

**WEST HANTS PLAN REVIEW**  
**Public Review Meeting**  
**Three Mile Plains Community Hall**  
**June 27, 2007, 7:00 p.m.**

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

**STAFF:** Lynn Davis, Director of Planning  
Tracy Robinson, Planning Technician  
Velma Macumber, Administrative Assistant

**ABSENT:** Mr. John Shanks  
Ms. Traci Curry

**Members of the Public:** 17

**Welcome and Introductions**

Chair Pineo welcomed the members of the public and introduced Councillors and staff

**Presentation of proposed Municipal Planning Strategy and Land Use By-law**

Ms. Davis thanked the public for attending the meeting. She explained the purpose of the meeting was to present drafts of the proposed Municipal Planning Strategy and Land Use By-law. Ms. Davis advised that the Plan Review has been going on for about six years. The documents are draft only and have not been approved by Council. The Planning Advisory Committee is seeking comments from the public. Once the community meetings have been completed, PAC will be reviewing those comments to decide how to proceed. Ms. Davis stated that assuming the draft planning documents move forward to the formal adoption process, a public hearing will be held so the public will have another chance to give comments.

Glenn Wallace asked if the minutes will be available for the public. Ms. Davis advised that the secretary will be taking the minutes, and they will be available at the Planning Department and on the website.

Ms. Davis gave an hour long Power Point presentation explaining the designations established by the MPS, and the zones within each designation and the process for rezoning and development agreements to allow different uses

The meeting recessed at 8:05 p.m.

The meeting reconvened at 8:20 p.m.

### **Questions and Comments from public**

Garth Hazel had a series of comments and questions about the planning documents.

- the quarry operation around Mill Lake Watershed. He stated the company is in the process of purchasing blocks of land that abut the brook to the watershed. Mr. Hazel commented he did not see any protection for the water supply in the planning documents.
- the development of large quarries. He advised that at one time there had been a small quarry with a small crew, and was not a major concern. However, now the operation has grown and there are many trucks hauling asphalt. Mr. Hazel stated he thought this should be looked into as the road is small and is not built for heavy traffic, and he was concerned about public safety.
- protection for small active farms.
- he did not see any information in the planning documents for senior housing complexes. He asked if the housing was allowed and where it would be permitted.
- about the cottage development around Windsor Forks and Martock areas, and noted problems with the lakes.
- noted that an engineer's assessment is required for on-farm businesses. He suggested an engineer's assessment be required for quarry operations as well.
- he felt that the watercourse setback of 50 ft. was still too close.
- if kennels were permitted in residential areas.
- about the definition for mobile homes and mini homes. He commented that he felt that mobile homes could be RVs and travel trailers and should not be permitted in Three Mile Plains.
- about protection for small businesses.
- suggested that public meetings should be held specifically for Three Mile Plains.

In response to Mr. Hazel's comments, Ms. Davis stated the Municipality cannot regulate the extraction processes in quarries but can regulate structures.

Ms. Davis confirmed that there is a watershed advisory committee that deals with the Mill Lake Watershed which looks at issues such as protection of the water supply. It is an area regulated under the Environment Act as a Protected Water Area. Ms. Davis noted that the watershed committee had received a letter asking about the quarry operations. The committee is looking at revising its Protected Water Area regulations. She said she was not sure if the quarry could be regulated under the Protected Water Area regulations. Ms. Davis asked Mr. Hazel about the

trucks hauling asphalt and if the company had an asphalt plant. Mr. Hazel confirmed this. Ms. Davis stated she would look into this.

Ms. Davis advised that in terms of small farming operations, staff tried to identify active farms in the Growth Centres and zone them AR-3. Ms. Davis stated she would appreciate hearing if some were some missed. There is protection for existing uses; however, they cannot expand beyond the existing size if they are not in an agricultural zone or zoned as a permitted use. There is also another provision that allows for small-scale keeping of livestock called "household livestock." Under that provision, provided the lot is large enough, a person can keep up to eight animal units. Ms. Davis advised that specific cases would have to be reviewed in detail to determine whether they fall under the household livestock provision or whether an agricultural zone could be applied.

Ms. Davis stated in terms of senior citizen complexes and where they are allowed, if nonprofit or government operated, these types of developments are considered institutional uses. There is a provision that allows new institutional uses in any designation by development agreement. Usually, it is just developers who are marketing toward seniors, and those cannot be treated any differently than any other multi-residential development. Ms. Davis advised that some developers have approached the Municipality with the idea of grouped single and two unit dwellings for seniors or empty nesters. Ms. Davis noted that in most designations, some form of grouped dwellings can be considered by development agreement. Mr. Hazel asked if this would apply to granny suites. Ms. Davis advised that there is a provision in the R-1 and R-2 zones that allows for an accessory apartment, if it is contained within the single unit dwelling and maintains the appearance of a single unit dwelling. Additions are permitted in the rear of the building. Accessory apartments are limited in size, and entrances are not permitted in the front of the dwelling.

Ms. Davis advised that cottage development around the lakes is permitted. One provision not included in the planning documents, but in the Municipal Services Manual, is a limit of 1,200 feet on the length of a dead-end road, outside the serviced areas. The provision was included in the document because of concerns about emergency access. Ms. Davis noted that this provision has limited cottage development on private roads unless there is a second access.

Ms. Davis referred to Mr. Hazel's comment about an engineer's assessment of industrial uses. She advised that this may be something that PAC could consider depending on the type or the location of the development.

Ms. Davis noted Mr. Hazel commented that the 50 ft watercourse setback was not large enough. She advised that PAC could consider a larger setback. Ms. Davis advised that one item not in the draft documents at this time, but earmarked for a future project, is for the Planning Department to research provisions for water resource and watercourse protection.

Ms. Davis advised that small kennels are permitted in residential areas. Commercial kennels, of eight dogs or more, are not allowed in a residential zone but only in zones such as Highway Commercial or an agriculture zone. There are provisions that deal with setbacks for outdoor runs. The building has to be sound proofed, and there are requirements that limit the time an outdoor run can be used.

Ms. Davis advised that mobile and mini homes are manufactured homes but travel trailers or recreational vehicles are not. Ms. Davis referred to the definitions in the LUB for mobile and mini homes.

Ms. Davis stated that, as for having more public meetings, this is something the Committee will discuss after the comments are received.

Glenn Wallace stated the reason he initially asked if the meeting minutes were recorded was for a very important purpose. He explained that there had been a meeting in the community hall which many people attended 26 years ago concerning the cost of services and the minutes were somehow lost. Mr. Wallace commented about the lack of residents attending this meeting, and stated that the problem may be that the newsletter came out with the flyers. He suggested that many people do not look at junk mail and would just throw it out. Mr. Wallace suggested that in the future to put an advertisement in the Hants Journal.

Glenn Wallace stated he wanted to mention that what Council does today and what they approve will be for future generations. He stated it was very important that the community of Three Mile Plains get its fair share and be looked at with respect and dignity. Mr. Wallace commented that Three Mile Plains should not be classified as being in desperate need for mobile home parks. He stated he was very worried for weeks before this meeting and felt that the Committee did not have the planning right for the area. Mr. Wallace commented that in Three Mile Plains, there are attractive new homes being built everywhere alongside the little mobile and mini homes. He referred to the newsletter which shows a picture of a lovely home in Falmouth, but there is nothing for Three Mile Plains. Mr. Wallace requested another meeting to discuss development in Three Mile Plains. He stated he did not want the property values to decrease due to mobile homes. Mr. Wallace commented that many people had been talking about this issue, but they are not present at this meeting. He commented that not enough time was spent on Three Mile Plains in the presentation.

Steve Lowthers asked if restrictions could be placed on the year of mobile homes. He expressed concern about older mobile homes being placed next to new homes. He also commented he did not like the provision for kennels to allow up to eight dogs. Mr. Lowthers asked if the Committee had considered other locations for a helicopter pad, apart from the one at the hospital.

Ms. Davis advised that there is no age limit for mobile homes at this time. If it meets the definition of mobile home, then it could be permitted.

Ms. Davis advised that a hobby kennel is a kennel involving fewer than eight dogs in any residential zone. The kennel could be considered subject to setback requirements, which are the same as commercial kennels. Commercial kennels, with eight or more dogs, are only permitted in the Highway Commercial (HC) zone, and not in any residential zone.

Ms. Davis stated that Chair Pineo had mentioned there is a helicopter pad in Brooklyn, and in Summerville.

Keith Tomlinson expressed concern about the Department of Transportation and the Municipality not maintaining a ditch near Highway 101. He stated he and his family have been doing this and, over the years, it has cost him much money. Ms. Davis advised that ditching is not something that can be addressed through the planning documents. The planning documents can only address ditching and drainage with respect to new development. Ms. Davis advised that perhaps this matter can be discussed with the Director of Public Works to see if all possibilities have been explored. Chair Pineo suggested Mr. Tomlinson speak with his Councillor, to bring it to Council, and perhaps a letter could be written to the Department of Transportation.

Reid Swinamer asked what progress the Municipality has made with respect to a new noise by-law. Ms. Davis advised that the Municipality does not have a noise by-law. Mr. Swinamer commented it is about time that the Municipality does. Ms. Davis advised that this is something that Council would have to deal with and decide. Mr. Swinamer asked about engine brakes. Ms. Davis stated that it is her understanding that engine brakes can be regulated through the Department of Transportation. Ms. Swinamer noted that an anti-idling law has been put in place in some areas. Ms. Davis stated that those are things that Council may be interested in looking at, but this is not something that can be addressed through the planning documents. Ms. Davis also stated that Mr. Swinamer's comments will be recorded in the public meeting minutes.

John Robinson asked about Department of Transportation's plans for twinning the section of Highway 101 parallel to Irishman's Road. Mr. Robinson stated it seemed to him to be too close. Ms. Davis stated she has not seen the Department of Transportation's plan for this area.

Chair Pineo stated she would like to emphasize again what Ms. Davis had said earlier, the Committee would like their comments. Chair Pineo suggested that Mr. Wallace encourage the people he has spoken with to contact or email the Planning Department. Mr. Wallace asked if having another meeting just to discuss the concerns of Three Mile Plains was possible. Ms. Davis asked Mr. Wallace for clarification as she did cover the main areas in the presentation. She asked Mr. Wallace if he wanted to focus the discussion more on mobile homes and mini homes or something else. Mr. Wallace stated he wanted to thank staff for a job well done but there may be quite a bit that other people have to say. He stated it would be to the Committee's advantage to get a wide scope of comments. Ms. Davis asked Mr. Wallace to suggest how the Committee could get more people to come out as the public meetings were advertised for three straight weeks in the Hants Journal and articles about the Plan Review were placed in the Hants Journal as well. Mr. Wallace stated he could contact many people on the phone and he was quite sure they would come to a meeting.

Garth Hazel commented that many ordinary people may not understand the terminology in the planning documents. He agreed that another meeting should be held.

Chair Pineo advised that the comments will be taken back to the Committee for discussion. She stated that another public meeting would be held the following evening at the Brooklyn Fire Hall and people do not have to live in Brooklyn to go to that meeting.

Glenn Wallace noted that mobile homes are not permitted in Brooklyn. Chair Pineo confirmed this. Mr. Wallace advised that the Committee could get back to him through Warden Dauphinee.

## **Adjournment**

The meeting adjourned at 9:05 p.m.