

**WEST HANTS PLANNING ADVISORY COMMITTEE
PUBLIC INFORMATION MEETING
November 28, 2007**

PRESENT: Chair Shirley Pineo
Warden Richard Dauphinee
Deputy Warden Gary Cochrane
Councillor Randy Matheson
Councillor Gloria Shanks
Councillor Tom Brown
Councillor Anne MacDonald
Councillor Rick Gaudet

STAFF: Lynn Davis, Director of Planning
Jane Sodero, Senior Planner
Dwight Bennett, CAO
Velma Macumber, Administrative Assistant

REGRETS: Councillor Reed Allen
Traci Curry
John Shanks

MEMBERS OF THE PUBLIC: Mitch Brison, Brison Developments Limited

Welcome and Introductions

Chair Pineo called the meeting to order at 7:00 p.m. She advised that Ms. Curry sent her regrets as she could not attend this meeting.

Presentation of Staff Report - Subdivision By-law Amendments

Ms. Sodero gave a power point presentation that outlined the amendments. She advised the amendments, in part, are intended to bring the By-law in conformance with the proposed MPS. She noted that since the AR-1 zone has been replaced with the less restrictive AR-2 zone, the restriction on creation of lots in the Subdivision By-law has been changed to 2 lots per calendar year on existing roads. In addition, no new roads can be built in any agricultural zone. The proposed MPS requires that new streets in Growth Centres to be serviced with both water and sewer. Also, in keeping with proposed changes to the MPS, new private roads are only permitted in the General Resource zone which replaces the General Use and Forestry Resource zones. Ms. Sodero advised that subdivisions involving new streets or phased development must get concept approval which will now require additional information about phasing and site conditions, as well as a traffic study. In conformance with the Municipal Services Specifications Manual, the draft By-law requires tentative stage of approval. A definition of a flag lot has been included and a limit of two flag lots would be permitted in an area of land. Where the land being subdivided has frontage on an ocean, river or lake, any land dedicated as 5% parkland must have water frontage. Another change in the By-law is to lay out the framework for infrastructure charges to enable the Municipality to recover costs relating to new or expanded infrastructure required by new development. No charge areas or charges have been

defined. That would require amendments to the By-law and would involve a public hearing. Other

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changes include an increase in the number of plans required to be submitted, additional information for the Department of Environment and Department of Transportation, and an increase in the performance surety.

Ms. Sodero advised that if a subdivision application is received after the notice of the public hearing is advertised, it cannot be contrary to the proposed By-law. Plans which have already received concept approval must meet the new requirements while plans with tentative approval are guaranteed for two years, even if contrary to the By-law.

Questions and comments from Public

Chair Pineo asked if the Planning Department had received any comments on the proposed Subdivision By-law. Ms. Davis advised that the Department has not received any written submissions. She said Bruce McDow telephoned and said there were no major changes that would affect what he does. However, Mr. McDow expressed his concern again, as he had at the public meeting in June, about the limit on the length of a cul-de-sac in rural areas.

Chair Pineo asked Mr. Brison if he had any comments.

Mr. Brison expressed concern regarding the requirement that new streets in Growth Centres have to be serviced with both water and sewer. He advised that he has land at the end of Mountain View Drive where he intends to develop fourteen lots. Mr. Brison feels there is a market for Estate Residential lots and buyers do not seem to be concerned about having water and sewer services.

Chair Pineo asked Mr. Brison for clarification, if he were suggesting putting in water and not sewer or vice versa. Mr. Brison noted that Mountain View Drive is serviced with water. Sewer services are approximately 5,500 ft. away, so putting in sewer was not feasible.

Chair Pineo noted previous Committee discussions about areas in Falmouth that were serviced with water, but no sewer. Now the residents want sewer but the cost is unaffordable. Mr. Brison commented residents have been complaining for years but Council must say no and advise them to fix their septic field. Mr. Brison stated the Department of Environment rules are more restrictive today. He said some residents who are complaining because their systems are backing up have been putting contaminants in their systems that kill the bacteria.

Mr. Brison wants to develop more lots at the end of Mountain View Drive, but under the proposed by-law, he cannot do it without sewer, and the sewer connection is far away. He would have to put in a pumping station and a line to connect to the existing system.

Chair Pineo asked the Committee for comments.

Ms. Davis noted that Mr. Brison touched on one concern the Committee had, where people who have municipal water without sewer have a tendency to overload their septic systems with contaminants or excessive amounts of water resulting in problems with the system. She also noted installing municipal sewer later is more expensive than putting in both services simultaneously. The requirement for both water and sewer encourages infilling to make maximum use of existing

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infrastructure.

Councillor MacDonald stated she voted for water and sewer to be put in together because of the problems people were having with their systems. Now, she realizes that some people do want estate residential lots. She said she would not vote that way again.

Deputy Warden Cochrane agreed that Department of Environment requirements are more stringent. A brief discussion was held about the minimum lot size required for on-site systems.

Councillor Matheson advised that he was happy with the new requirement that both services have to be put in at the same time. Chair Pineo noted that it was also the recommendation of the Director of Public Works that the Municipality has to look to the future.

Ms. Davis advised the overall intent for the Growth Centres is, eventually, all the land within those boundaries will be fully serviced with water and sewer. It is hoped to infill the areas serviced now with the intent of achieving enough density to making servicing feasible. Once large lots with large frontages are developed, it becomes more difficult and more expensive to install services later, potentially having to leap frog over some large lots to get to new land that would be totally serviced.

Chair Pineo suggested that perhaps an option that the Committee could look at if they decide to revisit the idea is requiring lots to be two or three acres in size. Councillor Gaudet questioned why two or three acres when the Department of Environment has its own requirements.

Ms. Davis noted that the Provincial Interest Statement on Infrastructure talks about discouraging the installation of water without sewer.

Mr. Brison asked if a concept plan has to be drawn up by a certified surveyor. Ms. Davis advised that a concept plan does not have to be prepared by a certified surveyor. However, it must be drawn to scale, clear, and at a scale where all the particulars can be seen.

Mr. Brison asked if private roads could be constructed on lands zoned Forestry. Ms. Sodero advised that most of the areas that are zoned Forestry now are proposed to be zoned General Resource in the proposed planning documents.

Mr. Brison asked about the location of developments with flag lots in the Municipality besides his own. Ms. Davis noted that a few flag lots could be found in Vaughan in the McDow development. Mr. MacInnis noted that flag lots have been used throughout the Municipality, although infrequently.

Mr. Brison circulated examples of site plans for flag lots in his developments in Hatchet Lake and Portovista. Staff provided a copy of the subdivision plan for Mr. Brison's Bog Road development. Mr. Brison stated he felt that flag lots were a good use of land and suggested that no limit be placed on the use of them.

The Committee discussed the proposed provision for flag lots and the issues associated with the use of flag lots such as civic addressing and inadequate roads.

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Committee members thanked Mr. Brison for his input and for taking the time to come to the meeting.

Ms. Sodero advised that letters were sent to surveyors and developers inviting them to this meeting.

Adjournment

Moved By: Councillor Matheson
Seconded By: Warden Dauphinee

THAT THE MEETING ADJOURN.

The meeting adjourned at 8:30 p.m.

Chair