

WEST HANTS REGIONAL MUNICIPALITY

Council Meeting Agenda

September 26, 2023 - 6:00 p.m.

Sanford Council Chambers, 76 Morison Dr, Windsor, NS

Virtual via Zoom (also FB Livestream)

Agenda is subject to change due to additions that may not be able to be reflected until after the meeting.



West Hants
something inspiring awaits

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) 2023-07-31 Special Council Meeting Minutes
 - b) 2023-08-21 Special Council Meeting Minutes
 - c) 2023-08-21 Public Hearing Minutes - Benjamins Mill Wind Project Development
 - d) 2023-08-21 Public Hearing Minutes - 997 Highway 14 Upper Vaughan (PID 45041902) WHLUB Amendment
7. Public Hearings
 - a) Pemberton Ave, Garlands Crossing PID 45003563 – Planner Dunphy
 - b) 35 William St, Hantsport PID 45044419 – Planner Dunphy
8. Second Readings
 - a) Pemberton Ave, Garlands Crossing PID 45003563 – Planner Dunphy
 - b) 35 William St, Hantsport PID 45044419 – Planner Dunphy
9. Unfinished Business/Postponed Motions
 - a) Fresh Water Resources – Councillor Ivey
 - b) Capital Report Supplementary Information Report – Director Rochon
 - c) Financial Update – Director Rochon
 - d) Updated Fundraising Information Report – Director Rochon
 - e) WHRM Capital Equipment Plow Truck - /Recommendation Report Additional Information – Director Richard

f) Service Exchange Renegotiation & Municipal Government Act Review (SERMGAR)
Revisit Discussion– CAO Phillips

10. Mayor's Report

11. Committee(s) of Council Excerpts/Recommendations

a) Committee of the Whole Excerpts (September 12th, 2023)

- i. 2023-2029 RCMP Multi-year Financial Plan
- ii. Combined Sewer Overflow (CSO) Overland and into Water Courses
- iii. Mariner's Drive, Hantsport (Municipal Surplus Lands PID 45275278)
- iv. Municipal Encroachment
- v. Municipal Fees Policy
- vi. Newport and District Rink Commission
- vii. Noise By-Law
- viii. Payzant Drive Extension Conceptual Design
- ix. Planning and Heritage Advisory Committee Member Appointment
- x. POSSE - Public Outreach Position Referral to the Police Advisory Board
- xi. Tax Collection Policy
- xii. Tremain Crescent Flood Issues
- xiii. West Hants Uniacke Community Health Board Re Request for a Letter of Support for Feasibility Study
- xiv. Windsor/Falmouth Watercourse Interconnection Design
- xv. Municipal Finance Corporation (MFC) 2023 Fall Debenture

b) Planning and Heritage Advisory Excerpts (September 14th, 2023)

- i. Cole Drive, Windsor PID 45366432 (Part 2) – Planner Dunphy
- ii. 8 Upper Water Street, Windsor – Planner Dunphy
- iii. 187 Payzant Drive, Windsor – Senior Planner Fredericks
- iv. Heritage Signage (2 Motions) – Director Poirier
- v. Public Participation Policy – Director Poirier

12. Councillor Municipal Business/Activity Reports

a) Councillor Ivey, District 11 Activity Report

13. Correspondence

a) Information

1. Avon Causeway Activity Log
2. Correspondence Received Activity Log
 - i. Jean Sanford Re New Chairs
 - ii. Keith Aucoin Re Impact of Hurricane Lee
 - iii. Luke Garagan Re Transportation for West Hants

- iv. Responses (2) received from Maria Medioli Exec. Dir DSP Re King's Meadow (WHRM copied)
- v. Peter Moore Re Another unprecedented weather event and Preparedness (2 emails)
- vi. Jennifer Moore Re Preparedness
- vii. Steve Turner Re Windsor Hantsport Railroad Tracks (WHRM copied)
- viii. Laura Moore Re Abuse of Emergency Management Act Causing Harm to the Avon River (WHRM copied)
- ix. Kings County Re Notice of Public Hearing
- x. Hants Learning Network Re Thank You
- xi. Daniel Steeves Re Short Term Rentals
- xii. Colleen Rogers Re Transportation in West Hants
- xiii. Selling Scotia Re Discussions around banning STRs
- xiv. Darren Porter Re Safety Concern/ Water Test

3. Fort Edward Activity Log – None

b) Requests - None

c) Outgoing Correspondence Log - None

14. New Business

a) Main Street Hantsport Sidewalk Construction Recommendation Report WHPW23-08–
Manager Carrigan

15. In-Camera

a) MGA 22(2)(a) Legal Matter

b) MGA 22(2)(a) Land Matter

c) MGA 22(2)(a) Personnel Matter

16. Next Meeting Date / Adjournment – October 10th, 2023 Committee of the Whole Meeting 6 p.m.

WEST HANTS REGIONAL MUNICIPALITY

Public Hearing Minutes – 35 William Street, Hantsport PID 45044419

Tuesday, September 26, 2023 – 6:28 pm

In-person Sanford Council Chambers and virtually via ZOOM
(also Facebook Livestreamed)



1. Call to Order

The Public Hearing was called to order at 6:28 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, District 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

Sara Poirier, Dir. Planning & Development

Todd Richard, Dir. Public Works

Troy Burgess, Manager Public Works Operations

Diana Gibson, Manager Accounting & Financial Reporting (ZOOM)

Alex Dunphy, Planner

Deanna Snair, Municipal Clerk

Carlee Rochon, Dir. Financial Services

Mark Fredericks, Senior Planner

Regrets:

Shelleena Thornton, Municipal Ops. Supervisor

Kathy Kehoe, Dir. Community Development

Presenters & Guests:

Twelve (12) residents in chambers and thirty-three residents via ZOOM.

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

35 William Street, Hantsport, PID 45044419

Planner Dunphy reviewed the report highlighting that on March 20, 2023 a completed application was received from Cornerstone Developments Ltd. to amend the Hantsport Land Use By-law (HLUB) to permit a 40 unit residential apartment building on the subject lot.

The properties designation is Commercial and zoned Mixed Commercial/Residential (C-2), which permits all commercial uses, artisan workshops, offices, medical clinics, museums, residential uses existing as of May 1, 2018, single detached dwellings, two-unit dwellings, **multiple unit dwellings**, residential day care centres, guest houses, bed and breakfast homes, boarding rooms and institutional uses existing as of May 1, 2018.

Three amendments to the HLUB were required for the proposal:

- Increase in the maximum number of units per building from 20 to 40
- Increase in the maximum height from 35 ft. to 50 ft
- A decrease to the parking requirement ratio for apartment buildings from 1.5 parking spaces per dwelling unit to 1 parking space per dwelling unit.

The amendments would affect all properties zoned Mixed Commercial/Residential (C-2) in Hantsport.

Planner Dunphy reviewed the General Criteria Policy. Policy IM-3 states the general criteria for amendments to the Land Use By-law. Based on inquiries to the local Fire Chief, Development Officer, Manager of Building and Fire Inspection Services, Municipal Engineering Division, and Traffic Authority, the proposed changes did not raise any concerns which were not addressed in this report.

A Public Information Meeting was held on May 11th and broadcasted live on the Municipal Facebook page. Twenty (20) members of the public attended the meeting, with 3 individuals speaking. The deadline for comments was May 25th; resulting in four (4) pieces of written correspondence received. Comments and concerns received included: increased density and height not fitting Hantsport, limited available parking, potential for traffic issues, who would be able to rent the units, a request for a site plan, availability of water supply, walkability of community and support for density increase.

Planned Dunphy reviewed the process and noted all statutory requirements had been met.

Mayor Zebian opened the floor for public comments.

Public Comments:

Mason Mcquellen, a resident of Hantsport spoke of the comparisons between the proposed project and development in Miner's Marsh in Kentville; which he felt was an acceptable development for the area and size of the lot. Mr. Mason felt the proposed project's lot size was not in proportion to the Miner's Marsh development (there was ample parking for both renters and guests). Mr. Mason felt the proposed development was not befitting of the space or acceptable for the area.

Jane Davis, a resident of Hantsport, first spoke on behalf of the residents (Marg and Lori Johnston of Hantsport) who were unable to attend the meeting. The Johnston's felt the amendment changes to increase size and number of units was substantial, would negatively change the landscape of the community and affect all properties zoned Mixed Commercial/Residential (C-2) in Hantsport.

The Johnstons were not in favour of the development due to increased street congestion, parking requirements, location, lack of detailed information and the size and scale of the

development was not in keeping with the spirit of Hantsport. Development should remain in keeping with the current Land-Use By-Law.

Jane Davis also provided her comments. Ms. Davis spoke against the proposal. The amendments affect both sides of William Street, north end of Main Street, all of Chittick Ave and Jubilee Crescent (approx. 45 properties) and these properties should have been notified. During the PIM, properties within 500' were not in support of the amendment as the number of units was not in keeping with the historic zone. William Street was a narrow street, an increase in traffic was a cause for concern. Ms. Davis questioned if Fire flow calculations had been calculated and if the watershed could handle the extra draw on resources. Concerns were also raised regarding the sanitary/stormwater system and potential impacts the development would have on this system. Ms. Davis felt a moratorium on developing any multi-residential building should be in place until a solution for the current sanitary system has been implemented. A suggestion was to approve the amendment and make it specific to this PID, this would allow residents in surrounding areas to be advised of future developments and provide time to do more in-depth studies re: fire flows, traffic and sanitary.

Bill Preston, a resident of Hantsport voiced he was not in support of the request to increase the building height to 55 feet. The building was "out of place" in Hantsport and he felt the residents of Hantsport should be the ones considered as they are the ones impacted. Mr. Preston also stated that in his opinion he felt the majority of residents were also not in favour of amending the height requirement.

Dustin Corbett, a former resident of Hantsport spoke in support of the development. Due to having no available apartments in Hantsport he was forced to move outside of Hantsport to secure housing. Mr. Corbett spoke of hearing community support to have housing options, specifically apartments in Hantsport for not only the younger generation but for the aging population as well. He felt there was a lot of interest to live in Hantsport as many felt it was a great community to live in and it was time for the community to grow like the rest of the region. The increased population provides economic benefits for the local businesses and employment opportunities for contractors/trades persons in Hantsport. Large investors also provide support to local community events, festivals and community groups and sports teams.

Tim Carr, a resident and local business owner in Hantsport spoke in support of the proposed development. He felt residents who would live in William Street would have access to a grocery store, pharmacy, health clinic, bank, post office, churches, cafes, library and numerous recreational opportunities. Mr. Carr spoke of the development providing opportunities for newcomers and to those struggling to maintain their current homes and wanting to downsize.

Mason Mcquellen spoke in support of bringing people and opportunities to Hantsport but felt this development was not the right way to do this. The development was too big for the lot size and area.

Michelle Hellier, a resident of Hantsport voiced concerns about traffic and parking. Would all the parking be able to be accommodated underground or would it need to spill over into the street. Another concern raised was that design details for the building were unknown.

Michael Lawen, the owner of Corner stone Developments provided some responses to previous comments. The building was designed to have 30 underground parking spots and 12 spots above ground and was designed as a mature senior's complex. The units were designed to run from 470-670 sq ft and designed to work with the lot size. The developer was working with the province on the requirement for it to be affordable housing.

Mason Mcquellen spoke a third time wanted to point out the concerns with traffic and the development's proximity to the Fire Station. If there was a fire call there was no easy way to access or exit the area.

Dustin Corbett, a former resident of Hantsport to clarify that the Fire Station Emergency exit was not located on Oak Street, in addition the Fire Station has a new parking lot on the back side of their building to accommodate any parking needs they may have.

Bill Preston inquired about the response received from property owners within the surrounding area. No responses were received for the Public Hearing period. Four pieces of correspondence were received for the PIM.

Planner Dunphy noted that the proposed change was a text amendment that would allow for a development and that parking was allocated at a 1:1 ratio and there were no concerns from the Municipal Traffic Authority.

The Public Hearing was advertised in the local paper on September 5th and 12th, letters were sent to property owners near the subject lot; and a sign was posted on the lot. The deadline for comments was Friday, September 22nd with no written comments received.

4. Adjournment

Mayor Zebian declared the Public Hearing concluded at 7:08 p.m.

Abraham Zebian, Mayor

Deanna Snair, Executive Assistant/Clerk



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation X	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
--------------------------------------	------------------	---	--

To: Mayor Zebian and Members of West Hants Regional Municipality Council

Submitted by: _____
Alex Dunphy, Planner

Date: September 26, 2023

Subject: HLUB Amendment: 35 William Street, Hantsport (PID 45044419); File # 23-06B

LEGISLATIVE AUTHORITY

Municipal Government Act Section 210

RECOMMENDATION

Should Council wish to approve the application following the Public Hearing, the following motion would be in order:

...that Council gives Second Reading and approves amending the Hantsport Land Use By-law to increase the height and number of dwelling units permitted in the Mixed Commercial/Residential (C-2) zone in a manner substantively the same as Attachment B of the staff report to the Planning and Heritage Advisory Committee report #23-06 dated June 7, 2023.

BACKGROUND

Property X	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
------------	--	--------------------------------------	---------------------------------	-----------------------------------	---

An updated application was received from Michael Lawen of Cornerstone Developments Ltd. on April 14, 2023. The application is to allow for a 5-storey, 40-unit residential apartment building at 35 William Street in Hantsport.

DISCUSSION

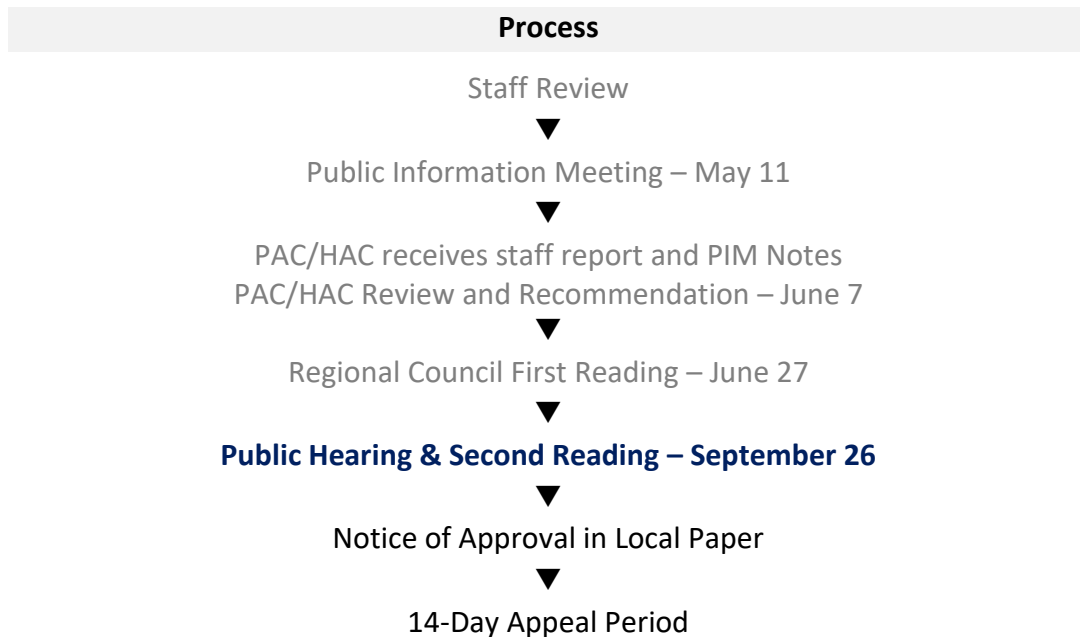
A Public Information Meeting was held on May 11, 2023.

On June 7, 2023, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A). During the June 7 meeting, PAC/HAC recommended in favour of the proposed amendments.

On June 27, 2023, staff presented the PAC/HAC recommendation to Council for First Reading. During the June 27 meeting, Council recommended in favour of the application.

NEXT STEPS

The process for this application is as follows.



*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

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

ALTERNATIVES

In response to this application, Council may decide to:

- hold Second Reading and approve the amendments as drafted or as specifically revised by direction of Council;
- provide alternative direction, such as requesting further information on a specific topic.

APPENDICIES

Appendix A 2023-06-07 Staff Report - HLAB Amendment: 35 William Street (PID 45044419); File # 23-06

CHIEF ADMINISTRATIVE OFFICER REVIEW

The report highlights that the MPS allows for the consideration of the amendments within the identified C-2 zone and no major concerns have been expressed. Increases in the height, number of units and parking reduction requirements are in keeping with developments in other growth centers and will allow for more density within the serviced areas.

I support the recommendation.

Report Prepared by: _____
Alex Dunphy, Planner

Report Approved by: _____
Sara Poirier, Director of Planning and Development

Report Approved by:  _____
Mark Phillips, Chief Administrative Officer

**Appendix A – 2023-06-07 Staff Report -
HLUB Amendment: 35 William Street (PID 45044419); File # 23-06**



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation X	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
--------------------------------------	------------------	---	--

To: Members of Planning and Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
 Alex Dunphy, Planner

Date: June 7, 2023

Subject: HLUB Amendment: 35 William Street (PID 45044419); File # 23-06

LEGISLATIVE AUTHORITY

Municipal Government Act Section 210

RECOMMENDATION

Staff recommend that the PAC/HAC forward a positive recommendation by passing the following motion:

...that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider amending the Hantsport Land Use By-law to increase the height and number of dwelling units permitted in the Mixed Commercial/Residential (C-2) zone in a manner substantively the same as Attachment B of the staff report to the Planning and Heritage Advisory Committee report dated June 8, 2023.

BACKGROUND

Property X	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
------------	--	--------------------------------------	---------------------------------	-----------------------------------	---

An updated application was received from Michael Lawen of Cornerstone Developments Ltd. on April 14, 2023. The application is to allow for a 5-storey, 40-unit residential apartment

building.

DISCUSSION

The subject lot is designated Commercial and included in the Commercial Development District on the Generalized Future Land Use Map (GFLUM) of the Hantsport Municipal Planning Strategy (HMPS) (Figure 1). The subject lot is zoned Mixed Commercial/Residential (C-2) on Schedule A of the Hantsport Land Use By-law (HLUB) (Figure 2).

Proposal Information

The site plan that was submitted with the application has been included as Figure 3. Staff is providing this for information purposes only. There is no mechanism to require adherence to any proposed site plans associated with the amendments to the HLUB.

Surrounding Context

Properties surrounding the subject lot are primarily designated Commercial and zoned Mixed Commercial/Residential (C-2) to the south and west, with properties to the north and east designated Industrial and zoned Industrial (M) and Residential Multiple Unit (R-3). Nearby uses in the area include an existing apartment building, a fire station, and a rail yard.

Draft Land Use By-law Changes

Currently the HLUB allows:

- a maximum height for all main buildings of 35 ft. (except within the Industrial (M) zone); and
- a maximum of 20 units per apartment building in the Mixed Commercial/Residential (C-2) zone.

The current parking requirement for apartment buildings is a ratio of 1.5 parking spaces per dwelling unit.

In summary, to permit the proposed development, the following changes are required to the HLUB:

- an increase in maximum height for main buildings in the Mixed Commercial/Residential (C-2) zone to 55 ft;
- an increase in the maximum dwelling units per apartment building in the Mixed Commercial/Residential (C-2) zone to a total of 40; and
- inclusion of a parking requirement for the Mixed Commercial/Residential (C-2) zone of one parking space per dwelling unit.

The full set of changes can be found in Attachment B.

As the proposed amendment would affect all properties within the Mixed Commercial/Residential (C-2) zone, staff have prepared a map showing the extent of the zone in Hantsport, shown as Figure 4. The Mixed Commercial/Residential (C-2) zone is localized to the western portion of William Steet, northern Main Street, Chittick Avenue, and Jubilee Lane.

Based on inquiries to the local Fire Chief, Development Officer, Manager of Building and Fire Inspection Services, Municipal Project Engineer, and Traffic Authority, these changes did not raise any concerns which are not otherwise addressed in this report.

Municipal Planning Strategy Document Review

Policy IM-3 establishes the general criteria that must be considered for all amendments to the HLUB. The full list of criteria is included with this report in Attachment A. In summary, the proposal meets the criteria as:

- the proposal is not considered premature or inappropriate for the area;
- no municipal costs related to the proposal are anticipated; and
- the Fire Chief, Development Officer, Manager of Building and Fire Inspection Services, Area Manager of the Nova Scotia Department of Public Works, and Municipal Project Engineer have no concerns which have not been addressed in this report.

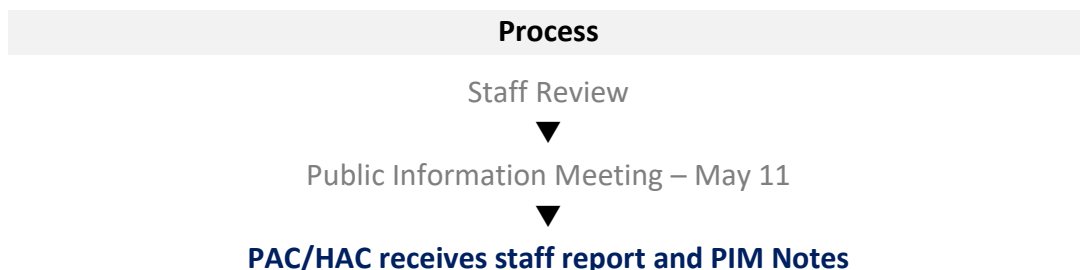
MUNICIPAL CLIMATE CHANGE ACTION PLAN

The Municipal Climate Change Action Plan (MCCAP) Inland Flooding and Coastal Flooding maps do not show any risks of either inland or coastal flooding on the property.

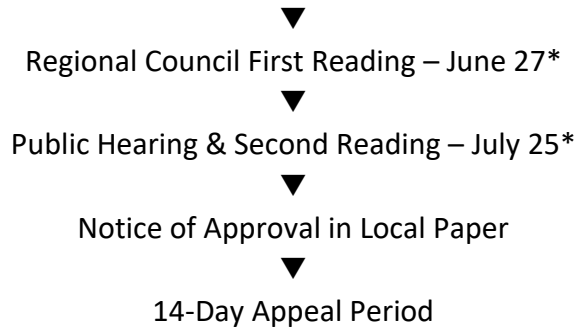
Property owners are responsible for ensuring that their lot is suitable for the proposed uses.

NEXT STEPS

As noted above, the proposed amendments have been considered within the context of the general policies of the HMPS, and is consistent with the intent, objectives, policies and criteria of the HMPS. As a result, it is reasonable to....



PAC/HAC Review and Recommendation – June 7



*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

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

ALTERNATIVES

In response to this application, the PAC/HAC may recommend that Council:

- hold First Reading and authorize a Public Hearing to approve the amendments as drafted or as specifically revised by direction of PAC/HAC;
- provide alternative direction, such as requesting further information on a specific topic.

ATTACHMENTS

Figure 1	Hantsport GFLUM Extract
Figure 2	Hantsport Zoning Map Extract
Figure 3	Proposal Site Plan
Figure 4	Mixed Commercial/Residential (C-2) Zone Extent Map
Attachment A	Policy Summary for Land Use By-law Amendments
Attachment B	Draft Amendments
Attachment C	Public Information Meeting Notes

Report Prepared by: _____
Alex Dunphy, Planner

Report Approved by: _____
Sara Poirier, Director of Planning and Development

Figure 1 – Hantsport GFLUM Extract

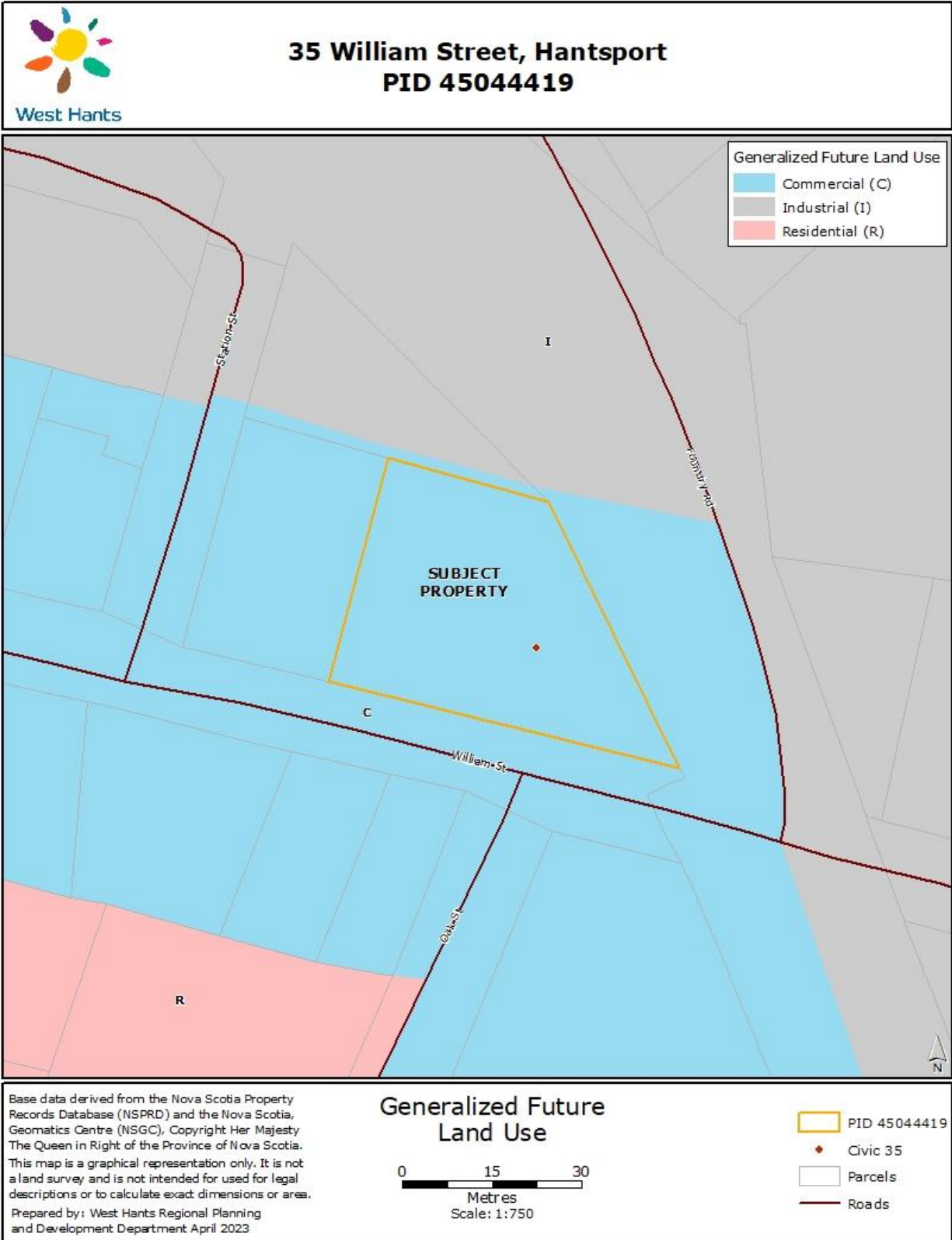


Figure 2 – Hantsport Zoning Map Extract

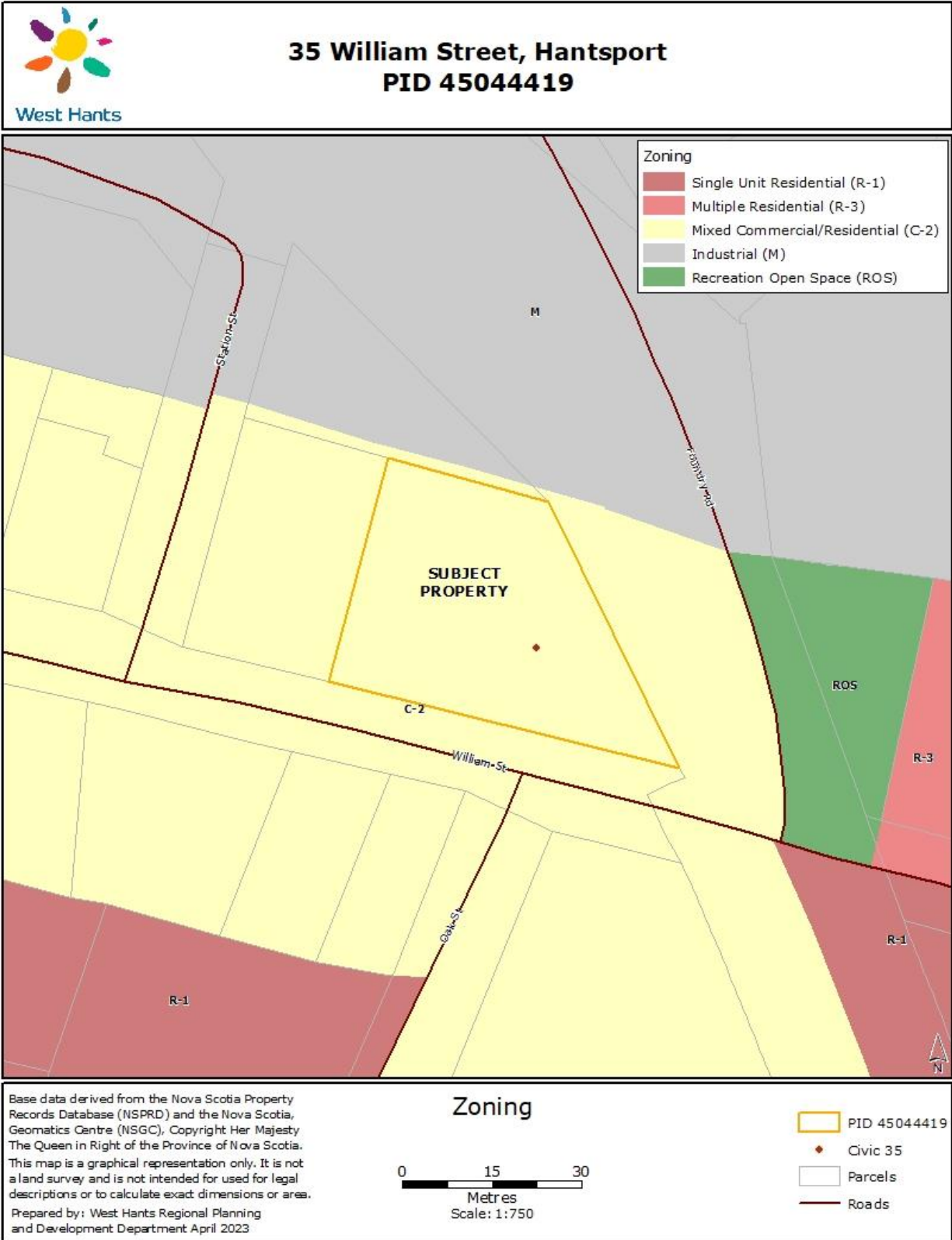
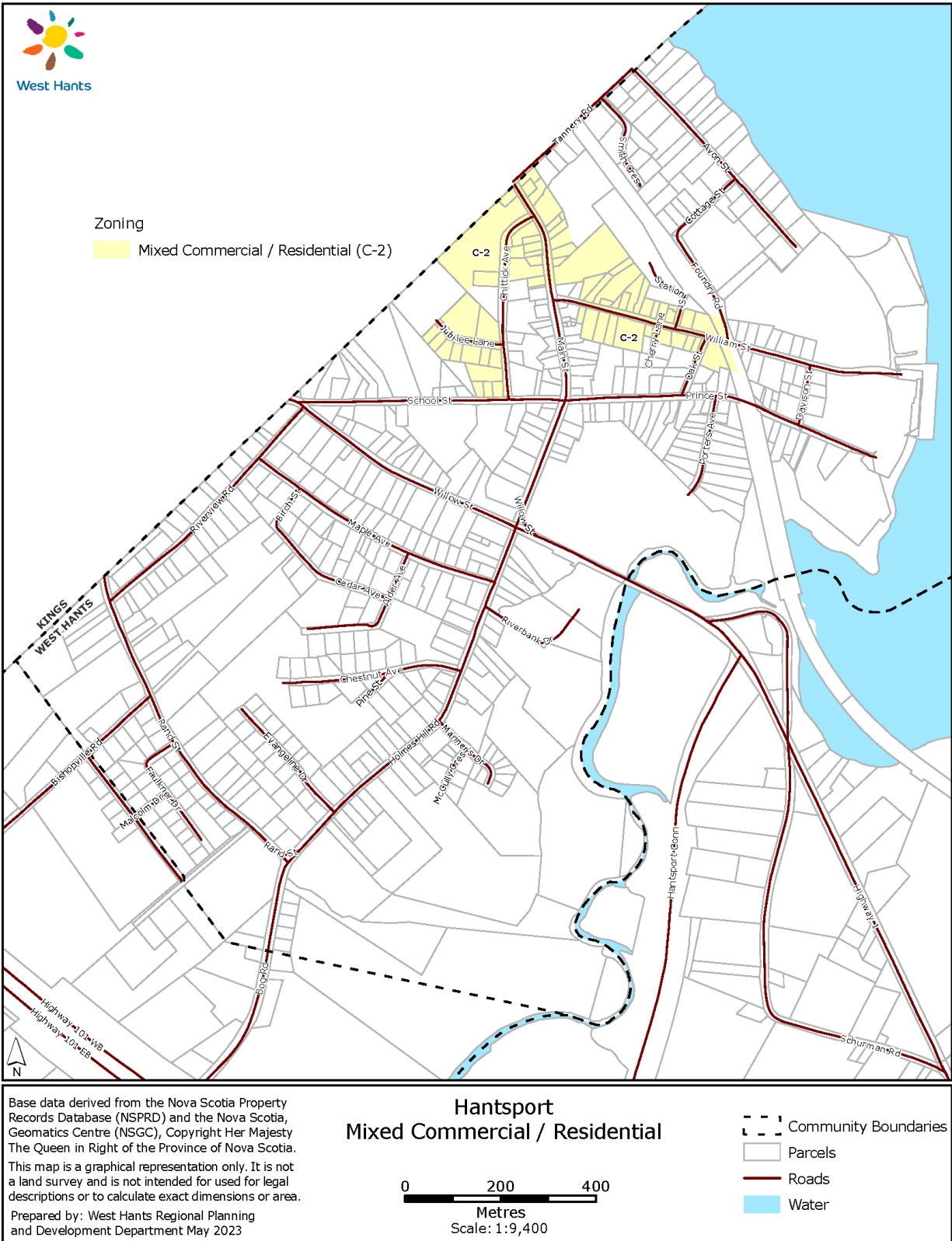


Figure 4 – Mixed Commercial/Residential (C-2) Zone Extent Map



Attachment A – Policy Summary for Land Use By-law Amendments

<p>Policy IM-3</p> <p><i>In considering amendments to the Town of Hantsport Land Use By-law, in addition to the criteria set out in various policies of this Strategy, Council shall consider:</i></p>	
<p><i>(a) whether the proposal is considered appropriate in terms of:</i></p>	
<p><i>(i) the adequacy of sewer and water services;</i></p>	<p>The Municipal Project Engineer commented that the allowable withdrawal limit from the Davidson Lake watershed is being approached, however, the water system could accommodate this proposal. Also, the existing sewer system does have capacity for this proposed development.</p>
<p><i>(ii) the adequacy of school facilities;</i></p>	<p>The Regional Executive Director of the Annapolis Valley Regional Centre for Education stated that “We have a responsibility to provide public education for students living in the catchment areas served by these schools. We therefore expect our facilities to accommodate any new development.”</p>
<p><i>(iii) the adequacy of fire protection;</i></p>	<p>The Manager of Building and Fire Inspection Services commented that the apartment building would require a sprinkler system to be installed and that staff should review the application with the Fire Department. The Hantsport Fire Chief commented that they did not have any concerns regarding the adequacy of fire protection for the proposal.</p>

<p><i>(iv) the impact on adjacent uses;</i></p>	<p>The Development Officer commented that they did not have any concerns regarding the impact on adjacent uses.</p>
<p><i>(v) the adequacy of road networks adjacent to, or leading to the development; and</i></p>	<p>The Municipal Traffic Authority commented that they did not have any concerns regarding the adequacy of the road networks.</p>
<p><i>(vi) the financial capacity of the Town to absorb any costs relating to the development.</i></p>	<p>There are no anticipated costs to the Municipality regarding this development.</p>
<p><i>(b) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;</i></p>	<p>The Municipal Traffic Authority commented that they did not have any concerns regarding the suitability of movement for auto, rail, or pedestrian traffic.</p>
<p><i>(c) the adequacy of the dimensions and shape of the lot for the intended use;</i></p>	<p>The Development Officer commented that they did not have any concerns regarding the adequacy of the dimension and shape of the lot, provided that parking can be accommodated. Staff are suggesting the inclusion of a provision to permit a parking ration of one parking space per dwelling unit, which matches the ratio that has been used for multiple unit buildings considered by development agreement in Windsor. The Development Officer agreed with this addition.</p> <p>Other lots included in the Mixed Commercial/Residential (C-2) zone would have to meet all requirements of the zone to permit a multi-unit apartment building, staff do not</p>

	anticipate any issues caused by the change.
<i>(d) the pattern of development which the proposal might create;</i>	The Development Officer commented that they did not have any concerns regarding the pattern of development that the proposal may create.
<i>(e) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses, marshes or bogs and susceptibility of flooding;</i>	The subject lot appears relatively flat and suitable for development. There are no waterbodies or wetlands present on the mapping for the property and there are no evident concerns in terms of steepness of grade, soil or geological conditions.
<i>(f) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other relevant municipal by-laws and regulations;</i>	All Municipal, Provincial, and Federal regulations will have to be met.
<i>(g) the impact of not only the use being proposed but all uses permitted in the zone;</i>	Staff do not view any of the permitted uses within the Mixed Commercial/Residential (C-2) zone as an issue for the proposal. Any use in the Mixed Commercial/Residential (C-2) zone would currently be permitted as-of-right.
<i>(h) the site meets all of the zone requirements for the zone sought; and</i>	With the inclusion of the parking ratio provision, the Development Officer commented that they did not have concerns regarding the proposal meeting all zone requirements.
<i>(i) any other matter required by relevant policies of this Strategy.</i>	All relevant matters have been addressed in this report.

Attachment B – Draft Amendments

Note: purple text indicates a change from the present HLUB as recommended by staff and is provided only for the convenience of PAC/HAC and Council.

Text amendments to the Mixed Commercial/Residential (C-2) zone of the Hantsport Land Use By-law to increase the maximum height for main buildings, increase the maximum dwelling units per apartment building and include specific parking requirements.

Hantsport Land Use By-law

- 1. Amend Section 5.2.2, *Height Restrictions*, in the Hantsport Land Use By-law to include the Mixed Commercial/Residential (C-2) zone in the exceptions to the maximum height of all main buildings, so that Section 5.2.2 reads as the following:**

5.2.2 Height Restrictions

The maximum height of all main buildings under the jurisdiction of the Hantsport Land Use By-law shall be 10.67 m. (35 ft.), except:

- (a) buildings within the Industrial (M) zone; and
- (b) buildings within the Mixed Commercial/Residential (C-2) zone, which shall have a maximum height of 16.76 m. (55 ft.).

- 2. Amend Section 9.2.2, *Lot Specifications*, of the Hantsport Land Use By-law to allow up to 40 units per building for apartment buildings and grouped homes, so that Section 9.2.2 reads as follows:**

9.2.2 Lot Specifications

	Minimum Specifications for all Commercial and New Residential uses
Minimum Lot Area	4004 sq. ft. (372 square metres)
Minimum Lot Frontage	39.4 feet (12 metres)
Required Side Yards	9.8 feet (3 metres)
Maximum number of units per building	4 for Townhouse Development 40 for Apartment Buildings and Grouped Homes

- 3. Create Section 9.2.4, *Parking Requirements*, in the Hantsport Land Use By-law to permit a parking ration of one parking space per dwelling unit within the Mixed Residential/Commercial (C-2) zone, so that Section 9.2.4 reads as follows:**

9.2.4 Parking Requirements

Notwithstanding the parking requirements in Section 6.1 of the Land Use By-law, parking in the Mixed Commercial/Residential (C-2) zone is required at one parking space per dwelling unit. All other parking requirements shall follow the requirements in Section 6.1 of the Land Use By-law.

Attachment C – Public Information Meeting Notes

May 11 - May 25, 2023

HLUB Amendment: 35 William Street, Hantsport (PID 45044419); File # 23-06

Meeting date and time	A Public Information Meeting was held on May 11, 2023 beginning at 6:39 p.m. The meeting was broadcast live on the Municipal Facebook page.
Attending	In attendance for the meeting: Two (2) Councillors: <ul style="list-style-type: none">• Councillor Murley• Councillor Ivey Four (4) members of staff: <ul style="list-style-type: none">• Planner Dunphy• Planner Fredricks• Planning Assistant Lake• Director Poirier PAC/HAC Members: <ul style="list-style-type: none">• Jennifer Nicholls (Chair)• Jane Davis• Stefan Palios• Tasha Rogers• Lisa Bland 20 members of the public.
Applicant Michael Lawen of Cornerstone Development Ltd. Property 35 William Street, Hantsport (PID 45044419)	Planner Dunphy outlined the application to amend the Land Use By-law to permit a 5-storey, 40-unit apartment building. The applicant did not provide a presentation.
Comments	Comments from the public could be submitted to Alex Dunphy by mail, e-mail and telephone between May 11 – May 25, 2023. Staff received 4 written submissions from the public. The email responses are attached.

	<p>3 members of the public spoke during the May 11 Public Information Meeting. The following are the comments from the public. Staff and applicant responses are included in purple text.</p> <ul style="list-style-type: none"> • Mason Mcquellen commented that allowing up to 5 storeys would cause issues for a small town and that development is becoming too dense, as well as there being limited available parking. • Amanda Forcee commented that the height being proposed was an issue for Hantsport and that increased density could contribute to traffic issues on William Street. Amanda also asked if the residents will only be seniors, or if other age groups will be allowed in the building. Alex responded that he would pass the question along to the developer. • Mason asked for a drawing of the proposal from the developer. Alex responded that he would provide a drawing in the staff report. • Tasha Rogers asked about the available public water supply for Hantsport. Alex responded that Public Works would be contacted to ensure that there would be sufficient municipal service availability.
Adjournment	The PIM was adjourned at approximately 6:51 p.m.

Public Email Responses Submitted for the Application PIM

May 23, 2023

From: Jason Tucker

To: Alex Dunphy

Good morning,

I am a 17-year resident of Hantsport as well as a local business owner. I am in favour of proposals which will bring much-needed housing and density to our community.

Hantsport is ideal for additional growth -- its walkability and access to shops and services makes it well-suited for more housing. Access to the site in question is very good, with 2 streets (Prince & William) leading directly to Highway 1.

If the West Hants professionals evaluating this proposal determine that our infrastructure (traffic, parking, fire services, etc.) can support this development safely, then I would be happy to see this and other multi-story units in this community.

Thank you,

Jason Tucker

May 23, 2023

From: Tim Carr

To: Alex Dunphy

Good morning,

I am a long term resident of Hantsport, and also a local business owner. I am writing to support proposals that would increase the population density of Hantsport, including considerations for rezoning to achieve growth. In particular I support efforts at 35 William Street (PID 45044419) to construct multi-level housing.

Hantsport has no current available rentals and few homes for sale. There is a real demand to live in this community. Hantsport is extremely walkable, with excellent municipal services, fire service and numerous recreational opportunities. Our community is limited in space for new development. It's time to start building upwards in our population centres.

Thank you for considering my letter of support.

Tim Carr

May 23, 2023

From: Bill Preston

To: Alex Dunphy

Hi Alex;

Just a few thoughts regarding this proposal, I totally do not agree with it. The development agreement needs to be changed so that the residents in Hantsport do have some say in proposals by developers.

The requested amendment as such by Cornerstone Developments will require two proposals.

- (1) An increase in the maximum number of units per building from 20 to 40 units
- (2) An increase in the maximum height from 35ft. to 50ft.

That in its-self is a big change however what is concerning is the fact that the amendments would effect all properties zoned mixed Commercial/Residential (C2 in Hantsport).

William St. is a very narrow and busy street with the post office being close as the Credit Union. The fire station just across the street. Workers for the Canadian Keyes Fiber also use William St. to go to and from work. Parking is will be a problem with that location. Height is a problematic it just will not fit in with the surrounding buildings for example the new Fire station is approximately 42 ft.

It has been indicated that the building would be for seniors which would be nice but what if the seniors do not move in what will the rents be?

I totally disagree with both proposals, not enough information. it would be nice to to see the development plans before any approval is given, not cosmetic to area.

What do we know about the developer where is the company from etc. its like buying a pig in a poke.

Respectfully

Bill Preston,

Hantsport Resident, NS

May 25, 2023

From: Heather Pitt

To: Alex Dunphy

1. How many stories tall will the building be?
2. What type of housing is being proposed i.e. family? low income? short rental?
3. How does the development fit in the longterm vision plan for Hantsport?
4. I see this was advertised in the Journal (which unfortunately not many subscribe to) and by a little piece of paper stuck on the building...which we just happened to notice. Where else was it advertised...nobody I know was aware of this development or the May 11th meeting.
5. Where will the 40+ cars park?

May 30, 2023

From: Alex Dunphy

To: Heather Pitt

Hello Heather,

I can provide the following answers to your questions.

1. The proposal is 5 stories tall.
2. The proposal is for senior focused, affordable housing.
3. A more in-depth answer to this question will be provided in the recommendation report going to the Planning and Heritage Advisory Committee. However, the proposal is aligned policy set out in the Hantsport Municipal Planning Strategy.
4. The file was advertised according to our Public Participation Program Policy. In addition to the paper advertisement and the sign posted at the site, letters were also sent to the owners of surrounding properties.
5. The proposal includes underground parking to accommodate the required parking.

Best,

Alex Dunphy