

WEST HANTS REGIONAL MUNICIPALITY

Council Meeting Agenda

March 26, 2024 - 6:00 p.m.

In-person, Sanford Council Chambers, 76 Morison Dr, Windsor, NS

Virtual via Zoom (also FB Livestream)



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) 2024-02-27 Council Meeting Minutes
 - b) 2024-02-27 Public Hearing Minutes WHLUB Map Amendment: PID 45218658, Armstrong Lake East Road
 - c) 2024-02-27 Public Hearing Minutes Bog Road Boundary Review WH-MPS/LUB and H-MPS/LUB Amendment
 - d) 2024-02-27 Public Hearing Minutes Wagners Court Development Agreement
 7. Presentations
 - a) Ardoise Community Hall Funding Request - Susan Wright
 8. Public Hearings
 - a) WHMPS and WHLUB Amendments to the Hamlet Designation - Planner Fredericks
 - b) Payzant Drive, Windsor Development Agreement: PIDs 45053030, 45343878, 45343894, and 45234382 – Planner Dunphy
 9. Second Readings
 - a) WHMPS/WHLUB Amendments to the Hamlet Designation - Planner Fredericks
 - b) Payzant Drive, Windsor Development Agreement: PIDs 45053030, 45343878, 45343894, and 45234382 – Planner Dunphy
 10. Unfinished Business/Postponed Motions
 - a) One (1) 5500 Series Truck Purchase for Summerville Fire Department Supplementary Report
 - b) Belmont Hall Heat Pumps Recommendation Report – Councillor S. McLean

- c) Avon River Heritage Museum Flooding Recommendation Report – Councillor S. McLean
- d) Water Utility and Sewer Rates Report – Councillor Ivey
- e) Rescind Stormwater Management RFP Motion – Clerk Snair

11. Mayor’s Report

12. Committee(s) of Council Excerpts/Recommendations

- a) Committee of the Whole Excerpts (March 12, 2024)
 - i. Canyon Point Resort (HCC#1)
 - ii. Home Flood Resiliency Program
 - iii. Mills Lake Watershed Advisory Committee Landowner Appointment
 - iv. Parks & Grounds Equipment Pre-approval
 - v. Procurement Policy Update
 - vi. Temporary Borrowing Resolutions (total of five recommendations)
 - vii. Third (3rd) Process Train Windsor WTP Detailed Design
 - viii. Two (2) 5500 Series Truck Purchases
- b) Planning and Heritage Advisory Committee Recommendations (March 14, 2024) (as it relates to First Readings)
 - i. Willow Street, Hantsport HLUB Map Amendment PID 45045879 - Planner Dunphy
 - ii. Pesaquid Comprehensive Development District WMPS and WLUB Amendments - Planner Dunphy
 - iii. Hwy 215, Summerville, PID 45180635 Development Agreement – Planner Fredericks
 - iv. 4236 Hwy 14 Windsor Forks WHLUB Map Amendment – Planner Fredericks
 - v. Wentworth Road, Windsor, PID 45059631 Non-Substantive Development Agreement Amendment – Director Poirier

13. Councillor Municipal Business/Activity Reports

- a) Councillor Ivey, District 11 Activity Report

14. Correspondence

- a) Information
 - 1. Avon Causeway Activity Log - None
 - 2. Correspondence Received Activity Log
 - i. Avon River Heritage Society Re Flooding March 11th, 2024
 - ii. Jennifer Moore Information Report Home Flood Protection program
 - iii. Dorothy Read Re Opposition to Willow Street rezoning application
 - iv. Maryann Norbury Re Payzant Drive Extension
 - v. Joe Alcorn and Donna Smith Re Payzant Road - Roundabout or Extension
 - vi. MLA Sheehy-Richard’s Response to Mr. Hussey Re Underwood Road Traffic (WHRM copied)

- vii. Judi Wilson Re Payzant Connector Road
- viii. Cathy and Dave Pemberton Re New builds - roads
- ix. Jamie Leopold Re Safety Concern at the West Hants Sportsplex
- x. Emme Manuel Re Open Arms New Outreach Program
- xi. Kim and John Olejnik Re Payzant Drive extension over to Hwy 1, (sometimes referred to Hwy 14)
- xii. Jeanette Poirier Re Payzant Drive Extension
- xiii. Avon River Heritage Society, Newport Landing Flooding Letter

b) Requests

- i. Royal Canadian Legion, Hants County Branch No. 9 Re Grant for Veteran Banner Program
- ii. Hantsport Residents Re: Defeat Willow Street Motion

c) Outgoing Correspondence Log – None

15. New Business

- a) Industrial/Commercial lands Recommendation Report - Mayor Zebian
- b) Letter to Provincial Public Works and MLA Re Roadwork from Windsor to St. Croix Recommendation Report – Mayor Zebian
- c) Rural Advisory Committee Recommendation Report – Mayor Zebian

16. In-Camera

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

17. Next Meeting Date / Adjournment – April 9th, 2024 Committee of the Whole Meeting 6 p.m.

WEST HANTS REGIONAL MUNICIPALITY

Public Hearing Minutes – WHMPS and WHLUB Amendments to Hamlet Designations

Tuesday, March 26, 2023 6:27 pm – 6:45 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 6:27 pm.

2. Council:

Abraham Zebian, Mayor

Rupert Jannasch, Councillor, District 1

Scott McLean, Councillor, District 2

Mark McLean, Councillor, District

Jeff Hartt, Councillor, District 4

Debbie Francis, Councillor, District 5

Bob Morton Councillor District 6

Ed Sherman, Councillor, District 7

John A. Smith, Councillor, District 9

Laurie Murley, Councillor, District 10

Jim Ivey, Councillor, District 11

Regrets:

Paul Morton, Deputy Mayor, District 8

Staff and Guests:

Mark Phillips, CAO

Sara Poirier, Dir. Planning & Development

Todd Richard, Dir. Public Works

Deanna Snair, Municipal Clerk

Shelleena Thornton, Municipal Ops Sup.

Alex Dunphy, Planner

Mark Fredericks, Senior Planner

Carlee Rochon, Dir. Financial Services

Regrets:

Kathy Kehoe, Director Community
Development

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

a) WHMPS and WHLUB Amendments to Hamlet Designations

Planner Fredericks reviewed the report. A completed application was received on December 4, 2023 from Andrea Parker, on behalf of August 16 Developments. The application was required to establish policies to enable re-development of the former Baptist Church in Summerville to include 5 residential units. Any text amendments would become general and then apply across the Hamlet designation.

- The property (former Kempt United Baptist Church) was located at 20 Musgrave Road, Summerville and located across from the Summerville Fire Hall, elementary school and Harmony Park as well as being located in the Hamlet Designation on the Generalized Future Land Use Map (GFLUM). The properties current zoning Rural Residential R-4 would not permit

the proposed 5-unit residential repurposing. However, the current zoning permit Two-unit Residential which would permit four units “as of right”.

Hamlets were designated as communities and recognized as rural in character and it is the intention within the planning strategy to maintain the rural character, provide local oriented services and provide limited residential development. High density growth was pointed more towards growth centres, where water and sewer services were available.

Planner Fredericks reviewed the Hamlets within the region identifying that most have a church within them, and some areas already have churches that have been repurposed into residential usage. The proposed amendments provided the ability to Provides the ability to re-purpose churches for small-scale residential up to 5 units (Rural Residential zone), changes to windows and doors, permit some architecturally compatible extensions. The aim would continue to be to preserve the majority of the building’s form.

Planner Fredericks reviewed the policies (Policy 16.1.1 and 16.3.1) within the Planning Strategy that would enable the amendments.

A Public Information Meeting (PIM) was held January 16, 2024, followed by a report with the proposed amendments to the Planning and Heritage Advisory Committee (PACHAC) on February 8, 2024. First Reading was held on February 27, 2024. Ministerial approval was required.

The applicants (Andrea and Jeremy Parker) provided a brief overview and updates regarding the proposed project. The proposal was updated to reflect five (5) two-bedroom apartments and maintain the community room for resident use and continued church services. The proposal focused on being more than just a place to live, it was community centred. The intent was to have the ability to provide a weekly trip to town for those residing in the units.

Since the last presentation the developers have held meetings with the Department of Municipal Affairs and Housing and CMHC about funding. There has been a lot of positive feedback and support about the proposal from the community.

The developers shared the draft plans for the church, showing floor plans, accessible access every unit, and one (1) unit being entirely wheelchair accessible. Two (2) cisterns were installed, with 6-inch gutters and filtration for water use. The septic system will also be inspected. Hot water will also be circulated within the building to provide instant hot water.

The intent was to keep the community space but use it in a different way and also provide seniors with an option to remain in their community as they age in place.

Mayor Zebian opened the floor for comments, no comments were provided.

The Public Hearing was advertised on March 5th and 12th in the local paper and signage was also placed on the lot. Deadline for comments was Friday, March 22nd, 2024 with no written correspondence received.

4. Adjournment

Mayor Zebian adjourned the Public Hearing until such time Council makes a final decision at 6:45 p.m.

Abraham Zebian, Mayor

Deanna Snair, Executive Assistant/Clerk



WEST HANTS REGIONAL MUNICIPALITY REPORT

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

Submitted by: _____
Mark Fredericks, Senior Planner

Date: March 26, 2024

Subject: WHMPS and WHLUB Text Amendments: Hamlet Designation and Rural Residential (R-4) zone; File #23-45B

LEGISLATIVE AUTHORITY

Municipal Government Act Section 205.

RECOMMENDATION

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

...that Council gives Second Reading to and approves the text amendments to the West Hants Municipal Planning Strategy and West Hants Land Use By-law as shown in Attachment B of the report #23-45 to the Planning and Heritage Advisory Committee dated February 8, 2024.

BACKGROUND

Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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An application was received from Andrea Parker, on behalf of *August 16 Developments*, on November 24, 2023. *August 16 Developments* purchased the former Kempt United Baptist Church with the intention of repurposing the building to include 5 residential units at 20 Musgrave Road in Summerville. The property is located within the Hamlet designation. Hamlets are intended to provide limited residential density. With the divestment of some churches in rural communities, an opportunity to repurpose these buildings for residential uses could be a

reasonable balance that would allow slightly more density than currently permitted under the Rural Residential (R-4) zone, while still maintaining the rural character of the Hamlet communities.

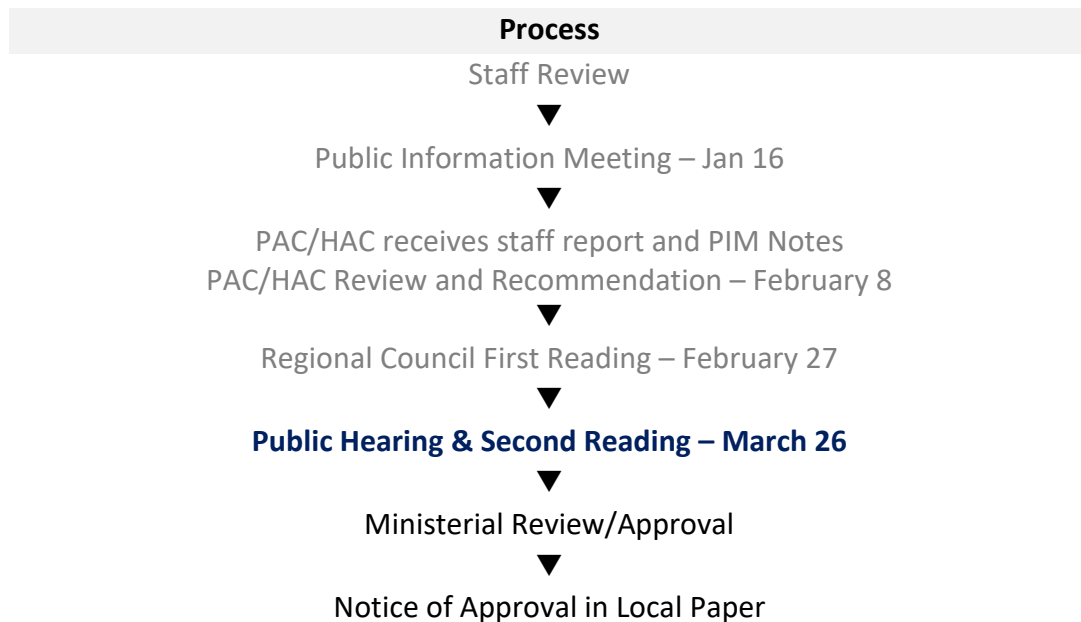
A Public Information Meeting was held on January 16, 2024. No concerns were raised during this meeting or the comment period that followed.

On February 8, 2024, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A). The proposed general text amendments would enable the conversion of former churches within the Rural Residential (R-4) zone to include up to 5 residential units, provided most of the building's form is maintained. At this meeting the Committee discussed how notifications to other properties could be improved and how these proposed amendments provided for a creative reuse of the building in Summerville and sets up the potential for others. The PAC/HAC recommended in favour of the text amendments at this meeting.

On February 27, 2024, staff presented the PAC/HAC recommendation to Council for First Reading (Appendix A). During that meeting, Council recommended in favour of the application and held First Reading.

NEXT STEPS

The process for this application is as follows.



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;
- consider the application through the creation of a specific policy and DA process; or
- provide alternative direction, such as requesting further information on a specific topic

APPENDICIES

Appendix A 2024-02-27 Council First Reading Report – WHMPS and WHLUB Text Amendments: Hamlet Designation and Rural Residential (R-4) zone; File #23-45A

CHIEF ADMINISTRATIVE OFFICER REVIEW

I support the recommendation.

Report Prepared by: _____
Mark Fredericks, Senior Planner

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

Report Approved by:  _____
Mark Phillips, Chief Administrative Officer

**Appendix A – 2024-02-27 Council First Reading Report: WHMPS and WHLUB Text
Amendments: Hamlet Designation and Rural Residential (R-4) zone; File #23-45A**



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: _____
Mark Fredericks, Senior Planner

Date: February 27, 2024

Subject: WHMPS and WHLUB Text Amendments: Hamlet Designation and Rural Residential (R-4) zone; File #23-45A

LEGISLATIVE AUTHORITY

Municipal Government Act Section 205.

RECOMMENDATION

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

...that Council gives First Reading and will hold a Public Hearing to consider amending the text of the West Hants Municipal Planning Strategy and West Hants Land Use By-law as shown in Attachment B of the report #23-45 to the Planning and Heritage Advisory Committee dated February 8, 2024.

BACKGROUND

Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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An application was received from Andrea Parker, on behalf of *August 16 Developments*, on November 24, 2023. *August 16 Developments* purchased the former Kempt United Baptist Church with the intention of repurposing the building to include 5 residential units at 20 Musgrave Road in Summerville. The property is located within the Hamlet designation. Hamlets are intended to provide limited residential density. With the divestment of some churches in rural communities, an opportunity to repurpose these buildings for residential uses could be a

reasonable balance that would allow slightly more density than currently permitted under the Rural Residential (R-4) zone, while still maintaining the rural character of the Hamlet communities.

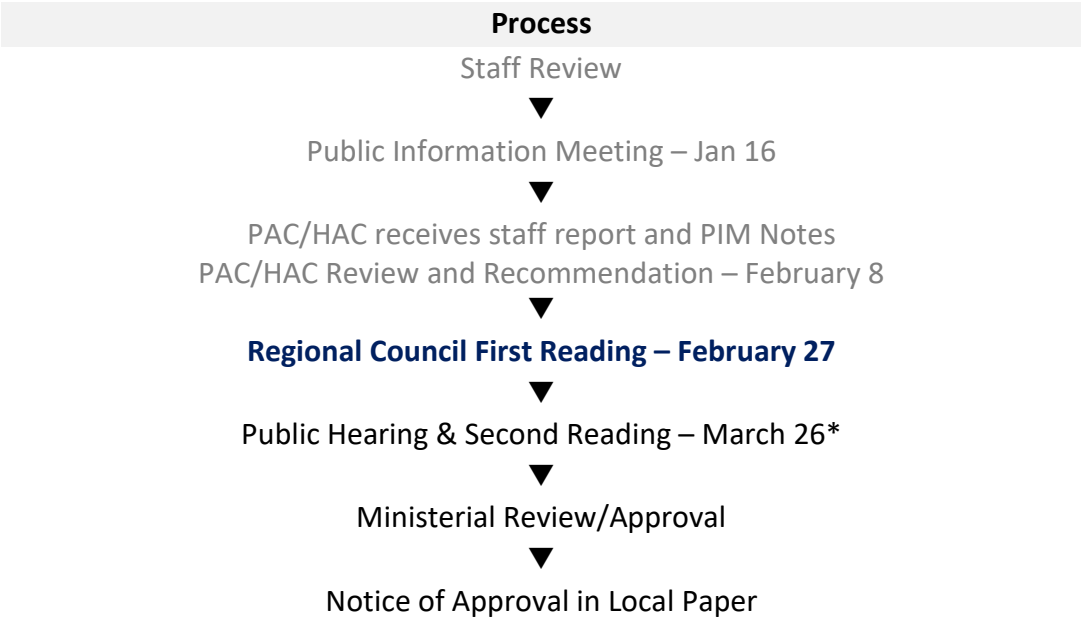
A Public Information Meeting was held on January 16, 2024.

On February 8, 2024, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A). The proposed general text amendments would enable the conversion of former churches within the Rural Residential (R-4) zone to include up to 5 residential units, provided most of the building’s form is maintained.

At this meeting the Committee discussed how notifications to other properties could be improved and how the proposed amendments provided for the creative reuse of this building in Summerville and sets up the potential for others. The PAC/HAC recommended in favour of the text amendments at this meeting.

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 First Reading and authorize a Public Hearing to approve the amendments as drafted;
- consider the application through the creation of a specific policy and DA process; or
- provide alternative direction, such as requesting further information on a specific topic

APPENDICIES

Appendix A 2024-02-08 Staff Report – WHMPS and WHLUB Text Amendments: Hamlet Designation and Rural Residential (R-4) zone; File #23-45

CHIEF ADMINISTRATIVE OFFICER REVIEW

CAO comments may follow.

Report Prepared by: _____
Mark Fredericks, Senior Planner

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

Report Approved by: _____
Mark Phillips, Chief Administrative Officer

- **Appendix A – 2024-02-08 Staff Report WHMPS and WHLUB Text Amendments: Hamlet Designation and Rural Residential (R-4) zone; File #23-45**



WEST HANTS REGIONAL MUNICIPALITY REPORT

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

Submitted by: _____
Mark Fredericks, Senior Planner

Date: February 8, 2024

Subject: WHMPS and WHLUB Text Amendments: Hamlet Designation and Rural Residential (R-4) zone File #23-45

LEGISLATIVE AUTHORITY

Section 205 of the Municipal Government Act.

RECOMMENDATION

To enable the repurposing of the former church at 20 Musgrave Road, Summerville to permit 5 residential units, staff recommends 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 text of the West Hants Municipal Planning Strategy and West Hants Land Use By-law as shown in Attachment B of the report #23-45 to the Planning and Heritage Advisory Committee dated February 8, 2024.

BACKGROUND

An application was received from Andrea Parker, on behalf of *August 16 Developments*, on November 24, 2023. *August 16 Developments* own the property at 20 Musgrave Road in Summerville, the former Kempt United Baptist Church. The applicants purchased the former church with the intention of repurposing the building to include 5 residential units and to maintain a space in the lower level of the building as community space, which may be used for continued church service or other events.

The property's zoning does not permit more than 2 residential units as-of-right. Staff explored alternatives within the West Hants Municipal Planning Strategy (WHMPS) including the options

for rezoning or a development agreement but did not find any suitable mechanisms to enable the conversion of this structure to include 5 units. The property is within the Hamlet designation. Hamlets are intended to provide limited residential density. It was recognised that with the divestment of churches, an opportunity to repurpose these buildings could be a reasonable policy exception to permit slightly more residential density than currently allowed under the Rural Residential (R-4) zone, while still maintaining the rural character of the Hamlet communities.

DISCUSSION

The subject lot (PID 45207792) is approximately 53,830 sq. ft. or approximately 1.23 acres in size with approximately 197 ft. (60 m.) of road frontage. The lot is currently designated Hamlet on the Generalized Future Land Use Map (GFLUM) of the WHMPS (*Figure 1*). The subject lot is zoned Rural Residential (R-4) on Schedule A of the West Hants Land Use By-law (WHLUB) (*Figure 2*).

Approximately 7 other churches exist within the designated Hamlets. All of these are zoned Rural Residential (R-4). Staff believe a text amendment to the Rural Residential (R-4) zone to permit up to 5 residential units would be a reasonable level of density and provide for the creative repurposing of former churches. Many of these existing churches are often large enough to be split into more than 2 residential units and already include several parking spaces and road access that could support up to 5 residential units.

Surrounding Context

All properties surrounding the subject lot are also within the Rural Residential (R-4) zone and within either the Hamlet or Community Use designations. Some of the surrounding properties are vacant or include low-density single unit dwellings. Two significant community landmarks are on the opposite side of the street, including the Summerville Fire Hall, and Summerville Elementary school. The subject lot is positioned in the centre of the community with close access to a variety of community amenities.

Many of the other churches within the Rural Residential (R-4) zone are located on main roads. If the proposed amendments are approved, the ability would also apply to these properties without the site-specific review of a planning application. However, staff believe that the historic use and nature of these properties would support the conversion of up to 5 residential units without creating land use compatibility issues as these churches are often on larger properties with sufficient parking and a history of community use.

West Hants Municipal Planning Strategy

Section 7 of the WHMPS describes the Council's intention with the 11 designated Hamlets. These rural communities often include low density residential, and a mixture of community amenities and landmarks including schools, fire halls, community halls, parks, and rural services and occasional commercial or industrial uses. The current and former churches within these communities have historic importance or relevance and if they are sold, staff believe it is important to support their re-use as residential which may help preserve the structures and

ensure their community presence is maintained. Staff believe that it is reasonable to permit the conversion of these building to a limited scale of residential development that re-uses the buildings to a density that still maintains the rural character of the designated Hamlets.

For clarity, staff are proposing the following wording be added to Policy 7.1.4 to support the ability to repurpose churches for residential re-use. The specific amendments to the WHMPS can be found in Appendix B.

Policy 7.1.4 *It shall be the policy of Council not to permit multiple unit residential development in Hamlets, except as provided in Policy 7.1.3 and within repurposed churches in the Rural Residential (R-4) zone.*

West Hants Land Use By-law

The Rural Residential (R-4) zone of the WHLUB also requires amendments to add the land use to the list of permitted uses. These text changes are illustrated in Attachment B. The proposed text amendments add “**Former churches to include up to 5 residential units**” to the list of permitted uses in the Rural Residential (R-4) zone and clarifies that new windows, doors and minor extensions can be constructed to enable up to 5 residential units within a former church building.

West Hants Municipal Planning Strategy - General Criteria

WHMPS Policy 16.3.1 establishes the general criteria that must be considered for all amendments to the Land Use By-law (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;
- adequate schools and fire protection services are available; and
- no concerns with the suitability of the site or the pattern of development the proposal might create.

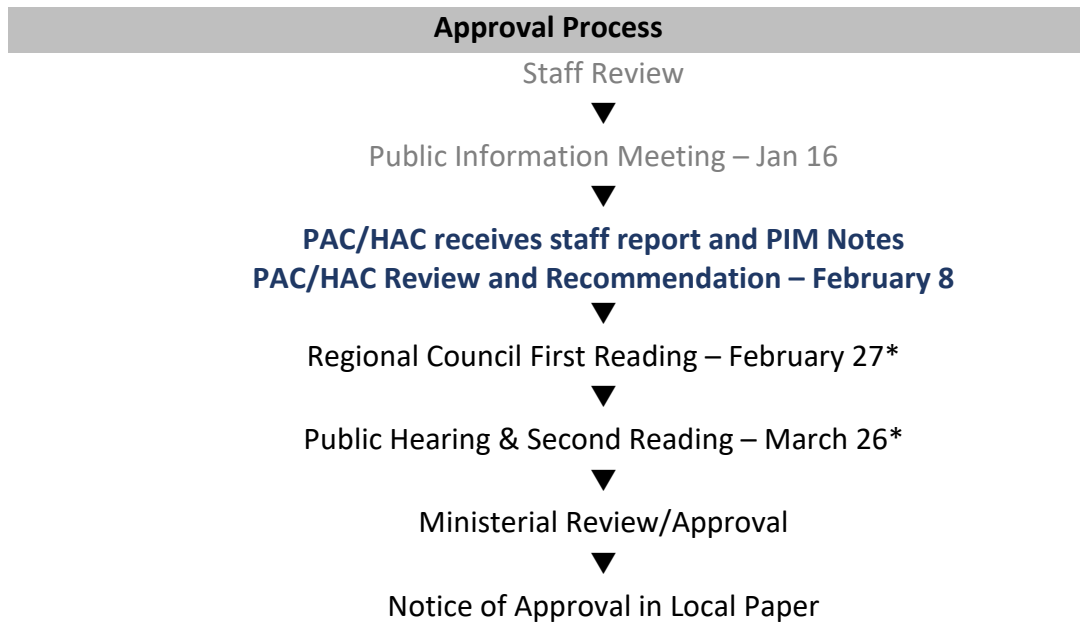
MUNICIPAL CLIMATE CHANGE ACTION PLAN

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 subject lot. The subject lot also has a low risk shown on the Seawater Intrusion Vulnerability map.

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

NEXT STEPS

As noted above, the proposed text amendments have been considered within the context of both the specific Hamlet policies and general amendment policies of the WHMPS and are consistent with the intent, objectives, and policies of the WHMPS. The proposed text amendments meet the general criteria for amendments to the WHLUB or WHMPS. As a result, it is reasonable to permit the requested changes to allow up to 5 residential units to locate within former church buildings in the Rural Residential (R-4) zone.



*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 the application, 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;
- consider the application through the creation of a specific policy and DA process; or
- provide alternative direction, such as requesting further information on a specific topic.

ATTACHMENTS

Figure 1

West Hants GFLUM Extract

Figure 2	West Hants Zoning Map Extract
Figure 3	West Hants Zoning Map Extract – churches within Hamlets
Attachment A	Policy Summary for WHLUB Amendments
Attachment B	Proposed Text Amendments
Attachment C	Public Information Meeting Notes

Report Prepared by: _____
Mark Fredericks, Senior Planner

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

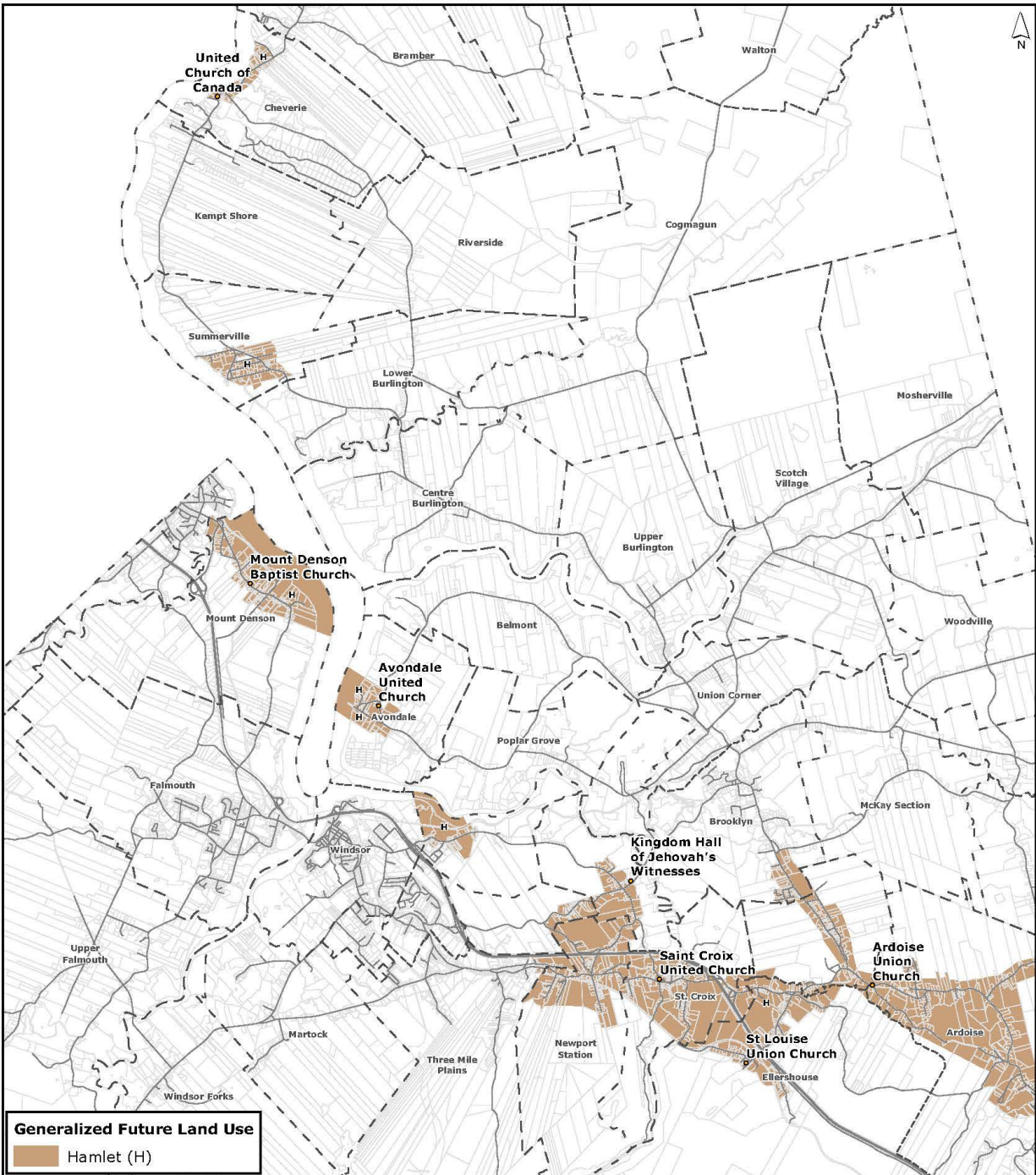
Figure 1 - West Hants GFLUM Extract



Figure 2 - West Hants Zoning Map Extract

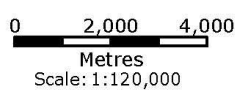


Figure 3 - West Hants Zoning Map Extract – Churches within Hamlets



Base data derived from the Nova Scotia Property Records Database (NSPRD) and the Nova Scotia, Geomatics Centre (NSGC), Copyright Her Majesty The Queen in Right of the Province of Nova Scotia. This map is a graphical representation only. It is not a land survey and is not intended for use for legal descriptions or to calculate exact dimensions or area. Prepared by: West Hants Regional Planning and Development Department December 2023.

Hamlet Churches



- Places of Worship
- ▭ Parcels
- Roads

Attachment A - Policy Summary for WHLUB Amendments

Policy 16.3.1 In considering development agreements and amendments to the West Hants Land Use By-law, in addition to the criteria set out in various policies of this Strategy, Council shall consider:

<i>(a) whether the proposal is considered premature or inappropriate in terms of:</i>	
<i>(i) the adequacy of sewer and water services;</i>	<p>No central sewer or water services are available in this community or the other designated Hamlets.</p> <p>The subject property has adequate lot area to meet the minimum standard for un-serviced lots. This indicates the lot should be capable of accommodating an on-site well and septic system to service up to 5 residential units. The existing on-site systems may be adequate or may require upgrades, but these details are determined at the time of permitting, with the approval coming from Nova Scotia Department of Environment and Climate Change who has jurisdiction over septic systems and wells.</p> <p>For any other property, the owners will have to determine the suitability of water and sewer services during the permitting process.</p>
<i>(ii) the adequacy of school facilities;</i>	<p>Summerville Elementary School is located across the street from the subject property. The proposed building is intended to provide housing for seniors, but if young families were to live here, 5 units represents a small potential increase in school population which is expected to be accommodated by local schools.</p>
<i>(iii) The adequacy of fire protection and other emergency services;</i>	<p>The Summerville Fire Department is immediately across the street from the subject property.</p>
<i>(iv) the adequacy of road networks adjacent to, or leading to the development; and</i>	<p>The Provincial Department of Public Works (DPW) indicated the surrounding road network was adequate for the proposed residential use. They have also confirmed that the existing driveways</p>

	<p>are adequate and appropriate for the proposed use.</p> <p>Other properties would be checked at the permitting stage.</p>
<p><i>(v) 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) whether the development is serviced, or capable of being serviced, by a potable water supply and either central sewer or an approved on site sewage disposal system;</i></p>	<p>See 16.3.1 (a) (i) above.</p>
<p><i>(c) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;</i></p>	<p>The Provincial DPW indicated they had no concerns with the suitability of the proposed development for automobiles or pedestrians. Generally, in Hamlets there are limited to no sidewalk infrastructure.</p> <p>Suitability for other properties would be considered at the permitting stage.</p>
<p><i>(d) the adequacy of the dimensions and shape of the lot for the intended use;</i></p>	<p>The shape of the lot is a rectangle, and similar to the surrounding residential lots and presents no concerns for the proposed use.</p>
<p><i>(e) the pattern of development which the proposal might create;</i></p>	<p>The arrangement of properties in this area would be consistent with typical rural residential lots, and changing from a church to 5 residential units should not create any unusual development patterns, as the site has a history of community use, and adequate parking.</p>
<p><i>(f) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses or wetlands, and susceptibility of flooding;</i></p>	<p>The site and surrounding area appear suitable for the proposed residential development. No concerns with grade or soil conditions as the amendments will apply to existing structures, the site conditions are established.</p>
<p><i>(g) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other</i></p>	<p>All Municipal, Provincial, and Federal regulations will have to be met.</p>

<i>relevant municipal by laws and regulations; and</i>	
<i>(h) any other matter required by relevant policies of this Strategy.</i>	All relevant matters have been addressed in this report.

Attachment B – Proposed Text Amendments

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

Text amendments to section 11.0 in the West Hants Land Use By-law to allow churches to be converted into a residential use, with up to 5 residential units.

11.0 RURAL RESIDENTIAL (R-4)

Permitted Uses

11.1 The following uses shall be permitted in the Rural Residential (R-4) zone:

- Existing churches, community centres, fire halls, schools and post offices
- Manufactured homes
- Seasonal dwellings subject to the GR zone requirements
- Single and two-unit dwellings
- **Former churches to include up to 5 residential units**

R-4 Zone General Requirements

11.2 In the R-4 zone, no development permit shall be issued except in conformity with the following:

		Single unit and seasonal dwellings, manufactured homes	Two units	Other uses
Minimum lot area		29,000 ft ² (2,694.10 m ²)	29,000 ft ² (2,694.10 m ²)/unit	40,000 ft ² (3,716.00 m ²)
Minimum lot frontage		100 ft (30.48 m)	100 ft (30.48 m)/unit	100 ft (30.48 m)
Minimum front yard		25 ft (7.62 m)		
Minimum rear yard		25 ft (7.62 m)		
Minimum side yard	one side	6 ft (1.83 m)		
	other side	10 ft (3.05 m)		
Maximum height of main building		35 ft (10.67 m)		

11.3 **When a church is repurposed, the majority of the building form shall be maintained, with opportunity for alternate window and door alterations and architecturally compatible expansions to accommodate up to 5 residential units.**

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

Text amendments to section 7.0 in the West Hants Municipal Planning Strategy to allow churches to be converted into a residential use, with up to 5 residential units within the Rural Residential (R-4) zone.

Policy 7.1.4 *It shall be the policy of Council not to permit multiple unit residential development in Hamlets, except as provided in Policy 7.1.3 and within repurposed churches in the Rural Residential (R4) zone.*

Attachment C - Public Information Meeting Notes

January 16 – 30, 2024

**WHMPS and WHLUB Text Amendments: Hamlet Designation and Rural Residential (R-4) zone;
File #23-45**

Meeting date and time	A Public Information Meeting was held on January 16, 2024 beginning at 6 p.m. in Council Chambers, 76 Morison Drive in Windsor.
Attending	In attendance: <ul style="list-style-type: none">• Mayor Zebian• Senior Planner, Mark Fredericks• Planner, Alex Dunphy• Director of Planning and Development, Sara Poirier• Planning Administrative Assistant, Vanessa Lake• Chief Administrative Officer, Mark Phillips• 11 members of the public
WHMPS and WHLUB Text Amendments: Hamlet Designation and Rural Residential (R-4) zone Origin: 20 Musgrave Road, Summerville.	Planner Fredericks outlined the request and described the general amendments to permit repurposing of churches within the Hamlet designation. The general text amendments originated from the new owner of the former Kempt United Baptist Church in Summerville. Andrea Parker and Jermey Parker made a presentation describing their intention with the building, including the conversion of the church to 5 residential units, maintaining a community/church space within the building, and providing transportation for weekly trips to Windsor for tenants, energy efficiency and the desire to keep seniors living in their community.
Comments	No comments were made during the Public Information Meeting or following the meeting.
Adjournment	The meeting adjourned at 6:19 p.m.