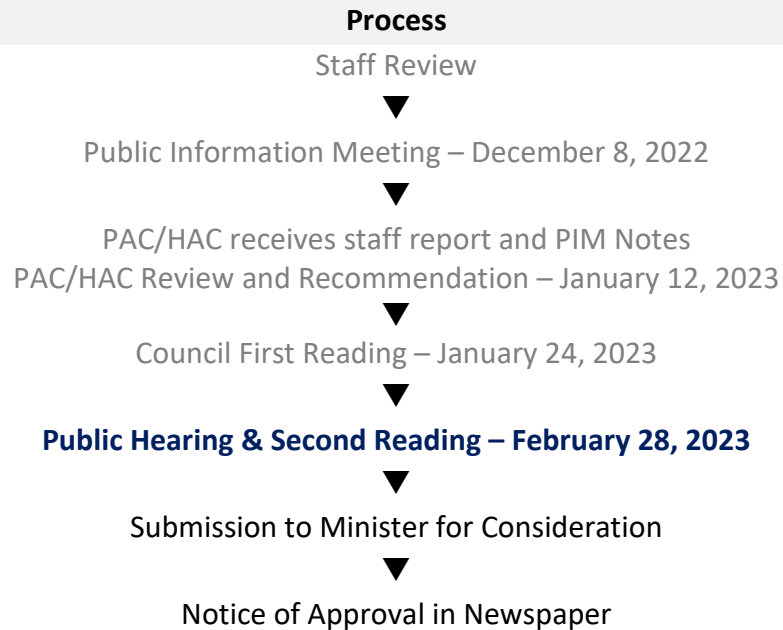
A Public Information Meeting was held on December 8, 2022.

PAC/HAC recommended in favour of the proposed amendments on January 12, 2023.

Council held First Reading on January 24, 2023.

## NEXT STEPS

The process for this proposed amendment is as follows:



## ATTACHMENTS

Attachment A      2023-01-24 Staff report: West Hants MPS Amendment related to Public Participation Program Policy; File # 22-32

## CHIEF ADMINISTRATIVE OFFICER REVIEW

I support the recommendation.

Report Prepared by: \_\_\_\_\_  
Sara Poirier, Director of Planning and Development

Report Approved by:  \_\_\_\_\_  
Mark Phillips, Chief Administrative Officer

ATTACHMENT A



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: \_\_\_\_\_

Madelyn LeMay, Director, Planning and Development

Date: January 24, 2023

Subject: West Hants MPS Amendment Related to Public Participation Program Policy;  
File # 22-32B

LEGISLATIVE AUTHORITY

Municipal Government Act (MGA) 214(4)  
Minimum Planning Requirements Regulations 4(d)

RECOMMENDATION

... that Council gives First Reading and will hold a Public Hearing to consider amending the West Hants Municipal Planning Strategy by adding background and a policy referring to the Public Participation Program Policy, as shown in Appendix D of the January 12, 2023 report Minimum Planning Requirements Regulations: West Hants, File # 22-32.

BACKGROUND

Property <input type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input checked="" type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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The Nova Scotia Minimum Planning Requirement Regulations require a policy within each Municipal Planning Strategy (MPS) which describes *“the procedures to be followed when reviewing a municipal planning strategy that must provide for public consultation and notice”*; this has been interpreted by the Province to mean there must be a policy within each MPS referring to the Public Participation Program Policy.

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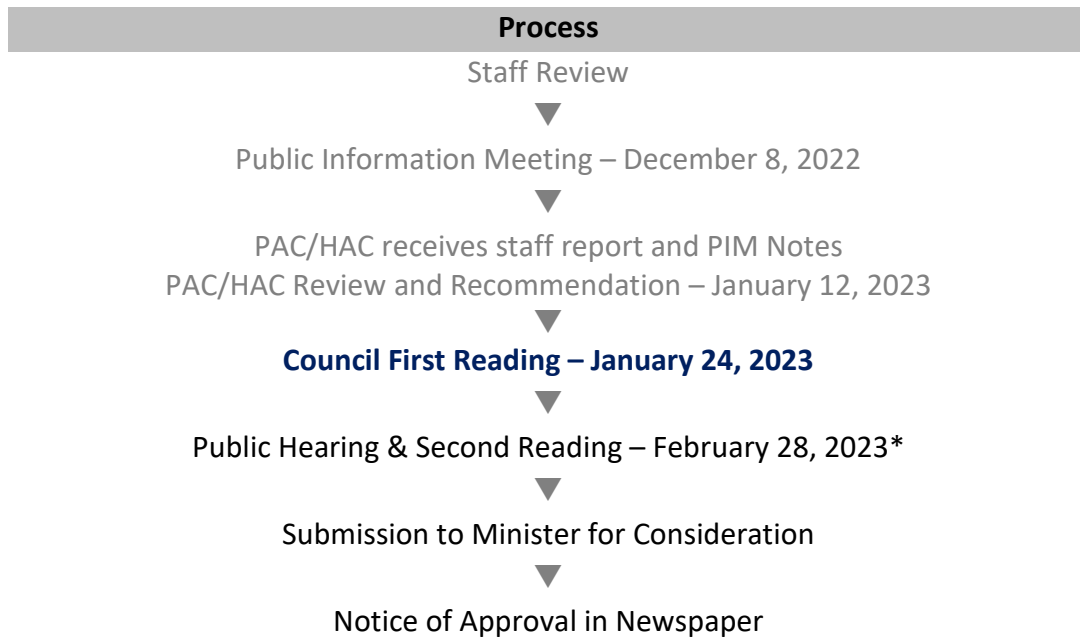
## **DISCUSSION**

A Public Information Meeting was held on December 8, 2022.

PAC/HAC recommended in favour of the proposed amendments on January 12, 2023.

## **NEXT STEPS**

The process for this proposed amendment is as follows:



\*anticipated date; final dates set by Council

## **FINANCIAL IMPLICATIONS**

There are no anticipated costs to the Municipality related to the proposed amendments.

## **ALTERNATIVES**

In response to the application, Council may decide to:

- not hold a public hearing regarding the proposed amendments; or
- provide alternative direction such as requesting further information on a specific topic.

## **ATTACHMENTS**

Attachment A

January 12, 2023 report: West Hants MPS Amendment related to Public Participation Program Policy

**CHIEF ADMINISTRATIVE OFFICER REVIEW**

Report Prepared by: \_\_\_\_\_

Madelyn LeMay, Director, Planning and Development

Report Approved by: \_\_\_\_\_

Mark Phillips, Chief Administrative Officer

# ATTACHMENT A



West Hants

## WEST HANTS REGIONAL MUNICIPALITY REPORT

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

**Submitted by:** \_\_\_\_\_  
Madelyn LeMay, Director, Planning and Development

**Date:** January 12, 2023

**Subject:** Minimum Planning Requirements Regulations: West Hants; File # 22-32

---

### 1.0 LEGISLATIVE AUTHORITY

Municipal Government Act (MGA) s. 204

### 2.0 RECOMMENDATION

...that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider amending the West Hants Municipal Planning Strategy by adding background and a policy referring to the Public Participation Program Policy, as shown in Appendix D of the January 12, 2023 report Minimum Planning Requirements Regulations: West Hants, File # 22-32.

### 3.0 BACKGROUND

The Nova Scotia Minimum Planning Requirements Regulations (Appendix A) in s. 4 specify that *"In addition to the requirements prescribed in subsection 214(1) of the Act, a municipal planning strategy must contain all of the following: (d) a statement of policy describing the procedures to be followed when reviewing a municipal planning strategy that must provide for public consultation and notice."*

A Public Information Meeting regarding this requirement was held on December 8, 2022. The comment period ended December 22, 2022; no comments were received (Appendix B).

#### 4.0 DISCUSSION

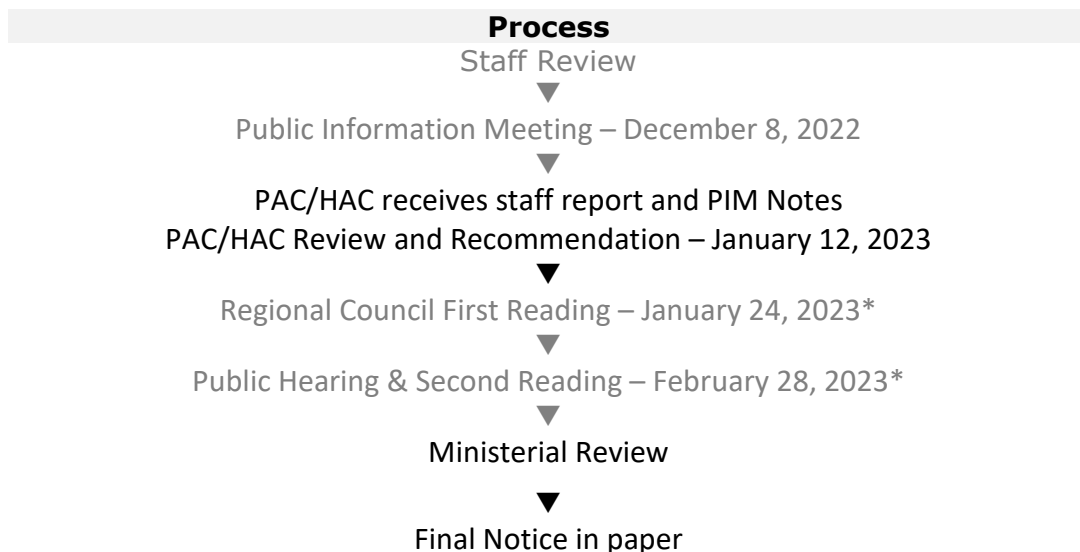
West Hants Regional Municipality (WHRM) established a Regional Public Participation Program Policy less than a month after consolidation. Amendments to the Public Participation Program Policy are also being recommended to the Planning and Heritage Advisory Committee January 12, 2023.

WHRM has three sets of planning documents: Hantsport, West Hants and Windsor. Each of the Municipal Planning Strategies meets the Nova Scotia Minimum Planning Requirements Regulations with one exception: each is missing policy referring to the Public Participation Program Policy. The proposed amendments (Appendices C and D) are intended to meet this requirement.

There are no policies within the WHMPS which need to be considered in relation to the proposed amendments.

#### 5.0 NEXT STEPS

The proposed amendments have been considered within the context of, and are consistent with the intent, objectives, and policies of the West Hants Municipal Planning Strategy (WHMPS). There are no proposed map amendments. As a result, it is reasonable to amend the text of the WHMPS to clarify the intent of Council regarding public engagement in planning processes.



\*anticipated dates; final dates set by Council

## **6.0 FINANCIAL IMPLICATIONS**

There are no financial implications for the Region associated with the filing of this report.

## **7.0 ALTERNATIVES**

Should PAC/HAC not wish to accept the draft amendments as written, it may:

- recommend specific amendments to the proposed draft; or
- provide alternative direction, such as requesting further information on a specific topic.

## **8.0 APPENDICIES**

Appendix A Nova Scotia Minimum Planning Requirements Regulations

Appendix B Public Information Meeting Notes

Appendix C West Hants Municipal Planning Strategy Policies showing Proposed Amendments

Appendix D Draft Amendments to the West Hants Municipal Planning Strategy

---

Report prepared by: \_\_\_\_\_  
Madelyn LeMay, Director, Planning and Development

## APPENDIX A

**Minimum Planning Requirements Regulations  
made under Section 214(4) of the  
*Municipal Government Act*  
S.N.S. 1998, c. 18  
N.S. Reg. 140/2019 (effective December 3, 2019)**

### Table of Contents

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[Click here to go to the text of the regulations.](#)

[Citation](#)

[Definitions](#)

[Review of planning documents](#)

[Mandatory content](#)

[Matters subject to other enactment of Province](#)

[Discretionary content related to planning tools](#)

[Discretionary content related to engagement](#)

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[Discretionary content related to social aspects](#)

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#### Citation

1 These regulations may be cited as the *Minimum Planning Requirements Regulations*.

#### Definitions

2 In these regulations,

“Act” means the *Municipal Government Act*.

#### Review of planning documents

3 (1) A council must include policies in a municipal planning strategy on how it intends to review the municipal planning strategy and land-use by-law that implements the municipal planning strategy.

- (2) A municipal planning strategy and its implementing land use by-law must be reviewed no later than 10 years after the later of the following dates:
  - (a) the date it was adopted;
  - (b) the date it was last reviewed; and
  - (c) the effective date of these regulations.
- (3) Where a municipality has one or more secondary planning strategies, subsection (2) shall be satisfied if a municipal-wide municipal planning strategy and all the land use by-laws applicable in the municipality are reviewed within the timelines provided in subsection (2).
- (4) “Review” in relation to a municipal planning strategy, means a municipality’s consideration of the content of a municipal planning strategy to determine if it should be amended or replaced to ensure that it meets the purposes outlined in Section 213 of the Act and the minimum planning requirements.

#### **Mandatory content**

- 4 In addition to the requirements prescribed in subsection 214(1) of the Act, a municipal planning strategy must contain all of the following:
  - (a) a discussion of the background and contextual information that informed the goals and objectives of the municipal planning strategy;
  - (b) a map of the lands within a municipality that depicts the intended future uses of the lands as contemplated by the municipality’s municipal planning strategy;
  - (c) statements of policy with respect to the lands subject to the municipal planning strategy in relation to all of the following:
    - (i) residential uses,
    - (ii) commercial and industrial uses,
    - (iii) institutional uses,
    - (iv) recreational facilities and public open spaces, ~~and~~
    - (v) resource uses, where resources are present within a municipality;
  - (d) a statement of policy describing the procedures to be followed when reviewing a municipal planning strategy that must provide for public consultation and notice.

### **Matters subject to other enactment of Province**

- 5** (1) A municipality may include in its municipal planning strategy statements of policy on land use relating to any of the matters set out in Sections 6 to 13 unless the matter is the subject of another enactment of the Province.
- (2) Provided it is not prohibited by another enactment, statements of policy referred to in subsection (1) may be more stringent than another enactment.

### **Discretionary content related to planning tools**

**6** A municipal planning strategy may include statements of policy on the use, content, development, and administration of the following:

- (a) zoning;
- (b) development agreements;
- (c) comprehensive development districts;
- (d) site-plan approval areas;
- (e) incentive or bonus zoning;
- (f) accepting and using cash-in-lieu of required parking;
- (g) studies to be carried out before undertaking specified developments or developments in specified areas;
- (h) staging development;
- (i) non-conforming uses and structures;
- (j) subdividing land; and
- (k) regulation or prohibition of development in areas based on noise exposure forecast or noise exposure projections.

### **Discretionary content related to engagement**

**7** A municipal planning strategy may include statements of policy on engaging with provincial and federal departments, First Nations, and non-abutting municipalities.

### **Discretionary content related to fiscal matters**

- 8 A municipal planning strategy may include statements of policy on any of the following:
- (a) municipal investment for public and private development and coordinating public programs relating to the economic, social and physical development of the municipality;
  - (b) eligibility criteria for establishing a commercial development district including all of the following:
    - (i) the percentage increase in the taxable assessed value of the eligible properties, as defined in subsection 71C(1) of the Act, within the proposed commercial development district, and [*sic*]
    - (ii) the period over which the increase in the taxable assessed value of the properties occurs.

**Discretionary content related to the natural environment**

- 9 A municipal planning strategy may include statements of policy on any of the following:
- (a) climate change mitigation and adaptation;
  - (b) protecting the natural environment and biodiversity;
  - (c) protecting the coast;
  - (d) protecting water supplies;
  - (e) identifying, preserving and protecting landscape features;
  - (f) stormwater management and erosion control;
  - (g) excavating or filling of land, the placement of fill or the removal of soil;
  - (h) identifying, protecting, using and developing any of the following:
    - (i) lands subject to flooding,
    - (ii) steep slopes,
    - (iii) lands susceptible to subsidence, erosion or other geological hazards, and [*sic*]
    - (iv) wetlands or other environmentally sensitive areas.

### **Discretionary content related to social aspects**

**10** A municipal planning strategy may include statements of policy on any of the following:

- (a) how social issues must be incorporated into decision making;
- (b) promoting social well-being;
- (c) housing opportunities for a range of social and economic needs and to support aging in place;
- (d) promoting community food security;
- (e) accessibility standards to help prevent and remove barriers that disable people;
- (f) walkability; and [*sic*]
- (g) healthy built environments.

### **Discretionary content related to resource lands, infrastructure and economic development**

**11** A municipal planning strategy may include statements of policy on any of the following:

- (a) protecting and using resource lands;
- (b) infrastructure including municipal services and facilities and the means of recovering their cost;
- (c) generating, using, and conserving energy;
- (d) transportation services and networks including establishing transportation reserves; and [*sic*]
- (e) home occupations and home-based businesses.

### **Discretionary content related to culture, heritage and landscape features**

**12** A municipal planning strategy may include statements of policy on any of the following:

- (a) heritage property protection and heritage buildings;
- (b) sites of cultural, historical or archeological interest; and [*sic*]
- (c) other significant natural or human-made features.

### **Discretionary content related to general matters**

**13** A municipal planning strategy may include statements of policy on any of the following:

- (a) public health and safety; and [*sic*]
- (b) land use matters relating to the physical, economic or social environment of the municipality not otherwise prescribed in these regulations.

**Appendix B**  
**Public Information Meeting Notes**  
**December 8, 2022 – December 22, 2022**  
**File# 22-32A**

**West Hants Municipal Planning Strategy Amendments: Public Participation Program**

<b>Meeting date and time</b>	A public information meeting was held on December 8, 2022 beginning at 6 p.m. The meeting was broadcast live on the Municipal Facebook page.
<b>File Number</b>	22-32A
<b>Attending</b>	Jennifer Nichols, PIM Chair Madelyn LeMay, Director, Planning and Development Sara Poirier, Senior Planner Alex Dunphy, Planner  No members of the public present expressed interest in the proposed amendments.
<b>Applicant</b> none	Ms. LeMay outlined the proposed amendments, which are required by Regulations made under Section 204A of the MGA.
<b>Adjournment</b>	The presentation portion of the PIM ended at approximately 6:10 p.m.; comments could be submitted by the public by mail, drop-off at the Municipal Office, e-mail and telephone to Ms. LeMay until December 22, 2022.
PIM Submissions	No verbal or written submissions were received.

## Appendix C

### Taken from West Hants Municipal Planning Strategy December 28, 2022

Proposed Changes shown in blue

#### **16.0 IMPLEMENTATION**

#### **16.1 Municipal Planning Strategy Amendments and Review**

From time to time Council may find it necessary to amend the Municipal Planning Strategy (MPS) or the accompanying Generalized Future Land Use Map (Map 1).

***Policy 16.1.1*** *It shall be the policy of Council to review and make amendments to this Strategy:*

- (a) when there is a requirement to change the Generalized Future Land Use Map (Map 1);*
- (b) to bring the Strategy in line with Provincial Statements of Interest; or*
- (c) when Council deems it necessary because of a change in policy intentions or the development environment.*

If the intentions of Council or the nature of development change significantly, it may be necessary to review the entire Municipal Planning Strategy and Land Use By-law. Such a review shall include a program of public consultation at different stages. It is recommended that a review be done at least every eight years.

A program of public consultation, known as a Public Participation Program Policy, has been in place and utilized in the area regulated by the West Hants planning documents since before 2008, and planning in this area has been subject to the West Hants Regional Municipality Public Participation Program Policy since April 28, 2020, following the establishment of the Regional government. In order to ensure the requirements of the Municipal Government Act are met, Council is establishing a policy which will link the MPS and PPPP.

#### ***Policy 16.1.2***

*It shall be the policy of Council to establish and maintain a Public Participation Program Policy.*

## APPENDIX D

### PROPOSED WEST HANTS MUNICIPAL PLANNING STRATEGY AMENDMENTS

Purpose: to clarify and add policy to the Municipal Planning Strategy which reflects Council's intention to maintain a Public Participation Program Policy.

1. In Part 16.1, Municipal Planning Strategy Amendments and Review, immediately following the phrase: *"It is recommended that a review be done at least every eight years"*, add the following paragraph and policy:

A program of public consultation, known as a Public Participation Program Policy, has been in place and utilized in the area regulated by the West Hants planning documents since before 2008, and planning in this area has been subject to the West Hants Regional Municipality Public Participation Program Policy since April 28, 2020, following the establishment of the Regional government. In order to ensure the requirements of the Municipal Government Act are met, Council is establishing a policy which will link the MPS and PPPP.

#### ***Policy 16.1.2***

It shall be the policy of Council to establish and maintain a Public Participation Program Policy.

so that the entire section and policy read as:

#### **16.1 Municipal Planning Strategy Amendments and Review**

From time to time Council may find it necessary to amend the Municipal Planning Strategy (MPS) or the accompanying Generalized Future Land Use Map (Map 1).

***Policy 16.1.1*** *It shall be the policy of Council to review and make amendments to this Strategy:*

- (a) when there is a requirement to change the Generalized Future Land Use Map (Map 1);*
- (b) to bring the Strategy in line with Provincial Statements of Interest; or*
- (c) when Council deems it necessary because of a change in policy intentions or the development environment.*

If the intentions of Council or the nature of development change significantly, it may be necessary to review the entire Municipal Planning Strategy and Land Use By-law. Such a review shall include a program of public consultation at different stages. It is recommended that a review be done at least every eight years.

A program of public consultation, known as a Public Participation Program Policy, has been in place and utilized in the area regulated by the West Hants planning documents since before 2008, and planning in this area has been subject to the West Hants Regional Municipality Public Participation Program Policy since April 28, 2020, following the establishment of the Regional government. In order to ensure the requirements of the Municipal Government Act are met, Council is establishing a policy which will link the MPS and PPPP.

***Policy 16.1.2*** It shall be the policy of Council to establish and maintain a Public Participation Program Policy.



**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:** \_\_\_\_\_

Sara Poirier, Director of Planning and Development

**Date:** 2023-02-28

**Subject:** Windsor MPS Amendment Related to Public Participation Program Policy; File # 22-33 C

**LEGISLATIVE AUTHORITY**

Municipal Government Act (MGA) 214(4)  
 Minimum Planning Requirements Regulations 4(d)

**RECOMMENDATION**

...that Council approves amending the text of the Windsor Municipal Planning Strategy by adding background and a policy referring to the Public Participation Program Policy, as shown in Appendix D of the January 12, 2023 report File #22-33, Minimum Planning Requirements Regulations: Windsor.

**BACKGROUND**

Property <input type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input checked="" type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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The Nova Scotia Minimum Planning Requirement Regulations require a policy within each Municipal Planning Strategy (MPS) which describes *“the procedures to be followed when reviewing a municipal planning strategy that must provide for public consultation and notice”*; this has been interpreted by the Province to mean there must be a policy within each MPS referring to the Public Participation Program Policy.

The proposed amendments are in direct response to this requirement.

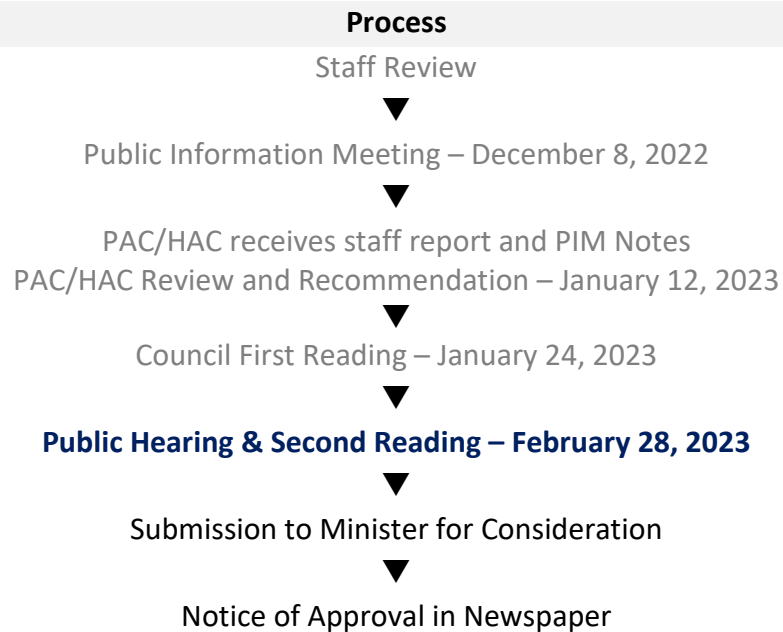
A Public Information Meeting was held on December 8, 2022.

PAC/HAC recommended in favour of the proposed amendments on January 12, 2023.

Council held First Reading on January 24, 2023.

## NEXT STEPS

The process for this proposed amendment is as follows:



## ATTACHMENTS

Attachment A      2023-01-24 Staff report: Windsor MPS Amendment related to Public Participation Program Policy; File # 22-33

## CHIEF ADMINISTRATIVE OFFICER REVIEW

I support the recommendation.

Report Prepared by: \_\_\_\_\_  
Sara Poirier, Director of Planning and Development

Report Approved by:  \_\_\_\_\_  
Mark Phillips, Chief Administrative Officer

ATTACHMENT A



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: \_\_\_\_\_

Madelyn LeMay, Director, Planning and Development

Date: January 24, 2023

Subject: Windsor MPS Amendment Related to Public Participation Program Policy; File # 22-33B

LEGISLATIVE AUTHORITY

Municipal Government Act (MGA) 214(4)  
Minimum Planning Requirements Regulations 4(d)

RECOMMENDATION

...that Council gives First Reading and will hold a Public Hearing to consider amending the Windsor Municipal Planning Strategy by adding background and a policy referring to the Public Participation Program Policy, as shown in Appendix D of the January 12, 2023 report Minimum Planning Requirements Regulations: Windsor, File #22-33.

BACKGROUND

Property <input type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input checked="" type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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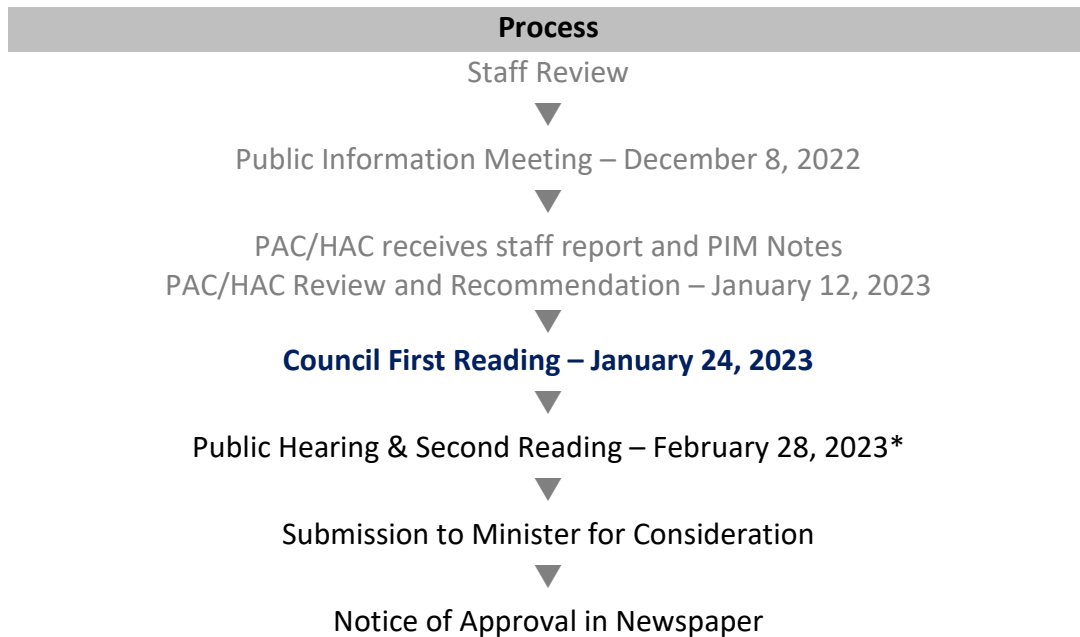
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## **NEXT STEPS**

The process for this proposed amendment is as follows:



\*anticipated date; final dates set by Council

## **FINANCIAL IMPLICATIONS**

There are no anticipated costs to the Municipality related to the proposed amendments.

## **ALTERNATIVES**

In response to the application, Council may decide to:

- not hold a public hearing regarding the proposed amendments; or
- provide alternative direction such as requesting further information on a specific topic.

## **ATTACHMENTS**

Attachment A            January 12, 2023 report: Windsor MPS Amendment related to Public  
Participation Program Policy

**CHIEF ADMINISTRATIVE OFFICER REVIEW**

Report Prepared by: \_\_\_\_\_  
Madelyn LeMay, Director, Planning and Development

Report Approved by: \_\_\_\_\_  
Mark Phillips, Chief Administrative Officer

ATTACHMENT A



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:** Planning and Heritage Advisory Committee (PAC/HAC)

**Submitted by:** \_\_\_\_\_  
Madelyn LeMay, Director, Planning and Development

**Date:** January 12, 2023

**Subject:** Minimum Planning Requirements Regulations: Windsor; File #22-33

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**1.0 LEGISLATIVE AUTHORITY**

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**2.0 RECOMMENDATION**

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**3.0 BACKGROUND**

The Nova Scotia Minimum Planning Requirements Regulations (Appendix A) in s. 4 specify that *“In addition to the requirements prescribed in subsection 214(1) of the Act, a municipal planning strategy must contain all of the following: (d) a statement of policy describing the procedures to be followed when reviewing a municipal planning strategy that must provide for public consultation and notice.”*

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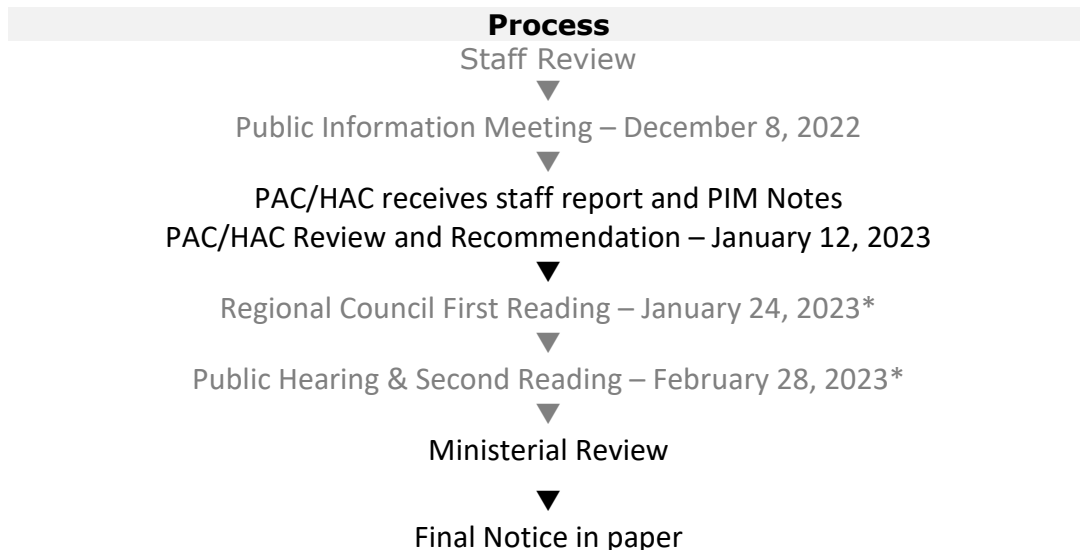
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The proposed amendments have been considered within the context of, and are consistent with the intent, objectives, and policies of the Windsor Municipal Planning Strategy (WMPS). There are no proposed map amendments. As a result, it is reasonable to amend the text of the WMPS to clarify the intent of Council regarding public engagement in planning processes.



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There are no financial implications for the Region associated with the filing of this report.

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Should PAC/HAC not wish to accept the draft amendments as written, it may:

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Report prepared by: \_\_\_\_\_  
Madelyn LeMay, Director, Planning and Development

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- 4 In addition to the requirements prescribed in subsection 214(1) of the Act, a municipal planning strategy must contain all of the following:
  - (a) a discussion of the background and contextual information that informed the goals and objectives of the municipal planning strategy;
  - (b) a map of the lands within a municipality that depicts the intended future uses of the lands as contemplated by the municipality’s municipal planning strategy;
  - (c) statements of policy with respect to the lands subject to the municipal planning strategy in relation to all of the following:
    - (i) residential uses,
    - (ii) commercial and industrial uses,
    - (iii) institutional uses,
    - (iv) recreational facilities and public open spaces, ~~and~~
    - (v) resource uses, where resources are present within a municipality;
  - (d) a statement of policy describing the procedures to be followed when reviewing a municipal planning strategy that must provide for public consultation and notice.

### **Matters subject to other enactment of Province**

- 5** (1) A municipality may include in its municipal planning strategy statements of policy on land use relating to any of the matters set out in Sections 6 to 13 unless the matter is the subject of another enactment of the Province.
- (2) Provided it is not prohibited by another enactment, statements of policy referred to in subsection (1) may be more stringent than another enactment.

### **Discretionary content related to planning tools**

- 6** A municipal planning strategy may include statements of policy on the use, content, development, and administration of the following:
- (a) zoning;
  - (b) development agreements;
  - (c) comprehensive development districts;
  - (d) site-plan approval areas;
  - (e) incentive or bonus zoning;
  - (f) accepting and using cash-in-lieu of required parking;
  - (g) studies to be carried out before undertaking specified developments or developments in specified areas;
  - (h) staging development;
  - (i) non-conforming uses and structures;
  - (j) subdividing land; and
  - (k) regulation or prohibition of development in areas based on noise exposure forecast or noise exposure projections.

### **Discretionary content related to engagement**

- 7** A municipal planning strategy may include statements of policy on engaging with provincial and federal departments, First Nations, and non-abutting municipalities.

### **Discretionary content related to fiscal matters**

- 8** A municipal planning strategy may include statements of policy on any of the following:
- (a) municipal investment for public and private development and coordinating public programs relating to the economic, social and physical development of the municipality;
  - (b) eligibility criteria for establishing a commercial development district including all of the following:
    - (i) the percentage increase in the taxable assessed value of the eligible properties, as defined in subsection 71C(1) of the Act, within the proposed commercial development district, and [*sic*]
    - (ii) the period over which the increase in the taxable assessed value of the properties occurs.

**Discretionary content related to the natural environment**

- 9** A municipal planning strategy may include statements of policy on any of the following:
- (a) climate change mitigation and adaptation;
  - (b) protecting the natural environment and biodiversity;
  - (c) protecting the coast;
  - (d) protecting water supplies;
  - (e) identifying, preserving and protecting landscape features;
  - (f) stormwater management and erosion control;
  - (g) excavating or filling of land, the placement of fill or the removal of soil;
  - (h) identifying, protecting, using and developing any of the following:
    - (i) lands subject to flooding,
    - (ii) steep slopes,
    - (iii) lands susceptible to subsidence, erosion or other geological hazards, and [*sic*]
    - (iv) wetlands or other environmentally sensitive areas.

**Discretionary content related to social aspects**

**10** A municipal planning strategy may include statements of policy on any of the following:

- (a) how social issues must be incorporated into decision making;
- (b) promoting social well-being;
- (c) housing opportunities for a range of social and economic needs and to support aging in place;
- (d) promoting community food security;
- (e) accessibility standards to help prevent and remove barriers that disable people;
- (f) walkability; and [*sic*]
- (g) healthy built environments.

**Discretionary content related to resource lands, infrastructure and economic development**

**11** A municipal planning strategy may include statements of policy on any of the following:

- (a) protecting and using resource lands;
- (b) infrastructure including municipal services and facilities and the means of recovering their cost;
- (c) generating, using, and conserving energy;
- (d) transportation services and networks including establishing transportation reserves; and [*sic*]
- (e) home occupations and home-based businesses.

**Discretionary content related to culture, heritage and landscape features**

**12** A municipal planning strategy may include statements of policy on any of the following:

- (a) heritage property protection and heritage buildings;
- (b) sites of cultural, historical or archeological interest; and [*sic*]
- (c) other significant natural or human-made features.

**Discretionary content related to general matters**

**13** A municipal planning strategy may include statements of policy on any of the following:

- (a) public health and safety; and [*sic*]
- (b) land use matters relating to the physical, economic or social environment of the municipality not otherwise prescribed in these regulations.

**Appendix B**  
**Public Information Meeting Notes**  
**December 8, 2022 – December 22, 2022**  
**File# 22-33A**

**Windsor Municipal Planning Strategy Amendments: Public Participation Program**

<b>Meeting date and time</b>	A public information meeting was held on December 8, 2022 beginning at 6 p.m. The meeting was broadcast live on the Municipal Facebook page.
<b>File Number</b>	22-33A
<b>Attending</b>	Jennifer Nichols, PIM Chair Madelyn LeMay, Director, Planning and Development Sara Poirier, Senior Planner Alex Dunphy, Planner  No members of the public present expressed interest in the proposed amendments.
<b>Applicant</b> none	Ms. LeMay outlined the proposed amendments, which are required by Regulations made under Section 204A of the MGA.
<b>Adjournment</b>	The presentation portion of the PIM ended at approximately 6:10 p.m.; comments could be submitted by the public by mail, drop-off at the Municipal Office, e-mail and telephone to Ms. LeMay until December 22, 2022.
PIM Submissions	No verbal or written submissions were received.

## Appendix C

### Taken from Windsor Municipal Planning Strategy December 28, 2022

Proposed Changes shown in blue

#### 16.0 IMPLEMENTATION

#### 16.1 Municipal Planning Strategy Amendments and Review

From time to time Council may find it necessary to amend the Municipal Planning Strategy or the accompanying Generalized Future Land Use Map (Map 1).

***Policy 16.1.1*** *It shall be the policy of Council to review and make amendments to this Strategy:*

- (a) when there is a requirement to change the Generalized Future Land Use Map (Map 1);*
- (b) to bring the Strategy in line with Provincial Statements of Interest; or*
- (c) when Council deems it necessary because of a change in policy intentions or the development environment.*

If the intentions of Council or the nature of development change significantly, it may be necessary to review the entire Municipal Planning Strategy and Land Use By-law. Such a review shall include a program of public consultation at different stages of the review. It is recommended that a review be done at least every eight years.

A program of public consultation, known as a Public Participation Program Policy, has been in place and utilized in the area regulated by the Windsor planning documents since before 2008, and planning in this area has been subject to the West Hants Regional Municipality Public Participation Program Policy since April 28, 2020, following the establishment of the Regional government. In order to ensure the requirements of the Municipal Government Act are met, Council is establishing a policy which will link the MPS and PPPP.

***Policy 16.1.2*** *It shall be the policy of Council to review the Municipal Planning Strategy regularly as deemed necessary by changing conditions, but not later than every eight years.*

***Policy 16.1.3*** *It shall be the intention of 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.*

**Policy 16.1.4** *It shall be the intention of Council to consider entering into a development agreement for a property immediately adjacent to a given land use designation on the Generalized Future Land Use Map (Map 1) without requiring a Strategy amendment, provided that all policies of the Strategy are satisfied.*

**Policy 16.1.5** It shall be the policy of Council to establish and maintain a Public Participation Program Policy.

## APPENDIX D

### PROPOSED WINDSOR MUNICIPAL PLANNING STRATEGY AMENDMENTS

Purpose: to clarify and add policy to the Municipal Planning Strategy which reflects Council's intention to maintain a Public Participation Program Policy.

1. In Part 16, implementation, immediately following the sentence "*It is recommended that a review be done at least every eight years.*" add the following paragraph:

A program of public consultation, known as a Public Participation Program Policy, has been in place and utilized in the area regulated by the Windsor planning documents since before 2008, and planning in this area has been subject to the West Hants Regional Municipality Public Participation Program Policy since April 28, 2020, following the establishment of the Regional government. In order to ensure the requirements of the Municipal Government Act are met, Council is establishing a policy which will link the MPS and PPPP.

so that the entire section reads as:

#### **16.1 Municipal Planning Strategy Amendments and Review**

From time to time Council may find it necessary to amend the Municipal Planning Strategy or the accompanying Generalized Future Land Use Map (Map 1).

**Policy 16.1.1** *It shall be the policy of Council to review and make amendments to this Strategy:*

- (a) *when there is a requirement to change the Generalized Future Land Use Map (Map 1);*
- (b) *to bring the Strategy in line with Provincial Statements of Interest; or*
- (c) *when Council deems it necessary because of a change in policy intentions or the development environment.*

If the intentions of Council or the nature of development change significantly, it may be necessary to review the entire Municipal Planning Strategy and Land Use By-law. Such a review shall include a program of public consultation at different stages of the review. It is recommended that a review be done at least every eight years.

A program of public consultation, known as a Public Participation Program Policy, has been in place and utilized in the area regulated by the Windsor planning documents since before 2008, and planning in this

area has been subject to the West Hants Regional Municipality Public Participation Program Policy since April 28, 2020, following the establishment of the Regional government. In order to ensure the requirements of the Municipal Government Act are met, Council is establishing a policy which will link the MPS and PPPP.

2. Immediately following Policy 16.1.4, add the following policy 16.1.5:

**Policy 16.1.5** It shall be the policy of Council to establish and maintain a Public Participation Program Policy.

so that all policies read as:

**Policy 16.1.2** *It shall be the policy of Council to review the Municipal Planning Strategy regularly as deemed necessary by changing conditions, but not later than every eight years.*

**Policy 16.1.3** *It shall be the intention of 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.*

**Policy 16.1.4** *It shall be the intention of Council to consider entering into a development agreement for a property immediately adjacent to a given land use designation on the Generalized Future Land Use Map (Map 1) without requiring a Strategy amendment, provided that all policies of the Strategy are satisfied.*

**Policy 16.1.5** *It shall be the policy of Council to establish and maintain a Public Participation Program Policy.*



West Hants

## Public Hearing Agenda

1. Intro by Mayor
2. Presentation by Planner (Sara Poirier)
3. Comments or Questions from Public
4. Conclusion of Public Hearing



# Municipal Planning Strategy Amendments: Public Participation Program Policy Hantsport, West Hants, Windsor

Public Hearing  
February 28, 2023

something inspiring awaits



# Background

- Nova Scotia Minimum Planning Requirements Regulations require that “In addition to the requirements prescribed in subsection 214(1) of the Act, a municipal planning strategy must contain all of the following:
  - ...(d) a statement of policy describing the procedures to be followed when reviewing a municipal planning strategy that must provide for public consultation and notice.”
- WHRM established a Regional Public Participation Program Policy April 2020
- Amendments to the Public Participation Program were considered in January by Council



# Background Cont.

- WHRM has three sets of planning documents: Hantsport, West Hants & Windsor
- Each meets the Nova Scotia Minimum Planning Requirements Regulations with one exception: each is missing a policy referring to the Public Participation Program Policy
- Proposed amendments are intended to meet this requirement

# Background Cont.

- Proposed amendments have been considered within the context of, and are consistent with the intent, objectives, and policies of the three Municipal Planning Strategies
- There are no specific policies within the three Municipal Planning Strategies which need to be considered in relation to the proposed amendments



# Proposed Amendments

- Detailed amendments have been considered by PAC/HAC and are included in the report circulated to Council
- In each MPS two additions are proposed:
  - a background statement which provides rationale for the policy
  - a policy that Council intends to “establish and maintain a Public Participation Program Policy”



# Process

Public Information Meeting – December 8

Staff Review

PAC/HAC Review and Recommendation – January 12

Council First Reading – January 24

**Public Hearing & Second Reading – February 28**

Notice of Approval in Paper

14 Day Appeal period

All statutory requirements  
have been met





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# Recommendation Hantsport

...that Council approves amending the text of the [Hantsport](#) Municipal Planning Strategy by adding background and a policy referring to the Public Participation Program Policy, in a manner substantively the same as shown in Appendix D of the January 12, 2023 report Minimum Planning Requirements Regulations: Hantsport, File # 22-31.



# Recommendation West Hants

...that Council approves amending the text of the [West Hants](#) Municipal Planning Strategy by adding background and a policy referring to the Public Participation Program Policy, as shown in Appendix D of the January 12, 2023 report File #22-32, Minimum Planning Requirements Regulations: West Hants.



# Recommendation Windsor

...that Council approves amending the text of the [Windsor](#) Municipal Planning Strategy by adding background and a policy referring to the Public Participation Program Policy, as shown in Appendix D of the January 12, 2023 report File #22-33, Minimum Planning Requirements Regulations: Windsor.





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