

Hantsport – West Hants Boundary Housekeeping Amendment

Planning and Heritage Advisory Committee (PAC/HAC)

January 11, 2024

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File Background

- During a previous rezoning file, staff became aware of a discrepancy between the text and the map of the Hantsport Land Use By-law
- This file was initiated to provide an option to remedy the identified discrepancy, ensuring that the planning documents follow the former Town of Hantsport boundary as previously surveyed

File Background Continued

Section 3.3 (e) of the Hantsport Land Use By-law states:

“where a zone boundary is indicated as following the town boundary, the town limit shall be the boundary”.

- This does not appear to be the case based on a 2006 Survey.
- This issue was brought to the attention of staff by a developer’s surveyor. They believe that our planning document mapping should follow the former Town boundary, as confirmed by the 2006 Survey.
- Using this boundary would include more of PID 45046315 within the Hantsport plan area and would therefore be considered residentially zoned land, rather than agriculturally zoned land.



2006 Survey

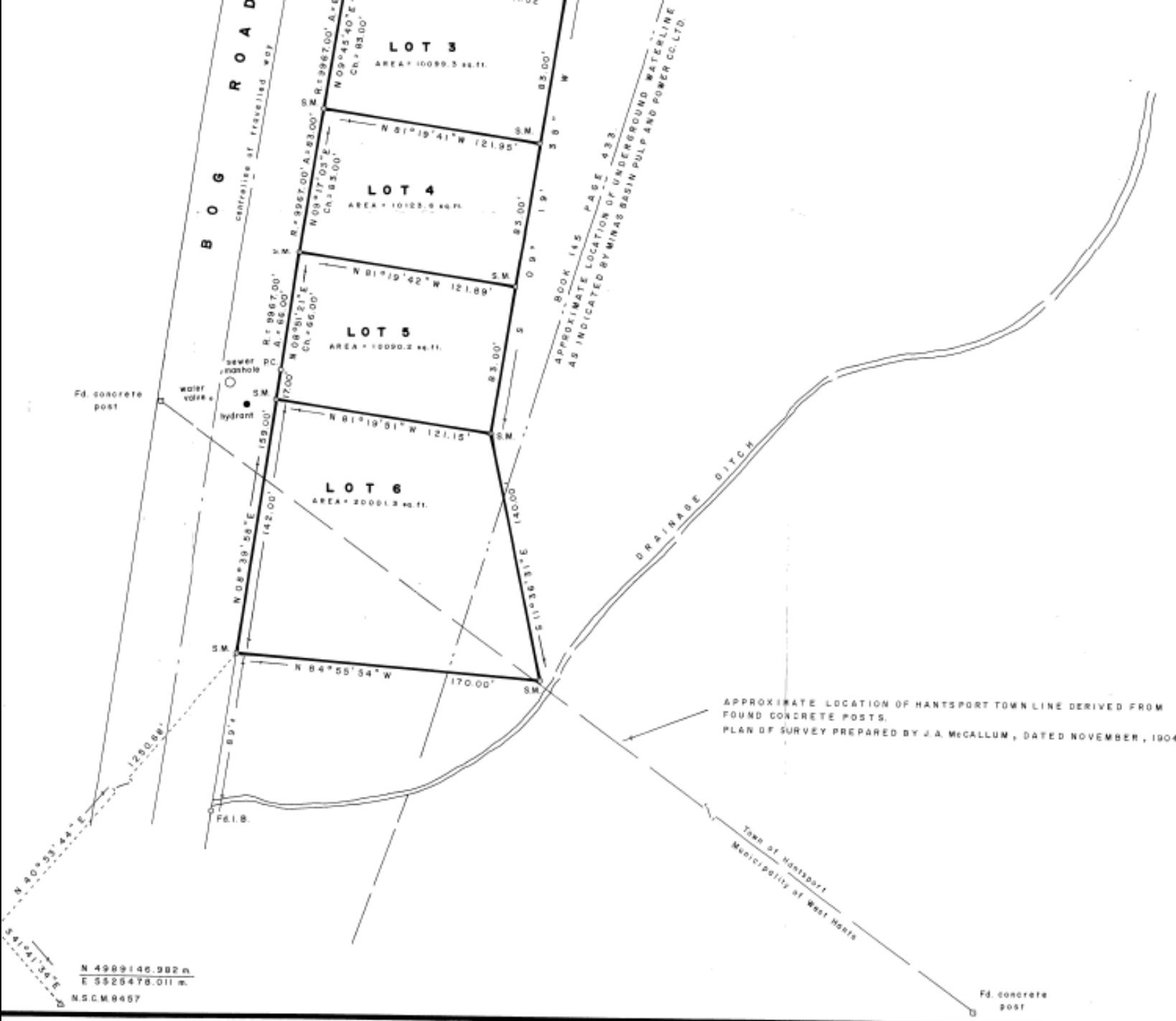
- A survey plan from 2006 displayed that the boundary in our current planning documents does not follow the former Town boundary.
- This survey plan indicates an approximate location of the former Town boundary as first splitting through PID 45366515 and then following along the southern lot boundary of PID 45046315.
- This position of the boundary line is also depicted on archived mapping for the former Town of Hantsport (1976) and Municipality of West Hants (1994).
- Staff are unaware of when the boundary line was changed on the mapping.





- Current Mapping Boundary between Hantsport and West Hants





- 2006 Survey Plan showing former Town boundary



Department of Municipal Affairs Correspondence

In response to questions regarding the boundary from staff, the Department of Municipal Affairs and Housing responded indicating the following points:

- The Municipality is responsible for determining the location of the former Town's boundary; and
- Following review of current planning documents and the 2006 Survey, it was recommended that the Municipality seek legal opinion on the location of the boundary.



Legal Opinion

Staff reached out to the Municipal Solicitor for comment on the former Town boundary. The Municipal Solicitor advised staff that it would be best to ensure all mapping is consistent.

Two options were proposed, both of which require the usually public planning process:

1. Alter the mapping in the West Hants Municipal Planning Strategy and Land Use By-law, as well as the Hantsport Municipal Planning Strategy and Land Use By-law to reflect the former town boundary line as shown in the 2006 Subdivision Plan; or
2. Change the statement in the Hantsport Land Use By-law (Section 3.3(e)) to remove the requirement that the mapping follow the former Town boundary.

The report submitted by staff is based on the first option provided by the Municipal Solicitor.

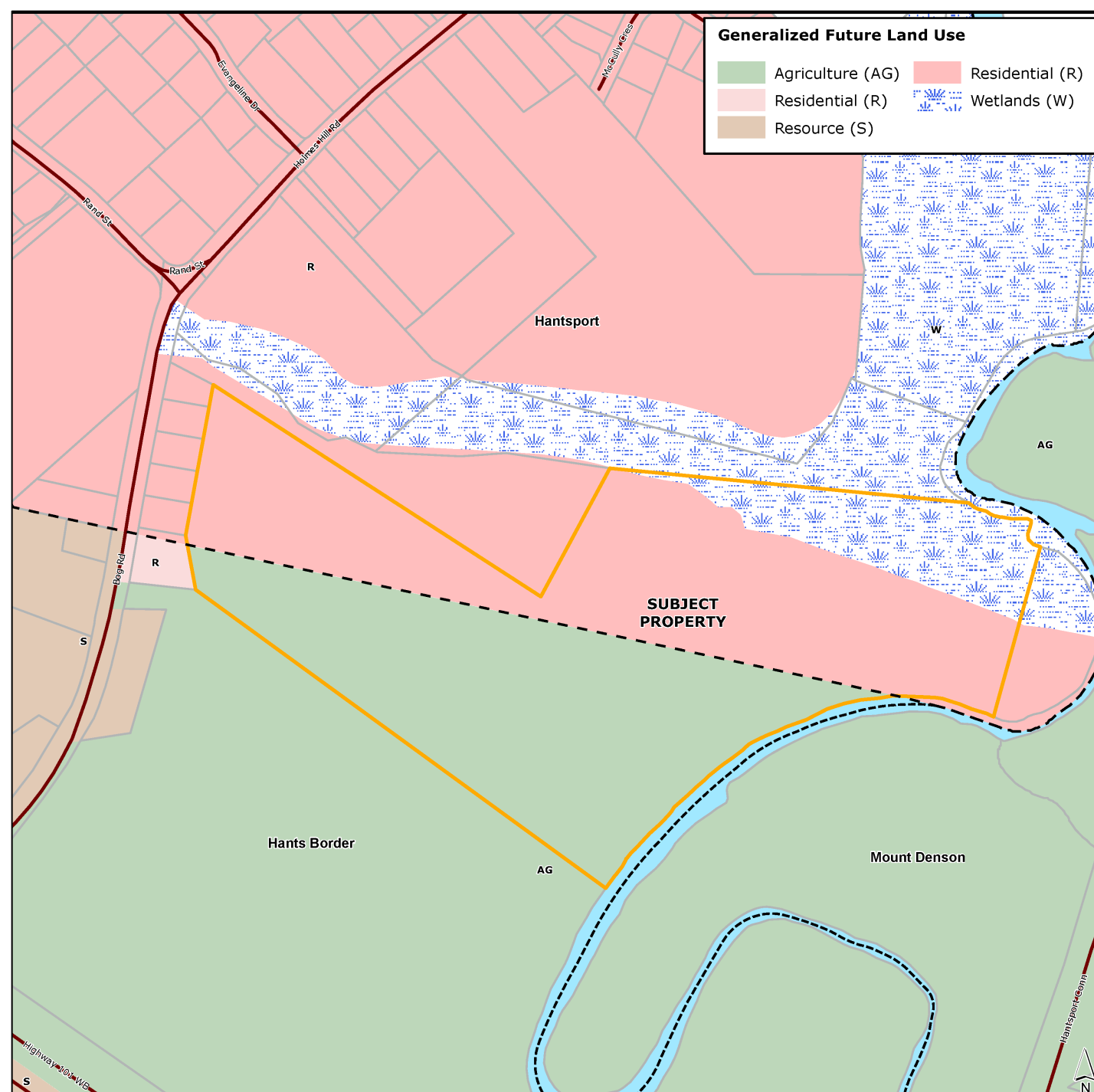


Designation and Zoning Change

If Council agrees to the boundary change of the mapping within the Municipal Planning Strategies and Land Use By-laws of Hantsport and West Hants, as identified on the 2006 Survey Plan, the following would be impacted:

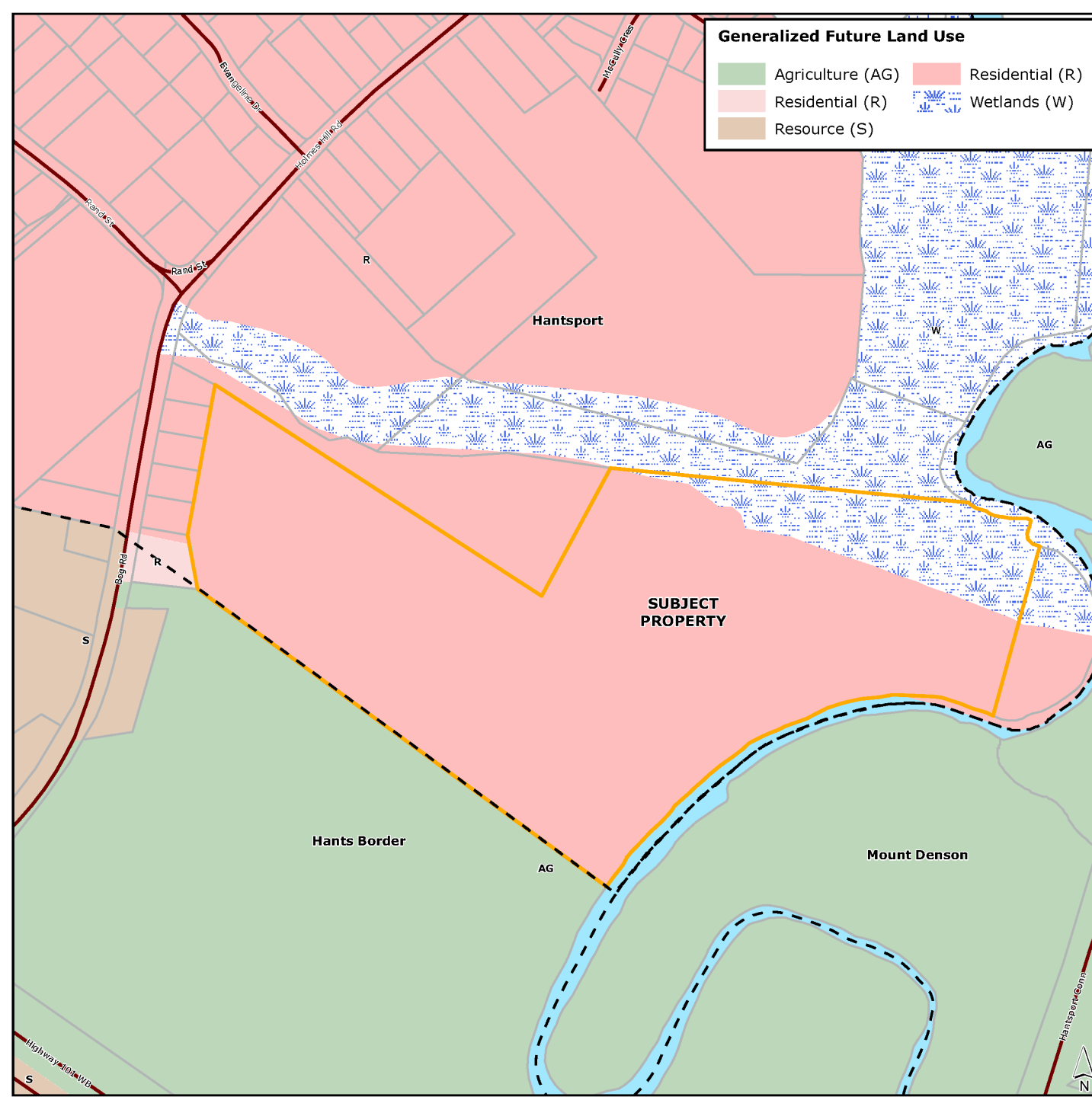
- PID 45046315 and half of PID 45366515 would be wholly contained within the Hantsport plan area.
- Both PIDs would require designation and zoning amendments to the Residential designation on the Hantsport GFLUM and Two Unit Residential (R-2) zone on the zoning map.





Current GFLUM





Proposed GFLUM

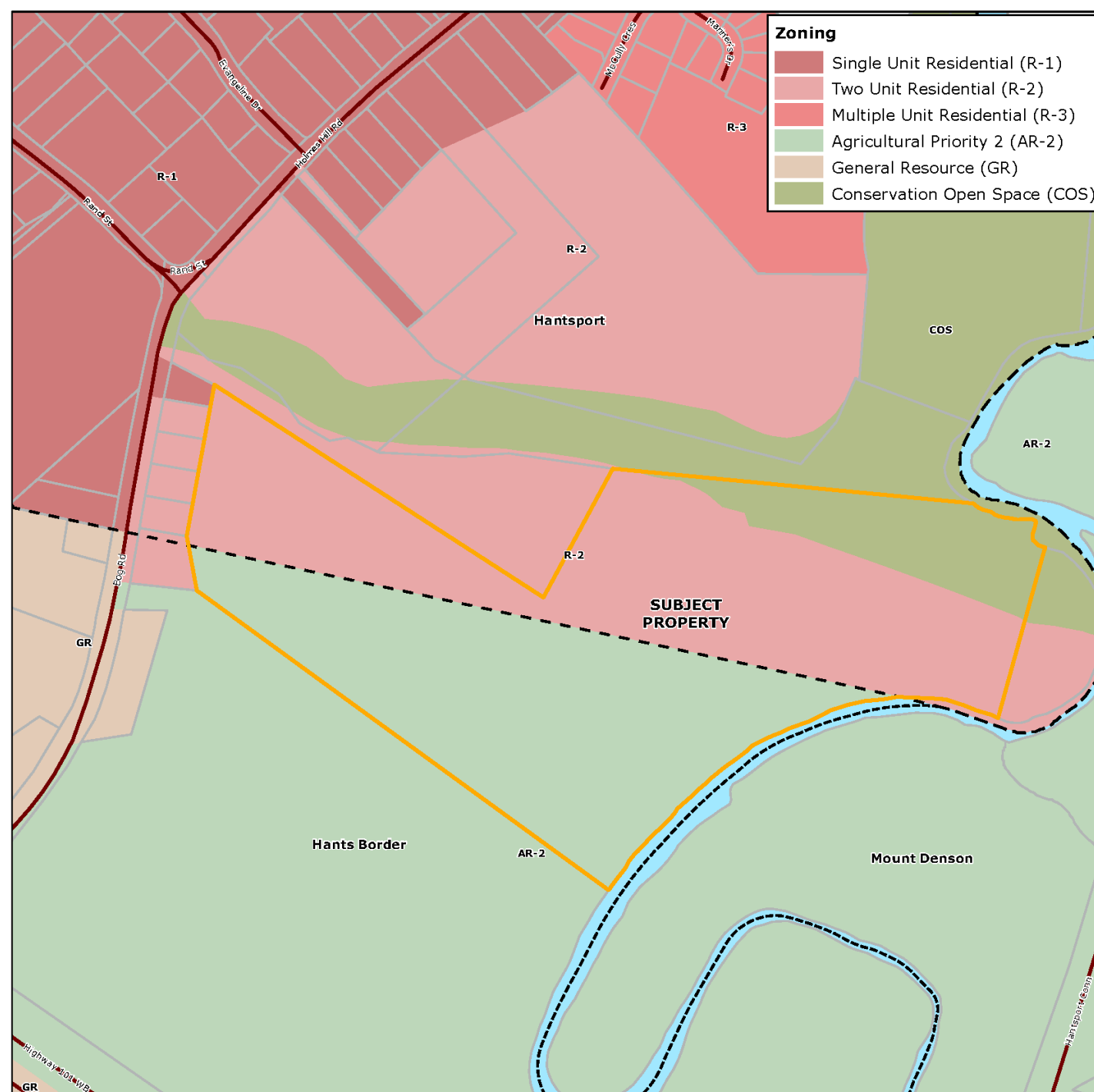
Hantsport

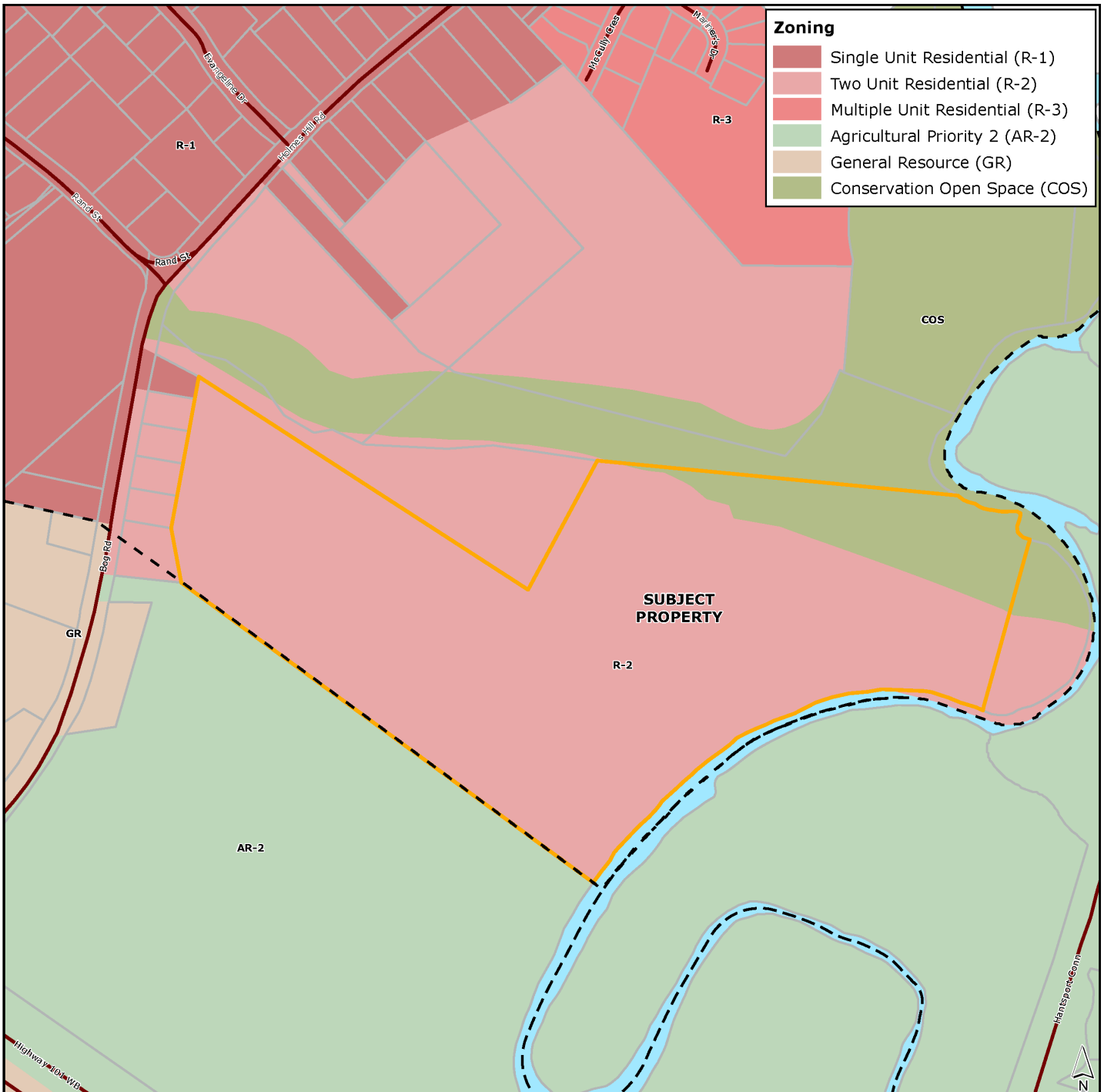
- Residential and Wetlands



Current Zoning

- Split Zone
 - Hantsport
 - Two Unit Residential (R-2) and Conservation Open Space (COS)
 - West Hants
 - Agricultural Priority Two (AR-2)





Proposed Zoning

Hantsport

- Two Unit Residential (R-2) and Conservation Open Space (COS)



Public Information Meeting Notes

- The Public Information Meeting was held on December 7, 2023. The meeting was broadcast live on the Municipal Facebook page.
- 3 members of the public, as well as the applicants, attended the meeting.
- The deadline for comments was December 21, 2023.
- Staff received no written correspondence during the comment period.
- During the meeting, one Councillor asked if the intent was to split one of the lots as shown in the survey plan. Staff confirmed that the intention was to follow the former Town boundary line, which would split PID 45366515 between the Hantsport and West Hants jurisdictions.



Public Information Meeting – Dec. 7, 2023

Staff Review

**PAC/HAC Review and Recommendation –
January 11, 2024**

Council First Reading – January 23*

Public Hearing & Second Reading –
February 27*

Ministerial Review/Approval

Notice of Approval placed in paper

Process

* Anticipated Date



Recommendation (1 of 2)

...that PAC/HAC recommends that Council give First Reading and hold Public Hearing to consider amending the boundary line shown on the maps of the Hantsport Municipal Planning Strategy and Land Use By-law and the West Hants Municipal Planning Strategy and Land Use By-law to reflect the former Town of Hantsport boundary as shown in the 2006 survey plan as shown in the report File #23-44 to the Planning and Heritage Advisory Committee dated January 11, 2024;

Recommendation (2 of 2)

...that PAC/HAC recommends that Council give First Reading and hold Public Hearing to consider amending the Generalized Future Land Use Map of the Hantsport Municipal Planning Strategy to include a portion of PID 45046315 and 45366515 in the Residential designation and amending Schedule A of the Hantsport Land Use By-law to include a portion of PID 45046315 and 45366515 in the Two Unit Residential (R-2) zone as show in the report File #23-44 to the Planning and Heritage Advisory Committee dated January 11, 2024.



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