

DRAFT

**WEST HANTS PLANNING ADVISORY COMMITTEE
MEETING MINUTES
October 15, 2009**

- PRESENT:** Councillor Shirley Pineo, Chair
Warden Richard Dauphinee
Deputy Warden Gary Cochrane
Councillor Randy Matheson
Councillor Gloria Shanks
Councillor Tom Brown
Councillor Rick Gaudet
Councillor Pam Ainslie
Mr. Raymond Parker
Ms. Traci Curry
- STAFF:** Lynn Davis, Director of Planning
Rick Sherrard, Director of Public Works
Jeanne Bourque, Planner
Velma Macumber, Administrative Assistant
- REGRETS:** Councillor Reed Allen

Chair Pineo called the meeting to order at 6:30 p.m.

APPROVAL OF MINUTES OF AUGUST 19, 2009

Moved By: Councillor Shanks
Seconded By: Councillor Gaudet

**THAT THE MINUTES OF THE WEST HANTS PLANNING ADVISORY COMMITTEE
OF AUGUST 19, 2009 BE APPROVED AS CIRCULATED NOTING ANY ERRORS OR
OMISSIONS.**

MOTION CARRIED.

BUSINESS ARISING FROM THE MINUTES

***Infrastructure charges/cost of taking over and maintaining new municipal streets
- Rick Sherrard, Director of Public Works***

Chair Pineo noted that the Committee had received staff reports from Planning and Public Works from 2005 and 2006 dealing with infrastructure charges.

Mr. Sherrard stated he could not comment on the Municipal Government Act requirements for the establishment of lot development fees as he has not researched the matter. The 2005 report on the "Development of Capital Cost Contributions in New and Existing Developments Serviced by the Municipality of the District of West Hants" used the assumption that if lot development fees were implemented, a reserve would have to be set up and could only be used for that purpose. For instance, if funds were raised under a development charge for sewer they would have to be spent on sewer infrastructure, and not on something else. If looking into

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infrastructure costs for the Growth Centres, a lot development fee would have to be set up to meet the anticipated capital infrastructure requirements. Mr. Sherrard said the report looked at the two Growth Centres of Falmouth and Three Mile Plains for water and sanitary sewer infrastructure, and storm drainage requirements. The figures were calculated in a table top exercise based on what was conceived to be reasonable estimates for the anticipated work.

The Committee discussed at length whether to set up lot development charges. They agreed to move forward with infrastructure charges due to the aging infrastructure and the impact of new development on the existing infrastructure. Staff was asked to investigate a blanket charge for new roads in rural areas as well as charges for the two Growth Centres.

Moved By: Councillor Matheson
Seconded By: Ms. Curry

**TO RECOMMEND TO COUNCIL THAT STAFF BE DIRECTED TO DO THE
NECESSARY WORK TO IMPLEMENT INFRASTRUCTURE CHARGES.**

MOTION CARRIED.

Staff will look into the matter of costs for a consultant study.

Ms. Davis clarified that infrastructure charges, as used in the motion, refers to what is defined in the MGA, meaning the charges that apply to capital costs for the infrastructure related to new development. This refers to new lots with charges being applied through the subdivision process.

Councillor Matheson agreed with Ms. Davis that this was the intent of the motion. Ms. Curry also agreed.

Councillor Matheson expressed concern with respect to the cost of maintaining municipal streets becoming very expensive in the future. He suggested charging an area rate for any new roads that the Municipality is taking over. Councillor Matheson also suggested that the residents living on the new roads pay maintenance costs.

Mr. Sherrard advised that the matter was brought forward to the Nova Scotia Municipal Public Works Association Spring Conference for discussion. From the representatives attending the conference, the municipal units were split on how they approached the issue of area rates. Some had area rates in the past, and some did not. In just about every case discussed, the expenses were absorbed into the general tax rate because of the uncertainty with future political commitment to maintain an area rate.

Mr. Sherrard advised that the Municipality has approximately four kilometres of municipal public streets to maintain. Through the municipal service exchange, the Municipality is responsible for paying for the winter maintenance of subdivision streets belonging to the Province. In the beginning, the Province was going to turn over the streets to the Municipality along with the liability, and although the Municipality did not want the streets, it still had to pay for the

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maintenance. If looking at what the Municipality is paying the Province to plow the roads, and the contract administration fees, the Municipality is paying about \$5,200 per kilometre. If considering today's cost to plow the four kilometres of municipal streets, it is about half that, if only considering the tender and the administration. However, the Municipality has so few roads, the way it is financially structured is, that 5 percent of the public works department salaries, benefits, etc. contribute to the costs. With these things added on, the Municipality is paying about \$15,000 per kilometre.

Councillor Matheson suggested implementing area rates for new roads. He said the Municipality would probably take over more roads in the future and the cost to maintain them may become a financial burden, so something has to be put in place to recover the costs.

The Committee continued discussion on area rates and setting up a replacement reserve. No action was taken.

Lot Grading By-law

No new information.

Atlantic Superstore, Cole Drive - driveways

Deputy Warden Cochrane advised that the matter is being worked through. The Development Officer will be discussing the second entrance with the Town's Director of Public Works to determine whether it meets sight distance requirements.

Land Use By-law amendment - Leonard MacAskill

The amendment process has been completed, and now the matter can be taken off the agenda.

Land Use By-law amendment - Kenny Lake

Ms. Davis advised that Council approved the rezoning on October 13, 2009. The appeal period expires November 5, 2009.

Deputy Warden Cochrane expressed concern about comments heard at the public hearing from an adjacent property owner. The neighbour suggested that due to infilling taking place on the property, the runoff may be contaminating his cattle's drinking water.

Staff will look into the matter.

BUILDING INSPECTOR AND DEVELOPMENT OFFICER REPORTS

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Monthly Report of August and September 2009

Moved By: Councillor Gaudet
Seconded By: Warden Dauphinee

**THAT THE MONTHLY REPORT OF THE BUILDING INSPECTOR AND
DEVELOPMENT OFFICER FOR THE MONTHS AUGUST AND SEPTEMBER 2009 BE
RECEIVED.**

MOTION CARRIED.

NEW BUSINESS

Accessory Building Height

Ms. Bourque reviewed a staff report with the Committee regarding accessory building height requirements. She advised that the current maximum height of 15 feet for accessory buildings in West Hants is not working in the rural areas. Ms. Bourque advised that newer construction in particular trends toward larger accessory buildings, with some styles designed with roof lines to match the main building. In addition, many reasons for smaller accessory buildings, such as blocking a neighbour's view, do not apply to larger lot sizes in rural areas.

Ms. Bourque explained that amendments would be needed to the General Provisions for All Zones and specifications for each zone in the Land Use By-law.

Moved By: Councillor Matheson
Seconded By: Councillor Gaudet

**TO RECOMMEND THAT COUNCIL AMEND THE PROVISIONS OF THE WEST
HANTS LAND USE BY-LAW DEALING WITH THE MAXIMUM BUILDING HEIGHT
FOR ACCESSORY BUILDINGS IN ACCORDANCE WITH EXHIBIT 4 ATTACHED.**

MOTION CARRIED.

Road Naming Policy

Ms. Davis explained that a few issues have arisen in the past with the current Road Naming Policy. Project approval could be delayed because of the time involved in getting Council approval for road names. Staff feels that generally the approval of a road name is a simple administrative process that does not require Council involvement. The proposed name is reviewed against the evaluation criteria, and if the name meets the criteria, then the Civic Addressing Coordinator could approve it immediately without waiting for Committee or Council meetings. Ms. Davis recommended that the process for changing an existing road name be left to Council since it is sometimes controversial

Moved By: Councillor Matheson

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Seconded By: Councillor Gaudet

TO RECOMMEND THAT COUNCIL AMEND THE WEST HANTS POLICY FOR NAMING ROADS TO ALLOW THE CIVIC ADDRESSING COORDINATOR TO APPROVE NAMES FOR : (a) NEW ROADS CREATED THROUGH SUBDIVISION APPROVAL PROCESS; AND (b) EXISTING UNNAMED ROADS.

MOTION CARRIED.

PLANNING PROGRAM UPDATE

JPAC Executive

The JPAC Executive has not met.

MISCELLANEOUS

No miscellaneous business was heard.

NOTICES FROM ADJACENT MUNICIPAL UNITS

Moved By: Councillor Matheson
Seconded By: Councillor Gaudet

TO RECEIVE LETTER FROM CINDY L. BARKER, ADMINISTRATIVE ASSISTANT, COMMUNITY DEVELOPMENT SERVICES, MUNICIPALITY OF THE COUNTY OF KINGS, DATED SEPTEMBER 9, 2009, RE NOTICE OF PUBLIC HEARING - EXPANSION OF NON-CONFORMING STRUCTURES IN THE SHORELAND DISTRICTS.

MOTION CARRIED.

QUESTIONS & COMMENTS FROM PUBLIC

No members of the public were present.

ADJOURNMENT

Moved By: Councillor Gaudet
Seconded By: Warden Dauphinee

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THAT THE MEETING ADJOURN.

The meeting adjourned at 8:37 p.m.

Chair