



WEST HANTS  
NOVA SCOTIA

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

1. Call to Order

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

2. Call of Roll

Present:	A. Zebian	Warden
	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 (left 9:05)
	S. Shah	Municipal Planner (left 9:05)
	B. Carrigan	Director of Public Works
	R. Brown	Municipal Clerk
	C. Remme	Communications Coordinator
Guests:	C. Hall	Pisiquid Canoe Club
	S. Sullivan	Pisiquid Canoe Club

There were 9 members of the public in attendance.

3. Announcements

Warden Zebian advised that the Council meeting is live-streamed on Facebook, then reviewed the standard fire evacuation procedures.

Councillor Monroe announced that Meg Cuming, one of the Kings-Hants Liberal nominees would be at the Avondale Community Hall on March 16<sup>th</sup> from 2-4 p.m. She went on to inform Council of a presentation on Saturday March 23<sup>rd</sup> by the consultants who performed the flood mitigation study at the Summerville Hall at 10 a.m. and at 2:00 p.m. in the Belmont Hall.

Councillor Leopold informed Council that nominations for the 2019 Women of Excellence Awards are now being accepted and encouraged Councillors to visit [www.annapolisvallychamber.ca](http://www.annapolisvallychamber.ca) to nominate a deserving candidate.

a. Purple Day for Epilepsy Proclamation

Warden Zebian read the following proclamation:

Whereas Purple Day is a global effort dedicated to promoting epilepsy awareness in countries around the world, and

Whereas Purple Day was founded in 2008 by Cassidy Megan, a nine-year-old girl from Nova Scotia, who wanted people to know that if you have epilepsy, you are not alone, and

Whereas epilepsy is one of the most common neurological conditions, estimated to affect more than 50 million people worldwide, and more than 300,000 people in Canada, and

Whereas the public is often unable recognize the common seizure types, or how to respond with appropriate first aid, and

Whereas Purple Day will be celebrated on March 26<sup>th</sup> annually to increase understanding, reduce stigma and improve the quality of life for people with epilepsy throughout the country and globally,

I therefore proclaim March 26, 2019 Purple Day in the Municipality of the District of West Hants, in an effort to raise epilepsy awareness everywhere.

4. Approval of Agenda, including additions or deletions

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

**13.d. 02-25-2019 Communities in Bloom**

**13.e. 03-07-2019 Letter from Royal Canadian Legion Br. 009**

**Motion Carried.**

5. Presentation (s)

a. Pisiquid Canoe Club

Warden Zebian welcomed Christian Hall, Head Coach and Savannah Sullivan, Assistant Coach, at the Pisiquid Canoe Club to the meeting.

Christian Hall stated that the Club had requested the presentation in order to speak to the grant proposal that had been submitted to the Municipality. The Head Coach went on to review the presentation.

Christian Hall spoke briefly of the history of the Pisiquid Canoe Club noting that there were over 100 members in 2018, 50% of which were from West Hants. He noted that the Club has seen recent growth in the programs, both competitively and in participation numbers. He then spoke of the programs offered at the facility and the events that had been hosted

including the Under 10 Paddling event which brought in over 400 paddlers from Halifax and Dartmouth.

Mr. Hall spoke of the history of the sport noting that, historically, the Pisiquid Canoe Club has contributed to the success with two alumni on the current national team, including 2-time Olympian Ryan Cochrane. He went on to speak of the staff at the Club, noting the Club offers a lot of skill building.

Mr. Hall noted that the Club offered summer programs for 70-80 children in past years and they are wishing to expand to have a membership of 150 with programs available in the spring and fall as well. He went on to say that it is the hope that the Club, and the Region, become known for water sports and fitness options.

The Head Coach spoke of the investments that had taken place at the facility through fundraising and grants, noting that the major project and their grant ask for 2019 is to fix the floor in the clubhouse which is at the end of its functional life. He advised that the total cost for the project would be \$8000, adding that any assistance from Council for the community facility would be appreciated.

Councillor Daniels voiced that it was wonderful to hear of the collaboration between the Club and other organizations, adding that it was great to see so many people and so much activity on the waterfront.

The Councillor went on to speak of the boost to economic development in the area due to the programs and activities taking place in and around the Club adding that she was hopeful that Council would be able to provide some funding for the project.

Warden Zebian stated that he felt as though the community having access to the facility was great and went on to speak of events he had attended at the Club. He thanked the presenters for all they do for the community and their presentation stating that the request would be discussed during budget deliberations.

#### 6. Public Hearings

##### a. Sewerage and Stormsewer Connection, Discharge and Charges By-law

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

**Motion Carried.**

The meeting moved to a Public Hearing at 7:20 p.m.

The meeting reconvened at 7:30 p.m.

**MOVED and SECONDED that Council approve Second Reading of the Sewerage and Stormwater Connection, Discharge and Charges By-law, S-003 as presented at Committee of the Whole on January 22, 2019.**

Councillor Monroe asked what the financial impact would be to those residents within 100 feet who were not currently charged and if there would be exemptions available to those

who had their own septic system. Clerk Brown replied that she could not speak to the exact financial impacts but there would be an assessment of each property done by the Public Works and Finance Department to determine qualifications. She stated most likely residents who are not currently being billed for sewer would continue to be exempt if the By-law passes. The Clerk noted one reason for the change was to resolve conflicts between the Sewer By-law and the Fees Policy where a vacant lot is charged half the fee. The Warden spoke of the exemption that is available for homes on a street in Falmouth who are not able to connect due to the infrastructure layout.

**Motion Carried.**

b. West Hants Livestock Land Use By-law Amendments  
**MOVED and SECONDED that the meeting move to a Public Hearing.**  
**Motion Carried.**

The meeting moved to a Public Hearing at 7:33 p.m.  
The meeting reconvened at 7:39 p.m.

**MOVED and SECONDED that Council give Second Reading to and approves the amendment to 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 of sustainability the same as Appendix A as attached to the Planning Staff report dated January 17, 2019.**

Councillor Hussey expressed that the amendment has taken up to much of Council's and staff's time voicing that he would be voting against the motion because there are too many different rules. The Councillor went on to say that, generally, people take care of their things, but some do not and those that do not can have all ill affect on a whole neighbourhood. He went on to say that the Municipality should put in place controls that would have the ability to deal with issues that may arise with livestock, adding that he felt as though approving the motion would be opening the Municipality for trouble.

Councillor Francis stated that she would not be supporting the motion. She went on to say that she appreciated that there was a lot of staff time put into the By-law amendment but felt as though the Municipality should not be stating what residents can and cannot have. The Councillor referred to the By-law amendment as Pandora's Box expressing that livestock had not been a concern in the past but felt as though passing the motion would make it become one.

Councillor Zwicker voiced that there has always been neighbour to neighbour interaction adding that not every resident would begin raising livestock with the passing of the motion. The Councillor expressed that West Hants is the best of everything and that small-scale urban agriculture is everything.

Councillor Monroe voiced that livestock on small acreage such as was being proposed was a privilege not a right stating that she felt as though the Municipality would be setting up for

conflict between neighbours. She went on to apologize to staff recognizing the time and effort put in, but she had issues with the concept.

Councillor Leopold expressed that she was shocked that after this many months Council is lacking in the support for the idea. She went on to say that the request for the By-law amendment came from a 4-H family in the area who were unable to have animals on their property. She went on to say that the recommendations that were made were proportionate to the size of the properties. The Councillor noted that the public had received an opportunity to speak on the proposed amendments adding that she felt that the recommendation is worth passing.

Councillor Hussey stated that he would approve the motion if there were controls in place.

Councillor Daniels, stating that she has not been able to attend the Planning Advisory Committee meetings due to other commitments and so has not been part of the conversations surrounding the By-law amendment, asked for clarity surrounding what areas the amendment would pertain to asking if it was only for areas outside of the growth centers. Municipal Planner, Saira Shah replied that the amendment would apply only to any property under 1 acre except in the growth centers.

Councillor Daniels went on to say that the original request was to allow livestock in growth centers pointing out that the amendments would now apply to rural residents who did not have any in the past. Councillor Leopold spoke of the definition of growth center expressing that the entire region is rural and committed to our agricultural roots.

**Motion Carried.**

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

7. Approval of the Council Minutes and Public Hearing Minutes (Land Use By-law Amendment – Bonnie Lane and Hantsport Household Livestock Land Use By-law Amendment) of February 12, 2019

**MOVED and SECONDED the Council Minutes and Public Hearing Minutes (Land Use By-law Amendment – Bonnie Lane and Hantsport Household Livestock Land Use By-law Amendment) of February 12, 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 read his report.

**MOVED and SECONDED that the Report of the Warden be received and placed on file.**  
**Motion Carried.**

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. In-Camera

- a. MGA 22(2)(f) – Litigation or Potential Litigation

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

The meeting moved in-camera at 7:59 p.m.

The meeting reconvened at 8:30 p.m.

12. Report(s) of the Committee(s) and Officer(s)

- a. Committee of the Whole

- i. 02-19-2019 Special COTW Excerpts

Award of RFP WHPW18-12

**MOVED and SECONDED that Council award RFP WHPW18-12 for the design-build contract for the West Hants Sports Complex to Lindsay Construction Limited in the amount of \$14,601,794 plus applicable taxes and contingencies subject to the purchase and sale of the land from the Windsor Agricultural Society.**

**MOVED and SECONDED that the motion be tabled in order to gather more information.**

**Motion Carried.**

**Main Motion Tabled.**

- ii. 02-26-2019 COTW Excerpts

Region 6 Budget 2019-20

**MOVED and SECONDED that Council approves the 2019-20 budget for Region 6 as presented in the January 22, 2019 report.**

**Motion Carried.**

West Hants Sports Complex

**MOVED and SECONDED that, subject to Council awarding RFP WHPW18-12, the Municipality enter into contract negotiations with Tate Engineering Services to perform Project Engineering Services for the West Hants Sports Complex.**

**Motion Carried.**

**MOVED and SECONDED that, subject to Council awarding RFP WHPW18-12, the Municipality award a contract to I.B. Storey Inc. to perform Special Rink Engineering Services for the West Hants Sports Complex; in the amount of \$70,000 plus applicable taxes, with the funding coming from Operating Reserve.**

**Motion Carried.**

Replace Water service Lines, Highway Trunk #1 TMP

**MOVED and SECONDED that Council award a contract to G.K. Morse Trucking for Replacement of Water Service Lines, Highway Trunk #1, Three Mile Plains, in the amount of \$417,452 plus applicable taxes and contingencies; with \$220,000 of funding coming**

from the Gas Tax Reserve, \$90,000 of funding coming from the Depreciation Reserve and the balance coming from Long Term Debt.

**Motion Carried.**

Road Rehabilitation

**MOVED and SECONDED that Council award a contract to Dexter Construction for Road Rehabilitation of Bailey Drive in Three Mile Plains, in the amount of \$39,640 plus applicable taxes and contingencies, with up to \$50,000 coming from the Transportation Reserve.**

**Motion Carried.**

Road Rehabilitation – Hantsport Roads

**MOVED and SECONDED that Council award a contract to Dexter Construction for Road Rehabilitation of Hantsport Roads for 2018-19, in the amount of \$402,454 plus applicable taxes and contingencies; with up to \$252,000 coming from the Hantsport Transition Reserve and up to \$228,000 coming from Gas Tax.**

**Motion Carried.**

Planning Advisory Committee/Heritage Advisory Committee Excerpts

**MOVED and SECONDED that a letter be sent to the Minister of the Department of Transportation and Infrastructure Renewal to suggest that the proposed replacement aboiteau be a robust structure that is capable of positively controlling sea water entering the Halfway River estuary under tidal conditions.**

**Motion Carried.**

Dissolving of Sports Complex Design Committee

**MOVED and SECONDED that the Sports Design Committee be dissolved effective immediately.**

**Motion Carried.**

Warden Zebian voted nay.

Warden Zebian thanked the members of the Sports Complex Design Committee for their work on the design of the Sports Complex.

- b. Report of the Chief Administrative Officer
  - i. Windsor Agricultural Society Land Purchase Agreement (Recommendation Report)

The CAO requested that the recommendation report be delayed. Council agreed.

- ii. Hantsport Household Livestock Land Use By-law Amendment (Request for Direction Report)

Planner Saira Shah reviewed the report. The Warden suggested that each Councillor be asked which of the options in the report they preferred. Councillors Zwicker, Daniels, Jannasch, Monroe, and Leopold voiced that they were in favour of option #2 which would have the motion of February 12, 2019 amended to ensure the outcome is not a substantive

change to the amendment as advertised. Warden Zebian, Deputy Warden Morton, Councillors Hussey, Keith and Francis showed their support for option #1 to hold a new Public Hearing with fresh advertising. Councillor Zwicker stated that public input was important therefore changed his response to option #1.

**MOVED and SECONDED that Council hold a Public Hearing to consider amending 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, as attached to the planning staff report dated March 12, 2019 as Appendix A.**  
**Motion Carried.**

iii. Continuing Operations Past March 31, 2019 (Fiscal 2019-20)

The Director of Finance reviewed the report.

**MOVED and SECONDED that council authorize the Municipality, through its CAO and Departments, to continue to operate based on the approved 2018-19 budgets until such time as the 2019-20 budgets are approved and the tax rates set.**

**Motion Carried.**

c. Planning Advisory Committee

i. 02-21-2019 PAC/HAAC Excerpts

50 Lynch Road, Newport Corner – Development Agreement to Permit a Campground

**MOVED and SECONDED that Council give First Reading and hold a Public Hearing to consider entering into a development agreement to allow a campground at 50 Lynch Road, Newport Corner, PID 45021391, which is substantively the same as the draft set out in Appendix C of the report to the Planning advisory Committee dated February 21, 2019, taking note that this development agreement will discharge and replace the development agreement recorded at the Registry of Deeds on June 8, 2016 as document 109062563.**

**Motion Carried.**

Hantsport Information

**MOVED and SECONDED that information regarding Hantsport be circulated quarterly with the Hantsport water bills.**

Councillor Daniels questioned where the funding would come from to support distribution of quarterly newsletter to the residents of Hantsport and who would be preparing the document. The CAO stated that funds could come from the water utility's admin fee adding it was unclear who would be responsible for gathering the information for the publication. The Councillor questioned why information would only be sent to the community of Hantsport. She suggested that the motion be tabled until it was clear who would be responsible for the publication, how it would be paid for and if another publication would be more appropriate as opposed to one being directed at only one of the many communities in West Hants.

**MOVED and SECONDED that the motion be tabled.**

**Motion Carried.**

**Main motion tabled.**

Councillor Zwicker stated that he would bring the item up at the next Hantsport Area Advisory Committee.

Guard Rail Installation in Hantsport

**MOVED and SECONDED that a plan of action be implemented immediately (install a guard rail in accordance with NS Transportation and Infrastructure Renewal Highway Maintenance Standards) with respect to public health and safety as a hazard now exists for vehicles and occupants travelling along Exit 8 Hantsport Connector road and NS Highway 1 entrance (causeway) and bridge to Hantsport due to the low elevation compared to current high tide along both sides as a result of the failure of the Hantsport aboiteau.**

CAO Laycock asked for clarity on the motion. Councillor Zwicker stated that, following the accident where the car went off the Exit into the water, there is serious concern in the area for the need of a guardrail.

Councillor Monroe asked if the NS Transportation and Infrastructure Renewal had been asked if they would examine the area to which Councillor Daniels replied yes. Councillor Daniels added that it could be more encouraging to write a formal letter from Council to reiterate the importance of a guardrail.

**MOVED and SECONDED to withdraw the motion.**

**Motion Carried.**

**Main Motion withdrawn.**

**MOVED and SECONDED that Council write a letter to Department of Transportation and Infrastructure Renewal confirming that a hazard analysis is being completed on the William Hall Connector Highway to Exit 8, with regards to the guardrail requirements along the Connector.**

**Motion Carried.**

Municipal Planning Strategy: Public Engagement Meetings

**MOVED and SECONDED that the Plan Review public meetings remain on hold until after the 2019/2020 budget discussions.**

**Motion Carried.**

Warden Zebian voted nay.

Nova Scotia Planning Directors Association 2019 Spring Conference

**MOVED and SECONDED that Council approve up to two (2) Council members and one member-at-large of HAAC/PAC/HAC to attend the Nova Scotia Planning Conference being held in Halifax on May 29-31, 2019, at an approximate individual cost of \$410 each.**

**Motion Carried.**

13. Correspondence

- a. 01-31-2019 Letter to Minister Chuck Porter from East Hants – Minimum Planning Consultation
- b. 02-26-2019 Letter from Town of Shelburne – HST
- c. 03-06-2019 Letter from Town of Windsor – Second Permanent Access to Garland's Crossing
- d. 02-25-2019 Communities in Bloom
- e. 03-07-2019 Letter from Royal Canadian Legion Branch 009

**MOVED and SECONDED that items 13. d. and e. be received and placed on file.**

**Motion Carried.**

Councillor Daniels suggested that discussion surrounding the Second Permanent Access to Garlands Crossing take place after consolidation.

14. Miscellaneous / New Business

There was no miscellaneous or new business.

15. Date of Next Meeting – April 09, 2019

The next Regular Council meeting will be held April 9, 2019 at 7:00 p.m.

16. Adjournment

**MOVED and SECONDED that the meeting be adjourned.**

**Motion Carried.**

The meeting adjourned at 9:08 p.m.

---

Abraham Zebian, Warden

---

Rhonda Brown, Municipal Clerk