



**MUNICIPALITY OF THE DISTRICT OF WEST HANTS
Planning/Heritage Advisory Committee
July 18, 2019, 6:00 p.m.
Sanford Council Chambers**

- PRESENT:** Councillor Robbie Zwicker, Chair
Warden Abraham Zebian
Deputy Warden Paul Morton
Councillor Debbie Francis
Councillor Kathy Monroe
Councillor Rupert Jannasch
Councillor David Keith
Mr. Bill Preston, Resident Member
- STAFF:** Madelyn LeMay, Director of Planning & Development
Saira Shah, Planner
Casey Parker, Sustainability Planner
Courtney Smith, Sustainability Planner
Velma Macumber, Planning Admin Assistant
Vanessa Lake
- REGRETS:** Councillor Jennifer Daniels
Councillor Tanya Leopold, Vice Chair
Councillor Randy Hussey
Ms. Traci Curry, Resident Member
- GUESTS:** Kevin Harive, Halliburton Representative
Paul Smith, Halliburton Representative
- PUBLIC:** Approx. 60 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.

APPROVAL OF AGENDA & ADDITIONS

The following item was added under New Business:

- 5(e) GHG Emissions Inventory Presentation

MOVED and SECONDED that the agenda be approved as amended.

Motion carried.

APPROVAL OF PLANNING ADVISORY MEETING MINUTES OF JUNE 20, 2019

MOVED and SECONDED that the Planning/Heritage Advisory Committee meeting minutes of June 20, 2019 be approved as circulated noting any errors or omissions.

Motion carried.

PUBLIC INFORMATION MEETING – DRESSER MINERALS LAND USE BY-LAW AMENDMENT

Ms. Shah gave an overview of the proposal and summarized the concerns raised at the previous Public Information Meeting on June 20, 2019. Mr. Harive gave a brief presentation on the devices that would be assembled on site if the amendment is approved.

Chair Zwicker opened the floor to the public for comments and questions.

In summary, the comments expressed by members of the public were:

- how the goods would be transported;
- what expansion on the site could mean in terms of products produced (i.e. products for fracking);
- if the property could be rezoned back after the project is completed;
- who the applicant could sell the land to after their project is complete;
- if the Municipal Government Act could be amended to allow the Municipality to set specific requirements for the project;
- if the developer would be willing to hold a public meeting in the community of Walton to give an opportunity for residents of the area to attend;
- how the site is secured;
- how their industry impacts climate change and what emissions are produced ;
- if there are setbacks from adjacent residential properties; and
- how this industry could produce positive spin offs (i.e. local employment).

The public information meeting closed at 7:45 p.m. A lengthy discussion was held by the Committee and Mr. Harive about the future intent of the project.

Councillor Francis asked if the development can take place as-of-right. Ms. Shah stated that any land that is currently zoned Resource Industrial (M-1) would permit this use as-of-right.

Councillor Francis asked if the Public Hearing could be held closer to Walton. Ms. Shah advised that the Public Hearing could be held in Walton, but Council would have to recommend this before the Public Hearing is scheduled.

Councillor Francis asked if Department of Transportation and Infrastructure Renewal (DTIR) could be invited to the Public Hearing to talk about road transportation safety. Ms. Shah noted that DTIR is aware of the application and could be contacted to attend the Public Hearing.

Councillor Francis noted that residents do have concerns about fracking, however the applicants do not plan on doing fracking on the site or producing products for fracking. She stated people can speculate about what is going to happen on the land, but decisions can not be made based on speculation.

Councillor Francis noted that Lorne Laffin asked about setback requirements from residential properties. Ms. Shah stated she will look into the setback requirements.

Councillor Francis asked if staff had looked at the policies to see if the proposal would fit. Ms. Shah replied that this proposal meets the policies of the Municipal Planning Strategy. Councillor Francis noted that if the proposal does fit within the policies, and if Council does not approve it, then it could open the Municipality up to a successful appeal. Ms. Shah agreed.

Mr. Preston asked about the classification for the gun. Mr. Harive provided an explanation on the categories of explosives. Mr. Preston noted that Halliburton is very conscious about the environment, however, they could sell the property to a fracking company. Mr. Harive stated he did not know who may purchase the property after they complete their project.

Discussion was held about the security measures in place, with Mr. Harive explaining that no one could enter or leave any building on the site without notification being sent to the company.

Warden Zebian thanked Mr. Harive for his presentation. He asked if he was aware of any incidents at facilities like this. Mr. Harive stated there was an incident in Austin, Texas, which he believed was caused by human error.

Warden Zebian asked about the number of explosive devices that would be stored on site. Mr. Harive stated the volume is approximately 150 kilograms.

Warden Zebian noted that Halliburton has spent a large amount of money on the site, and asked Mr. Harive if he was confident their development would get approval. Mr. Harive stated they spent the money up front to be federally compliant. Mr. Harive commented he has never experienced this level of speculation about a project like this.

Warden Zebian asked if Council did not approve the proposal, would they appeal. Mr. Harive stated yes.

Warden Zebian noted that staff had given the Committee a positive recommendation to send the application to Public Hearing. He commented that he may interpret things differently, and he did not wish to offend Halliburton, however he was elected to represent the residents, and the recommendations made by the Committee represent their residents. Warden Zebian referred to MPS Policy 9.1.6(v): pedestrian circulation and safety, and Policy 16.3.1(a) (iii): the adequacy of fire protection and other emergency services; and (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.

Deputy Warden Morton asked Mr. Harive if Halliburton could hold an open house for residents in the Walton area. Mr. Harive agreed to hold a public meeting. Ms. LeMay stated that this public meeting would not be a Municipal meeting, but staff could mail letters prepared by Halliburton to notify residents of the meeting.

Councillor Jannasch asked if the Planning Department had an obligation to review the application against the Municipal Climate Change Action Plan. Ms. Shah advised there are no policies in the planning documents dealing with climate change, however, this will be considered during the Plan Review.

Councillor Monroe asked if the buildings already contained explosive materials. Mr. Harive replied no.

Mr. Preston asked who monitors the leakage of methane gas after the wells are sealed. Mr. Harive advised that there is a requirement that the sealed wells are monitored, but he is unsure how it is done.

Councillor Francis noted that Lorne Laffin stated the committee should look at the positive rather than just the negative.

MOVED and SECONDED that PAC recommends that Council give First Reading and hold a Public Hearing to consider amending the map of the West Hants Land Use By-law for PID 45173382 and 45367281 to the Resource Industrial (M-1) Zone as shown on Figure 3 attached to the planning staff report dated June 20, 2019.

Warden Zebian, Councillors Jannasch, Monroe, Keith, and Mr. Preston voted "Nay."

Motion defeated.

PUBLIC INFORMATION MEETING - PIONEER DRIVE LAND USE BY-LAW AMENDMENT

Ms. Shah gave an overview of the proposal. She advised that Saad Alsaad and Al Shaheen would like to run a tourist accommodation consisting of at least five (5) cabins, twelve accommodation rooms in a main building and several retail stores to support the tourist accommodation.

Chair Zwicker opened the floor to the public for comments and questions.

The concerns and comments expressed by the members of the public were:

- the possibility of drainage issues caused by the development;
- the possibility of damage to the road, bridge and future water access;
- the ability for emergency services to access the site;
- the potential disturbance caused by noise and pollution from the site;
- the ability for the development to be an asset and fit into the cottage country theme;
- the method in which garbage would be collected; and
- the need for signage and improved road safety in the area.

The public information meeting closed at 9:10 p.m.

MOVED and SECONDED that PAC recommends that Council give First Reading and hold a Public Hearing to consider amending the map of the West Hants Land Use By-law for PID 45279742 to the Rural Commercial (RC) Zone as shown on Figure 3 and the text of the West Hants Land Use By-law to ensure adequate fire protection can be provided for uses that involve flammable goods in the Rural Commercial (RC) zone, in a manner substantially the same as Appendix A, all as attached to the planning staff report dated July 18, 2019.

Motion carried.

PUBLIC INFORMATION MEETING - CANNABIS IN WEST HANTS

Ms. Shah advised that a third request for cannabis-related land uses in West Hants initiated staff to look into all cannabis licenses. She noted that PAC has had several discussions about this amendment from January to May. Ms. Shah noted that several cannabis licenses are also proposed to be permitted in the Windsor-West Hants Joint Industrial Park in a separate amendment. Ms. Shah reviewed the types of cannabis licenses and the zones that each use would be permitted.

Chair Zwicker opened the floor to the public for comments and questions.

No comments or questions were heard.

The public information meeting closed at 9:20 p.m.

MOVED and SECONDED that PAC recommends that Council give First Reading and hold a public hearing to consider amending the West Hants Municipal Planning Strategy and Land Use By-law to enable a variety of cannabis licenses in West Hants, in a manner substantially the same as Appendix A attached to the planning staff report dated July 18, 2019.

Motion carried.

PUBLIC INFORMATION MEETING - JOINT INDUSTRIAL PARK CANNABIS

Ms. Shah gave an overview of the Windsor-West Hants Joint Industrial Park amendments to allow several cannabis licenses. She explained how the process of the joint amendment would be completed with the Town of Windsor.

Chair Zwicker opened the floor to the public for comments and questions.

Shirley Pineo asked if a copy of the presentation could be sent to her by email. Ms. Shah provided her contact information.

The public information meeting closed at 9:23 p.m.

MOVED and SECONDED that that WHPAC recommends that West Hants Council give First Reading and hold a joint public hearing with the Town of Windsor to consider amending the West Hants Municipal Planning Strategy and Land Use By-law to enable a variety of cannabis licenses in the Windsor- West Hants Joint Industrial Park, in a manner substantially the same as Appendix A attached to the planning staff report dated July 18, 2019.

Motion carried.

BUSINESS ARISING FROM MINUTES

Dresser Minerals Land Use By-law Amendment (Saira Shah)

The matter was previously dealt with in the meeting.

Pioneer Drive Land Use By-law Amendment (Saira Shah)

The matter was previously dealt with in the meeting.

Cannabis in West Hants (Saira Shah)

The matter was previously dealt with in the meeting.

Heritage Grant Application – 376 Falmouth Dyke Rd. (Madelyn LeMay)

Ms. LeMay reported that the Heritage Grant for 376 Falmouth Dyke Road was approved by Council on July 9th.

GHG Emissions Inventory Presentation

Ms. Parker and Ms. Smith presented their findings with respect to the GHG Emissions Inventory and action items that could be considered to reduce emissions. The forecasting model will enable the Municipality to consider opportunities and solutions to reduce emissions.

Chair Zwicker thanked Ms. Parker and Ms. Smith.

Discussion was held with respect to the Municipality's landfill and the opportunity to use methane gas to reduce emissions. i.e., conversion of the gas to fuel vehicles, etc.

Councillor Monroe asked what the long-term goals for this project are. Ms. Shah stated the inventory and forecasting model produced in combination with a consultant will provide the new regional municipality with extensive information on how to reduce GHG emissions.

HANTSPORT AREA ADVISORY COMMITTEE UPDATE FROM CHAIR

Chair Zwicker advised that the HAAC had passed a recommendation on July 10th that the RFP or tender for the Hantsport Fire Department Station include consideration for community space.

MOVED and SECONDED that PAC/HAC recommends to Council that the RFP or tender for the Hantsport Fire Department Station include consideration for community space.

Motion carried.

BUILDING AND DEVELOPMENT ACTIVITY REPORT

Monthly Report – June 2019

No questions or comments were heard.

NEW BUSINESS

Joint Industrial Park Cannabis (Saira Shah)

This matter was dealt with earlier in the meeting.

Fees (Madelyn LeMay)

Due to the late hour, Ms. LeMay did not review the report regarding Fees submitted with the agenda package. In response to questions from Ms. LeMay, PAC by consensus agreed that the formal process should be started to:

- replace statements regarding processing fees from planning-related documents with a generic statement referring to the Fees policy;
- specify that non-profit organizations are not required to pay development and building-related fees;
- specify that municipally designated heritage properties are not required to pay development and building-related fees for these properties.

NOTICES FROM ADJACENT MUNICIPAL UNITS

There were none.

MISCELLANEOUS

July Consolidation Update (Madelyn LeMay)

Ms. LeMay stated that there was no new information to report.

QUESTIONS AND COMMENTS FROM PUBLIC

No members of the public were present at this time.

ADJOURNMENT

MOVED and SECONDED that the meeting adjourn.

Motion carried.

The meeting adjourned at 9:54 p.m.

Chair