



Planning Advisory / Heritage Committee Meeting

Tuesday, July 16th, 2024, 6:30 p.m.

Council Chambers

AGENDA

1. Call to order
2. Items Added / Approval of the Agenda
3. Review of Minutes re:
 - a) April 16th, 2024
4. Staff Reports
 - a) Variance Notification Procedures – amending pages
 - b) Richmond County Subdivision By-Law – amending pages
5. Honourable John A. Lohr, Minister of Municipal Affairs and Housing, Re: Summary of amendments to the Municipal Government Act
6. Items Added to the Agenda
7. Next Meeting Date
8. Adjournment



Planning Advisory / Heritage Committee Meeting

April 16th, 2024

- Location:** Council Chambers
- Present:** Councillor Brent Sampson, Deputy Warden Shawn Samson, Doug Begg, Appointed Member, Carolyn Clackdoyle, Appointed Member, Councillor Michael Diggdon, Warden Amanda Mombourquette (Virtual)
- Also Present:** John Bain, Director/Development Officer, Eastern District Planning Commission (EDPC), Troy MacCulloch, CAO (Virtual), Shelley David, Municipal Clerk
- Regrets:** Councillor Melanie Samson

Call to Order:

Councillor Brent Sampson called the meeting to order at 6:30 P.M

Items Added to the Agenda (Approval of the Agenda)

Moved by Deputy Warden Shawn Samson, seconded by appointed member Doug Begg that the agenda be approved.
Motion carried.

Review of Minutes re:

a) February 20th, 2024

Moved by appointed member Doug Begg, seconded by Deputy Warden Shawn Samson that the Planning Advisory/Heritage Committee meeting minutes for February 20th, 2024, be approved.
Motion carried.

Variance Notification Procedures

Moved by Councillor Michael Diggdon, seconded by appointed member Doug Begg that the Planning Advisory/Heritage Committee recommend to Council to have staff review the Land Use By-Laws to determine if an extension on the time frame for appeals can be extended from 14 to 21 days and FURTHER MOVE to prepare amending pages.
Motion carried.



Richmond County Subdivision By-Law

Move by Warden Amanda Mombourquette, seconded by appointed member Doug Begg that the Planning Advisory/Heritage Committee recommend to Council to have staff prepare amending pages to the Richmond County Subdivision By-Law for the purpose of removing the term “clearly survey” and further clarify that the use of an easement (new or existing) will require a survey. Motion carried with five (5) in favor and one (1) opposed.

Building Permits and Fees

Moved by Deputy Warden Shawn Samson, seconded by appointed member Carolyn Clackdoyle that the Planning Advisory/Heritage Committee recommend to Council to have staff amend By-Law 61- Building Permits and Fees for the purpose of updating the fee structure as presented by the Eastern District Planning Commission. Motion carried.

Items Added to the Agenda:

No additional items added.

Next Meeting Date

It was the consensus of the Committee to schedule the next Planning Advisory/ Heritage Committee meeting for May 21st, 2024, at 6:30 p.m.

Germain MacDonald approached the committee.

Adjournment

There being no further business, the meeting was adjourned at 7:38 p.m.

Municipal Clerk

Chairperson



**Municipal Affairs and Housing
Office of the Minister**

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May 10, 2024

Dear Mayors and Wardens:

On April 5, 2024, the *Financial Measures Act* received Royal Assent in the Nova Scotia Legislature. The Act includes several amendments to the *Municipal Government Act*, *Halifax Regional Municipality Charter*, and the Housing in the *Halifax Regional Municipality Act*.

These changes aim to support housing development all over the province, update and simplify existing rules, reinforce the Code of Conduct for municipalities, fill a legal gap allowing villages to change names, and make other administrative updates to the laws.

Due to the number of amendments included in the *Financial Measures Act*, I have included a summary document that provides amendment descriptions, amendment clause numbers within the *Financial Measures Act*, and clarification about whether the amendments have been proclaimed or still require regulations.

I want to thank you all for your guidance and feedback throughout the *Municipal Government Act* and *Halifax Regional Municipality Charter* review process.

Sincerely,

A handwritten signature in blue ink, appearing to read 'John A. Lohr'.

Honourable John A. Lohr
Minister of Municipal Affairs and Housing

Appendix A: Summary of Amendments to the *Municipal Government Act*, *Halifax Regional Municipality Charter*, & *Housing in the HRM Act* through the *Financial Measures Act*

Appendix A: Summary of Amendments made to *Municipal Government Act, Halifax Regional Municipality Charter, & Housing in the HRM Act* through the *Financial Measures Act*

Amendments related to development approval process and supporting housing development			
<i>Act</i>	<i>Amendment Description</i>	<i>Clause # in FMA</i>	<i>Regulations Required for Proclamation?</i>
MGA	Remove the requirement for certified copies of planning documents to enable electronic submission of planning documents to the provincial Director of Planning and Minister of Municipal Affairs and Housing. Add regulation-making authority for Minister for submission/filing, review, and approval of documents.	86 (1), 86(7), 87(4), 92 (3)	<u>Yes</u>
MGA/HRMC	Require an electronic statement from the Clerk to verify that planning documents/amendment to by-law/development agreement are a true and original copy where no certified copy is required, and remove requirement for the Province to return two copies (written notice as per the Act will be returned).	37-39, 86 (2) -(4), 87 (2), 92 (2)	<u>Yes</u>
MGA	Require that appeals for site plan and variances must A) state grounds for appeal, and B) limit an appeal to substantive matters. This includes regulation-making authority for the Minister to prescribe non-substantive matters to which appeals may not be made.	94	This amendment has received Royal Assent; <u>however</u> , regulation is required to prescribe what is a non-substantive matter.
MGA	Allow non-substantive development agreement amendments to be approved by the Development Officer rather than Council (authority exists for council to define substantive and non-substantive amendments within a development agreement).	92 (1)	This amendment has received Royal Assent.

MGA	Allow the Chief Administrative Officer (CAO) to discharge a completed development agreement in part or in whole rather than Council.	91	This amendment has received Royal Assent.
MGA	Clarify council's role regarding substantive matters and "approval in principle" of a development agreement where the final administrative contractual details will be dealt with by the CAO without triggering a need to return to Council.	92	This amendment has received Royal Assent.
MGA	Enable the requirement of off-site improvements necessary to support the development or the payment of money-in-lieu for the contribution of off-site improvements through a development agreement.	90	This amendment has received Royal Assent.
MGA	<p>Allow councils to provisionally approve a development agreement or an amendment to a development agreement during the same public meeting when the Council passes a:</p> <ul style="list-style-type: none"> • Supporting amendment to the municipal planning strategy; • Supporting amendment to the land-use by-law; and • Supporting amendment to the municipal planning strategy and the supporting amendment to the land-use by-law. <p>This provisional development agreement or amendment to a development is approved once the supporting amendment to the municipal planning strategy and/or land use by-law takes effect. Appeal period runs from the provisional approval.</p>	89, 97(d)	This amendment has received Royal Assent.

MGA	Authority for Minister of Municipal Affairs and Housing to designate healthcare facilities as a planning area (e.g., long-term care facility) to which municipal development rules related to planning, development, and subdivision do not apply.	88	This amendment has received Royal Assent.
Housing in HRM Act	Extension of the Executive Panel on Housing in the HRM for 2 additional years (until 2026).	54	This amendment has received Royal Assent.
<i>Amendments to support modernization and efficiencies</i>			
<i>Act</i>	<i>Amendment Description</i>	<i>Clause # in FMA</i>	<i>Regulations Required for Proclamation?</i>
MGA/HRMC	Require accommodation marketing platforms to collect and remit marketing levy fees to the municipality directly.	28, 76	This amendment has received Royal Assent.
MGA/HRMC	<p>Authorize posting on a municipal website as an alternative method of notice. This applies to the following notices:</p> <ul style="list-style-type: none"> - Public Hearing for Sale or Lease of Municipal Property - Special purpose tax accounts - Sale of Distraigned Goods - Tax Sale Advertisement - Adoption of By-laws - Planning documents (MGA only, changes already made to HRMC) - Notice of sale land no longer required for parks, playgrounds, or public purposes - Notice of Public Hearing for Street Closures 	29 (2), 30 (2), 32(2), 33, 34(2) 35, 36, 42, 44, 75(2), 77(2), 79, 80, 82, 83, 84, 85, 86(5), 86 (6) 87(1), 95, 96, 97, 98, 100, 105(2)	This amendment has received Royal Assent.

MGA/HRMC	Allow municipalities to serve property tax bills by electronic means if agreed to by persons in writing. If electronic means is agreed to, preliminary notices of tax sale will also be sent electronically to the person (in addition to mail).	32, 34, 79, 81	This amendment has received Royal Assent.
MGA/HRMC	Allow municipalities and villages to sell and lease property below market value for any purpose which is deemed beneficial to the municipality or village by council or the commission.	29 (1), 75 (1), 105 (1)	This amendment has received Royal Assent.
MGA/HRMC	Allow performance bonding for site plans.	40, 93	This amendment has received Royal Assent.
MGA	Provide village commissions a mechanism to request to change the name of a village as chosen by the village commission. The name change could be granted by Governor-in-Council.	101	This amendment has received Royal Assent.

Topics to support Code of Conduct

Act	Amendment Description	Clause # in FMA	Regulations Required for Proclamation?
MGA/HRMC	Allow councils and commissions to be notified in-camera of a Code of Conduct complaint making it to the investigation stage.	26, 73, 103	<u>Yes</u>
MGA/HRMC	Require that in addition to the investigator's recommendation, the section under which the Code of Conduct complaint was lodged be made public.	26, 73, 103	<u>Yes</u>

MGA/HRMC	Allow municipalities and villages to collect Code of Conduct fines in the same manner as taxes, and fines will be considered general revenue.	27, 74, 102	Yes
MGA/HRMC	Mayor, councillors, or commissioners who are absent from three or more consecutive regular meetings as a result of being sanctioned will not lose their seat.	25, 72, 104	Yes

Topics relating to administrative items

<i>Act</i>	<i>Amendment Description</i>	<i>Clause # in FMA</i>	<i>Regulations Required for Proclamation?</i>
MGA/HRMC	Clarify deemed easement on a plan of subdivision is retroactive to the date of the survey or approval of the plan of subdivision, even if that pre-dates the Act.	43, 99	This amendment has received Royal Assent.
MGA/HRMC	Changes to requirements for capital reserve funds to reflect changes in public sector accounting standards.	31, 78	This amendment has received Royal Assent.
HRMC	Correct the term "setback" in section 250A (1) to "step back".	41	This amendment has received Royal Assent.