

Paintball Facility Highway 215, Summerville Development Agreement

Planning Advisory Committee

March 14, 2024

something inspiring awaits



Application

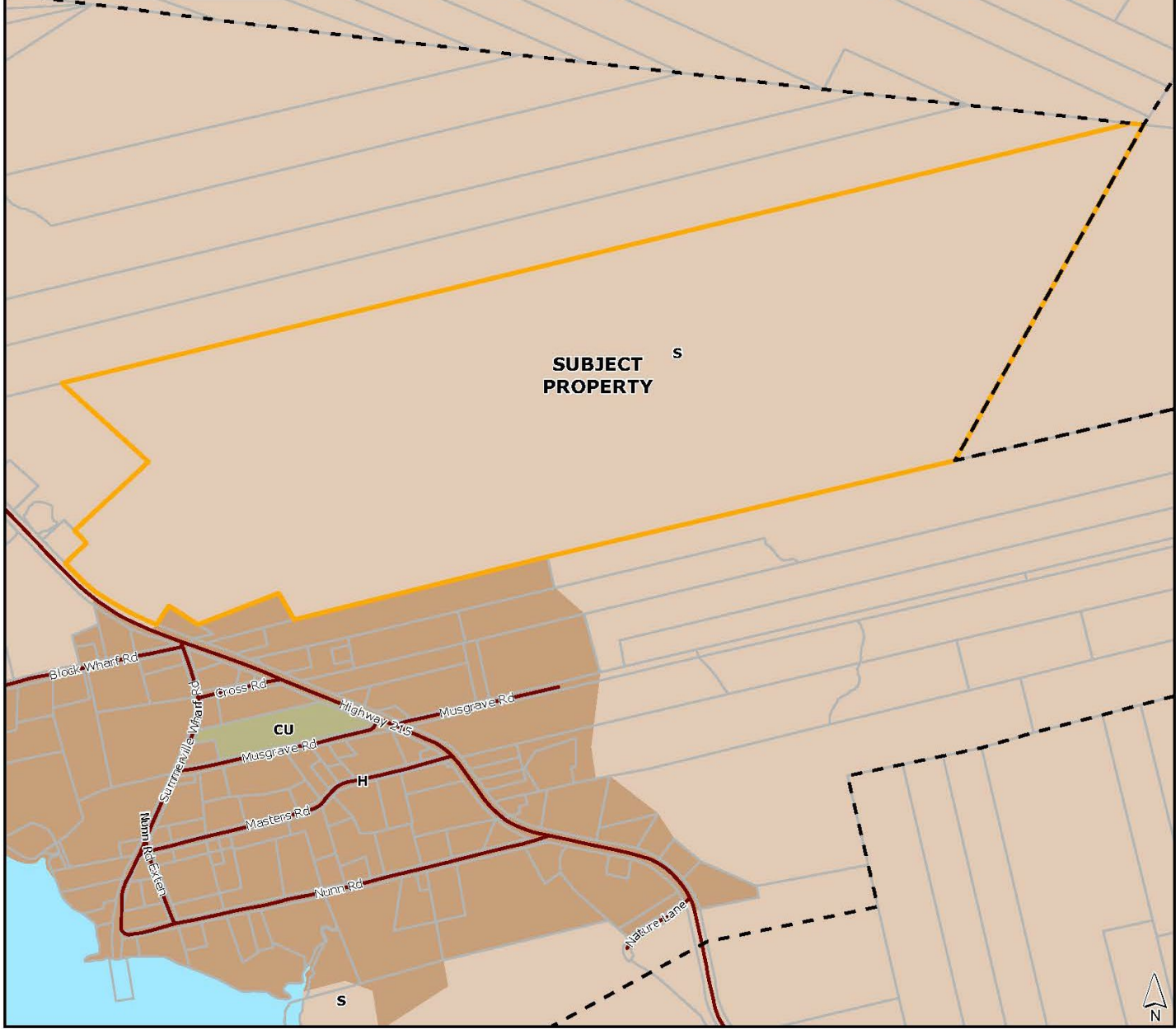
- A completed application was received on March 20, 2023 from Patrick Hill.
- Request is for a Paintball Facility, with playing areas located in the woods and potentially in the open field.
- Property is 400 acres and currently vacant, heavily wooded.
- The property is owned by Marlene Hill who has provided authorization for the applicant to use a portion of the property for the proposed Paintball Facility.

Background

- Public Information Meeting held June 6, 2023
- Application was delayed after the Municipal solicitor highlighted the need for the ownership to be clarified.
- Property went through the Probate Court during 2023/2024.
- Ownership is now determined which enables PAC's consideration



- Generalized Future Land Use**
- Community Use (CU)
 - Hamlet (H)
 - Resource (S)



GFLUM

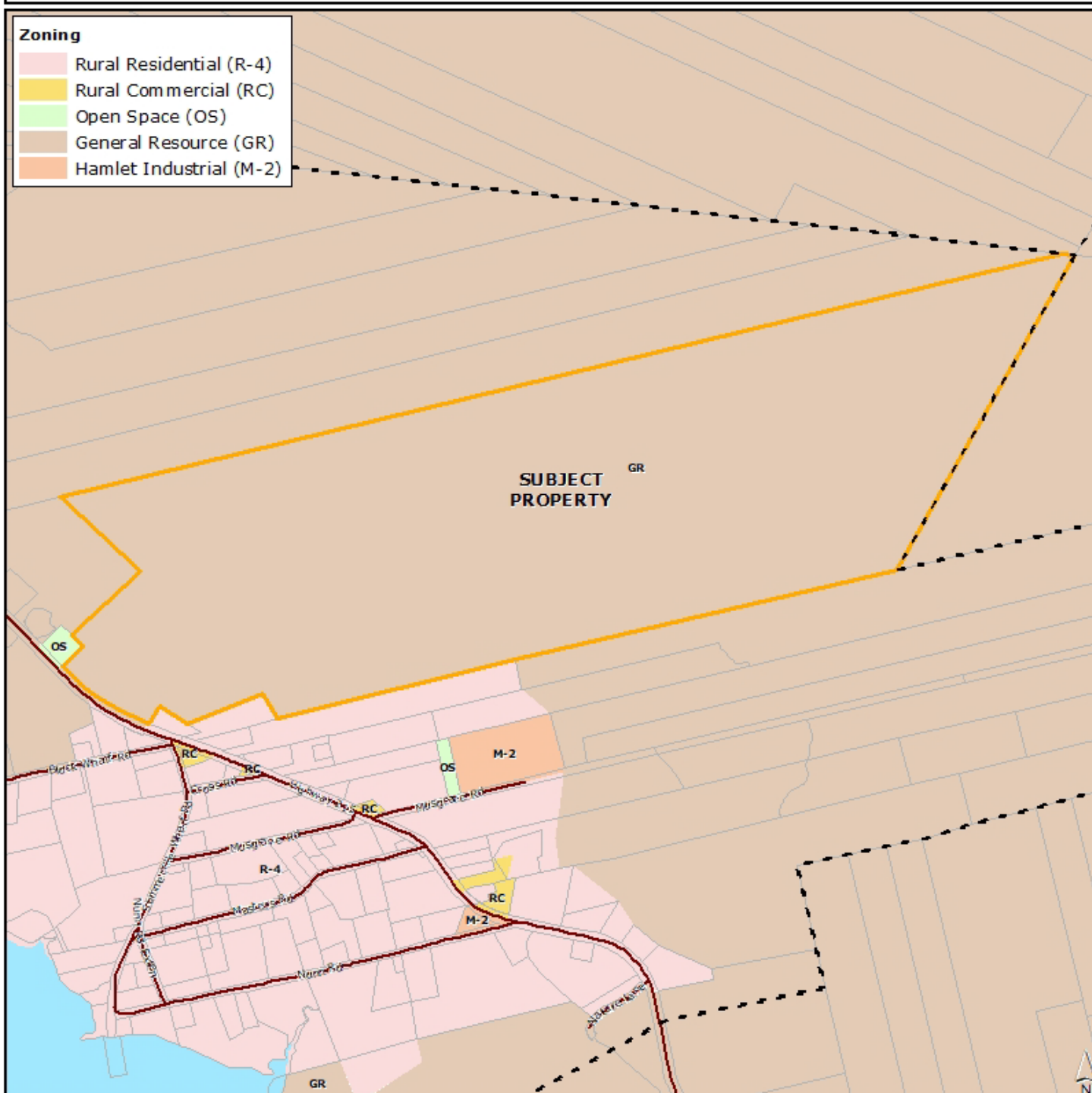
Resource (S)

Base data derived from the Nevis Scotia Property...



Zoning

- Rural Residential (R-4)
- Rural Commercial (RC)
- Open Space (OS)
- General Resource (GR)
- Hamlet Industrial (M-2)



Zoning

General Resource



Ortho Photo

Surrounding uses

Rural Residential
Loyal Hill Cemetery
Equestrian facility





View looking back towards Highway 215



Field / woods ball location

Public Information Meeting notes

- PIM was held on June 6, 2023 and was available live on Facebook.
- Comments and questions could be submitted by June 20, 2023
- Staff Received comments from several community members
 - Concerns included:
 - Proximity to and impact on graveyard
 - Impact on environment
 - Noise and disruption
 - Buffering and fencing ideas
 - Parking questions
 - Support for the business and bringing activity to Summerville



West Hants Municipal Planning Strategy

- Part 9.0 of the WHMPS contains the overall intention for Resource areas in West Hants
- Section 9.1 contains the specific policies for properties zoned General Resource (GR)
- *Policy 9.1.7* establishes Council's intention to consider **Recreation Commercial uses in the General Resource (GR)** zone by development agreement



Development Agreements

- A development agreement is a legal contract between the Municipality and a property owner to permit a use that is not usually permitted in the underlying zone.
- Recreation Commercial uses like Paintball Facilities are considered in the General Resource (GR) zone only by development agreement.



West Hants MPS – DA Criteria Policy

- **Policy 9.1.7 and 13.3.2 – Recreation Commercial uses by DA**
 - ✓ No adversely affect existing resource uses
 - ✓ The use is not more appropriate in a Growth Centre, Village or Hamlet
 - ✓ Recreation facility
 - ✓ Appropriate lot size
 - ✓ Safe road access
 - ✓ Adequate parking
 - ✓ Neighbouring uses not adversely affected
 - ✓ Fencing/buffering requirements



Site Plan

100-foot setbacks
Buffering requirements
Development Area:
 Parking
 Storage
 Playing courses
 Watching areas
 etc.



West Hants MPS – General Criteria Policy

- **Policy 16.3.1** states general criteria for amendments to the Land Use By-law.
 - ✓ adequacy of sewer and water services; schools; fire protection; road networks; and the financial capacity of the Municipality to absorb any costs relating to the development.
 - ✓ capable of being serviced (either central on-site systems)
 - ✓ the suitability of auto, rail and pedestrian traffic;
 - ✓ the shape of the lot for the intended use; the pattern of development; the suitability of the area in terms of steepness of grade, water courses etc.
 - ✓ Conformance with other relevant municipal, provincial or federal by laws/regulations



Public Information Meeting – June 6, 2023

Staff Review

**PAC/HAC Review and Recommendation –
March 14, 2024**

Regional Council First Reading –
March 26, 2024*

Public Hearing & Second Reading –
April 23, 2024*

14-day appeal period

Notice Placed in Paper

Process

*anticipated date



Recommendation (1 of 2)

...that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider entering into a development agreement to permit a paintball facility on PID 45180635 on Highway 215 in Summerville, in a manner substantively the same as the draft set out in Attachment B of the report to the Planning and Heritage Advisory Committee regarding File # 23-07 dated March 14, 2024.

Recommendation (2 of 2)

...that PAC/HAC recommends that Council require that the development agreement with Marlene Hill be signed within 120 days from the date of final approval by Council or the date that any appeals have been disposed of; otherwise this approval will be void and obligations arising hereunder shall be at an end.





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