



WEST HANTS
NOVA SCOTIA

**MUNICIPALITY OF THE DISTRICT OF WEST HANTS
Council Minutes
February 12, 2019 7:00 p.m.
Sanford Council Chambers**

1. Call to Order

Deputy Warden Morton called the meeting to order at 7:00 p.m.

2. Call of Roll

Present:	P. Morton	Deputy Warden
	R. Jannasch	Councillor District 1
	K. Monroe	Councillor District 2
	D. Keith	Councillor District 3
	T. Leopold	Councillor, District 4
	D. Francis	Councillor, District 5
	R. Hussey	Councillor District 6
	J. Daniels	Councillor District 7
	R. Zwicker	Councillor District 10
	M. Laycock	Chief Administrative Officer
	C. Rochon	Director of Finance
	M. LeMay	Director of Planning and Development
	S. Shah	Municipal Planner
	K. Kehoe	Director of Parks and Recreation
	B. Carrigan	Director of Public Works
	R. Brown	Municipal Clerk
	C. Remme	Communications Coordinator
Regrets:	A. Zebian	Warden
Guests:	Susan Surette-Draper, President Amis de Grand Pre	
	Sally Ross, Secretary, Amis de Grand Pre	

There were 13 members of the public in attendance.

3. Announcements

Deputy Warden Morton advised that the Council meeting is live-streamed on Facebook then reviewed the fire evacuation procedures.

Councillor Daniels spoke of the programs being offered at Mermaid Theatre for both adults and youth and distributed information on upcoming events.

4. Approval of Agenda, including additions or deletions

MOVED and SECONDED that the agenda be approved as circulated with the following additions:

14.b. In-camera MGA 22 (2) (e) - Contract Negotiations (Councillor Leopold)
Motion Carried.

5. Presentation (s)

a. Sainte Famille Cemetery – Municipal Heritage Property Designation
Deputy Warden Morton advised that, in accordance with the Heritage Property Act and the West Hants Heritage Property By-law, Council has provided Sainte Famille Cemetery notice that West Hants intends to include the property in the West Hants Heritage Property Registry. He went on to say that both the Act and the Heritage Property By-law require that Council provide the opportunity for the owner to be heard regarding the Municipal registration, adding that no public hearing is required.

He called on Director of Planning and Development, Madelyn LeMay to give a presentation to provide background on the designation.

The Director of Planning and Development expressed that a municipal heritage property designation is something to be celebrated. She went on to say that the application was received from the owners of the property, Amis de Grand Pre, in August of 2018 but as the previous Municipal Heritage By-law did not permit cemeteries to be considered as heritage properties it could not be accepted at that time. She noted that the current By-law was given Ministerial approval and became effective in October of 2018, at which time the application was able to be considered.

The Director advised that the first step when an application is received is to review the application against the selection criteria that was approved by Council in 2018. She spoke of several of the criteria including that the property is owned and maintained by Amis de Grand Pre who are Acadian descendants and that the site is directly related to a person or event of importance to the local area.

The Director advised that the criteria for designation was reviewed in detail at the Heritage Advisory Committee in November 2018, adding that all statutory requirements have been met. She reviewed that process of designation noting that Council can move forward with the designation.

The Director informed Council that representatives from Amis de Grand Pre were in the audience and willing to present to Council.

Deputy Warden Morton welcomed the President of Amis de Grand Pre, Susan Surette-Draper and Secretary, Sally Ross to the meeting.

Sally Ross addressed Council stating that the cemetery had received Provincial Heritage Status and was looking forward to receiving the Municipal designation. S. Ross spoke of Amis de Grand Pre stating that it is a non-profit organization interested in the pre-deportation of the Acadians. She went on to say that Amis de Grand Pre have been involved

with the cemetery since it was discovered in 1996 and took over the ownership of the property in 2015.

Sally Ross explained to Council why the Acadian cemetery would be of value to West Hants stating that aside from the dykes and remnants of place names there is nothing remaining of Acadian heritage in the area. She went on to say that built heritage was destroyed at the time of deportation and the well documented, both historically and archeologically, cemetery provides a human dimension.

Sally Ross spoke of the numerous historical documents relating to Sainte Famille parish and its parishioners. She added that of the four Acadian parishes in the Minas Basin area, it is the only one that has been clearly lineated and documented, is the only pre-deportation cemetery where an official reinternment ceremony has taken place following archeological digs, and the only pre-deportation cemetery in the Province with Provincial Heritage status.

The Secretary of Amis de Grand Pre showed images of the site and went on to speak of the ways that the Sainte Famille Cemetery has been preserved and enhanced through help of a donations and grants that have been received.

Sally Ross spoke of the reason why the flag from the Acadiana region of Louisiana was flown at the site, stating that many of the Acadians who were deported to Maryland made their way to Louisiana and settled there. She noted that many of those who settled in that area have a strong attachment to the Sainte Famille parish, adding that numerous Cajun families have purchased commemorative bricks and made donations to the site.

Sally Ross informed Council that Sainte Famille Cemetery is the only site where Acadians can place commemorative brick. She went on to say that the bricks are sold at \$50 each and that 400 have been installed to date and purchased by individuals all over the Maritimes, Quebec and Louisiana.

The Secretary went on to speak of applying for Provincial Heritage designation noting that they felt as though it would provide better protection for the site. She stated that Minister of Acadian Affairs unveiled a monument at the site in September 2017.

President of Amis de Grand Pre, Susan Surette-Draper spoke of what the Sainte Famille Cemetery means to Acadians stating that relationships have been cultivated. She spoke of the tours that come to the site noting that many are descendants and find the opportunity a pilgrimage. She expressed that real connections are made by those visiting the site.

The President went on to speak of those who take care of the grounds and share images of some of the visitors to the site. She stated visitors to the site then go on to visit other areas where their families came from noting that because of a project that took place in 2004, they can walk on the land of their ancestors which is a highlight of many of their visits.

Susan Surette-Draper spoke of the interpretation of Fort Edward noting that it leans heavily on the army, visitors and those that worshipped at the Fort. She advised that the site was an Acadian prison camp as well, noting that those there were sent out to work on the dykes and roads in the area. She added that many of the families that were held at Fort Edward went on to be the founding families in Clare and Argyle.

The President stated that many of the visitors to the site stop at local stores, restaurants and the West Hants Historical Society. She went on to say that Amis de Grand Pre consider the responsibility of preserving Sainte Famille Cemetery a privilege. The President expressed that the group is grateful for the support from all levels of government, Acadians world-wide and the local community for their help in preserving this cultural gem.

Deputy Warden Morton thanked the representatives for their presentation.

MOVED and SECONDED that Council include the land known as Sainte Famille Cemetery located at 419 Gabriel Road (PID#45249406) in the Register of Municipal Heritage Properties.

Motion Carried.

6. Public Hearings

a. Bonnie Lane Land Use By-law Amendment

MOVED and SECONDED that the meeting move to a Public Hearing.

Motion Carried.

The meeting moved to a Public Hearing at 7:30 p.m.

The meeting reconvened at 7:36 p.m.

MOVED and SECONDED that Council give Second Reading to and approves the amendment to the West Hants Land Use By-law and the map of the Land Use By-law to:

1. enable enclosed manufacturing in the Hamlet Industrial (M-2) zone; and
2. permit production of medical cannabis and an automotive repair business at PID 45246329 and PID 45212552;

all in a manner substantially the same as Appendix A and Figure 3 attached to the planning staff report dated February 12, 2019.

Motion Carried.

b. Hantsport Household Livestock Land Use By-law Amendment

MOVED and SECONDED that the meeting move to a Public Hearing.

Motion Carried.

The meeting moved to a Public Hearing at 7:37 p.m.

The meeting reconvened at 7:51 p.m.

MOVED and SECONDED that Council gives Second Reading to and approves the amendments to the text of the Hantsport Municipal Planning Strategy and Land Use By-

law to enable livestock on lots located in the residential and commercial zones, in a manner substantially the same as the draft amendment attached to the staff report dated February 12, 2019 as Appendix A.

Councillor Hussey stated he would not be voting in favour of the motion. He stated that Hantsport is a densely populated area and should not be permitted to have livestock in the numbers being proposed in the amendment. He went on to say that livestock should be handled on a permit system and that the system allows the opportunity for neighbours have a say.

Councillor Monroe agreed with Councillor Hussey voicing that Hantsport is very similar to the other growth areas in West Hants. She went on to say that she felt as though Council would be overregulating residents with these amendments and if someone is considering owning livestock, they should be having a conversation with their neighbours. She went on to say that she did not support the amendment and would like to see it done on a permit system as Council had discussed in the past.

Councillor Zwicker stated that he would be supporting the motion. He went on to speak of a resident who had sixty broiler chickens on his property in Hantsport stating that many residents were unaware. He voiced that just because individuals can, he did not feel as though every resident would begin raising livestock, expressing that the amendments were very unlikely to change the way how livestock is currently in the community.

Councillor Daniels expressed that she has always encouraged the ability to raise livestock, particularly for 4-H as there were complaints from residents in Falmouth. She went on to say that the Municipality is rural and did not feel as though the growth areas should be distinguished as urban. She voiced that she encourages agriculture and the ability for people to raise their own food.

The Councillor asked for clarification on one animal unit being the equivalent of eighty chickens in the amendment. The Planner responded that, on a property over five acres one animal unit would equal eighty chickens.

Councillor Jannasch asked for clarification on what an animal unit is stating that in the scientific community animal units were developed in order to create uniformity for the sake of comparison. He went on to say that animal units are completely different for West Hants and Hantsport. The Planner responded stating that the numbers are not standard throughout the Province adding that each municipality chooses their own. She went on to say that the animal units put forth in the amendments were chosen by the Hantsport Area Advisory Committee and the West Hants Planning Advisory Committee who each chose different figures.

Councillor Jannasch suggested that animal units be set so that they are uniform across the Municipality to avoid confusion. He went on to say that he supports the idea of having the

ability to keep small numbers of livestock in residential areas but has trouble with the idea of an animal unit becoming arbitrary.

Councillor Francis agreed with Councillor Jannasch stating that Hantsport is very similar to the growth areas in West Hants and struggled with allowing livestock in Hantsport but not in Falmouth. The Councillor went on to add that she would like to see all communities fall under the same planning documents particularly as consolidation would see an additional set of planning documents. She expressed that she too would like to see the figure used for animal units to be consistent in both documents.

Councillor Leopold stated that she had reviewed the definition of growth center stating that it currently applies to Falmouth and Three Mile Plains and states that non-rural development will be concentrated there. She asked if Hantsport has been designated as such. The Municipal Planner stated that Hantsport is has not been designated a growth center but share a commonality in that the community has services that are generally associated with that designation. She went on to say the planning documents are reviewed during the Plan Review, and Council would have the opportunity to designate the community as a growth center.

Councillor Leopold questioned if there was a timeline for the Plan Review to which the Municipal Planner stated that several public engagement sessions had taken place for the review, but they were put on hold due to the consolidation.

Councillor Leopold stated that she would support the amendment suggested, voicing that she supported agriculture and did not believe that there will be an abundance of residents adding livestock to their properties based on the amendments.

Councillor Monroe expressed, regarding growth centers versus rural areas, Hantsport was a town and built like a town with small lots that are not suitable for livestock. The Councillor went on to say that Public Hearings are put on by Council to ensure that public have input. She stated that she felt as though the input that was received was strong and compelling against the proposed motion.

Councillor Zwicker asked if it was possible to amend the figures of animal units in the future to which the Municipal Planner responded yes.

The Director of Planning and Development clarified some questions and points made by Council stating that at that time of the last plan review Hantsport was still a Town. She went on to say there are many different figures used as animal units across the Province stating that each place has the ability and the right to determine what figure they will use adding staff are used to administering it in that way.

Councillor Jannasch asked if it was possible to make an amendment to the recommendation to have the animal units be consistent in both the Hantsport and the West Hants documents. He went on to say in the past it made sense that each unit would have different animal units

for different municipalities but as Hantsport and West Hants are one it would make sense to have consistency. The Municipal Planner replied yes.

Councillor Leopold spoke of the differences that there will be between the Municipality's documents and the Town of Windsor's documents voicing that there would be an opportunity to revisit the changes. She noted that with all the work that had gone into the amendment she suggested it be put forward as it stood.

MOVED and SECONDED that the motion be amended to add "with the definition of animal units in the Hantsport Land Use By-law being consistent with the West Hants Land Use By-law".

Amendment Carried.

Motion Carried as amended.

Councillors Hussey, Francis, Monroe and Deputy Warden Morton voted nay.

7. Approval of the Council Minutes and Public Hearing Minutes (Development Agreement Garlands Crossing Land Lease and Mixed Residential Community) of December 12, 2019; and the Council Minutes and Public Hearing Minutes (Commercial Development District Improvement By-law) of January 8, 2019

MOVED and SECONDED the Council Minutes and Public Hearing Minutes (Development Agreement Garlands Crossing Land Lease and Mixed Residential Community) of December 12, 2019; and the Council Minutes and Public Hearing Minutes (Commercial Development District Improvement By-law) of January 8, 2019 be approved as circulated.
Motion Carried.

8. Business Arising from Minutes and any Related Correspondence
There was no business arising from the minutes or related correspondence.

9. Report of the Warden
The Warden was not present to comment further on his report that was in the agenda package.

10. Reconsideration or Rescission of Resolutions of Which Notice Has Been Given on a Previous Day
There were no reconsiderations or rescissions of resolutions.

11. Report(s) of the Committee(s) and Officer(s)
a. Committee of the Whole
i. January 22, 2019 Committee of the Whole Excerpts
Sewerage and Stormwater Connection, Discharge and Charges By-law, S-003

MOVED and SECONDED that Council give First Reading and proceed to a Public Hearing for the Sewerage and Stormwater Connection, Discharge and Charges By-law, S-003 as presented at Committee of the Whole on January 22, 2019.
Motion Carried.

Happy Community Project

Councillor Monroe declared a conflict of interest.

MOVED and SECONDED that Council support the Happy Community Project proposal as attached to the January 22, 2019 Committee of the Whole report and commit funds for the project of up to \$10,000 from the Transition Committee subject to approval of the Provincial Funding.

Councillor Leopold stated that she would not be supporting the motion due to the intended use of the funds.

Motion defeated.

Councillors Zwicker, Keith, Leopold and Hussey voted nay.

Councillor Daniels questioned if the motion was contingent on transition funding to which the CAO responded yes. The Councillor went on to say that the Happy Communities Project could be and has been well utilized in the process of consolidation.

Councillor Leopold interjected asking if it was appropriate to have conversation after a motion had been defeated. Deputy Warden Morton called point of order. Councillor Leopold asked again if it was appropriate to have conversation after a motion had been defeated to which the CAO stated he was unsure and would have to refer to the rules of order.

The CAO advised Council that the Co-ordinating Committee would still have the ability to commit funds to the Happy Communities Project even without the support of Council.

Councillor Monroe rejoined the meeting.

West Hants Sports Complex – Energy Modeller Study

MOVED and SECONDED that subject to awarding RFP WHPW18-12, the Municipality award a contract to I.B. Storey Inc. to perform an Energy Model Study of the West Hants Sports Complex; in the amount of \$27,800 plus applicable taxes, with funding coming from the Operating Reserves.

Motion Carried.

West Hants Sports Complex – Climate Lens Study

MOVED and SECONDED that subject to awarding RFP WHPW18-12, the Municipality award a contract to Stantec Consulting Ltd. to perform a Climate Lens Study for the West Hants Sports Complex; consisting of a Greenhouse Gas Mitigation Assessment and a Climate Change Resilience Assessment; in the amount of \$19,760.04 plus applicable taxes, with funding coming from Operating Reserves.

Motion Carried.

Sports Complex Operation Services

MOVED and SECONDED that Council direct staff to reach out to the GFL Newport Rink to look at ways to collaborate for the ongoing operations of the West Hants Sports Complex.

Motion Carried.

Councillor Daniels voted nay.

An Independent Review of Forestry Practices in Nova Scotia

MOVED and SECONDED that a letter be sent from Council to the Province in support of the forestry practices outline in Dr. William Lahey's report as presented and in their entirety.

Motion Carried.

Councillor Zwicker voted nay.

Request for the Purchase of Municipal Lands

MOVED and SECONDED that Council direct staff to determine if Municipally owned land, PID 45321841 located in Martock, Hants County is recognized for future benefit to the community and, if determined to be surplus, prepare a recommendation report to Council for its disposal.

Motion Carried.

Sports Complex Design Committee Terms of Reference

MOVED and SECONDED that Council increase the scope of the Terms of Reference of the Sports Complex Design Committee to ensure the Committee can fulfill the items defined in the RFP for the design-build through continued collaboration between the Committee and the design builder.

Motion Carried.

Councillors Francis, Daniels and Monroe voted nay.

Capped Assessments

MOVED and SECONDED that Council direct staff to prepare a report on the CAP program, why it was implemented by the Province, and what the implications would be on our resident and on the Municipality in terms of revenue if the program was phased-out or removed.

CAO Laycock advised Council that a committee had been struck to investigate the CAP Program that is being head by East Hants and CBRM and have made a commitment to visit every municipality in the Province to do a presentation on the Program. He went on to say that it was a very comprehensive and thorough presentation done by the CAO of East Hants.

MOVED and SECONDED that the motion be amended to direct staff to arrange a presentation to Council about the CAP Program.

Amendment Carried.

Motion Carried as amended.

ii. February 8, 2019 Special Committee of the Whole Excerpts

MOVED and SECONDED that Council direct staff to arrange for a presentation from the Department of Agriculture, Department of Transportation and Infrastructure Renewal, REMO and any other related departments to present on the issues of aboiteaux and dykes in the area.

Motion Carried.

MOVED and SECONDED that staff arrange a presentation from Lindsay Construction and Roscoe Construction on their proposed sports complex projects for RFP WHPW18-12 to be made at a Special Committee of the Whole.

Motion Carried.

MOVED and SECONDED that Council approve a special budget of \$500 for the Sports Complex Fundraising Committee pending the approval of RFP WHPW18-12 for the Sports Complex.

Councillor Daniels questioned what the funds would be used for. The CAO advised that the funding would be used to assist moving forward with advertising and such for fundraising events they have planned.

Motion Carried.

MOVED and SECONDED that Council create a Special Reserve for the new Sports Complex pending the approval of RFP WHPW18-12 for the Sports Complex.

Motion Carried.

- b. Report of the Chief Administrative Officer
 - i. Provincial Representative Volunteer Nomination (Recommendation Report)

The Director of Parks and Recreation reviewed Recommendation Report.

MOVED and SECONDED that David Peters posthumously be nominated for the Provincial Representative Volunteer Award for the Municipality of the District of West Hants.

Motion Carried.

- ii. REMO Office and Emergency Coordination Center Discovery of Mould (Recommendation Report)

MOVED and SECONDED that Council approve renovations in the REMO Office and Emergency Coordination Centre up to \$6,475 plus HST from the Hantsport Transition Reserve to rectify the mould issue.

Motion Carried.

- c. Planning Advisory Committee
 - i. Planning Advisory Committee Excerpts – January 17, 2019

West Hants Household Livestock

MOVED and SECONDED that Council give First Reading and hold a Public Hearing to consider amending the West Hants Land Use By-law to enable a variety of livestock on lots that are smaller than one (1) acre and are in a residential or resource zone, in a

manner substantially the same as Appendix A attached to the planning staff report dated January 17, 2019.
Motion Carried.

Municipal Heritage Property Conservation Work Grant Guidelines

MOVED and SECONDED that Council approve the amendments to the Municipal Heritage Property Conservation Work Grant Guidelines (COPL-004.05) which includes not-for-profit organizations as eligible owners, as contained in Appendix A of the January 17, 2019 report to PAC/HAC.
Motion Carried.

12. Correspondence

a. 01-30-2019 Mining Association of Nova Scotia – Minerals Play Fairway Project
Councillor Daniels questioned if the Association was asking Council for a letter of support for the project. She went on to say that she felt the project would be beneficial asking if the Planning and Development Department would be able to use the results of the project if it was supported by Council. Councillor Monroe stated that she felt as though it was for information purposes only.

The CAO suggested that the letter be reviewed by Council to familiarize themselves and if a Councillor chose to, it could be brought to Council for action at a later date.

13. Miscellaneous / New Business

- a. In-Camera MGA Section 22 (2) (e) – Contract Negotiations
- b. In-Camera MGA Section 22 (2) (e) – Contract Negotiations

MOVED and SECONDED that the meeting move in-camera.
Motion Carried.

The meeting moved in-camera at 8:28 p.m.
The meeting reconvened at 8:57 p.m.

MOVED and SECONDED that \$20,000 be placed in the MCCAP 2019/20 budget for GHG emissions planning.
Motion Carried.

14. Date of Next Meeting – March 12, 2019

The next Regular Council meeting will be held March 12, 2019 at 7:00 p.m.

15. Adjournment

MOVED and SECONDED that the meeting be adjourned.
Motion Carried.

The meeting adjourned at 8:59 p.m.

Abraham Zebian, Warden

Rhonda Brown, Municipal Clerk