

**West Hants Planning Review  
Public Meeting  
Centre Falmouth Community Hall  
November 18, 2002, 7:00 p.m.**

Present: Chair Randy Matheson  
Councillor Reed Allen  
Councillor Gloria Shanks  
Councillor Fred Horne  
Councillor Norm Clarke  
Traci Curry, Citizen Member

Staff: Lynn Davis, Director of Planning  
Jane Sodero, Planner  
Clara J. Michelin, Secretary

Other Councillors: Warden Richard Dauphinee  
Deputy Warden Gary Cochrane

Guests: Members of the Public - 10

Chair Matheson welcomed everyone to the Public Meeting and introduced members of the West Hants Planning Advisory Committee and Staff.

Chair Matheson explained it has been almost ten years since the last plan review and said it is very important to obtain input from as many people as possible, including farmers, developers and through public meetings such as this one to have the best possible plan for the area. He invited people to share their likes, dislikes and concerns on all matters pertaining to the plan review.

Chair Matheson asked Lynn Davis, Director of Planning, to explain the Plan Review.

Ms. Davis thanked the public for attending the meeting. Ms. Davis explained there are four (4) sets of Planning documents in place, and the intent is to consolidate them into one plan for all of the Municipality as a consistent and comprehensive document. She advised that the Municipal Planning Strategy (MPS) sets out Council's and the community's vision and policies for development of the Municipality; and the Land Use By-law (LUB) is a regulatory tool that puts the Municipal Planning Strategy into effect. The third planning document is the Subdivision By-law which is another regulatory tool that covers subdivision of land. "Subdivision" means adding or taking from a lot, or creating one lot, or creating a hundred-lot subdivision.

Ms. Davis stated that over time, the planning documents may have become outdated because of changing demographics, residents' desires and Provincial regulations. She explained that the

planning documents which should be ready for the public hearing process in 2004. Ms. Davis said that staff have been working over the past year on background research including a Statistical Profile outlining demographics and building trends, and a household survey. She explained that the Planning Advisory Committee will meet with developers on November 21 and a second meeting will be held with the agriculture community in January, 2003 and as a result of those meetings and these public sessions, a concept for the framework of the new policies and regulations will be ready in February, 2003. A first draft of the planning strategy and Land Use By-law, Ms. Davis said, should be ready for presentation to the public next fall; the second draft in January/February 2004, and a final draft ready in the summer of 2004.

Ms. Davis introduced Term Planner Jane Sodero to present the results of the Plan Review Survey.

### **Results of the Plan Review Survey**

In June 2002, approximately 8,100 surveys were sent to every household in Windsor and West Hants. There was a 9.4 percent return rate from West Hants and a 12 percent return rate from Windsor. The Planning office had received 19 returns from Upper Falmouth and 110 from Falmouth, representing 17 percent of total responses received.

The survey results indicated 80 percent of the respondents were over age 45, with 55 to 64 years of age the highest return from Falmouth, with over 24 percent being retired residents, and of those working, the highest percentage work in Windsor and Halifax.

Majority of the dwellings in the West Hants area are single family dwellings with most respondents living in the area for more than 20 years, versus 1 to 5 years in Windsor and in Falmouth itself.

People were attracted to the area because of the rural life style, cost of land, large lots, family atmosphere and close proximity to Halifax. West Hants respondents expressed concerns regarding the condition of streets, roads and sidewalks, pedestrian safety, traffic and conditions of buildings in their neighbourhood.

The survey asked about different types of residential development and most West Hants respondents felt that only single family dwellings and senior housing should be encouraged. Over half of the respondents felt a wide range of development such as home based businesses, day cares, churches and community halls were acceptable in residential areas.

When asked what they liked about the area, respondents cited privacy and quiet rural atmosphere, but disliked poor road conditions, lack of water and sewer services, unsightly properties, derelict vehicles and speed of traffic in the area.

The survey indicated that most residents shop in the Windsor, West Hants area except for clothing, which they shopped for in the Halifax region.

The survey indicated over 50 percent of respondents want to see businesses locate in existing downtown buildings, in the Industrial Parks, Wentworth Road, the Brooklyn area and new buildings in the downtown Windsor area. When asked whether new malls were desired, respondents said “no” and indicated that existing malls should be expanded or be improved.

West Hants respondents were somewhat satisfied with most aspects of downtown Windsor. A considerable number, however, were not satisfied with parking, condition of buildings and condition of streets and sidewalks.

Most of the comments from West Hants regarding commercial development included development in the town of Windsor, since West Hants respondents view Windsor as their town as well. Some felt the need for a major retail outlet and felt lower taxes or tax incentives should be given to attract business to the downtown area. Respondents also wanted to revitalize the downtown area and the waterfront. Respondents said a wide range of commercial and light industrial uses should be permitted in the Industrial Parks.

Over 60 percent of the respondents felt development should take place away from agriculture areas and over 60 percent were satisfied with police and fire protection. About 30 percent of Upper Falmouth residents were not satisfied with water and sewage services or lack of those services.

The survey included questions about recreation programs and composting. West Hants respondents had a low participation rate in recreation programs linked to awareness, location and transportation. About 2/3 of West Hants respondents felt a need for recreational programs as in a swimming pool, parks, picnic areas, trails, gardening, first aid, dance and composing. There was a very high number interested in composting and most respondents wanted more information on this subject.

There were five different questions on planning issues in the Windsor-West Hants area. These included protection of heritage buildings, downtown architectural standards and Downtown Windsor revitalization. Most respondents from West Hants felt these were important issues, and the preservation of farmland was felt to be very important.

With regard to future development of Windsor-West Hants, 71% of respondents either “strongly agreed” or “agreed” that development should be encouraged in serviced rather than unserved areas.

The question about a by-law limiting the use of pesticides in lawn care in Windsor found that more than 60 percent of West Hants respondents “agreed” or “strongly agreed”, with many adding that a by-law should also be considered for West Hants.

The question concerning the Avon River Causeway was not a yes or no question and Ms. Sodero

had to gauge whether a response was a yes or no. Overall, 38 percent of West Hants respondents suggested that the causeway should be removed and 39 percent of Windsor respondents felt it should not be removed. Over 68% of respondents from Upper Falmouth felt the causeway should be removed and 36 percent from Falmouth said it should be removed.

There was a question from the public regarding whether the question on pesticides included lawns or orchards. Ms. Sodero said the question was asked for lawns.

The public meeting recessed at 7:40 p.m.

The public meeting reconvened at 7:55 p.m.

### **Existing Planning Documents**

Ms. Davis explained the existing planning documents. She advised that Area One includes the area south of the Kennetcook River extending from the eastern boundary of the Municipality, and including the Highway 101 corridor area as far as Windsor. Area 2 is north of the Kennetcook River and covers the Shore area. Area 3 is the southwest part of the Municipality extending past Windsor on Highway 14 toward Martock, Windsor Forks and Vaughan and the county line, and Mt. Denson area. There is a separate Municipal Planning Strategy and Land Use By-Law for Falmouth and a separate one for Upper Falmouth.

The Falmouth MPS was designed to address the rapid residential growth that Falmouth was experiencing in the 1970's and 1980's. The intent of the planning strategy is that Falmouth is to develop as a predominately residential community within very defined servicing boundaries. The Upper Falmouth MPS and LUB were adopted at the request of farmers in the area in 1989. Its intent is to protect prime agricultural land in Upper Falmouth.

The Area 2 & 3 MPS and LUB were adopted in 1994. It is a very simple two-issue strategy developed to protect the Falmouth Water Supply Area and prevent undesirable land uses, namely landfills, from coming into the area. There is a water supply zone and a general use zone with the general use zone permitting everything but landfills. There is no identification of, or protection for agricultural land, except dykeland.

The Area 1 MPS was adopted in 1982 and last reviewed in 1991. This is the most complex MPS and LUB. There are 31 zones in the LUB. The planning strategy makes a clear distinction between urban and rural. The urban designation is the Growth Centre which applies to the Three Mile Plains/Hillcrest Drive serviced area. The idea is that most of the more intensive non-resource uses will be directed to the Growth Centre. The rural designation applies to the Village designation of Brooklyn, and eight Hamlets including Ellershouse, Newport Corner, Newport Station, St. Croix and Newport Landing. The remainder is the resource areas. The intent of the MPS is to concentrate development in the serviced Growth Centre, and to a lesser extent in the Village and Hamlets, thereby protecting the resource areas and preventing scattered

development. Ms. Davis explained that there are Priority 1, 2 and 3 Agricultural designations,

with #1 having the strictest rules.

She said that the Falmouth Plan and By-law was adopted in 1976 and reviewed in 1986. The intent is that the type of residential development to occur in Falmouth should be rural residential. There are 2 residential zones. Restricted Residential is for areas with water and sewer. It permits single family and 2 unit dwellings, existing mobiles, churches, schools, household livestock and existing agricultural uses.

Within the Estate Residential zone where there is Municipal water but no sewer services, allowed are single family dwellings, day cares and household livestock. In Falmouth, semi-detached or duplexes are allowed only through a development agreement/contract which sets out conditions on the use and development of the property. The only place this can occur is on collector roads or arterial roads with water and sewer. Mobile home parks are only permitted by development agreement in the Restricted Residential zone where there is water and sewer.

Ms. Davis explained that there is only one Commercial zone in Falmouth, centred around Dyke and Back Road and Highway #1 which accommodates existing commercial uses. There can be rezoning; however, this can occur only on Highway #1 where water and sewer services are available. These commercial uses, Ms. Davis said, must be compatible to the area. The zone permits a wide range of uses such as banks, retail, shopping centres less than 10,000 sq. feet, automobile sales and service, hotel, restaurants and theatres.

Other commercial uses permitted are home occupations which are permitted in a dwelling in any residential zone. These are small businesses in residential neighbourhoods which have restricted size (25 percent of home area) and number of employees allowed in order to control size and nature of business. There is a problem with Falmouth's home occupation provisions. They are different than anywhere else in the Municipality because the requirement allows home occupations only in a dwelling in a Residential zone. This means that a home occupation is not permitted in a dwelling in any other zone, such as Agriculture/Resource.

Ms. Davis said that the Industrial zone in Falmouth applied only to existing industry. New Industrial use must go through the re-zoning process.

The Recreation/Commercial zone recognizes Avon Valley Golf Club. New Recreation/Commercial uses are by development agreement.

In the Agriculture Resource zone, uses that are permitted are kennels, vet clinics, and agriculture uses. There is a minimum lot size of 6 acres with 300 feet frontage, although smaller lots can be created where there is an existing dwelling, or to allow infilling. Land zoned for Agriculture/Resource can be rezoned to other zones, provided it will not adversely affect adjacent agriculture uses.

agriculture land. The Prime Agriculture zone permits agriculture use, existing dwelling and forestry uses. The minimum lot size is 50 acres, 200 feet frontage. New single family dwellings are permitted on existing lots of 6 acres or less. There are separation distances from intensive livestock operations.

The Rural Residential zone permits single family dwellings, agriculture uses but not intensive livestock and dwellings must be 1000 feet away from any intensive livestock operation. The minimum lot size is 2 acres, 150 feet frontage.

There is a Community Services zone which is a very limited commercial type of zone. It permits churches, schools, community centres, convenience stores up to 1000 sq. ft., repair shops, farm supplies and equipment sales, barber and hairdressing shops, and landscaping material sales. The minimum lot size is 30,000 sq. ft., with 100 ft frontage.

Land zoned Prime Agriculture may be rezoned to Rural Residential, but only if an environmental study shows the land is not suitable for agriculture (Class 4 or lower agricultural suitability), and where the viability of agriculture operations in Upper Falmouth will not be adversely affected.

Community service uses may be permitted in Prime Agriculture by development agreement only on small lots of 6 acres or less, and provided an environmental study is done.

Ms. Davis opened the floor for discussion.

### **Questions and comments from Public**

Colin Hines asked whether dyke lands are included in the new plan (as in the old plan) and he felt that dyke lands should be in the new plan. He said that development should be carefully reviewed, otherwise there will be another Sackville built here; that the density of development should be carefully examined. He asked whether the Falls Lake and Armstrong Lake areas have a lot of development at this time.

Ms. Davis said that most of the new development around lakes involves private roads and the requirement is that only cottage development is permitted and not year around homes. She explained that the road requirements since 2000 are more strict and costly, thus not a lot of new private roads taking place. As for the density concern, Ms. Davis said that lot size has to be looked into; whether services are in place and road frontage available. She recognized that density is a concern.

Richard Armstrong asked whether the by-laws are concerned with points of interest/historical properties. Ms. Davis said there is nothing in the present by-laws to protect historic sites. Mr. Armstrong felt there should be. L. Davis explained there is a Municipal Heritage Property By-law which can be used to designate significant historic properties, which places restrictions on that property. Normally, properties are registered at the request of the owner, but the

Municipality could act on its own.

Councillor Clarke said the Heritage Society could look into this concern as well.

Malcolm Manning said that Upper Falmouth plan and the Falmouth each have their own regulations but where they join, there may be conflicts of development.

Ms. Davis said the Upper Falmouth LUB protects agriculture uses, but next door is Falmouth, which is primarily for residential development. The Upper Falmouth LUB sets a separation distance for new homes from intensive livestock operations, but there is not the same requirement in Falmouth, so a farm near the Falmouth planning area boundary could have homes built too close. She felt there is a need to address these types of issues regarding agricultural lands.

Mr. Manning asked about the sub division of land and water and sewer extended to Mount Denson area where there is no zoning protection. He felt that the Agriculture lands must be protected and addressed in the new zoning by-laws.

Ms. Davis said that if the intent is to have water and sewer services extended to Mount Denson area, that would have to be addressed through zoning changes.

A citizen asked whether services to that area would be a natural progression to development and how much development can happen before there is a pinch on the available water supply.

Ms. Davis said the Municipal Environment Committee has looked at this issue of water and sewer in Mt. Denson for years; however, care should be taken about what is put into place since development can spread out once services are in place. She felt the agriculture lands must be seriously addressed and what needs to be protected. Ms. Davis said that the Director of Public Works would know more about the supply of water; however, she felt that the water supply seems fairly sound at this time. Councillor Clarke noted his understanding that there may be a problem with water capacity.

Warden Dauphinee apologized for him and Councillor Clarke coming late to the meeting as they had attended another meeting. He explained that the Mount Denson issue has been a concern for many years. He said it is too expensive to develop presently and the Municipality is looking at other water supply sources; however, there are many issues for water supply in all of West Hants and water is a top priority with the Municipality as the area is going to grow and these meetings are in place to find out what the public want to do.

Councillor Clarke said a balance must be struck as everyone wants water but the cost involved may not be appropriate. He said we want “smart growth” and a balance to any development and we do not want to become another Sackville.

Ms. Davis asked for opinions on 2 unit dwellings, since they are not allowed as-of-right in

Falmouth.

Traci Curry said that there is a development in Wolfville with attached units with services, which is intended for retired people. She wondered whether they would be permitted in West Hants because of the By-laws. She felt it could be a shame if residents have to move out of the area to find suitable housing.

Ms. Davis said there is no provision for multiple dwellings or condos on one lot but maybe there should be. Changing demographics may force the area to look seriously at this question. She said that the respondents to the survey from the Shore area mentioned they would like to have senior accommodations in their area.

A citizen said that Falmouth residents also want senior accommodations, but controlled, and we must know where we are going as another Sackville is not desired.

Councillor Clarke felt that more people will have to move into the larger centres into clustered development if housing needs are not met in the local area and with the right plan and the right place and the market, we can fulfill that need here.

Ms. Davis said that the land use bylaw cannot regulate who can live in multi units and they cannot be restricted to only seniors. She noted that what attracts people to our area appears to be the rural atmosphere, large lots, etc. Development in the right place, carefully thought out and “smart” development, Ms. Davis felt can protect the values of the rural setting.

Councillor Horne spoke about the strength of the Falmouth residents when they did not want street lighting as it would definitely affect the rural setting and be like any other large centre. He felt people would speak strongly about issues they oppose and they can make the difference.

Dean Manning asked whether there is cluster housing for seniors in Windsor presently. He felt that the development of services should be looked at regionally for the betterment of all concerned. He suggested some types of development are more suited for the town.

Ms. Davis explained that the Planning Office is a joint office with both Windsor and West Hants working together on regional planning issues. She said that the residents of both units recognize the importance of Windsor as a service centre. Municipal residents are equally concerned about Windsor’s growth and development.

A citizen asked if water were to go to Mount Denson or anywhere, would zoning have to change.

Ms. Davis said there would have to be changes. The existing by-laws state that services are not to be given past Falmouth. She explained that everything depends on what is wanted by the residents and what is to be protected and how services are provided and whether it is feasible. Ms. Davis said the extension of water or sewer can be to remedy a problem and not intended to attract development, but the plan and by-law must reflect that.

Ms. Sodero explained that zoning is affected by water and sewer services; but that the current

four strategies will become one strategy, without separate boundaries.

Ms. Davis said there should be areas designated for development; with service boundaries and phased in changes.

A citizen felt there is a need to look at industrial and commercial development with tax incentives to develop the Industrial Parks and wondered whether there are road blocks to attracting development to Windsor/West Hants.

Councillor Clarke said that when everyone works together, many things can be accomplished.

Warden Dauphinee felt that when industry and development takes place in the area, whether in Windsor or the Municipality, then everyone wins and what is good for West Hants is good for Windsor, and vice versa. He said that everyone is working hard to bring industry to the area for job opportunities.

Councillor Horne said that Mount Denson needs water and changes have to be made to Land Use By-laws to accommodate this and many other issues.

There were no more questions from the public. Ms. Davis thanked everyone for their thoughts.

Chair Matheson thanked everyone for coming and welcomed Warden Dauphinee and Councillor Clarke. He informed the group that their input would be part of the Planning Committee's review and process and thanked everyone for their input.

Meeting adjourned at 9:07 p.m.