

**WEST HANTS REGIONAL MUNICIPALITY**  
**Committee of the Whole - Meeting Agenda Amended**

**April 9<sup>th</sup>, 2024 - 6:00 p.m.**

**In-person Sanford Council Chambers, 76 Morison Dr, Windsor, NS**

**Virtual via Zoom (also FB Livestream)**

*Agenda is subject to change due to additions that may not be able to be reflected until after the meeting.*

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**West Hants**  
something inspiring awaits

1. Call to Order
2. Attendance
3. Approval of the Agenda, including additions or deletions
  - a) Dashboard Action Items – Information Log
  - b) Dashboard Action Items – Dangerous or Unsightly Premises
4. Declaration(s) of Conflict of Interest
5. Announcements
6. Approval of Previous Meeting Minutes
  - a) 2024-03-14 Committee of the Whole Minutes
7. Presentations
  - a) Dykeland Lodge Update – Nycum and Associates with support from Grey Cardinal and the Dykeland Team
  - b) **2024 Municipal and CSAP Election Polling Districts and Locations Recommendation Report – Clerk Snair**
8. Unfinished Business/Postponed Motions
  - a) Home Flood Protection Pilot Program **Recommendation Information Report** - Coordinator Ogilvie
9. Reports
  - a. CAO Activity Update - Information Report
  - b. Dangerous or Unsightly Information Report – CAO Phillips
  - c. Financial Update Ending February 29, 2024 (will be provided at the April 23, 2024 Council meeting)
10. Correspondence
  - a. Information
    1. Avon River Causeway Information Log as of April 9, 2024 – None
    2. Protect Vaughan – Wind Farms as of April 9<sup>th</sup>, 2024
      - a) Karen Prince
      - b) Andrea Lynn

- c) Elizabeth Skelhorn
  - d) Anne Jodrey
  - e) Duane and Shirley Walker
  - f) Shirley Walker
3. Correspondence Received Ledger as of April 9<sup>th</sup>, 2024
- a) Memo to Council Re voting, specifically as it relates to planning matters
  - b) Gail Stone Re: The Crossing
  - c) Krista Beeler Re Dykeland Lodge - Secondary Emergency Road
  - d) Peter Moore Re 2024-03-26 Peter Moore Re Suggestions for Windsor Flood Zone crisis
  - e) Letter from Hon John Lohr - Emergency Management
  - f) Letter from Minister Lohr - Service Exchange
  - g) Merve Ferguson Re March 26th Council Meeting Concerns
  - h) Richard Murphy Re Speeding
  - i) David & Carolyn Borden Re PID 45218658, Armstrong Lake East, Vaughan
  - j) MLA Response to Kim Lake Re Newport Landing Flooding (WHRM copied)
  - k) Greg Hazel Re ATV proposal
  - l) Alva Construction Limited Re Hartville Quarry Expansion, 783 Ellershouse Road, Windsor West Hants
- b. Request(s)
- i. Steve Hart Re Official correspondence to counsel requesting URGENT funding
- c. Out-going Correspondence Ledger as of April 9<sup>th</sup>, 2024
- i. 2024-04-02 WHRM letter to NS Department of Public Works and MLA Sheehy-Richard Re Roadwork from Windsor to St. Croix
  - ii. 2024-04-02 WHRM letter to Premier Tim Houston and Minister John Lohr Re Disaster Financial Assistance Program and Canton Point Resort
11. New Business
- a) PACHAC Terms of Reference Information Report – Councillor Francis
  - b) Railway trail parking streetlight – Councillor M. McLean
  - c) Dykes Request for Decision Report – Councillor S. McLean
  - d) Deer Population Information Report – Councillor Smith
  - e) 2024 Provincial Representative Volunteer Recommendation Report - Director Kehoe
  - f) MFC 2024 Spring Debenture Recommendation Report – Director Rochon
  - g) Water Storage Tank Construction Recommendation Report – Director Richard
  - h) Payzant to King Connection Recommendation Report – Director Richard
  - i) Payzant/Wentworth Tender award for Construction Recommendation Report – Director Richard

- j) Windsor Flood Water Study Phase 2 Recommendation Report – Director Richard
  - k) Tremain Crescent Storm Water System Request for Direction Report – Director Richard
  - l) ~~2024 Municipal and CSAP Election Polling Districts and Locations Recommendation Report – Clerk Snair~~
  - m) Planning and Heritage Advisory Committee Citizen Member Appointment Recommendation Report – Clerk Snair
12. Public Participation Period
  13. In-Camera
  14. Next Meeting Date / Adjournment – April 23<sup>rd</sup> Council Meeting at 6 p.m.

1. **Call to Order** – Deputy Mayor Paul Morton called the meeting to order at 6:03 p.m.

2. **Attendance** (6:03 p.m.)

Council

Abraham Zebian, Mayor

Rupert Jannasch, Councillor Dist. 1

Scott McLean, Councillor Dist. 2 (7:01 p.m.)

Mark McLean, Councillor Dist. 3

Jeff Hartt, Councillor Dist. 4

Debbie Francis, Councillor Dist. 5

Paul Morton, Deputy Mayor Dist. 8

Bob Morton, Councillor Dist. 6

Ed Sherman, Councillor, Dist. 7

John Smith, Councillor Dist. 9

Laurie Murley, Councillor Dist. 10

Jim Ivey, Councillor Dist. 11

Staff

Mark Phillips, CAO

Carlie Rochon, Dir. Financial Services

Todd Richard, Dir. Public Works

John Ogilvie, Climate Action Coordinator

Deanna Snair, Exec. Asst/ Clerk

Erin Amirault, Project Engineer

Carlee Rochon, Director of Financial Services

Kathy Kehoe, Director Community Development

Presenters

Dykeland Lodge Updated Presentation - Nycum and Associates with support from Grey Cardinal and the Dykeland Team

Five (5) members in the Gallery

3. **Approval of the Agenda, including additions or deletions** (6:04 p.m.)

a) Dashboard Action Items – Information Log

b) Dashboard – Dangerous or Unightly Premises – Information log

Item 11(l) 2024 Municipal and CSAP Election Polling District Date Recommendation Report moved to 7 (b).

**MOVED BY MAYOR ZEBIAN AND COUNCILLOR SHERMAN THAT THE  
2024-04-09 COMMITTEE OF THE WHOLE AGENDA BE APPROVED AS  
AMENDED. MOTION CARRIED.**

4. **Declaration(s) of Conflict of Interest** (6:04 p.m.)

- Item 11(h) and 11 (i) Mayor Zebian and Councillor Francis due to owning land.

5. **Announcements** (6:05 p.m.)

Deputy Mayor P. Morton acknowledged that we are in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq People and this land is governed by the treaties of Peace and Friendship signed in 1726.

- All meetings are recorded and livestreamed on Facebook for viewing purposes as per policy and out of respect for those in attendance; video and audio recordings are not permitted.

- Landfill Liaison Committee/GFL Open House meeting scheduled for Saturday, April 13<sup>th</sup> from 1-3 p.m. at the Newport Baptist Church in Scotch Village. The public were encouraged to attend.

**6. Approval of Previous Meeting Minutes (6:05 p.m.)**

a) 2024-03-14 Committee of the Whole Minutes

**MOVED BY COUNCILLORS SHERMAN AND MURLEY THAT THE 2024-03-14 COMMITTEE OF THE WHOLE MINUTES BE APPROVED. MOTION CARRIED.**

**7. Presentations**

a) Dykeland Lodge Updated Presentation – Nycum and Associates with support from Grey Cardinal and the Dykeland Team (6:06 p.m.)

The presentation highlighted the project was at the design and construction process phase and provided an overview of the site plan, 3D views of the building, an overview of the building’s layout based on each department, neighbourhood and courtyard plans, household floor and resident room designs and plans.

Discussion Points:

- The tender was expected to be released next week. Building was expected to take 34-36 months to complete.
- Expect a Spring start (shovel in the ground).

The presentation and question period concluded at 6:29 p.m. Presenters left the meeting.

b) 2024 Municipal and CSAP Election Polling Districts and Locations Recommendation Report (6:45 p.m.)

Clerk Snair reviewed the report highlighting the date for the ordinary election day (Saturday, October 19, 2024), proposed advance poll dates and information related to polling station locations. The Act provides for a legislated advanced poll on Tuesday, the fourth day before regular poll (October 15<sup>th</sup>, 2024). The MEA also requires the first advance poll to be either Thursday, October 10, 2024, or Saturday, October 12, 2024 and is decided by council. Staff were recommending October 10<sup>th</sup>, 2024 be the first advance poll date which initiates the beginning of the 2024 Municipal and CSAP elections.

Discussion Points:

- Two (2) advance poll dates (Thursday October 10<sup>th</sup> and Tuesday October 15<sup>th</sup>, 2024). Ordinary Poll Day is Saturday October 19<sup>th</sup>, 2024.

**MOVED BY MAYOR ZEBIAN AND COUNCILLOR FRANCIS THAT COMMITTEE OIF THE WHOLE RECOMMENDS TO COUNCIL THAT THURSDAY OCTOBER 10TH, 2024 BE SET AS THE OTHER ADVANCE POLLING DATE FOR THE PORTION OF THE 2024 MUNICIPAL AND CSAP ELECTION CONDUCTED IN THE WEST HANTS REGIONAL MUNICIPALITY. MOTION CARRIED**

**MOVED BY MAYOR ZEBIAN AND COUNCILLOR FRANCIS THAT COMMITTEE OF THE WHOLE RECOMMENDS TO COUNCIL THAT ALTERNATIVE VOTING COMMENCE ON THE FIRST ADVANCE POLL DAY STARTING 12:00 PM (NOON) ON OCTOBER 10TH, 2024 AND REMAIN 24 HOURS A DAY UNTIL 7:00 PM OCTOBER 19, 2024 (CONCLUSION OF ORDINARY POLL DAY). MOTION CARRIED**

**MOVED BY MAYOR ZEBIAN AND COUNCILLOR FRANCIS THAT COMMITTEE OF THE WHOLE RECOMMENDS TO COUNCIL THAT THE PERMANENT REGISTER OF ELECTORS ESTABLISHED AND MAINTAINED BY ELECTIONS NOVA SCOTIA BE USED AS THE PRELIMINARY LIST OF ELECTORS FOR THE 2024 MUNICIPAL AND CSAP ELECTION CONDUCTED IN THE WEST HANTS REGIONAL MUNICIPALITY. MOTION CARRIED**

## **8. Unfinished Business/Postponed Motions**

c) Home Flood Protection Pilot Program Information Report (6:30 p.m.)

Coordinator Ogilvie reviewed the report which contained a draft policy (pending legal review) that could be used to govern the Home Flood Protection Pilot Program and outlined potential eligibility criteria, funding limits, and approval processes. Upgrades (ranging from small to large scale projects) were intended to reduce the risks and impacts of flooding to properties.

### Discussion Points:

- \$20,000 grant was a proposed staff recommendation, it allowed capacity for a home and property assessment to be completed and allow fiscal capacity as a grant for homeowners to perform upgrades.
- Based off previous feedback, interest free loans/second liens were not explored at this time. A grant process was being recommended for consideration as a main option at this time.
- It was noted that should interest free loans be provided there needed to be assurances that individuals were not excluded due to having a mortgage.
- Future expansion was noted in the report but had not been explored at this time. It was suggested the pilot project be looked at in the present to determine interest, future needs and working out any kinks and then consider expanding the program.
- The items outlined in the draft report were what was being presented as potential upgrades, additional items could be considered based on what Council would like to see identified in the policy.
- It was envisioned the Climate Action Committee would have an advisory role, staff would review applications and score them based on the criteria outlined within the policy. The Climate Action committee could potentially further review the applications and scores and make recommendations to Council for consideration and approval.
- There was value in having the policy information for budget consideration. The budget amount would be brought forward for consideration, not the specific details of the policy. The policy can be approved later.
- The current draft policy applies to new residential work being completed.

- There may be value in looking at areas through the lens of inland flooding risk, tidal risks, etc. to get a sense of the magnitude of those that may qualify for the program and how effective the program could be in assisting impacted residents.
- Concern was raised about the program being sustainable based on the suggested grant of \$20,000/person/year (20 grants /year).

Coordinator Ogilvie left the meeting at 6:45 p.m.

## 9. Reports

### a) CAO's Report (6:46 p.m.)

CAO Phillips provided a high-level overview of the past month's activities.

Meetings included:

- COTW, Council, District (4, 5 and 7) meetings.
- Administrative meetings (VREN Cultural Diversity Training, Inclusion, Diversity, Equity and Accessibility (IDEA) workshop, Diversity and Inclusion meeting, WCB and Pension info sessions/meetings).
- Departmental Budget meetings.
- Community Development (West Hants Trails Association meeting, Windsor Canoe Club Site meeting related to repairs).
- Planning and Development (Federal Housing Accelerator Funding Announcement, PAC /HAC meeting, WSP Regional Planning Workshop, and the Regional Planning Workshop held in Falmouth).
- Economic Development (VREN 2024/24 Business Plan and Budget Discussion with CAOs and VREN Site Selector Launch).
- Public Works (Tremain Crescent Resident Storm Water Management meeting).
- Protective Services (RCMP – Municipal Police Service Agreement (MPSA) meeting).

#### Discussion Points:

- Public engagement sessions for the plan review were just beginning. Options are available to provide feedback through the online survey or email planning staff with their comments. A second phase of engagement sessions (3-4 open houses spread across the municipality) was scheduled for June/July to discuss development of the policies and changes that people would like to see occur.

### b) Dangerous or Unsightly Information Report (6:51 p.m.)

CAO Phillips reviewed the report that covered Dangerous or Unsightly Premises complaints from September 01, 2023, through March 31, 2024. Eleven (11) complaints were received in writing. Of the 11 complaints, 5 were remedied by the owner, 6 are in progress and have yet to require an order at this point.

The previous report identified 7 files in progress, six of those files have since been closed, leaving one (1) file remaining open at this time. The Administrator has issued zero (0) orders for property cleanup.

#### Discussion Points:

- The one (1) item remains outstanding and was being followed by staff. An application was pending for potential future development. Concern was raised that the fencing was derelict,

and the site could be easily accessed by anyone. The site remains a danger and requires a protective barrier.

- Inquiries were made on how information about properties still in progress could be shared with Council. With respect to complainants, staff should be reporting back to complainant that files were either still in progress or were resolved. There was value in providing the same information related to files still in progress to Council as well.

c) Financial Update ending February 29, 2024 – Report will be provided at the April Council meeting.

## 10. Correspondence (6:57 p.m.)

### a) Information

1. Avon Causeway Activity Log received as of April 9<sup>th</sup>, 2024 - None
2. Protect Vaughan – Wind Farms as of April 9<sup>th</sup>, 2024
  - a) Karen Prince
  - b) Andrea Lynn
  - c) Elizabeth Skelhorn
  - d) Anne Jodrey
  - e) Duane and Shirley Walker
  - f) Shirley Walker

### Discussion Points:

- There was value in noting the correspondence received from the individuals noted in the Protect Vaughan correspondence and the concerns identified (encroachment nearing lakes, wildlife, livability of the community, etc.) by the residents were significant and of value.
3. Current Correspondence Received Log as of April 9, 2024 (6:58 p.m.)
    - a) March 25, 2024 Memo to Council Related to Voting and Planning Matters
    - b) March 26, 2024 from Gail Stone Re The Crossing
    - c) March 26, 2024 from Krista Beeler Re Dykeland Lodge - Correspondence Request - Secondary Emergency Road

### Discussion Points (Dykeland Lodge - Correspondence Request - Secondary Emergency Road):

- There was support to have staff explore the potential of a secondary access/exit road off of College Road. There was a motion on the Dashboard that aligned with the request. No further direction was required, staff will follow up on the matter.
  - A high-level information report would be appreciated within the next three (3) months.
- d) March 26, 2024 from Peter Moore Re Suggestions for Windsor Flood Zone crisis
  - e) March 28, 2024 from Hon. John Lohr Re Emergency Management
  - f) March 28, 2024 from Minister Lohr - Service Exchange

### Discussion Points (Peter Moore Re Suggestions for Windsor Flood Zone crisis):

- The attachments within Mr. Moore's letter were not included in the agenda. The attachment will be circulated as part of a report at the next meeting. The potential solutions posed by Mr. Moore (berming front and back of properties, detachable flood

barriers, and having pumps available) to keep water and CSO from entering private properties were reviewed. The proposed solutions were felt to have merit and there was value in having a deeper discussion about the proposed options. A report from Councillors Murley and Ivey will be forthcoming at the next meeting.

- It was hoped the Home Flood Protection program would have had more information/options related to temporary fixes (options proposed by Mr. Moore that were felt to be easy to achieve and reasonable in costs (having a kit available for residents to access and a contact number for staff to access kits).
  - It was noted that the former Town of Windsor used to clean out a part of Tregothic Marsh or an area behind the church to help with flood concerns. This has not occurred in recent years. The information including the name of the person who assisted with the cleaning and their contact information would be shared with the Councillors for their report.
  - It was suggested more thought could be put flood protection efforts and more options could be considered. There was value in expanding the list for the flood mitigation program that staff were working on.
- g) March 28, 2024 from Merve Ferguson Re March 26th Council Meeting Concerns  
h) April 3, 2024 from Richard Murphy Re Speeding  
i) April 4, 2024 from David & Carolyn Borden Re PID 45218658, Armstrong Lake East, Vaughan

Richard Murphy Speeding Discussion Points:

- The correspondence from Mr. Murphy noted the concerns with speeding along Falmouth Back and Town Roads. The current solution of calling the RCMP works well for short periods of time but the speeding resumes. Although the road was provincially owned, it was suggested that options within the Traffic Calming Policy may be beneficial.
  - Comments about the lack of RCMP presence/visibility within the communities were voiced at one of the district/town hall meetings. There was value in sharing the concerns related to speeding and rolling stops at the Polce Advisory Board.
  - Correspondence related to the Armstrong Lake property was reviewed. The points made in the letter were felt to have value. It was noted that Council may wish to reconsider the motion made related to the property. It was also noted that should the sale of the property continue as per policy the proceeds of the sale would remain within the community for which the land was sold. The property was ready to be listed for sale but has not been listed to date.
- j) April 5, 2024 from MLA to Kim Lake Re Newport Landing Flooding (WHRM copied)  
k) April 7, 2024 from Greg Hazel Re ATV  
l) Alva Construction Limited Re Hartville Quarry Expansion, 783 Ellershouse Road, Windsor West Hants

Discussion Points (Greg Hazel Re ATV):

- If the street was locally owned, the municipality has the ability to create a By-Law to permit AVT usage on that street. The request would still need to be reviewed by the local traffic

authority and also be considered by the District Traffic Authority. It was noted the process was lengthy.

- Trails would still need to be designated under the Off-Highways Act.
- It was thought requests needed to come from organizations vs individual requests.
- There was value in Council having an information report on the process involved so the information was known and could be shared when requested.
- The Road Trails Act for Off Highway vehicles would be shared with Council.

b) Requests as of April 9, 2024

- i. March 26, 2024 from Steve Hart Re Official correspondence to counsel requesting URGENT funding

c) Out-going as of April 9th, 2024

- i. April 2, 2024 WHRM letter to NS Department of Public Works and MLA Sheehy-Richard Re Roadwork from Windsor to St. Croix
- ii. April 2, 2024 WHRM letter to Premier Tim Houston and Minister John Lohr Re Disaster Financial Assistance Program and Canton Point Resort

## 11. New Business

a) PACHAC Terms of Reference Information Report (7:29 p.m.)

Councillor Francis reviewed the report. The report highlighted the amount of development occurring in West Hants and suggested that all members of Council should sit on the Planning and Heritage Advisory Committee to ensure they were included in planning related matters/discussions from the beginning. Great conversations occur at PACHAC and having all of Council engage in those conversations may be beneficial when recommendations come to COTW and Council. The report spoke of the importance of having resident members and noted there was no desire to see that change. In addition, the Public Information meetings (PIM) being held on a separate night were also working very well.

Discussion Points:

- It was important not to lose citizen member representation and participation.
- The change may help facilitate the process and avoid duplication of information shared at meetings.
- The most important consideration was to have people on the committee that wanted to be there rather than designating a person based on location.
- There was support to have all of Council on the committee. Valuable information was shared at PACHAC meetings, it was felt that some members of Council may be missing out on getting information.
- Concern was raised that a committee of 19 would be very large. Anyone can attend a meeting anytime.
- Changing a policy requires 7 days' notice to Council.
- There were only five (5) meetings remaining for Council prior to the 2024 Municipal Election.

**MOVED BY COUNCILLOR FRANCIS AND MAYOR THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECTS THE MEETING AND COMMITTEE PROCEDURAL POLICY RCOGE-003.00 APPENDIX K BE AMENDED TO CHANGE THE COMMITTEE COMPOSITION BY ADDING TWELVE (12) COUNCILLORS TO PACHAC AND CONTINUE WITH THE CURRENT CITIZEN MEMBER COMPOSITION OF 7 UNTIL OCTOBER WHEN IT WILL BE REVISITED BY THE NEW SITTING COUNCIL. MOTION CARRIED.** Nays: Jannasch, Sherman and Ivey

b) Railway trail parking streetlight (7:55 p.m.)

Councillor M. McLean reviewed the report. The request was to have an LED parking lot light/yard light installed at the corner of Chambers Road, Hwy 215 in Brooklyn to help illuminate the parking lot area for the DAR Railine trail to add increased safety for residents who park in the area and use the trail for walking.

Discussion Points:

- There was value in having shades on the light or having directional lighting to avoid light shining into residential homes.
- It was estimated that streetlight costs were between \$15-\$30/month.
- There was support to have more information to be able to support the motion.
- The streetlight policy was still being drafted.
- It was important to have a light in place for safety purposes.

**MOVED BY COUNCILLORS M. MCLEAN AND SMITH THAT COMMITTEE OF THE WHOLE RECOMMENDS THAT COUNCIL DIRECTS THE CAO TO DIRECT STAFF TO INSTALL ONE (1) LED PARKING LOT /YARDLIGHT/SAFE SPACE LIGHT IN THE PARKING LOT OF THE TRAIL SYSTEM AT THE CORNER OF CHAMBERS ROAD, HWY 215, BROOKLYN. MOTION CARRIED.** Nays: P. Morton

A break occurred at 8:10 p.m. The regular meeting resumed at 8:25 p.m.

c) Dykes Request for Decision Report (8:25 p.m.)

Councillor S. McLean reviewed the report highlighting numerous discussions that have occurred with residents related to the St. Croix River dyke breach on March 11, 2024 which resulted in flooding the land below and up to highway 14. Concern was raised that should the dyke fail completely; critical infrastructure and roads (Hwy 14 and Route 236) would be underwater resulting in extensive damages and potential road closures for the area.

Discussion Points:

- Flooding in this area was not new.
- Residential land was overflowing due to the lack of maintenance on the dykes and berms in the areas. This was a common occurrence across the region and it was suggested Council may want to take a more aggressive approach with this topic.

- There was support for the motion, but it was suggested to add the Trans Coastal Adaptations at St. Mary's University to the list of recipients, as they were working alongside the province to remove many of the dykes to create new wetlands.

**MOVED BY COUNCILLORS S. MCLEAN AND M. MCLEAN THAT COMMITTEE OF THE WHOLE DIRECT THE CAO TO DIRECT STAFF TO WRITE A LETTER OF CONCERN TO NOVA SCOTIA DEPARTMENT OF PUBLIC WORKS, THE WEST HANTS MLA, NOVA SCOTIA DEPARTMENT OF AGRICULTURE, THE PREMIER OF NOVA SCOTIA AND TRANS COASTAL ADAPTATIONS GROUP TO PERFORM MAINTENANCE ON THE DYKES ON THE ST. CROIX RIVER BESIDE HIGHWAY 14 AND ON THE KENNECOOK RIVER OFF ROUTE 236 IN SCOTCH VILLAGE AND THE HERBERT RIVER IN MANTUA. MOTION CARRIED**

d) Deer Population Information Report (8:32 p.m.)

Councillor Smith reviewed the report in hopes of providing accurate information to residents in the region. District 9 has a large and growing deer population, and it is not uncommon to see deer roaming neighborhoods, eating shrubs/flowers and resident's gardens, as well as creating hazards for drivers. The intent of the report was to obtain information related to what other areas within the municipality are experiencing and provide confirmation on responsibilities related to the matter.

Discussion Points:

- Truro has a deer management program.
- If there was an appetite staff could look into education pieces (not feeding and tips to make properties more resilient towards deer) that would be shared on the website, newsletter and social media pages.
- A consultation request was made to speak to the Department of Natural Resources, no response was received prior to the meeting but it was expected that staff would be able to provide information at the next meeting.

**MOVED BY COUNCILLORS SMITH AND SHERMAN THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECT THE CAO TO DIRECT STAFF TO PROVIDE AN INFORMATION REPORT ON DEER MANAGEMENT FOR THE JUNE COMMITTEE OF THE WHOLE MEETING. MOTION CARRIED**

e) 2024 Provincial Representative Volunteer Recommendation Report (8:39 p.m.)

Director Kehoe reviewed the report. Each year municipal units were invited to nominate a volunteer to receive provincial recognition as a representative volunteer for their community. The Community Development Department received nominations of deserving volunteers from community groups/councillors and the public.

**MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT COMMITTEE OF THE WHOLE, RECOMMENDS THAT COUNCIL APPROVES THE NOMINATION OF BETTY COX FOR THE 2024**

**PROVINCIAL REPRESENTATIVE VOLUNTEER AWARD FOR THE WEST  
HANTS REGIONAL MUNICIPALITY. MOTION CARRIED**

f) MFC 2024 Spring Debenture Recommendation Report (8:40 p.m.)

Director Rochon reviewed the report. On February 26<sup>th</sup>, the 2024 Spring Debenture call was announced and was scheduled for April 25<sup>th</sup>. Council approved the temporary borrowing resolutions at the March 26<sup>th</sup>, 2024 meeting, which were sent to Department of Municipal Affairs and Housing for review and ministerial approval. To meet the necessary lending requirements a Temporary Borrowing Resolution (TBR) is required, which needs Council and Minister approval, and the project must be completed.

Discussion Points:

- Projects were identified within the Capital budget process as being funded through long term borrowing. Council can choose to fund the projects differently if there was support to do so.

**MOVED BY COUNCILLORS FRANCIS AND SHERMAN THAT COMMITTEE OF THE WHOLE, RECOMMENDS TO COUNCIL THAT THE MAYOR AND MUNICIPAL CLERK TO SIGN THE RESOLUTION FOR PRE-APPROVAL OF DEBENTURE ISSUANCE, SUBJECT TO INTEREST RATE CONFIRMATION NOT TO EXCEED 6.5% TO ENABLE WEST HANTS REGIONAL MUNICIPALITY TO ISSUE A 5-YEAR DEBENTURE OF \$33,605, FOR THE PURCHASE OF FIRE EQUIPMENT. MOTION CARRIED**

**MOVED BY COUNCILLORS FRANCIS AND SHERMAN THAT COMMITTEE OF THE WHOLE, RECOMMENDS TO COUNCIL THAT THE MAYOR AND MUNICIPAL CLERK TO SIGN THE RESOLUTION FOR PRE-APPROVAL OF DEBENTURE ISSUANCE, SUBJECT TO INTEREST RATE CONFIRMATION NOT TO EXCEED 6.5% TO ENABLE WEST HANTS REGIONAL MUNICIPALITY TO ISSUE A 15-YEAR DEBENTURE OF \$789,586, FOR THE ROOF AT BROOKLYN FIRE DEPARTMENT STATION 1 AND THE PURCHASE OF A DUMP TRUCK WITH SALT AND PLOW. MOTION CARRIED**

**MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT COMMITTEE OF THE WHOLE, RECOMMENDS TO COUNCIL THAT THE MAYOR AND MUNICIPAL CLERK TO SIGN THE RESOLUTION FOR PRE-APPROVAL OF DEBENTURE ISSUANCE, SUBJECT TO INTEREST RATE CONFIRMATION NOT TO EXCEED 6.5% TO ENABLE WEST HANTS REGIONAL MUNICIPALITY TO ISSUE A 10-YEAR DEBENTURE OF \$228,240, FOR THE PAVING OF THE REAR PARKING LOT AT HANTSPORT FIRE DEPARTMENT AND THE PURCHASE OF SIDEWALK MACHINE WITH A FLAIL MOWER. MOTION CARRIED**

g) Water Storage Tank Construction Recommendation Report (8:46 p.m.)

Director Richard reviewed the report. The additional water storage tank was deemed necessary in April of 2021 as part of a future needs assessment for the Windsor Water Utility. In October 2021, CBCL was awarded the Engineering and Design work for the Windsor Water Storage Expansion Tank. The Construction of the Tank was issued for Tender on the Nova Scotia Procurement Site on February 2, 2024 and closed March 14, 2024.

Discussion Points:

- The full amount of the grant funding was projected in the cost for the storage tank.
- The tank size was increased (5.472 cubic metres) based on a 4% growth projection.
- Through the 2023/24 Capital budget process, the project was allocated to be funded through long-term debt. In the upcoming budget it was to remain funded through long-term debt. The design was funded through depreciation.
- Geotechnical was required for any construction project during the construction phase. This cost was captured within the \$165,000.
- The project was funded through the water utility and was already accounted for within the water rate study.
- The tank was located on Burgess Road at the top of Tonge Hill and would allow gravity flow in and out.

**MOVED BY MAYOR ZEBIAN AND COUNCILLOR MURLEY THAT COMMITTEE OF THE WHOLE, RECOMMENDS THAT COUNCIL APPROVE AWARDING THE CONSTRUCTION TENDER FOR THE WINDSOR WATER STORAGE TANK AS IDENTIFIED IN THE 2023-24 CAPITAL BUDGET TO DEXTER CONSTRUCTION FOR THE TENDERED COST OF \$4,886,100 PLUS APPLICABLE TAXES. MOTION CARRIED**

**MOVED BY MAYOR ZEBIAN AND COUNCILLOR MURLEY THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL ALSO APPROVE, A 10% CONTINGENCY OF \$488,610; CONTRACT ADMINISTRATION & MANAGEMENT AND GEOTECHNICAL & CONCRETE TESTING FOR AN ESTIMATED COST OF \$165,000 FOR A TOTAL PROJECTED PROJECT COST OF \$5,539,710.00 PLUS APPLICABLE TAXES. MOTION CARRIED. Nays: Hartt**

Mayor Zebian and Councillor Francise declared conflict and left the meeting at 9:08 p.m.

h) Payzant to King Connection Recommendation Report (9:08 p.m.)

Director Richard reviewed the report highlighting the 2020 Windsor Intersection Infrastructure Needs Assessment Study recommended extending Payant Drive and making a connection to King Street. Design Point submitted a Proposal in August 2023 to do the engineering and surveying services for the design of the extension and connection. It was determined there were multiple obstacles to design around (a watercourse, wetlands, property acquisition and the railway line). In November 2023, a Wetland Delineation was done to aid in the development of options. Three (3) options were provided for consideration, staff recommended proceeding with option 4 (hybrid of the options).

Discussion Points:

- There were many challenges associated with the project. Staff did not want to cross the watercourse twice which resulted in the road being pushed to meet the design engineering resulting in encroachment on two pieces of property.
- Discussions were occurring with the proposed developer to see if he would like to construct his portion of the road in conjunction with WHRM.
- The partial DA presented at the last Council meeting stated a 2030 deadline. Staff have gone back to the developer to attempt to negotiate that timeline down. Legal were still reviewing the timeline and processes.
- It was likely construction would begin in 2026 and estimated to be fully completed by 2027. Although this was a short section of road, it was complicated and required many different approvals to proceed. King Street may also need some upgrades.
- The driving force to get the road opened up was to have more than one way in and one way out and help relieve pressure.

**MOVED BY COUNCILLORS MURLEY AND SHERMAN THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPROVES GIVING DIRECTION TO DESIGN POINT TO MOVE FORWARD WITH DETAILED DESIGN AND COMPETITION DOCUMENTS AND SPECIFICATIONS FOR THE PAYZANT EXTENSION TO KING STREET CONNECTION, PHASE 2, AT AN ESTIMATED COST OF \$80,000 PLUS APPLICABLE TAXES. MOTION CARRIED.** Nays: Jannasch and P. Morton

i) Payzant/Wentworth Tender award for Construction Recommendation Report (9:45 p.m.)  
 Director Richard reviewed the report highlighting the concern for improved safety and traffic solutions. In August 2021 an Intersection Infrastructure Needs Assessment was completed by WSP. Based on findings from this study, it was recommended to upgrade the intersection to a roundabout.

The tender was issued on March 8, 2024 and closed April 4, 2024 at 2pm. There was a water main component that will need to be replaced at some time in the future, regardless of the work performed at the intersection of Payzant Drive and Wentworth Road. The amount for this portion was \$620,855.00 and was over the amount originally budgeted was \$430,425.00. It was expected a portion of the work would be completed in this construction season and was expected to be carried out over two seasons and be completed by Fall of 2025.

Discussion Points:

- Based on the traffic engineer a roundabout was the best solution and also took into account for future needs.
- Based on discussion with the province, there were plans to upgrade the lights at Cole/Wentworth to a roundabout.
- Dexter's were the only proponents at the site meetings and the only bidder.
- Concern was raised about the high cost associated with a roundabout.

- One (1) piece of land was secured, and staff were continuing to work with legal on purchasing the second piece of property and the third piece was still in the negotiation phase. Appraisals were incorporated into the design phase costs.
- The “F” grade meant it was unacceptable for what the movement of traffic should be based on the industry standard.
- Staff were unaware of any provincial or federal funding opportunities to assist with costs.
- The tender deadline was June 3, 2024.

MOVED BY COUNCILLORS IVEY AND MURLEY THAT COMMITTEE OF THE WHOLE RECOMMEND COUNCIL APPROVE THE AWARD OF TENDER WHRMPW24-03 FOR CONSTRUCTION OF THE PAYZANT DRIVE/WENTWORTH ROAD ROUNDABOUT TO THE LOW COMPLIANT BIDDER, DEXTER CONSTRUCTION, FOR THE TENDERED PRICE OF \$4,274,980.00 PLUS APPLICABLE TAXES AND, COUNCIL ALSO APPROVES A CONSTRUCTION CONTINGENCY OF 15% (\$641,247) AND THE COST FOR OVERHEAD UTILITY RELOCATION, FOR A TOTAL CONSTRUCTION ESTIMATED COST OF \$5,116,227 PLUS APPLICABLE TAXES.

MOVED BY COUNCILLORS MURLEY AND JANNASCH THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DEFER DISCUSSIONS ON THE MATTER UNTIL THE MAY COUNCIL MEETING.

At 10:06 p.m. both the MOVER and SECONDER agreed to withdraw the second motion. This left the first motion remaining on the floor. At 10:07 p.m. the MOVER and SECONDER agreed to withdraw the first motion.

The consensus was the price was higher than expected.

MOVED BY COUNCILLORS IVEY AND SMITH THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPROVE THE AWARD OF TENDER WHRMPW24-03 FOR CONSTRUCTION OF THE PAYZANT DRIVE/WENTWORTH ROAD ROUNDABOUT TO THE LOW COMPLIANT BIDDER, DEXTER CONSTRUCTION, FOR THE TENDERED PRICE OF \$4,274,980.00 PLUS APPLICABLE TAXES AND, COUNCIL ALSO APPROVES A CONSTRUCTION CONTINGENCY OF 15% (\$641,247) AND THE COST FOR OVERHEAD UTILITY RELOCATION, FOR A TOTAL CONSTRUCTION ESTIMATED COST OF \$5,116,227 PLUS APPLICABLE TAXES. MOTION DEFETAED. Nays: Jannasch, M. McLean, Hartt, B. Morton, Sherman, P. Morton, Smith, Murley and Ivey

**MOVED BY COUNCILLORS B. MORTON AND HARTT THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECTS THE CAO TO DIRECT STAFF TO COME BACK WITH A CLASS D ESTIMATE**

**ON INSTALLING STREETLIGHTS AT THE INTERSECTION OF WENTWORTH AND PAYZANT. MOTION CARRIED**

Mayor Zebian and Councillor Francis returned to the meeting at 10:30 p.m. Councillor M. McLean left the meeting at 10:30 p.m. and did not return. THAT THE MEETING CONTINUE PAST THE 10 P.M. TIME AS PER POLICY. MOTION CARRIED. Nays:

**MOVED BY COUNCILLORS B. MORTON AND SHERMAN THAT THE MEETING CONTINUE PAST THE 10 P.M. TIME AS PER POLICY. MOTION CARRIED.** Nays: Hartt and Murley

j) Windsor Flood Water Study Phase 2 Recommendation Report (10:31 p.m.)

Director Richard reviewed the report highlighting that staff were directed to proceed in an expediated fashion for next steps towards a solution for storm water diversion and management, specifically for the residents along Stannus Street, Victoria St, Gray St, Monroe St, Lower Wiley Avenue, Wagners Crt, portions of Albert Street and Tremaine Crescent.

CBCL was asked to provide a cost proposal to take on the proposed work based on the above direction. A proposal to move forward with Stormwater solutions was submitted. CBCL will work with staff to develop a schedule that meets the project objectives while allowing suitable time to complete the work required to provide the answers being sought. This work was expected to take between 6 and 8 months.

Discussion Points:

- The cost was forecasted in the upcoming budget. There was support to progress the study.
- A report will be presented at the next meeting regarding suggestions made by Mr. Moore.
- Projected timeline was 6-8 months.
- Based on intensity of the storm (July 2023), it was estimated that 40-45 residents could be impacted in the Windsor area.
- Due to the size and scale needed to meet climate change projections, twinning Cunnabel Creek was not an option, based on the study there was physically not enough room to do that. Other options are being explored now through the next phase of the detailed design.

**MOVED BY COUNCILLORS MURLEY AND SMITH THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPROVES THE PROPOSAL FROM CBCL FOR THE WINDSOR FLOOD STUDY PHASE 2 FOR THE ESTIMATED AMOUNT OF \$240,500 PLUS APPLICABLE TAXES. MOTION CARRIED**

k) Tremain Crescent Storm Water System Request for Direction Report (10:43 p.m.)

Director Richard reviewed the report. At a previous meeting staff were directed to look at site specific solutions for the area. CBCL were engaged to complete a stormwater assessment and crossing design to reduce flood risk at the cross-culvert near Civic #335 Tremain Crescent in Windsor. Based on the assessment completed it was felt that upgrading the municipal stormwater system was unlikely to fully address the reported residential flooding at this location. The solution proposed (skewed concrete box culvert crossing, 27 meters long, 2.7 meters wide and 0.6 meters tall). for the project was for the 1-in-100 year design event accounting for 2090 climate change projections. In

addition, existing infrastructure would need to be relocated (a section of watermain, service laterals and overhead utilities).

Discussion Points:

- Ditching could be allocated in house; those operational costs were allocated in the 2024/25 budget.
  - Concern was raised that the report writes as if only one property was affected, there were other properties impacted by flooding in this area. There was support to see the recommendation move forward to address bigger picture of flooding being experienced for the Windsor area overall.
  - The alternative to drain water (from King Street) towards the Martock Marsh was taking water from nearby streets (water that typically ran downhill towards Tremaine - from Wilson Street down and from the east part of King Street from O'Brien Street to the Hughes property was the catchment area for 335 Tremaine Crescent.
  - It was felt the Martock Marsh was able to take on some (a small portion of water) additional water. Concern was that this option was taking issues from one area and putting them in another area.
  - Tidal influence was a concern. Another option would be to look at redirecting Capital projects (King and O'Brien Street). The suggestion was to eliminate any municipal/street water from ending up in the drainage ditch by redirecting that water.
  - If a box culvert was supported, staff suggested obtaining a service easement allow for maintenance, access, along with potential future municipal storm water connections.
  - It was felt a recommendation should have been presented. It was felt that despite whatever work was completed at O'Brien and King, the culvert at Tremaine would still need to be able to handle the stormwater, and it couldn't. The area deserved a solution.
  - Concern was raised with the wording used, "that the project should work". There was value in having additional information (was an easement needed and were staff able to secure an easement) before approving the large financial ask and providing a recommendation that filled in the remaining gaps.
  - Residential gutter systems were not permitted to be directly connected to sanitary sewer systems.
  - The easement was not likely to be a straight line, it would more than likely be a curve or zig zag that followed the topography of the land.
  - The best option for a stormwater retention pond would be to have one at the tail end near the sewage treatment lagoons. The water needed to be pushed as far as possible and a large pump would be used to pump it out.
  - There was support to defer the discussion until two weeks' time. Council was advised that a consultant may be required, it was more like that the information would be provided during a May meeting. Easements would also be explored during that time.
- l) 2024 Municipal and CSAP Election Polling District Date Recommendation Report – Item moved to 7(b).
- m) Planning and Heritage Advisory Committee Citizen Member Appointment (11:10 p.m.)

Clerk Snair reviewed the report. A resignation was received from a member of the PAC/HAC on February 24, 2024, resulting in the need to fill the vacancy for a representative from Windsor. Advertising for the vacancy occurred on February 27, 2024, with no expressions of interest received. An additional round of advertising was done on March 19, 2024, resulting in two (2) eligible expressions of interest being received. Both applications were reviewed by the Director of Planning and Development which resulted in the following recommendation before Council this evening.

Discussion Points:

- Confirmation was provided that Mr. Bregante resided in Windsor.

**MOVE BY COUNCILLORS MURLEY AND FRANCIS THAT COMMITTEE OF THE WHOLE RECOMMEND COUNCIL APPOINTS JOHN BREGANTE TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE FOR THE REMAINDER OF THE NOVEMBER 2022 - OCTOBER 2024 TERM WHICH WILL FULFIL THE WINDSOR REPRESENTATIVE MEMBER VACANCY. MOTION CARRIED**

**12. Public Participation (11:14 p.m.)**

Amanda Dunfield, a resident of Stannus Street summarized the report for the viewing audience.

- The ask of CBCL was look at methods that would immediately divert stormwater away from the noted areas to prevent short term flooding.
- The options proposed were not consistent with Councils request, these options were not an immediate solution (6-8 months to get a proposal).
- If the timeline progressed similarly to the last report, it would be likely two (2) years before a solution was offered and costs were \$250,000, with presumed construction costs on top of that amount.
- The construction timeline was presumed to be the end of 2025.

From Ms. Dunfield's perspective, multiple events have occurred. If nothing changed, on a bi-annual basis it was expected that homeowners would experience up to \$150,000 or more in damages every two (2) years. It was not reasonable for some homeowners to wait another two (2) years. Ms. Dunfield advised she did not have another two (2) years and suspected others in the community did not have two (2) more years as well. It was not fair for the homeowners to be expected to shoulder the emotional or financial burden.

Jason Hart, a resident of WHRM spoke on behalf of Steven Hart as he was unable to attend the meeting. Mr. Hart highlighted the request from Steven Hart for financial assistance to support legal fees should the Bearlake Windfarm project proceed through First Reading to Public Hearing and Second Reading. It was felt that the residents should not have to spend their own money to seek legal advice. Mr. Hart spoke of his opinion regarding the Public Information meeting held the previous night (citing inconsistent testimony and in his opinion accusations that were made against the community). It was felt that based off that information, the proponent validated the request that was made.

**13. In-Camera – None**

- 14. Next Meeting Date / Adjournment** – Next regular meeting will be April 23, 2024 Council meeting at 6 p.m.

**MOVED BY COUNCILLORS B. MORTON AND SMITH THAT THE MEETING ADJOURN AT 11:17 P.M. MOTION CARRIED**

\_\_\_\_\_  
Deputy Mayor Paul Morton

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Deanna Snair, Municipal Clerk