



West Hants

something inspiring awaits

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input checked="" type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Mayor Zebian and Members of West Hants Regional Municipality Council

Submitted by: _____
Sara Poirier, Senior Planner

Date: October 26, 2021

Subject: West Hants Land Use By-law Map Amendment: Hwy 14, Vaughan, PID 45288750; File #21-12 C

LEGISLATIVE AUTHORITY

Municipal Government Act Section 210.

POSSIBLE MOTION

Following conclusion of the Public Hearing on October 26, should Council wish to approve the proposed West Hants Land Use By-law amendment, the following motion would be in order:

...that Council amend the Zoning Map of the West Hants Land Use By-law by re-zoning PID 45288750, Vaughan from the General Resource (GR) zone to the Rural Commercial (RC) zone; by amending the text of the West Hants Land Use By-law by adding "Arts and crafts studios" to the list of permitted uses in the Rural Commercial (RC) zone; and by allowing more than one main building on a lot in the Rural Commercial (RC) zone, all as shown on the map attached as Figure 3 and in Attachment A to the report #21-12 to the Planning and Heritage Advisory Committee dated September 9, 2021.

BACKGROUND

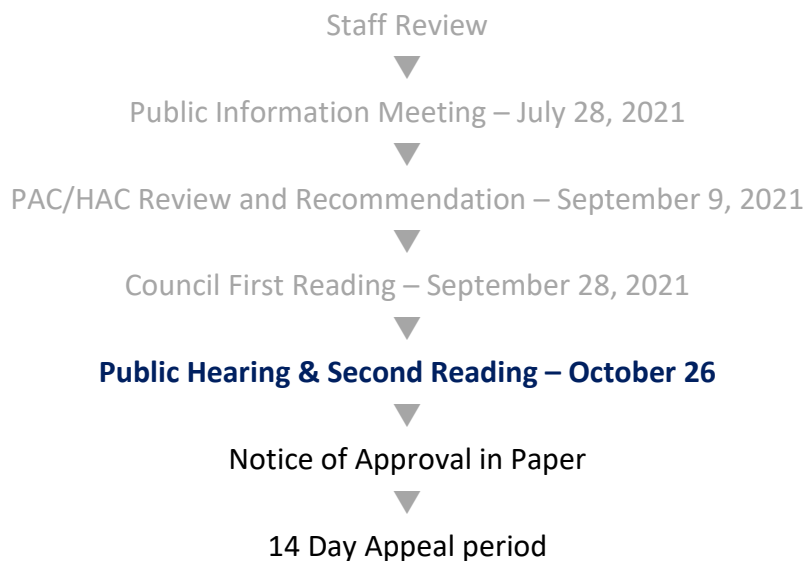
Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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A Public Information Meeting was held on July 28, 2021.

On September 9, 2021, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Attachment A) and PAC/HAC made a positive recommendation to Council.

Council held First Reading on September 28, 2021, and set the date for a public hearing (Attachment B).

NEXT STEPS



ATTACHMENTS

- | | |
|--------------|--|
| Attachment A | 2021-09-09 Staff Report – West Hants Land Use By-law Map Amendment: Hwy 14, Vaughan, PID 45288750; File #21-12 |
| Attachment B | 2021-09-28 PAC to Council Report – West Hants Land Use By-law Map Amendment: Hwy 14, Vaughan, PID 45288750; File #21-12B |

CHIEF ADMINISTRATIVE OFFICER REVIEW

I have participated in each step of the process the Planning Department and Council have undertaken. I supported the suggested recommendation prepared by staff for Council's consideration.

Report Prepared by: _____
Sara Poirier, Senior Planner

Report Reviewed by: _____
Madelyn LeMay, Director of Planning and Development

Report Approved by:  _____
Mark Phillips, CAO



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Members of Planning and Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
Sara Poirier, Senior Planner

Date: 2021-09-09

Subject: West Hants Land Use By-law Map Amendment: Hwy 14, Vaughan, PID 45288750; File #21-12

LEGISLATIVE AUTHORITY

Section 210 of the Municipal Government Act.

RECOMMENDATION

To allow the requested development, staff recommends that PAC/HAC forward a positive recommendation by passing the following motion:

...that PAC recommends that Council give First Reading and hold a Public Hearing to consider amending the Zoning Map of the West Hants Land Use By-law to enable the lot located at PID 45288750 in Vaughan to be rezoned from the General Resource (GR) zone to the Rural Commercial (RC) zone; to amend the text of the West Hants Land Use By-law to add "Arts and crafts studios" to the list of permitted uses in the Rural Commercial (RC) zone; and to allow more than one main building on a lot in the Rural Commercial (RC) zone, all as shown on the map attached as Figure 3 and in Attachment A to the report #21-12 to the Planning and Heritage Advisory Committee dated September 9, 2021.

BACKGROUND

A completed application was received on June 21, 2021 from Nikhil Vidwans to consider rezoning the lot at PID 45288750 in Vaughan from General Resource (GR) to Rural Commercial (RC) to permit tourist accommodations, an office, arts and craft studios, farmers market, restaurant, personal service shops, and retail stores. Arts and craft studios are not currently a permitted use in the Rural Commercial (RC) zone therefore a

text amendment to the permitted uses in the Rural Commercial (RC) zone is requested. The applicant is proposing multiple uses on the lot therefore a text amendment to the General Provisions section of the West Hants Land Use By-law is also being requested to permit more than one main building per lot within the Rural Commercial (RC) zone. The lot is owned by XALTCRAFT INC.; Mr. and Mrs. Vidwans are Directors of the company.

DISCUSSION

The 20 acre subject lot is located on Highway 14 in Vaughan. The lot is designated Resource on the Generalized Future Land Use Map (Figure 1) of the West Hants Municipal Planning Strategy (WHMPS) and zoned General Resource (GR) on the Zoning Map of the West Hants Land Use By-law (WHLUB) (Figure 2). Part 9.0 of the WHMPS contains the overall intention for properties designated Resource in West Hants. Only two (2) cottages would be permitted to be developed as-of-right as per the General Resource (GR) zone requirements. Additional tourist accommodations and certain commercial uses are not permitted as-of-right in the General Resource (GR) zone.

The subject lot directly abuts properties zoned General Resource (GR) and one property zoned Rural Commercial (RC) which provides services such as a gas station, convenience store, liquor store and take-out food establishment to people traveling along Highway 14. The abutting properties are all designated Resource.

Proposal

The applicant proposes to develop the subject lot in phases. The proposed phases are outlined below:

Phase	Timeline	Development
1	2021	Two (2) log cabins as tourist accommodations
2	2022-2023	Five (5) log cabins as tourist accommodations
3	2023-2025	Commercial uses including a reception office, arts and craft studios, farmers market, restaurant, personal service shops, and retail stores; and Eight (8) – ten (10) log cabins as tourist accommodations
4	2025-2028	Commercial space; Ten (10) – twelve (12) log cabins as tourist accommodations; and Single unit dwelling for the applicants.

The total proposed build out on the subject lot could include 25-29 log cabins as tourist accommodations, a maximum of 5,000 ft² (464.50 m²) of commercial floor area, and a single-unit dwelling.

The Rural Commercial (RC) zone limits the commercial floor area for businesses to 5,000 ft² (464.50 m²). This requirement does not apply to automobile service stations, clubs, farm equipment sales and service, garden and nursery production, and hotels, motels and other tourist accommodations. There are no limits on the number or size of the tourist accommodations.

The applicant has also suggested that they may build a house on the subject lot in the future. The Rural Commercial (RC) zone permits "One dwelling unit in conjunction with a permitted commercial use, located either in the same building or as a single-unit dwelling on the same lot".

Civic Addressing

The driveway of the subject lot provides access to two (2) residential dwellings abutting the subject lot. The Civic Addressing By-law requires that a driveway with "three or more dwelling units" must become a named driveway. The property owner is permitted to develop two (2) cottages as-of-right as per the General Resource (GR) zone requirements. These two (2) cottages would qualify as the third and fourth dwelling unit on the driveway since the Building Officials include cabins and seasonal dwellings in the definition of a dwelling unit.

The process to name a driveway requires seventy-five percent (75%) of the owners of lots with frontage on the driveway to be in agreeance with the proposed road name. Once the road name is approved, the Civic Addressing Coordinator can issue civic addresses for the proposed uses on the subject lot.

Land Use By-law

In addition to the limit on commercial floor area, the Rural Commercial (RC) zone also has abutting use requirements, lot access requirements and requirements for uses that involve flammable goods. The abutting use requirements state that where a commercial use is developed on a lot that abuts a residential use a minimum side yard of 20 ft (6.10 m) is required, no open storage or outdoor display is permitted in that side yard, and a minimum planting strip of 5 ft (1.52 m) is required. The driveway section of the subject lot is the only part that has two residential uses abutting it. The driveway would be maintained by the property owner and no structures are proposed on this section of the lot.

The lot access requirements state that the driveway shall meet Department of Transportation and Active Transit (DTAT) requirements for commercial access. DTAT was contacted for comment on the existing driveway. DTAT responded that "the existing access location is acceptable for low volume development (1 to 10 vehicles per hour)". The change of use to more than three residential structures would require the existing driveway be upgraded to what DTAT terms a "private lane" meeting specific design criteria. In discussions with DTAT they stated that they would work with the property owner to determine these design requirements for this specific location. When asked if there was any additional comments DTAT responded that "the Department has some concerns with the unrestricted access for adjacent properties and would require access management review prior to any future commercial development of PID 45288750." Further comments from DTAT stated that "the proposed construction of two 500-600 sq. ft. seasonal cottages on PID 45288750 as opposed to a single residence on the existing access, is acceptable to this Department. The development of PID 45288750 will require an access management review prior to upgrading the existing

residential driveway to meet private road criteria". The property owner is aware and in discussions with DTAT regarding the requirements for an access management review and upgrades to the driveway to meet DTAT "private lane" design criteria. As per correspondence from DTAT only two (2) tourist accommodations could be constructed on site before these are to be complete.

The Rural Commercial (RC) zone also states that automobile service stations or farm supplies and equipment sales and service businesses must have access to a minimum of two (2) exit routes and provide evidence of a water supply that meets the local Fire Department requirements. The applicant does not propose to have either of these uses on the subject lot therefore these requirements would not apply.

Text Amendment

Arts and Craft Studios

On the subject lot, the applicant proposes to develop tourist accommodations, an office, arts and craft studios, farmers market, restaurant, personal service shops, and retail stores. Should the lot be amended from the General Resource (GR) zone to the Rural Commercial (RC) zone, all of the proposed uses except the arts and craft studios would be allowed as-of-right as they are each listed as a permitted use in the Rural Commercial (RC) zone. Arts and craft studios would serve local residents and tourists which is consistent with the intent of the Rural Commercial (RC) zone. Staff are recommending that the text of Section 16 of the WHLUB be amended as part of this application to list "arts and crafts studios" as a permitted use in the Rural Commercial (RC) zone (Attachment A) to permit all of the requested uses on the subject lot if the rezoning application is successful.

Main Building

The property owner is proposing to have multiple tourist accommodations and commercial uses on the same lot. Section 5.27 of the WHLUB, One Main Building on a Lot, currently states that "No person shall erect more than one main building on a lot except:

- (a) in the Light Industrial (LI-1), Joint Industrial Type Two (LI-2), Joint Industrial Type Three (LI-3) and Resource Industrial (M-1) zones;
- (b) in the Manufactured Home Park (MHP) zone;
- (c) in the Landfill (LF) zone;
- (d) agricultural uses;
- (e) municipal water treatment and distribution uses in the Water Supply (W) zone;
- (f) grouped dwellings;
- (g) institutional uses;
- (h) regional shopping centres;

- (i) a second dwelling will be permitted on a lot where it can be shown that a second lot can be created, the second dwelling can be accommodated on that portion of the lot and the building can be shown to meet all other requirements.”

Staff are recommending amendments to Section 5.27 to include “in the Rural Commercial (RC) zone” to the list of zones permitted to allow multiple main buildings on the subject lot (Attachment A). Without this amendment, the property owner would only be permitted to construct two (2) cabins as tourist accommodations as per 5.27 (i).

Map Amendment

The proposed uses are not permitted in the General Resource (GR) zone. There is a policy option to allow Council to consider rezoning the subject lot to the Rural Commercial (RC) zone. All but one of the proposed uses are permitted in the Rural Commercial (RC) zone. An amendment to the WLUB Zoning Map is required for this application. The proposed map amendment is shown in Figure 2.

Municipal Planning Strategy

Section 9.0 of the WHMPS contains the Resource designation policies for West Hants. Policy 9.1.6 establishes Council’s intention to “consider rezoning land zoned General Resource (GR) to allow for commercial or industrial uses permitted in the Rural Commercial (RC) or Resource Industrial (M-1) zones”. The subject lot is zoned General Resource (GR) therefore can be considered for rezoning to Rural Commercial (RC) under this policy.

WHMPS Specific Criteria

Policy 9.1.6 establishes Council’s intention to consider rezoning land from General Resource (GR) to Rural Commercial (RC) subject to specific criteria. These criteria are examined in detail in Attachment B. In summary, the criteria are met since:

- the proposed uses will be contained within buildings on the subject lot and are not expected to adversely affect existing resource uses in the area;
- DTAT is requiring an access management review and upgrades to the driveway to meet its private lane design criteria to ensure safe and efficient access is provided; and
- the proposed uses are not considered obnoxious by virtue of noise, odours, dust, fumes or other emissions.

WHMPS General Criteria

The proposal meets the general criteria for amendment set out in WHMPS Policy 16.3.1. These criteria are examined in detail in Attachment B. In summary:

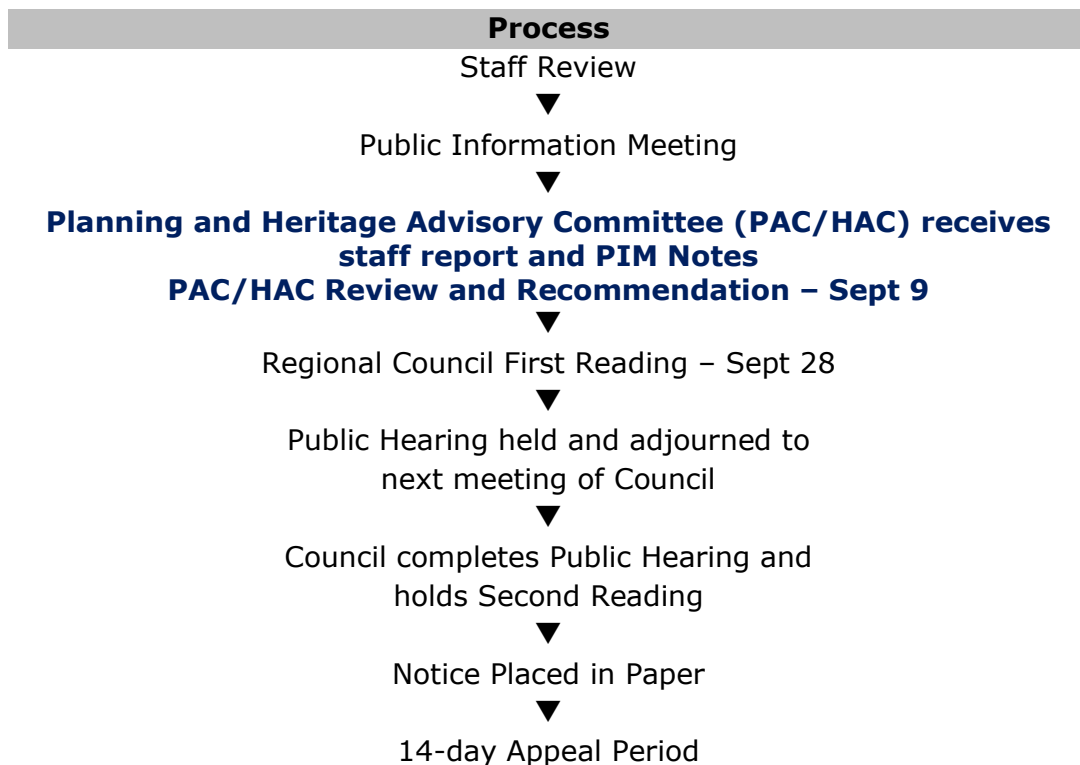
- the proposal is not premature or inappropriate for the area;
- no municipal costs related to the proposal are anticipated; and
- the Fire Chief, Manager of Building and Fire Inspection Services, Development Officer, Director of Public Works and Traffic Authority have no major concerns.

MCCAP

The Inland Flooding and Coastal Flooding maps of the West Hants Municipal Climate Change Action Plan (MCCAP) (2013) do not show any risks of either inland or coastal flooding on the subject lot.

NEXT STEPS

As noted above, the proposed amendment has been considered within the context of both the specific and general policies of the WHMPS and are consistent with the intent, objectives and policies of the WHMPS. The amendment meets the specific and general criteria for amendment to the WHLUB or WHMPS. As a result, it is reasonable to amend the map and text of the West Hants Land Use By-law to rezone the subject lot from General Resource (GR) to Rural Commercial (RC) and to allow arts and craft studios and more than one main building in the Rural Commercial (RC) zone.



FINANCIAL IMPLICATIONS

There are no anticipated costs to the Municipality in regard to this development.

ALTERNATIVES

In response to the application, PAC may recommend that Council:

- recommend that Council hold First Reading and authorize a Public Hearing to approve the WHLUB amendment as drafted or as specifically revised by direction of PAC;

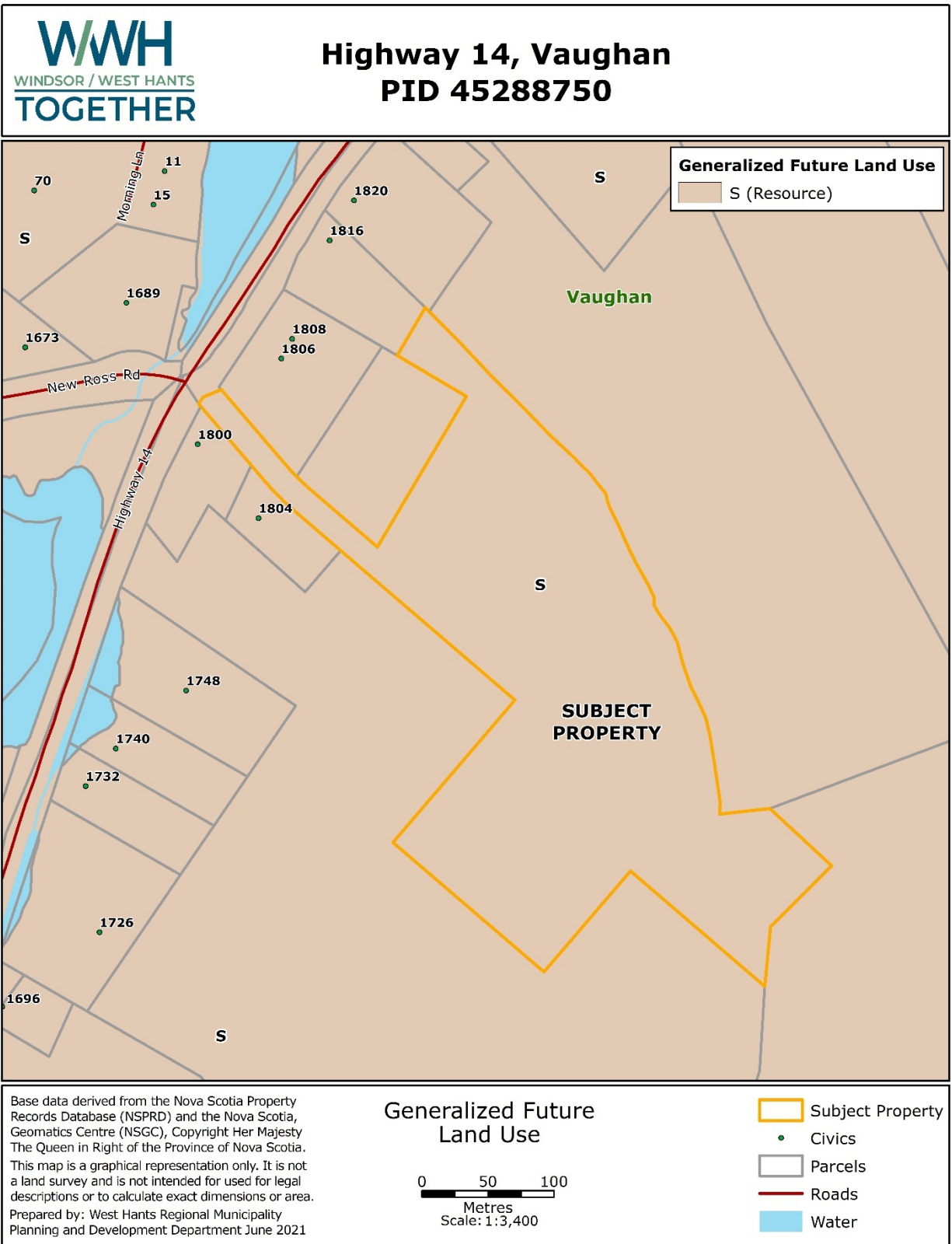
- provide alternative direction such as requesting further information on a specific topic.

ATTACHMENTS

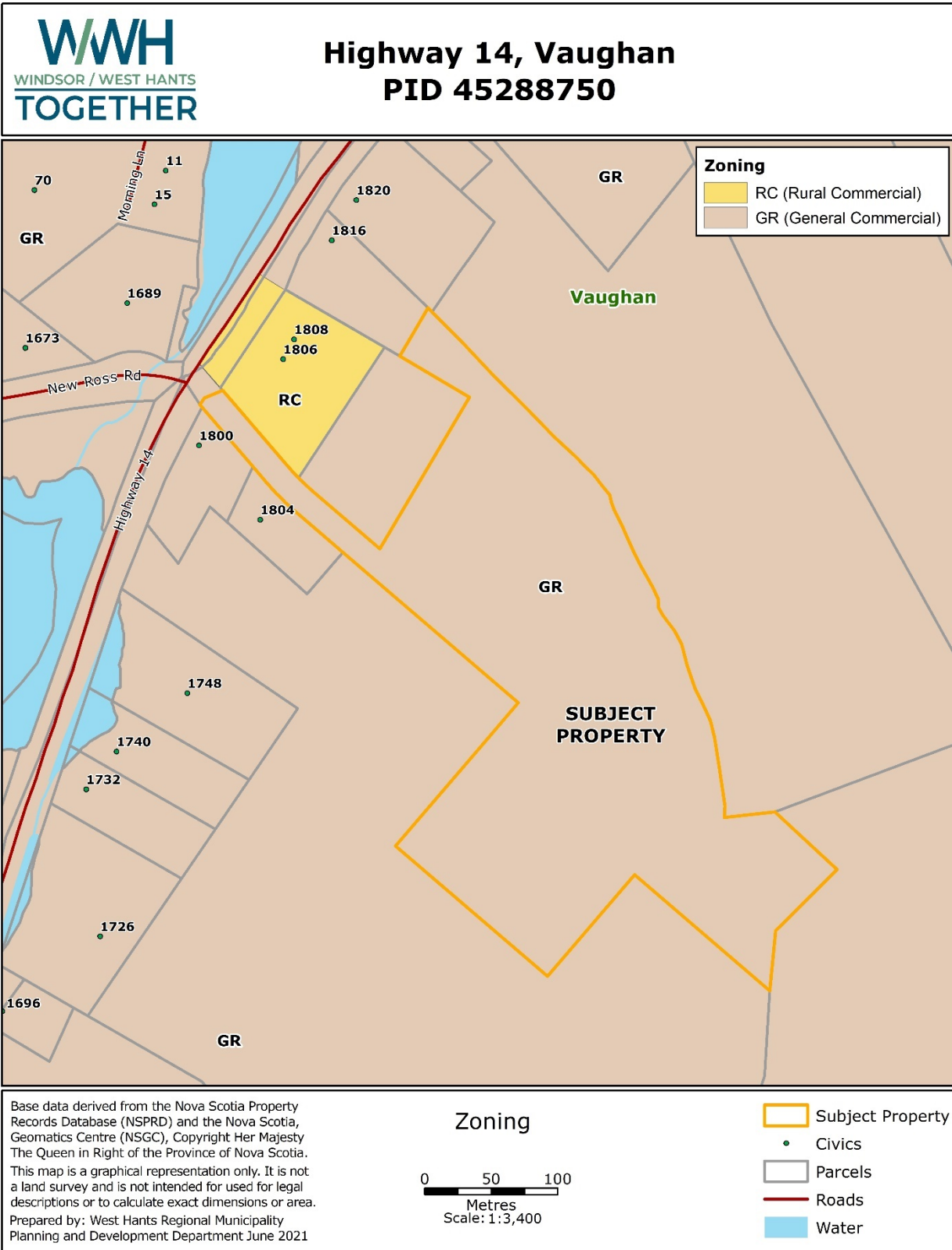
Figure 1	West Hants GFLUM Extract
Figure 2	West Hants Zoning Map Extract
Figure 3	West Hants Proposed Zoning Map Extract
Attachment A	Draft Amendments to the West Hants Land Use By-law
Attachment B	Specific Criteria for Amendment
Attachment C	General Criteria for Amendment
Attachment D	Public Information Meeting Notes

Report Reviewed by: _____
Madelyn LeMay, Director of Planning and Development

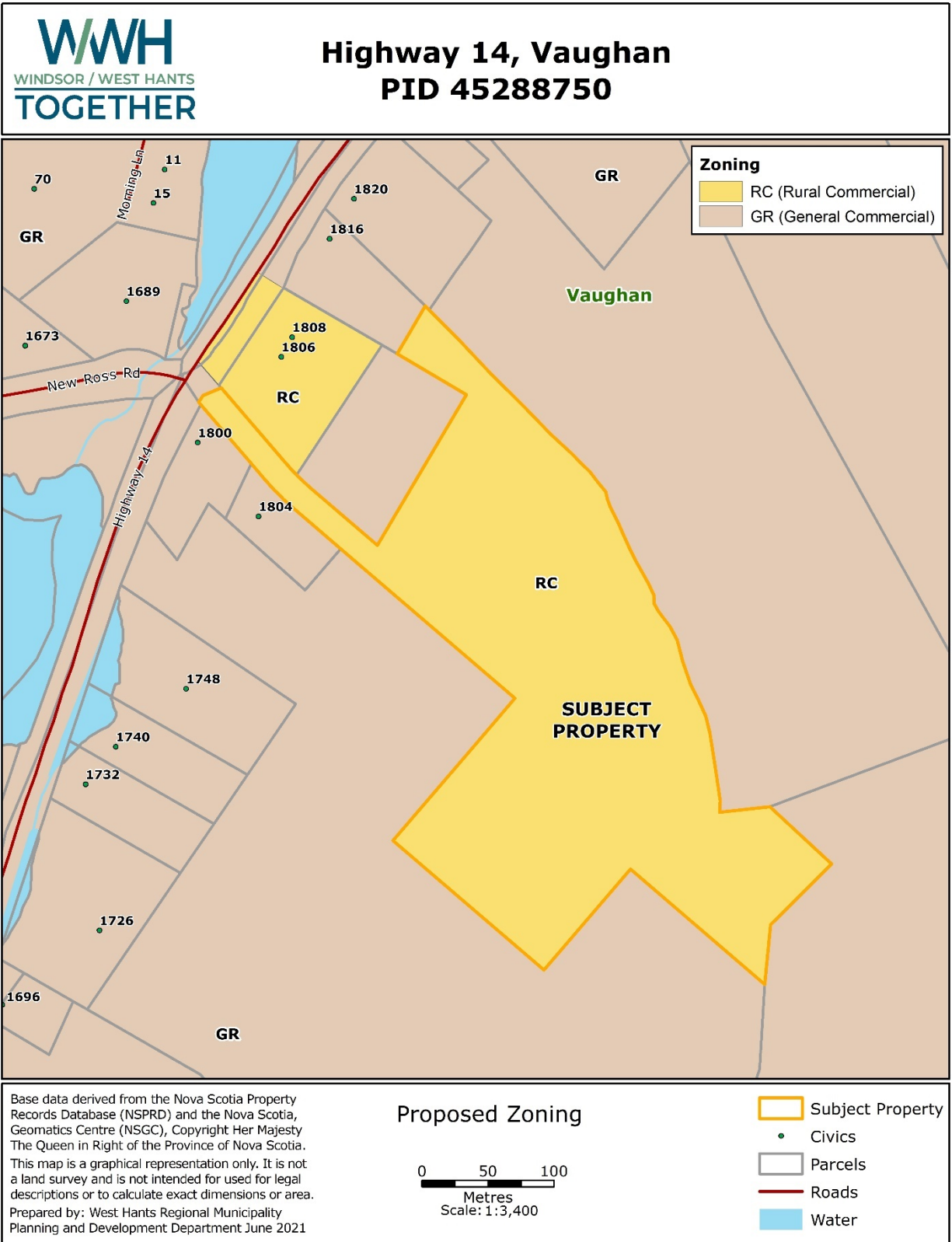
**Figure 1
West Hants GFLUM Extract**



**Figure 2
West Hants Zoning Map Extract**



**Figure 3
West Hants Proposed Zoning Map Extract**



Attachment A
Draft Amendments to the West Hants Land Use By-law

Text amendment to the Rural Commercial (RC) zone to list “arts and crafts studios” as a permitted use in the zone and to the general provisions for all zones to allow more than one main building on the lot in the Rural Commercial (RC) zone. Note: Amendment in blue.

1. Amend Part 16.1, *Permitted Uses*, in Part 16.0 of the West Hants Land Use By-law, *Rural Commercial (RC)*, to include “arts and craft studios”, so that it reads as follows:

16.0 RURAL COMMERCIAL (RC)

Permitted Uses

16.1 The following uses shall be permitted in the Rural Commercial (RC) zone:

- Automobile service stations
- Arts and craft studios
- Banks and financial institutions
- Clubs
- Day care centres, licensed or non-licensed
- Farm supplies and equipment sales and service
- Farm markets
- Funeral homes
- Garden and nursery production, sales and supplies
- Hotels, motels and other tourist accommodations, but does not include campgrounds
- Kennels
- Licensed Cannabis Nurseries
- Offices
- One dwelling unit in conjunction with a permitted commercial use, located either in the same building or as a single unit dwelling on the same lot
- Personal service shops
- Post offices and postal outlets
- Restaurants
- Retail stores
- Existing dwellings

2. Amend Part 5.27, *One Main Building on a Lot*, in Part 5.0 of the West Hants Land Use By-law, *General Provisions for All Zones*, to include “in the Rural Commercial (RC) zone”, so that it reads as follows:

5.0 GENERAL PROVISIONS FOR ALL ZONES

One Main Building on a Lot

5.27 No person shall erect more than one main building on a lot except:

- (a) in the Light Industrial (LI-1), Joint Industrial Type Two (LI-2), Joint Industrial Type Three (LI-3) and Resource Industrial (M-1) zones;
- (b) in the Manufactured Home Park (MHP) zone;
- (c) in the Landfill (LF) zone;
- (d) in the Rural Commercial (RC) zone;
- (e) agricultural uses;
- (f) municipal water treatment and distribution uses in the Water Supply (W) zone;
- (g) grouped dwellings;
- (h) institutional uses;
- (i) regional shopping centres;
- (j) a second dwelling will be permitted on a lot where it can be shown that a second lot can be created, the second dwelling can be accommodated on that portion of the lot and the building can be shown to meet all other requirements.

Attachment B
Specific Criteria for Amendment

Policy 9.1.6

It shall be the intention of Council to consider rezoning land zoned General Resource (GR) to allow for commercial or industrial uses permitted in the Rural Commercial (RC) or Resource Industrial (M-1) zones subject to the following:

CRITERIA	COMMENT
<i>(a) the use will not adversely affect existing resource uses in the area;</i>	The proposed uses will be contained within the 20 acre subject lot and are not expected to cause an adverse effect on existing resource uses in the area.
<i>(b) the use is not one which, because of its size or nature, would be more appropriately located in a Growth Centre, Village or Hamlet;</i>	The tourist accommodations and commercial uses proposed are not large, urban commercial uses that would be more appropriately located in a Growth Centre, Village or Hamlet. The Rural Commercial (RC) zone ensures the commercial uses permitted provide a service to local residents with limited highway commercial and tourist commercial uses. Commercial uses are limited to 5,000 ft ² of commercial floor area to ensure the scale is compatible with the rural area. All of the commercial uses proposed are to provide services to the tourist accommodations and the immediate community.
<i>(c) safe and efficient roadway access is provided;</i>	DTAT responded that "the existing access location is acceptable for low volume development (1 to 10 vehicles per hour). The change of use to more than three residential structures would require the existing driveway be upgraded to a private lane meeting specific design criteria." In discussions with DTAT they stated that they would work with the property owner to determine these design requirements for this specific location. When asked if there was any additional comments DTAT responded that "the Department has some

	<p>concerns with the unrestricted access for adjacent properties and would require access management review prior to any future commercial development of PID 45288750." Further comments from DTAT stated that "the proposed construction of two 500-600 sq. ft. seasonal cottages on PID 45288750 as opposed to a single residence on the existing access, is acceptable to this Department. The development of PID 45288750 will require an access management review prior to upgrading the existing residential driveway to meet private road criteria". The property owner is aware and in discussions with DTAT regarding the requirements for an access management review and upgrades to the driveway to meet private lane design criteria. As per correspondence from DTAT only two (2) tourist accommodations could be constructed on site before these are to be complete.</p>
<p><i>(d) adequate on-site parking is provided;</i></p>	<p>The Development Officer commented that they do not see parking as an issue due to the lot being approximately 20 acres in size. The property owner would have to follow section 5.31 of the West Hants Land Use By-law, <i>Parking Requirements</i>, for the particular uses that are being requested.</p>
<p><i>(e) the development is compatible with adjacent land uses with respect to:</i></p>	
<p><i>(i) traffic generation and traffic safety;</i></p>	<p>There is a property zoned Rural Commercial (RC) abutting the subject lot which provides services such as a gas station, convenience store, liquor store and take-out food establishment to people traveling along Highway 14. There is also the intersection of Highway 14 and New Ross Road which is located to the west of the subject lot. These areas generate traffic in the immediate area.</p>

	<p>When requested for comment, one of the responses from DTAT stated that “the Department has some concerns with the unrestricted access for adjacent properties and would require access management review prior to any future commercial development of PID 45288750.” This comment relates to the large access area from Highway 14 for multiple residential properties and the property currently zoned Rural Commercial (RC) in the area. DTAT would like to see more defined access routes to the particular uses to ensure traffic safety.</p> <p>The property owner is aware and in discussions with DTAT regarding the requirements for an access management review. The access management review would ensure that safe access is defined and available to the subject lot for the proposed uses.</p>
<p><i>(ii) hours of operation;</i></p>	<p>Hours of operation cannot be regulated through a Land Use By-law amendment. Due to the size of the lot the hours of operation of the proposed uses are expected to have minimal impact on the surrounding properties.</p>
<p><i>(iii) size and design of building(s);</i></p>	<p>The Manager of Building and Fire Inspection Services stated that they did not have any concerns with the size and design of the buildings. They noted that the property owner may require a sprinkler system for the commercial and assembly uses depending on the size of the buildings. A Building and Fire Official will need to do a full review of the plans when the property owner applies for development and building permits. As there is no municipal water system in the area the property owner would have to</p>

	install a tank system if a sprinkler system is required.
<i>(iv) signage; and</i>	The property owner would have to follow section 7.0 of the West Hants Land Use By-law, <i>Signs</i> , for the particular uses that are being requested.
<i>(v) pedestrian circulation and safety;</i>	The subject lot is 20 acres in size which is large enough for the property owners to ensure that pedestrian circulation and safety on the subject lot is achieved.
<i>(f) the use is not considered obnoxious by virtue of noise, odours, dust, fumes or other emissions;</i>	The proposed tourist accommodations, commercial uses and single unit dwelling would not be considered obnoxious by virtue of noise, odours, dust, fumes or other emissions based on the types of uses and size of the subject lot.
<i>(g) adequate buffering or screening, setbacks and yards are provided, and open storage is controlled;</i>	The driveway is the only part of the subject lot that is abutting residential uses however no uses are being proposed on this section of the subject lot. There would be no buffering or screening requirements for the rest of the subject lot as it does not abut existing residential uses. Adequate setbacks and yard will be provided. Open storage is controlled in Section 5.29 of the West Hants Land Use By-law, <i>Open Storage</i> .
<i>(h) any other matter which may be addressed in a Land Use By-law; and</i>	All other matters have been addressed elsewhere in this report.
<i>(i) Policy 16.3.1.</i>	Please see Attachment C for further details.

Attachment C
General Criteria for Amendment

Policy 16.3.1 In considering development agreements and amendments to the West Hants Land Use By-law, in addition to the criteria set out in various policies of this Strategy, Council shall consider:

CRITERIA	COMMENT
<i>(a) whether the proposal is considered premature or inappropriate in terms of:</i>	
<i>(i) the adequacy of sewer and water services;</i>	The Project Engineer for the Public Works Department commented that there is currently no municipal water or sewer services available in this area, nor are there any plans to provide municipal water and sewer services to this area within the foreseeable future.
<i>(ii) the adequacy of school facilities;</i>	No impact on school facilities is anticipated.
<i>(iii) the adequacy of fire protection and other emergency services;</i>	The local Fire Chief stated that they do not believe the proposal is premature or inappropriate in terms of the adequacy of fire protection or other emergency services. They added that in the future a new dry hydrant should be considered near the boat launch of Mockingee Lake off of the New Ross before Phase 3 of the proposed development is approved as this will provide a closer water source for this development.
<i>(iv) the adequacy of road networks adjacent to, or leading to the development; and</i>	Highway 14 is an arterial road as defined on the Transportation Map of the WHMPS which is adequate to provide access to the subject lot. As noted previously, DTAT requires that the property owner upgrade the driveway to meet private lane design criteria and go through an access management review prior to any additional uses being constructed on the property.
<i>(v) the financial capacity of the Municipality to absorb any</i>	There are no anticipated costs to the Municipality related to this amendment.

<i>costs relating to the development.</i>	
<i>(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;</i>	See 16.3.1(a)(i) above. The applicant would need to obtain well and septic designs and approvals for this subject property.
<i>(c) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;</i>	See 16.3.1(a)(iv) above. As noted in 9.16(e)(v), the subject lot is large enough to ensure that pedestrian circulation and safety on the subject lot is achieved. Similar to other rural areas of the Municipality, there are no sidewalks along Highway 14 or New Ross Road which means that pedestrians would have to walk along the shoulder of the road if they were accessing the subject lot by foot or walking from the subject lot to the lakes on New Ross Road. There is no rail transportation in the area.
<i>(d) the adequacy of the dimensions and shape of the lot for the intended use;</i>	The lot is 20 acres in size and has adequate dimensions for the proposed uses.
<i>(e) the pattern of development which the proposal might create;</i>	This proposal is not anticipated to change the pattern of development in the area.
<i>(f) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses or wetlands, and susceptibility of flooding;</i>	The subject lot slopes upward from Highway 14. There are no watercourses or wetlands identified on the subject lot. The Inland Flooding and Coastal Flooding maps of the West Hants Municipal Climate Change Action Plan (MCCAP) (2013) do not show any risks of either inland or coastal flooding on the subject lot.

	The applicant will be responsible for determining the suitability of the area for the proposed uses.
<i>(g) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other relevant municipal by-laws and regulations; and</i>	All Municipal, Provincial and Federal regulations will have to be met.
<i>(h) any other matter required by relevant policies of this Strategy.</i>	All other matters have been addressed elsewhere in this report.

Attachment D
Public Information Meeting Notes
July 28, 2021 – August 31, 2021
File 21-12
Hwy 14, Vaughan PID 45288750

Meeting date and time	A virtual Public Information Meeting was held on July 28, 2021 beginning at 6 p.m. The meeting was live broadcast on the Municipal Facebook page.
Attending	<p>In attendance:</p> <p>One (1) Councillor:</p> <ul style="list-style-type: none"> • Councillor Ivey (Chair) <p>Three (3) members of staff:</p> <ul style="list-style-type: none"> • Director LeMay • Planner Poirier • Meeting Secretary Lake <p>The applicant</p> <ul style="list-style-type: none"> • Nikhil Vidwans <p>As this meeting was held virtually there were no members of the public present.</p>
Applicant name and site location (Civic address and PID)	<p>Planner Poirier outlined the request from Nikhil Vidwans to rezone the property at PID 45288750 from General Resource (GR) to Rural Commercial (RC) to permit tourist accommodations, an office, arts and craft studios, farm markets, personal service shops, restaurants and retail stores.</p> <p>The applicant did not make a presentation.</p>
Comments	<p>Comments from the public could be submitted to Planner Poirier by mail, e-mail and telephone between July 28 and August 31, 2021.</p> <p>Five (5) residents provided verbal comments. No emails or letters were received. Staff responses are included in purple.</p> <p>Discussion points from the public included:</p> <ul style="list-style-type: none"> • No problem with the development of rental cottages however the potential of up to 5,000 ft² of commercial space was of concern

	<ul style="list-style-type: none"> • Scale of development with respect to the need for water and sewer on the subject lot and the potential impacts this may have on abutting properties The property owner would require approvals from Department of Environment for well and septic • Concern that the PIM was held virtually when residents in the area are having internet issues Staff provided the option that residents could request a printed or mailed copy of the PIM presentation if they were unable to view the meeting online • The PIM sign at the end of the driveway of the subject lot was removed during the public comment period Staff ensured the sign advertising the PIM was reinstalled • Concern regarding the lack of control the developer will have in terms of keeping visitors on the subject lot There are no municipal requirements for fencing or buffering from the subject lot and these abutting properties. It would be up to the property owner to provide a solution to keep visitors on the subject lot. • Timeline of development Property owners are able to prepare the site which includes moving dirt and removing trees on their lot prior to receiving approval or permits from the Municipality. The property owner is only permitted to construct two (2) cottages as per the current General Resource (GR) zoning. No other requested uses would be permitted on site until Council decides on the rezoning request. All buildings will have to meet Building Code requirements. • Noise concerns of people using the private boat launch <p>Questions from the public included:</p> <ul style="list-style-type: none"> • Driveway – will it need to be expanded or improved? Part of the requirements of the WHLUB for rezoning to Rural Commercial (RC) requires that the driveway meet DTAT commercial access
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	<p>requirements. DTAT has been notified and asked to comment on the proposed development. DTAT is requiring an access management review and upgrades to the driveway to meet private lane design criteria. They have stated they will work with the property owner to determine what upgrades are needed as part of that process. DTAT and the property owner would have to follow the survey plan for the lot and would not be able to expand the driveway outside of the property lines without permission.</p> <ul style="list-style-type: none"> • Is a traffic study required? A traffic study is not required by the Municipality in relation to this application. DTAT is requiring an access management review and upgrades to the driveway to meet private lane design criteria. Only two (2) cottages are permitted to be constructed on the lot prior to this requirement being fulfilled. • Safety concerns with pedestrians trying to cross Highway 14 to access the lakes from New Ross Road. Will sidewalks or shoulders be constructed to address this? DTAT owns the roads in the area therefore it would be a provincial department decision whether sidewalks or wider shoulders should be installed. • What is the potential for a development agreement instead of rezoning the property? The policies of Council in the WHMPS outline that Council will consider the types of uses requested as part of this application through rezoning. There are no policies to consider the uses by development agreement instead. • Are there any limitations on commercial (i.e., hours of operation)? The only limitation for the commercial uses is the commercial floor area permitted in the Rural Commercial (RC) zone being limited to 5,000 ft². Hours of operation cannot be regulated in the Land Use By-law. <p>The applicant did not have an opportunity to respond to the comments before the report was finalized.</p>
Adjournment	The meeting was adjourned at 6:10 p.m.

Attachment B



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Mayor Zebian and Members of West Hants Regional Municipality Council

Submitted by: _____
Sara Poirier, Senior Planner

Date: 2021-09-28

Subject: West Hants Land Use By-law Map Amendment: Hwy 14, Vaughan, PID 45288750; File #21-12 B

LEGISLATIVE AUTHORITY

Section 210 of the Municipal Government Act.

RECOMMENDATION

Should Council wish to proceed to Public Hearing, the following motion would be in order:

... that Council gives First Reading and will hold a Public Hearing to consider amending the Zoning Map of the West Hants Land Use By-law to enable the lot located at PID 45288750 in Vaughan to be rezoned from the General Resource (GR) zone to the Rural Commercial (RC) zone; to amend the text of the West Hants Land Use By-law to add "Arts and crafts studios" to the list of permitted uses in the Rural Commercial (RC) zone; and to allow more than one main building on a lot in the Rural Commercial (RC) zone, all as shown on the map attached as Figure 3 and in Attachment A to the report #21-12 to the Planning and Heritage Advisory Committee dated September 9, 2021.

BACKGROUND

Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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An application was received from Mr. Nikhil Vidwans to consider rezoning the lot at PID 45288750 in Vaughan from General Resource (GR) to Rural Commercial (RC) to permit

tourist accommodations, an office, arts and craft studios, farmers market, restaurant, personal service shops, and retail stores.

Additional amendments in association with this application include adding “arts and craft studios” to the list of permitted uses in the Rural Commercial (RC) zone and amending the general provisions of the West Hants Land Use By-law to permit more than one main building on the lot in the Rural Commercial (RC) zone.

DISCUSSION

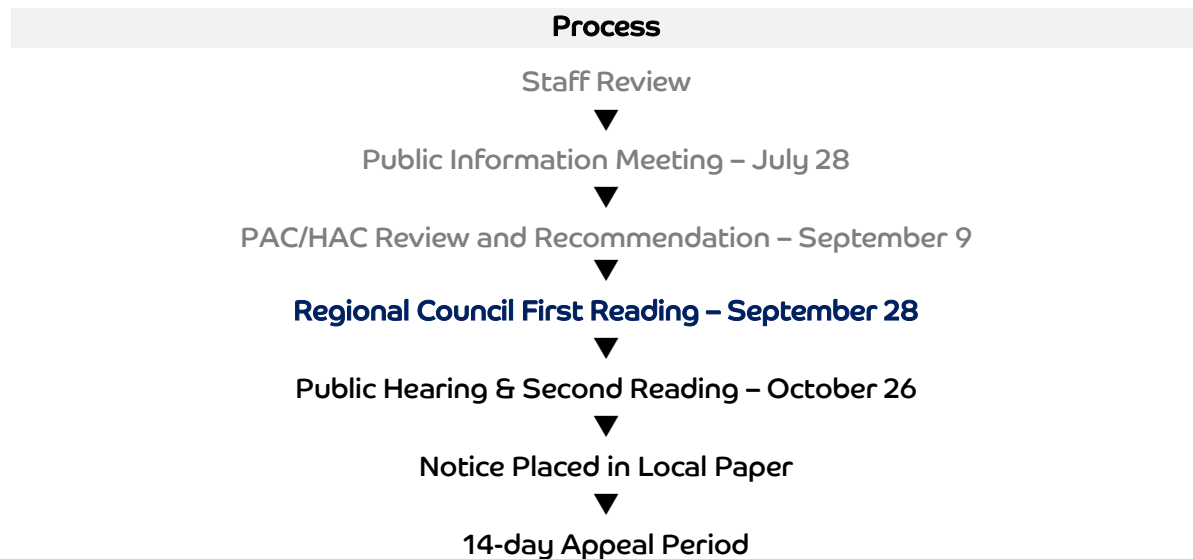
A Public Information Meeting was held on July 28, 2021.

On September 9, 2021 staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A).

PAC/HAC recommended in favour of the proposed West Hants Land Use By-law Amendments on September 9, 2021.

NEXT STEPS

The process for this application is as follows:



FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality in relation to the filing of this report.

ALTERNATIVES

In response to the application, Council may decide to:

- hold First Reading and authorize a Public Hearing to approve the amendments as drafted;

- provide alternative direction such as requesting further information on a specific topic.

ATTACHMENTS

Appendix A 2021-09-09 Staff Report – West Hants Land Use By-law
Amendments: Hwy 14, Vaughan, PID 45288750; File #21-12

CHIEF ADMINISTRATIVE OFFICER REVIEW

I have participated in the the PIM and PAC/HAC meetings. I concur with the recommendation from PAC / HAC.

Report Prepared by: _____
Sara Poirier, Senior Planner

Report Reviewed by: _____
Madelyn LeMay, Director of Planning and Development

Report Approved by:  _____
Mark Phillips, Chief Administrative Officer