



**MUNICIPALITY OF THE DISTRICT OF WEST HANTS
Planning/Heritage Advisory Committee
January 17, 2019, 6:00 p.m.
Sanford Council Chambers**

- PRESENT:** Councillor Robbie Zwicker, Chair
Councillor Tanya Leopold, Vice Chair
Warden Abraham Zebian
Deputy Warden Paul Morton
Councillor David Keith
Councillor Debbie Francis
Councillor Kathy Monroe
Councillor Rupert Jannasch
- STAFF:** Madelyn LeMay, Director of Planning & Development
Saira Shah, Planner
Sara Poirier, Planner
- REGRETS:** Councillor Randy Hussey
Councillor Jennifer Daniels
Mr. Glenn Robinson, Resident Member
Ms. Traci Curry, Resident Member
- GUESTS:** Ms. Nancy Stewart, Public Health
Ms. Desiree Gordon, Public Health
- PUBLIC:** Three members of the public were present.

MEETING CALLED TO ORDER

Chair Zwicker called the meeting to order at 6:00 p.m. and reviewed fire evacuation procedures.

PUBLIC INFORMATION MEETING – HOUSEHOLD LIVESTOCK IN WEST HANTS

Ms. Shah reviewed the information provided in her report which was circulated to PAC in the PAC/HAC agenda package.

Chair Zwicker opened the floor to the public for comments and questions. There were none.

The public information meeting closed at 6:06 p.m.

HOUSING SUPPORTIVE NEEDS ASSESSMENT REPORT

Ms. Nancy Stewart, Health Promoter, Public Health, Annapolis Valley Eastern Kings Memorial Community Health Centre, presented the findings from the housing supportive needs assessment conducted earlier in 2018. She described the purpose and details of the assessment and discussed the results of the survey done in 2018. She noted what communities can do to address problems related to housing, specifically saying municipalities should ensure the Municipal Planning Strategy takes into consideration affordable housing priorities and considers ways to help increase and protect affordable housing stocks. A copy of Ms. Stewart's presentation slides is attached to these minutes.

APPROVAL OF AGENDA & ADDITIONS

MOVED and SECONDED that the agenda be approved.

Motion carried.

APPROVAL OF PLANNING ADVISORY MEETING MINUTES OF NOVEMBER 15, 2018.

MOVED and SECONDED that the Planning/Heritage Advisory Committee meeting minutes of November 15, 2018 be approved as circulated noting any errors or omissions.

Motion carried.

HANTSPORT AREA ADVISORY COMMITTEE UPDATE FROM CHAIR

Chair Zwicker reported that the HAAC met on January 9, 2019. He stated that the committee members are concerned with the current aboiteau situation and are interested in being involved in the permanent solution.

He also informed the committee that Mr. Coby Milne was at the meeting to discuss economic development in Hantsport. Ms. LeMay added that Mr. Milne will attend the next HAAC meeting on February 13, 2019 to discuss economic development in Hantsport, Business Improvement Districts and other possible supports for businesses. Members of the community are invited to attend.

BUSINESS ARISING FROM MINUTES

Update - West Hants Household Livestock (Saira Shah)

C. Munroe asked how the changes would be enforced. Ms. Shah replied that it would be based on complaints. C. Munroe asked what would happen if the complaint was noise based. Ms. LeMay replied that she understands that Rhonda Brown, Municipal Clerk, is currently working on a noise by-law for the Municipality. C. Munroe also asked about manure storage on small lots (under 1 acre) especially regarding setbacks from neighbour's wells. Ms. Shah responded that it is not anticipated that manure will be an issue as there will only be a small number of animals permitted on lots under 1 acre. C. Jannasch echoed this comment. Ms. Shah also added that lots over 1 acre would have to follow policies already in the MPS regarding manure storage.

Moved and Seconded that PAC recommends that Council give First Reading and hold a public hearing to consider amending the West Hants Land Use By-law to enable a variety of livestock on lots that are smaller than one (1) acre and are in a residential or resource zone, in a manner substantially the same as Appendix A attached to the planning staff report dated January 17, 2019.

Motion carried.

Update - Hantsport Household Livestock (Saira Shah)

Ms. Shah reported that the advertisement for the Public Hearing was not placed in the newspaper in time for the December Council meeting. The Public Hearing for this amendment will take place on February 12th.

Update - Municipal Planning Strategy and Land Use By-law Amendments – Indoor Storage Facilities Accessory to Agricultural Uses (Sara Poirier)

Ms. Poirier stated that the amendment to allow indoor storage facilities accessory to agricultural uses was approved and took effect on December 25, 2018. Notice of approval was published in the newspaper dated December 25 which was distributed on December 27, 2018. This item can now be removed from the agenda.

Update – Land Use By-law Map Amendment – Bonnie Lane, Newport Station (Saira Shah)

Ms. Shah stated that the application will be presented at a Public Hearing at Council on February 12, 2019. Following the Public Hearing, Council will have Second Reading and make its decision.

Update – Land Use By-law Text Amendment – Micro-Cultivation and Micro-Processing of Cannabis (Saira Shah)

Ms. Shah stated this amendment was approved by Council. There were no appeals received and the amendment took effect on December 5, 2018. This item can be removed from the agenda.

Update – Municipal Planning Strategy: Public Engagement Meetings (Sara Poirier)

Ms. Poirier stated that since the last PAC meeting, Ms. Poirier and Ms. Shah hosted a two-hour interactive session at West Hants Middle School on Tuesday, November 27 and an Agriculture meeting on Monday, January 14 at the Upper Burlington Hall.

Ms. Poirier said the West Hants Middle School engagement went well and the students were very engaged. Ms. Poirier and Ms. Shah went through multiple activities with the students including interviewing, matching and mapping exercises. The interviewing activity asked the students questions such as “What do you think the best place in West Hants is?” to which the main responses were Ski Martock and the Newport District Arena. They also asked the students the first thing they would do to make West Hants a better place for young people if they were the Warden. The responses were varied but included banning smoking/vaping, providing free wi-fi everywhere and increasing recreation facilities including hockey arenas, sledding hills and parks.

Ms. Poirier stated that over 16 members of the public plus 4 Councillors attended the first Agriculture meeting. It was brought up at the meeting that many farmers are feeling financial pressure and wish to diversify their products. It was suggested that the Municipality could investigate grants or incentives that are available to farmers to assist with making farming economically viable once again. There was other discussion about the need for a commercial kitchen for farmers to be able to locally process products instead of sending them away and the need for a farmer’s market to gain community support and intercept some of the traffic which goes to the Wolfville market. Other discussion included encouraging solar and wind energy production, but not biomass due to environmental concerns, and encouraging sustainable forest management practices including the prohibition of clear cutting.

As far as planning-related items it was positive to hear that the West Hants current policies do not seem to be restricting how farmers and land owners are able to utilize their properties and diversify uses. The meeting also clarified which sustainable land practices and sustainable energy options the public may be interested in. The exit surveys indicated that people found the meeting informative and appreciated councillors presence. The second Agriculture meeting is scheduled for Wednesday January 30 at the Windsor Forks district school gymnasium.

Ms. Poirier advised that at this time there are no other plan review meetings scheduled however the Planning Department is open to suggestions for future meetings.

Update – Civic Addressing By-law and Road Naming Policy (Madelyn LeMay)

Ms. LeMay stated the Civic Addressing By-law amendment is now complete and can be removed from the agenda. All related forms on the website have been updated.

Update – Brison Developments Ltd. – Development Agreement Amendments (Madelyn LeMay)

Ms. LeMay advised that the amending agreement was approved by Council December 11, 2018 and the notice of approval was placed in the local paper. No appeals were received and the documents have been prepared and sent to Mr. Brison for signature.

Update - Commercial Development District Improvement By-law (Sara Poirier)

Ms. Poirier stated that she presented the CDDI By-law to Council at Public Hearing on January 8, 2019. The by-law was approved by Council at that time and has now been sent to the Minister for approval. In the meantime, Ms. Poirier has been working on communication pieces including letters to residents, Facebook posts and brochure to be distributed to residents when the By-law is approved.

Update - Municipal Registration of Sainte Famille Cemetery (Madelyn LeMay)

Ms. LeMay stated that Council will hear comments from the owner of the cemetery, Les Amis de Grand-Pré, at the Council meeting February 12, 2019. Unlike planning matters, there is no “public hearing” for a heritage registration, just the opportunity for the owner to be heard.

Cannabis in West Hants (Saira Shah)

Ms. Shah provided an overview of her investigation into potential amendments to accommodate cannabis land uses in West Hants. She requested direction from PAC for the following:

- Is standard-sized cannabis cultivation/production agricultural or industrial?
- Should staff consider an increased separation distance for residential uses?

C. Francis brought up the Bonnie Lane application and questioned if this decision would affect applications already in process. Ms. Shah states that if setbacks are increased any building constructed for which a development permit has been issued that does not meet the new setbacks would be considered a non-conforming structure. C. Francis asked for clarification in terms of how other municipalities determine if standard size cannabis is industrial or agricultural uses. Ms. Shah stated that they each make their own determination as there is no direction from the Federal Government.

C. Munroe asked if this decision would impact the taxes received from cannabis business. Ms. Shah stated it would not as the tax rate is not tied to zoning. C. Munroe brought up an article from the Niagara region which states properties from 5 km away were complaining about smell caused by cannabis production. She asked how smell would be dealt with for surrounding communities. Ms. Shah replied that she addressed concerns with regards to odour for the Bonne Lane application and PAC requested an odour control by-law which would be a complaint-based system. Ms. Shah is currently working on the details for this by-law.

C. Jannasch stated that the pictures shown in the presentation were all industrial-sized indoor operations and questioned whether standard size cannabis production can take place outdoors. Ms. Shah said it can be grown outdoors but the Federal government requires fencing and one (1) indoor building for processing.

Warden Zebian felt standard sized cannabis cultivation and production should be considered industrial and setbacks should be increased.

C. Leopold felt outdoor growing of cannabis would not be the most commercially viable in our climate and that placing production facilities in the industrial park decreases the likelihood of walk-in clients. She stated this would reduce complaints about sound and smell and localize those issues (if any) to only the industrial park. C. Leopold asked whether hemp would be included in this amendment. Ms. Shah stated this amendment would only impact licensed cannabis cultivation and production for marijuana.

C. Jannasch asked whether considering standard-sized cannabis cultivation and production as industrial would limit someone with agriculture land. Ms. Shah stated it would create a limitation but an application could be considered through rezoning or the development agreement process.

Warden Zebian suggested the Committee consider it industrial and the Committee agreed.

C. Leopold asked for confirmation that this decision would not impede anyone that is currently applying. Ms. Shah stated it would not impact any current applications. C. Leopold proceeded to ask about how this decision could impact individuals wishing to grow cannabis for personal use. Ms. Shah stated that growing cannabis by individuals is not a concern for the Municipality and she is just focusing on commercial operations. C. Leopold asked how much setbacks would be increased by. Ms. Shah will look into it and provide the Committee with a comparison to other municipalities.

C. Francis asked if Ms. Shah was just looking for general direction and if a recommendation report would be provided at a later date. Ms. Shah confirmed this.

Based on comments from PAC, Ms. Shah will draft potential amendments for cannabis land uses in the coming months.

Update - Hantsport Area Advisory Committee Policy & West Hants Planning Advisory Committee Policy (Madelyn LeMay)

Ms. LeMay stated that minor changes to the policies have been approved by Council. In addition, a new PAC/HAC member was appointed by Council. Traci Curry will be at the February PAC/HAC meeting.

BUILDING AND DEVELOPMENT ACTIVITY REPORTS

Monthly Reports – November and December 2018

No comments were made on these reports.

NEW BUSINESS

Amendment to Heritage Conservation Grant Guidelines (Madelyn LeMay)

Ms. LeMay reviewed a report which had been circulated and noted that only one substantive change was recommended: that of including not-for-profit organizations as eligible owners, as not-for-profit organizations invest time, energy and money in their communities, and those that own heritage properties are committed to preserving them.

Moved and Seconded that Council approve the amendments to the Municipal Heritage Property Conservation Work Grant Guidelines (COPL -004.05) which includes not-for-profit organizations as eligible owners, as contained in Appendix A of the January 17, 2019 report to PAC/HAC.

Motion carried.

C. Munroe asked if the Municipality restricts the demolition of heritage properties. Ms. LeMay commented that the Heritage Property Act allows the property owner to demolish the building after a three (3) year wait following Council's refusal of a permit to demolish. This time is intended for the property owner to find funding or another owner that wants to maintain the property.

Brooklyn Water (Councillor Keith)

Moved and Seconded that the Planning Advisory Committee direct staff to review the policies of the Municipal Planning Strategy to determine what changes would be required to the Municipal Planning Strategy to allow Brooklyn to be serviced with water.

Motion carried unanimously.

NOTICES FROM ADJACENT MUNICIPAL UNITS

Notices were received from the Town of Windsor and Kings County. Ms. LeMay noted that she felt there was nothing with impact on West Hants

MISCELLANEOUS

Boundary Review (Madelyn LeMay)

Ms. LeMay provided posters to committee members to circulate or post to advertise the Governance Review public meetings. The first set of meetings will focus on how many councillors the public would like to see on the new regional council.

C. Francis asked whether there is a paper survey option; Ms. LeMay stated paper copies of the surveys will be made available .

Warden Zebian requested a link to the online survey be put on the West Hants website. Ms. LeMay said the link will be placed as soon as possible and advertisements will be placed in the local paper beginning Tuesday.

C. Jannasch asked why there is a stretch of 40 km on Highway 215 that does not have a meeting location. Ms. LeMay clarified that meetings are spread throughout the County, and the posters advertise only the first set of meetings. A second set of meetings will begin in March. Ms. LeMay will send out all the meeting locations and dates to PAC/HAC.

C. Leopold asked if there were enough snow dates. Ms. LeMay stated there are three snow dates over the two rounds of meetings.

QUESTIONS AND COMMENTS FROM PUBLIC

No questions from the public.

ADJOURNMENT

MOVED and SECONDED that the meeting adjourn.

Motion carried.

The meeting adjourned at 7:30 p.m.

Chair