

WEST HANTS REGIONAL MUNICIPALITY

Committee of the Whole - Meeting Agenda - Amended

January 11, 2022 - 6:00 p.m.

(also held via virtual via Zoom and Facebook livestreamed)

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



1. Call to Order
2. Attendance
3. Approval of the Agenda, including additions or deletions
 - a) Dashboard Action Items – Information Log
 - i) Asset Management
 - b) Dashboard Action Items – Dangerous/Unsightly
 - i) Average demolition costs incurred by the Municipality
4. Declaration(s) of Conflict of Interest
5. Announcements
6. Approval of Previous Meeting Minutes
 - a) 2021-12-07 Committee of the Whole minutes
7. Presentations
 - a) WSP – Traffic Calming Report – Courtney McCarthy - Information
 - b) 65 Fort Edward – Shirley Pineo and Gary Nelson
Letter from Gary Nelson
8. Unfinished Business/Postponed Motions
 - a) Traffic Calming – Recommendation Report (Policy)- Manager Burgess
9. Reports
 - a) CAO Activity Update – Information Report
 - b) Financial Updates – Information Report - Dir. Rochon
10. Correspondence
 - a) Information
 - i. Avon Causeway Activity Log
 1. Current Correspondence as of January 6, 2022
 2. Correspondence received as of December 16, 2021.
 - i. 2021-10-28 Correspondence received from Katherine McLeod re acknowledgement of receipt of change in the standard operating procedure related to the Combined Sewer overflows for the Windsor Cunnabel Creek system.

- ii. 2021-12-17 Correspondence from Hon. Kim Masland re Removal of remaining bridge piers adjacent to Trunk 1 where it joins the communities of Windsor and Falmouth.
- iii. 2021-12-17 Correspondence from Lisa Bland re 65 Fort Edward.
- iv. 2021-12-17 Correspondence re Views and Observations regarding the former swimming pool lands, Windsor NS.
- v. 2021-12-21 Correspondence re Plea to reserve lot 65.

b) Requests (for discussion)

c) Out-going (related to motions of Council to other Provincial agencies/depts)

- 1. Correspondence sent as of December 16, 2021
 - i. 2021-10-27 Letter sent re Combined Storm water Overflow system

11. New Business

a) Water Utility and Customer Communications and Interactions

12. Public Participation Period

13. In-Camera

a) Land Matter MGA (22)(2)(a)

14. Next Meeting Date / Adjournment

M - Motion
D - Direction/Discussion

**West Hants Regional Municipality
Dashboard (Action List)**
July 23, 2021

Green - Complete
Yellow - In-progress
Red - Not started

<u>Matter</u>	<u>Meeting</u>	<u>M/D</u>	<u>Start Date</u>	<u>Deadline / Update</u>	<u>Status</u>	<u>Resp.</u>
Sewer Billing Review - Staff explore what the sewer rates would be if sewer util. fees were put back on the taxes. (Tabled until after budget) (Also at 2020-04-14 COTW mtg)	COTW	M	2020-05-12			CAO/Fin
Asset Mgmt (Strategic Sustainability) - Strategic Sustainability Plan is needed	COTW	D	2020-05-12	On-going until approx. Oct. 2022		PW
Pedestrian Signage and Barriers - Have consistent and align with Branding outcomes. Staff prepare report for 2021/22 Capital & Operating budgets. (These items should be incorporated into our growth centres). Staff report back.	Council	M	2020-09-22	Align with Branding outcomes 2021-07, On-going		PW/Comm. Dev
Diversity & Inclusion Committee (from Meeting & Committee Procedural Policy Amendments) - Advertise for Committee members and mobilize the committee	COTW	M	2020-10-13	2021-05 (also with Rad Consulting Engagement Sessions)		Comm Dev
W. B Stephens Building Design Project Management Tender Award - Defer award until staff obtain additional operational costing information of the other municipal buildings. (100 King Street)	Council	M	2020-10-27	2022-on going		CAO
Panuke Rd Event - Event to be arranged by Mayor	COTW	D	2021-03-09	2021-06		Mayor
Noise By-law - Staff revise by-law (Peace and Good Order)	Council	M	2021-03-23	2022-on going		Planning/ CAO
Cheverie Land Exchange - Agree	Council	M	2021-03-23	2022 on going		CAO
WHRM Land Dispute Policy - CAO Office to establish a practice to keep council informed	Council	M	2021-04-27	2022-01		CAO

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Newport Station Food Hub Paving Driveway & Lease - Staff review if existing lease pertains to Newport Station Food Hub or previous owners. Establish new lease if needed.	COTW	D	2021-05-11	2021-12, in progress		CAO
Dog Park - Staff review historical information related to dog park feasibility	COTW	D	2021-06-08	2022-01		Comm. Dev
Glooscap First Nation & WHRM Council Meeting - Send formal invite for a meeting to discuss many topics including reconciliation	Council	M	2021-06-22			Mayor
Request to Meet with Avon Causeway Gate Stakeholders - Send letter to Kwilmu'kw Maw-Klusuaqn (KMK) requesting immediate in-person meeting to discuss Avon River Causeway/Aboiteau Gate System and Ministerial Order	Council	M	2021-06-22	2021-08		CAO/Mayor
Request to Meet with Avon Causeway Gate Stakeholders - Send letter to Glooscap First Nation requesting immediate joint council mtg. to discuss Avon River Causeway/Aboiteau Gate System and Ministerial Order	Council	M	2021-06-22			Mayor/CAO
Opening of Edward and Underwood - staff return with a report detailing the broader road network overview, along with time frames for when the new road structure will be open and to include pedestrian concerns, infrastructure upgrades.	Council	M	2021-09-28	2021-12		PW
Review former By-Laws RV-001 - Review former By-Laws and create a new all encompassing By-Law with public input.	Council	M	2021-09-28	2022-01		CAO

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Outdoor Fires By-Law - Staff review existing Fire-related by-laws and have an all encompassing Regional By-Law	Council	M	2021-09-28	2022-01		CAO
Traffic Calming - Staff develop a WHRM Traffic Calming Policy and Program that includes public participation to address traffic concerns relating to speed and noise complaints on residential streets.	Council	M	2021-09-28	2022-01		PW
Capped Assessment - Staff provide a new aggregated report that will coincide with PVSC's presentation in January.	Council	M	2021-09-28	2022-01		Finance
Bulk Water Rate Study - to hire an independent consultant to perform a rate study to better understand the rational behind the increased rates and ensure they are accurate and will accomodate the future water needs. Postponed Indefinitely	Council	D	2021-11-23	2022		PW/Fin
MCCAP 2022 Work Plan - place on file the MCCAP 2022 Work Plan.	COTW	M	2021-12-07	2021-12-16		Planning
Audit Committee - reappointment of Jane Davis, to the Audit Committee for the period of January 1, 2022 to December 31, 2022 and nominate and appoint two Council members to the Audit Committee for the period of January 1, 2022 to December 31, 2022.	COTW	M	2021-12-07	2021-12-16		Finance
Riverview Road Hantsport Infrastructure Design - Council approve the award of tender WWHPW21-19 for engineering and design work for Riverview Road Infrastructure Renewal Design to the low compliant bidder, EXP, for the tendered price of \$46,166, plus applicable taxes.	COTW	M	2021-12-07	2021-12-16		PW

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Summerville Fire Rescue Truck - award of Tender WHRMAD20-07A for a Fire Rescue Truck to Rocky Mountain Phoenix at a net cost of \$215,137.00 plus applicable taxes and to approve a temporary borrowing resolution in the amount of \$202 878.00 for the Fire Rescue Truck for the Summerville Fire Department.	COTW	M	2021-12-07	2021-12-16		PW

January 11, 2022

Traffic Calming Policy

Committee of the Whole Presentation



(Source: Wikipedia)

Policy Introduction

- The purpose of this policy is:
 - To provide guidelines, procedures and criteria for the initiation, investigation, and implementation of traffic calming measures within residential neighbourhoods to address safety concerns primarily related to speeding, but with consideration of excessive traffic volume, in a fair and consistent manner.
 - Guidelines included in this policy are intended for local and collector roadways primarily within residential neighbourhoods.
 - This policy does not apply to arterial roadways.

What is Traffic Calming?

- Defined as “the combination of mainly physical measures that reduce the negative effects of motor vehicle use, alter driver behaviour and improve conditions for non-motorized street users”.¹
- Traffic calming measures can be effective in addressing issues related to:
 - Vehicle speed
 - Excessive traffic volume
 - Noise pollution
 - Overall neighbourhood safety and comfort
- Traffic calming measures can be a combination of vertical and horizontal deflections, road narrowing and access restriction. Commonly utilized traffic calming measures may include:
 - Speed humps
 - Traffic circles
 - Curb extensions
 - Curb radius reduction
 - Raised median islands

Traffic Calming Advantages

Traffic calming measures can have a number of positive and negative impacts.

Some advantages include:

- Reduced motor vehicle speeds & traffic volume
- Discouraged through vehicular traffic
- Improved roadside aesthetic by using attractive materials
- Reduced noise & air pollution
- Improved neighbourhood livability
- Reduced conflict between roadway users

Traffic Calming Disadvantages

Traffic calming measures can have a number of positive and negative impacts.

Some disadvantages include:

- Increased travel speed between traffic calming features
- Reduced ease of vehicular access in and out of neighbourhoods
- Increased vehicular travel time and trip length
- Increased emergency vehicle response time
- Diverted vehicular traffic onto neighbouring roadways
- Decreased roadside aesthetic by using unattractive materials
- Increased noise pollution
- Cost considerations

Traffic Calming Objectives

To address undesirable traffic conditions on local and collector roadways, the specific objectives of traffic calming are to:

- Increase the Safety of Neighbourhoods
- Improve the Liveability of Neighbourhoods
- Restore Streets to their Intended Function
- Preserve Access and Minimize Impact to Emergency & Maintenance Services
- Promote Public Participation and Community Support

Traffic Calming Guidelines

- The following guidelines will be taken into consideration when investigating, selecting, and implementing traffic calming measures.
- This will ensure that the appropriate measures are considered fully, and the potential negative impacts are minimized.
- Following these guidelines, will maximize the effectiveness of traffic calming while building community acceptance and support for the final recommendations.

Traffic Calming Guidelines

- Traffic calming measures will:
 - Be considered only after education or enforcement efforts have failed to produce the desired results.
 - Be considered when there is a demonstrated safety, speed or short-cutting traffic concern and acceptable alternative measures have been exhausted.
 - Include consideration as to whether an area-wide plan versus a street-specific plan is more suitable: an area wide plan should be considered if a street-specific plan would likely result in displacement of traffic onto adjacent streets.
 - Not impede non-motorized, alternative modes of transportation and be designed to ensure pedestrian and cycling traffic is unaffected.
 - Not impede Emergency services access unless alternate measures are agreed upon.
 - Maintain reasonable automobile access to WHRM roadways.
 - Only be installed after engineering staff has investigated existing traffic conditions and the necessary approvals have been received.
 - Be monitored; follow-up studies will be completed to assess effectiveness and the results may be communicated to the community and Council.

Appropriate Streets for Traffic Calming

- This policy defines the types of roadways that are suitable for traffic calming in WHRM.
- Traffic calming will only be considered on local and collector streets where WHRM is the road authority.
- This policy does not include roads that are under Provincial or on arterial roadways in WHRM.
- Through application of this policy and by applying good engineering judgment, installed traffic calming measures will be done in a manner which will ensure that they provide the most effective solutions while continuing to support the intended function of the roadway.

Appropriate Streets for Traffic Calming

Local Roadways

- The primary function of local roadways is to provide access to adjacent properties. Local streets are not intended for use as through routes or as important links to move traffic within an area's overall road network. The local roadways carry traffic volumes in the lower range of less than 2,000 vehicles per day.

Collector Roadways

- Collector roadways balance access to adjacent properties with the need to collect and distribute residential traffic travelling into and out of a neighbourhood. Collector roadways carry traffic volumes in the range of 1,000-7,000 vehicles per day. Collectors help circulate traffic within individual neighbourhoods.

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**Traffic Calming
Process**

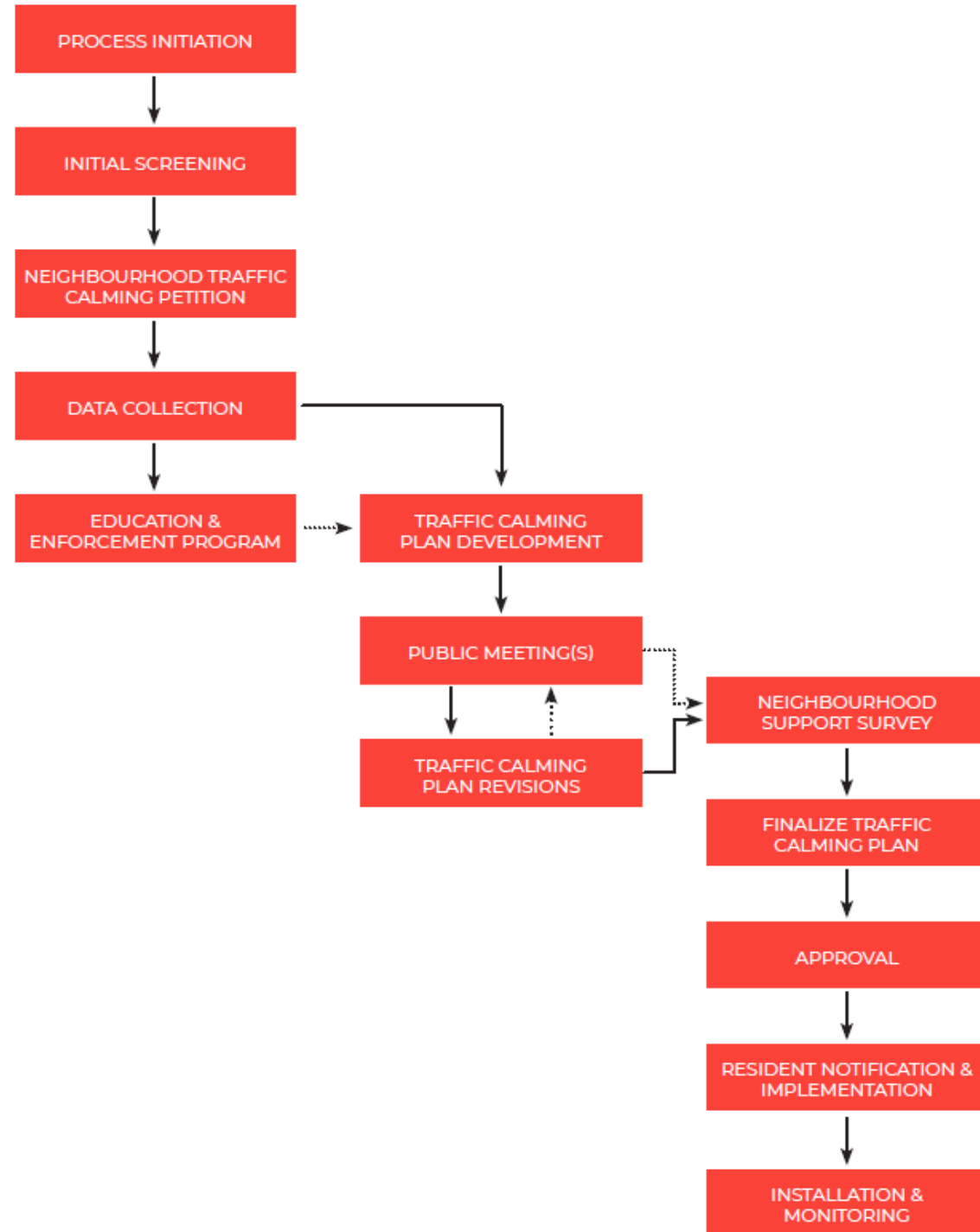
Q & A

Traffic Calming Process

The following process will be used when proceeding with a request for traffic calming.

An established and formal process for investigating roads provides consistency and equality in the determination of traffic calming.

A key component of the process is community engagement and effective communication with residents.



Traffic Calming Process

1) Initiation

- Resident(s) or a councillor with traffic related concerns are instructed to submit a written request to investigate traffic calming within their neighbourhood to WHRM.



Department of Public Works

Traffic Calming Request Form (Residents Petition)

*Neighbourhood Liaison: _____

Phone: _____

Address: _____

Date: _____

Specific Location (i.e. streets) and Summary of Traffic Concern:

**The "Neighbourhood Liaison" is the person in a particular neighbourhood who has shown a willingness to play a leadership role and liaise with Municipal staff relative to the traffic calming issue.*

The attached petition should be circulated by the Neighbourhood Liaison to all residents living adjacent to the street segment noted above. Residents who are not at home should be contacted by the *Neighbourhood Liaison* for signatures prior to submitting the petition to WHRM. Properties without signatures shall be counted as "no" responses.

The completed petition should be submitted to: **Troy Burgess, Manager of Operations, West Hants Regional Municipality Department of Public Works at:**

PO Box 3000, 100 King Street
Windsor, NS
B0N 2T0

Traffic Calming Process

2) Screening

- Review of the roadway(s) is completed to determine if the following criteria are met:
 - Must be a local or collector roadway through a primarily residential area;
 - Vehicle 85th percentile speeds:
 - 85th percentile speed must exceed the posted speed limit by 15% to consider traffic calming in this policy;
 - Daily traffic volumes exceeding:
 - 500 vehicles per day Annual Average Daily Traffic (AADT) for residential local streets;
 - 5,000 vehicles per day AADT for a collector roadway;
 - Where the 85th percentile speeds are 15 km/hr or more over the posted speed, there will be no minimum volume requirement;
 - The posted speed limit shall not be greater than 50 km/h;
 - The roadway must be owned and maintained by WHRM;
 - The roadway must not be a multi-lane roadway;
 - The roadway shall not provide direct access to an emergency services building;
 - The zoning should be primarily residential in nature; and
 - The requested street or section of street must be a minimum of 150m in length.

Traffic Calming Process

- Following this initial review, the Municipal will inform the residents as to whether or not their location meets the initial screening criteria.
- Residents with requests that meet the above-noted initial screening criteria will receive information about the traffic calming process, as well as a copy of WHRM's Neighbourhood Traffic Calming Petition.
- The residents will appoint a neighbourhood liaison that will be responsible for coordinating the petition and returning to WHRM.
- Roadways that do not meet the above-noted criteria may still be eligible for other mitigating measures and/or police enforcement initiatives.

Traffic Calming Process

4) Data Collection

- If the requested location meets the initial screening criteria and petition results indicate that there is at least 67% support, data collection and analysis will commence.
- WHRM Staff will conduct the necessary traffic studies to quantify and qualify the traffic concerns within a neighbourhood. The data collected may include vehicle volume, vehicle speed (85th percentile), collisions, pedestrian activity, origin/destination study (if request relates to short-cutting traffic), and historical site-specific information.
- Once traffic data is collected, it is assessed against assessment criteria to determine whether traffic calming measures are warranted on the subject roadway.
- If the criteria are met, then the next step is to develop a traffic calming plan; otherwise, the traffic calming process will be discontinued.

Traffic Calming Process

5) Education and Enforcement Program

- Municipal staff conduct an education and/or enforcement program over a period of one to six months and monitor the effectiveness of the techniques used in the program in addressing the identified issue.²
- Some education and enforcement techniques identified within the Canadian Guide to Traffic Calming include:
 - Active and Safe Routes to School Program
 - Pace Car Program
 - Vehicle Activated Signs
 - Targeted Education Campaigns
 - Mobile Speed Enforcement
- If data collection results indicate that the issue was not resolved through education and/or enforcement techniques, then the traffic calming process continues to the Traffic Calming Plan Development stage.

Traffic Calming Process

6) Traffic Calming Plan Development

- Appropriate traffic calming measures will be determined based on the list of traffic calming measures outlined in the TAC/ITE Canadian Guide to Neighbourhood Traffic Calming.
- The traffic calming design could include one or more different types of traffic calming techniques.
- Once municipal staff have prepared concept drawings of the traffic calming measures, consultation with emergency and maintenance services is conducted.
- Modifications to the plan are made to address concerns. **If the concerns cannot be remedied, the traffic calming process will be discontinued.**

7) Public Meeting(s)

- Municipal staff host a public information meeting or open house to present the traffic calming plan and explain the rationale behind the specific preferred traffic calming treatment(s).
- The public meeting provides residents with an opportunity to become involved in the process, learn more about the proposed traffic calming treatment(s) and to provide their feedback.

Traffic Calming Process

8) Traffic Calming Plan Revisions

- Modifications to the plan may be made to address feedback received from the public. If major changes are made to the plan, additional consultation with emergency and maintenance services and another public meeting may be required.

9) Neighbourhood Support Survey

- A neighbourhood support survey is completed to determine the level of support for the traffic calming plan and to provide an opportunity for the most directly affected residents to support or oppose any modifications to the road.
- In order for the process to continue a minimum of 51% of total surveys delivered must be in favour of implementation.
- If the support rate is not met, the traffic calming process will be discontinued.

Traffic Calming Process

10) Finalize Traffic Calming Plan

- Staff finalize the traffic calming plan by developing detailed engineering drawings that consider aspects such as geometric roadway design, surface drainage, utility locations, signage placement, cost and adherence to municipal specifications.
- Alterations to the traffic calming plan may be necessary if limitations are identified that make the original plan not feasible. Additional consultation with emergency and maintenance services and the public may be required if significant modifications have been made to the plan.

11) Approval

- Upon completion of the detailed engineering drawings and the calculation of a construction cost estimate, approval by the municipal council is requested.
- If approved, installation of the traffic calming measures is completed; otherwise, WHRM Staff should await direction from Council.

Traffic Calming Process

12) Resident Notification & Implementation

- Notices will be delivered to residents to inform them that traffic calming has been either approved or not approved by the WHRM Council on the subject roadway.
- If the traffic calming plan is approved, the notice will include information about the traffic calming review process for the subject roadway and will include a copy of the approved Traffic Calming Plan clearly showing locations of treatments as well as the anticipated implementation timeframe.

Traffic Calming Process

13) Installation & Monitoring

- Monitoring of traffic calming treatments is conducted to determine the effectiveness and impact to the subject road and surrounding road network.
- If data collection results indicate that traffic calming objectives (e.g. reduction in traffic speed) were not met, municipal staff may consider implementing additional measures and/or discuss potential enforcement alternatives with police services, if deemed appropriate.
- If traffic calming objectives are met and there were no associated operational and/or safety impacts, no further action is required if permanent installations were already implemented. If temporary treatments were installed, permanent installations can be pursued.
- Removal of the measures may be warranted if the installation of traffic calming measures resulted in unforeseen operational and/or safety impacts and/or there is support for removal from residents in the associated neighbourhood.

Traffic Calming Process

TRAFFIC CALMING MEASURES

- The Canadian Guide to Neighbourhood Traffic Calming identifies traffic calming techniques that are commonly used in Canada. However, the Guide notes that not all measures that have been used for traffic calming purposes are appropriate as traffic calming measures.
- Some measures, such as stop signs and maximum speed signs, for example, should not be used for traffic calming purposes. Although effective for other purposes, these measures have proven to be less effective for traffic calming and are therefore not recommended for use as traffic calming techniques in WHRM.
- WHRM Staff will provide a list of techniques that may be appropriate to consider for the street or area.

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Q & A

Q & A

Thank you

courtney.pyne@wsp.com

The background of the slide is a historical painting. It depicts a coastal scene with a large fort or settlement built on a grassy hill. Several buildings with smoke rising from them are visible on the hill. In the foreground, there is a body of water with several sailing ships. The sky is filled with soft, white clouds. The entire scene is framed by a dark blue border.

**PRESENTATION TO COUNCIL OF
WEST HANTS REGIONAL MUNICIPALITY
- LANDS ADJACENT TO
FORT EDWARD HISTORIC SITE
WINDSOR, NOVA SCOTIA**

by
West Hants Historical Society
Shirley Pineo, *President*
Gary Nelson, *Vice-President*

**Historical Significance of Lands
Currently for Sale adjacent to Fort Edward
at Windsor, N. S.**

by

Shirley Pineo

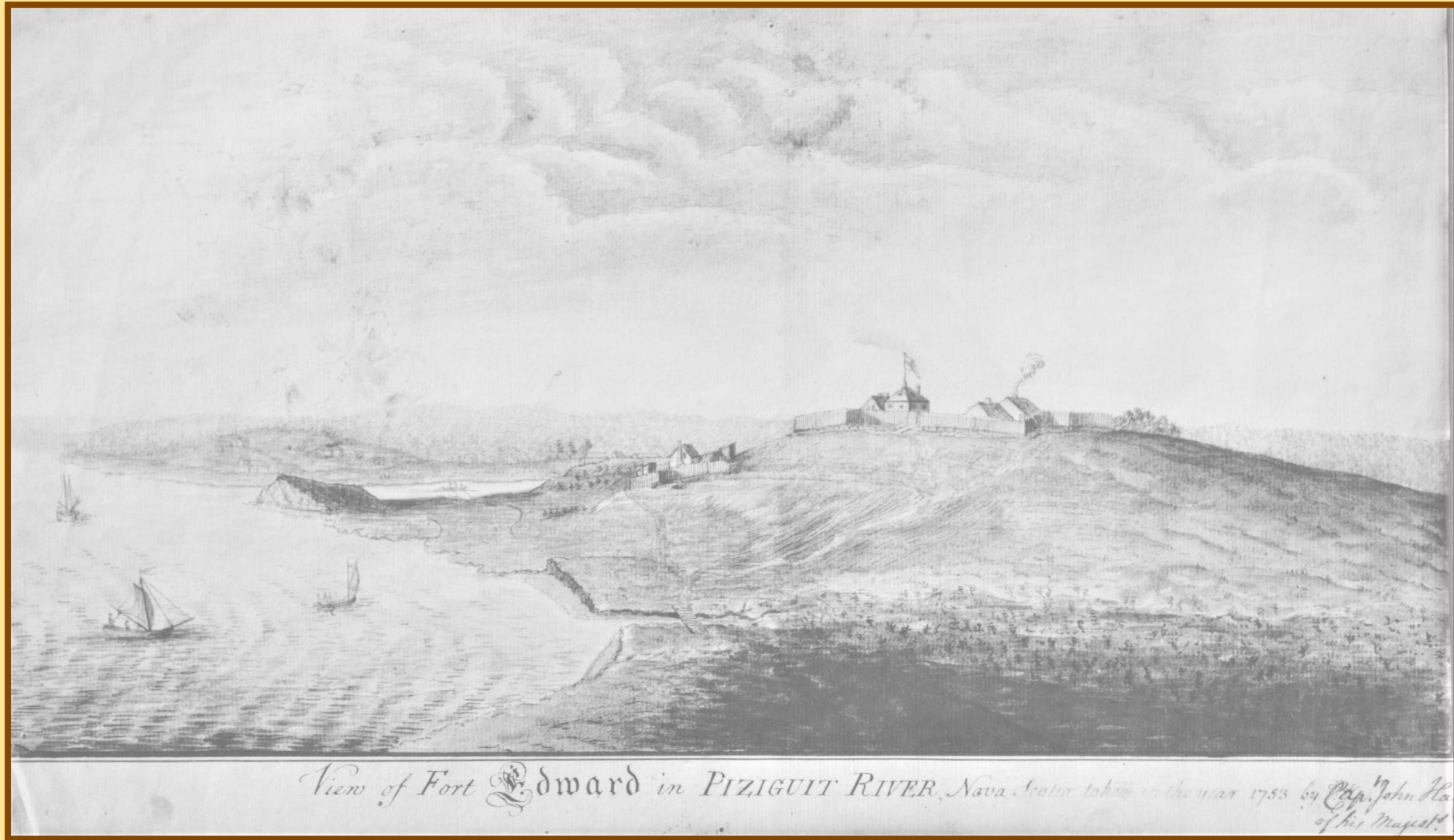
President, West Hants Historical Society



West Hants Historical Society

Mission Statement

The West Hants Historical Society seeks to preserve, present and promote the rich history of Hants County in relation to the larger history of the Province of Nova Scotia and the nation of Canada.



View of Fort Edward from Piziquid River, N.S.
painted in the year 1753
by J. Hamilton (water colour)



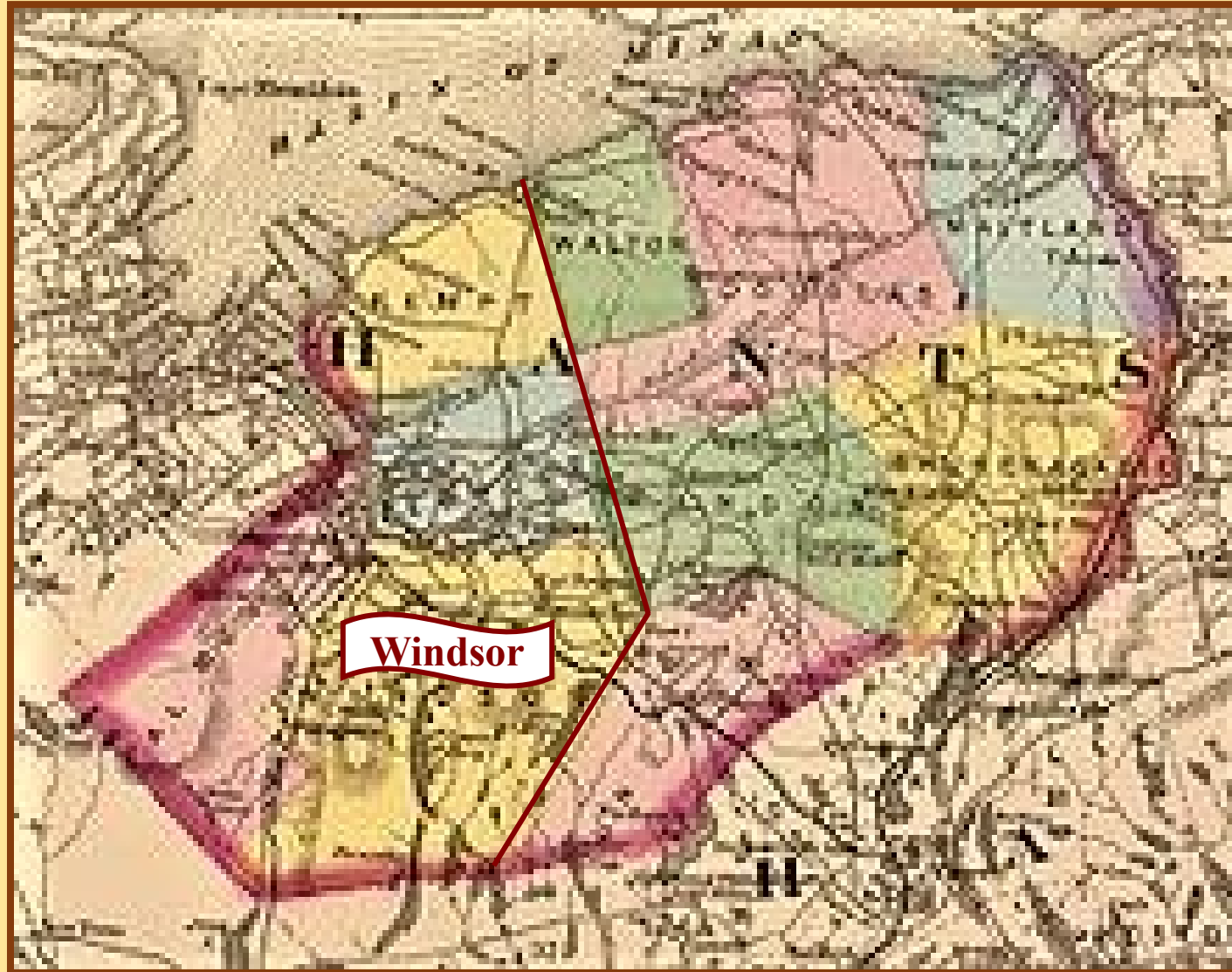
**New England
Planters
arrived
in 1760 – 61
to take
over former
Acadian
farms.**

Resolution Incorporating the Township of Windsor

December 24, 1764

“Resolved. that part of the tract of land formerly called Piziquid on the South East of the river commonly known as the Piziquid River, in this province of Nova Scotia, shall be erected and incorporated into a Township, hereinafter to be known and called by the name of Windsor.”

Hants County Townships



Windsor Township



**First Fair was Held
May 21st, 1765**

**The first fair was held outside the
wooden palisade of Fort Edward.**

LIST OF PRIZES FROM FIRST FAIR AT WINDSOR IN 1765

Copied from: T. F. Draper's "HISTORY OF HANTS CO." (PANS)

List of Prizes, and for what given, at the Fair of 1765, held at Windsor

To the person who shall bring to the Fair for sale the greatest number of neat cattle. - - - - 3 yds of English blue Superfine broad-cloth & a silver medal.

Ditto greatest number of horses - - - - A saddle bridle & a medal.

Ditto " " " sheep - - - - A Pr sheers, a pr cards & a medal.

Ditto largest pair of working oxen - - - - A plow share & a medal.

Ditto the next largest -- - - - - A plow share.

Ditto the finest and largest cow - - - - A butter churn & a medal.

Ditto the largest yearling bull - - - - A medal.

Ditto " " " heifer - - - - A medal.

Ditto " " " pair of steers - A medal.

Ditto the best pair of harness horses drawing abreast - A plow share & a medal.

Ditto the next " " " " " " - A plow share.

Ditto the best single horse - - - - A medal.

Ditto the next " " - - - - A whip & a pair of spurs.

Ditto the largest & fattest wether sheep - A pr of wool cards & a medal.

Ditto the best butter not less than 12 lbs - 6 yds of ribbon & a medal.

Ditto the best cheese " " " " " - 6 yds of ribbon & a medal.

On the day after the Fair prizes were given for the following diversions.

To the best running horse - - - - A pair of buckskin breeches & a medal.

To the next best " - - - - A pair of buckskin breeches.

" " " " " - - - - A whip & a pr of spurs.

To the best wrestler under 25 yrs old - A laced hat & a medal.

To the next best " " " " " - A pr of shoes and buckles.

" " " " " " " " - A pr of buckskin gloves.

To the person that shoots at a mark with a single ball, the best in two shots @ 80 yds distant - - - - A neat fusee & a medal.

N.B. Any Firelocks will be permitted but rifle barrels.

Proper persons were appointed to adjudge the different awards and to regulate the diversions.

The medals were of silver about the size of a dollar with an inscription thereon suitable to the occasion.

Three or four of the best Stallions in the province were provided gratis.

Many of the subscribers and others were at the Fair to purchase a great number of cattle.

This Fair was held first on the 21 of May 1765, and was subsequently held twice a year & appointed by the Charter, for quite some time; but it was discontinued on the grounds that, at that time, the country was'nt sufficiently populated to derive enough benefit from it.

ROYAL CHARTERS

Two Royal Charters were issued with respect to these lands on Fort Edward hill:

- 1. Dated November 22nd, 1766, registered February 6th, 1767 – lands to held “in trust to and for the benefit of the said Township of Windsor the right and privilege of holding a market on every Tuesday at the said Hill and two Fairs Annually that is one on the second Tuesday in June and the other on the second Tuesday in October to be kept and held at the said Hill ...”**
- 2. Dated July 3rd, 1815 – as the Trustees named in the original Charter were either absent or deceased, to the then current “Justices of the Peace for the said County of Hants Residents and Inhabitants of the said Township of Windsor for the time being and to the Major part of the said Justices of the Peace in trust for the benefit of the said Township the right and privilege of holding the said Markets and Fairs ... provided always that the said Markets and Fairs shall be held upon such part of the said Fort Edward Hill as the Governor, Lieutenant Governor or Commander in Chief of our said Province for the time being shall from time to time direct and appoint.”**

2

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MONTREAL AND TORONTO

Blockhouse



Blockhouse

Map
showing
building
on former
exhibition
site –
being
subject
lands

Windsor Map –
1934 – revised to 1947.

SEE SHEET NO. 5

EXHIBITION

DRILL HALL
& ARMOURY

Exhibition Grounds

Horse stalls

Live stock stalls

FORT HILL

COBBETT

WING

King Street

Her Majesty's Justices of the peace for the County of Kent to personally come and appeared Henry Tomlinson wife of the within named Frederick Tomlinson and of the same names. Subscribed to the foregoing indenture who being by law a competent person and a competent person from her said husband did acknowledge that she had signed the said deed freely and voluntarily without compulsion from her said husband and thereby relinquished her right of dower to the premises therein described. Robert Smith. J.P.

181944. Lease.

Her Majesty's Secretary of State for War Department

To
The Supervisors of Public Grounds for the Township of Windsor. Registered July 13th 1870. at 2 O'clock P.M. On the Certificate of No. 1. Ritchie Bar & Not. Pub)

This Indenture made this first day of May in the Year of our said one thousand eight hundred and seventy, between Her Majesty's Principal Secretary of State for the War Department on the one part and the Supervisors of Public Grounds for the Township of Windsor in the Province of Nova Scotia on the second part. Witnesseth that the said Secretary of State for the War Department for and in consideration of the rents and covenants hereinafter reserved and contained on the part of the Supervisors of Public Grounds for the Township of Windsor to be paid kept and performed hath demised lease and to farm let and by these presents doth demise lease and to farm let unto the Supervisors of Public Grounds for the Township of Windsor and their Successors all that lot piece or parcel of land being part of Fort Edward Hill at Windsor aforesaid containing one acre and twenty five perches or thereabouts as delineated in the margin of these presents and a boundary as follows that is to say abutting on the South West side upon a line and premises of the Estate of Isaac Barves and measuring two chains and ten links from the Western Corner or angle D. of the fence separating the said Fort Edward Hill from the said Estate and bounded on the North West side thereof by the fence of the said Fort Edward Hill separating the same from a certain line running by the side thereof and measuring by the said fence five chains and seventy five links and abutting on the North East side thereof on the other part of the said Fort Edward Hill on a line at right angles with the fence last mentioned and measuring two chains and seven links thereon and abutting on the South East side thereof upon other part of the said Fort Edward Hill by a line running parallel to the fence running along the same before mentioned and on the North West side of a stone and foot path leading from the South West entrance of the Fort Edward Hill towards the Fort or Block House

house situate thereon and measuring in the direction of the said line towards the said entrance five chains and forty five links. Together with the right of ingress and egress to and from the said part so described by and through the said entrance to the said Fort Edward Hill to have and to hold the same unto the Supervisors of Public Grounds for the Township of Windsor and their Successors with all the appurtenances thereto belonging for and during the period of nine hundred and seventy nine years to be computed from the first day of May one thousand eight hundred and seventy and unless determined as hereinafter mentioned. Her Trust for the use of the inhabitants and residents of the said Township of Windsor for holding market and fairs thereon holding and paying thereon to Her Majesty's Principal Secretary of State for the War Department or his Successors in Office or to such person or persons as they may appoint for that purpose and at such place the Yearly rent or sum of one shilling Sterling of lawful money of Great Britain payable on the first day of May in each and every Year commencing from the first day of May one thousand eight hundred and seventy one without any abatement or deduction whatsoever. And the Supervisors of Public Grounds for the Township of Windsor for themselves and their Successors do hereby covenant promise and agree to and with Her Majesty's Principal Secretary of State for the War Department and his Successors in Office that they or some of them shall and lawfully well and truly pay or cause to be paid unto Her Majesty's Principal Secretary of State for the War Department or to his Successors or to such person or persons as shall be appointed by them to receive the same the said Yearly rent or sum of money and at the time above mentioned and also that they the said parties of the second part and their Successors shall at all times during the continuance of this lease erect keep and maintain a good and substantial fence around the said property subject to the approval of the Officer Commanding the Royal Engineers for the time being and keep the same in good order and condition and shall at the end of the said term or other sooner determination of this present demise yield and deliver up possession of the said premises hereby demised as a good order as the same now are. And it is further agreed that it shall and lawfully be lawful for Her Majesty's Principal Secretary of State for the War Department and his Successors in Office or such person or persons as they shall authorize at any time during the continuance of this lease to enter in and upon the said premises and inspect the same and it is further agreed that all rates taxes or assessments to which the said demised premises shall or may be liable shall be paid by the said parties of the second part. And

it is further agreed by and between the parties hereto that if at any time during this demise the said premises shall or may be required for defence or other military purposes it shall be lawful for Her Majesty's Principal Secretary of State for the War Department his Successors or assigns to use and possess the same without notice of any kind and to take and remove the same and to pay any compensation whatever for any buildings or improvements which may be erected or made thereon by any person or persons whomsoever. And lastly it is agreed by and between the parties hereto that if default shall be made of payment of the said rent or any part thereof for the space of one Year next after the day and time whereon the same ought to be paid as aforesaid after demand having been made therefor from the Supervisors of Public Grounds for the Township of Windsor or upon the Town Clerk of the said Township of Windsor for the time being or upon the non performance of any of the covenants herein contained then it shall and lawfully be lawful for Her Majesty's Principal Secretary of State for the War Department his Successors or assigns to annul and avoid this lease and the premises hereby granted to have again a regular report of the same and to re-let the same as they think fit and to recover the same as they think fit notwithstanding. And it is further agreed by and between the parties hereto that the said parties of the second part and their Successors shall and lawfully be bound to pay the same as they think fit and to recover the same as they think fit. And the Supervisors of Public Grounds for the Township of Windsor have hereunto affixed their corporate seal.

Signed Sealed and delivered by Her Majesty's Principal Secretary of State for the War Department in presence of
J. R. Ritchie

Signed Sealed and delivered by the Supervisors of Public Grounds for the Township of Windsor in presence of

The Secretary of State for War
Genl. D. C. Strickland Esq.
Deputy Controller
his Attorney

Province of Nova Scotia Halifax &c. On this eleventh day of July one thousand eight hundred and seventy before me the undersigned Barrister and Notary personally came and appeared Joseph Norman Ritchie of the City of Halifax Esquire a well knowing witness to the foregoing Indenture who made oath that Her Majesty's Principal Secretary of State for the War Department by his Attorney Edward Strickland Esq. executed the same in his presence.
Thos. Ritchie Barrister & Notary Public

Declaration of Trust

from
Supervisors of Public Grounds for
Township of Windsor
to
Justices of Peace for the County of Hants,
Residents of the Township of Windsor
and the Major part of them

Dated: July 19th, 1870
Registered: July 21st, 1870
at Hants County Registry of Deeds
in Book 54 at Page 559

No. 11950. Declaration of Trust.
The Supervisors of Public Grounds
to
The Justices of the Peace Hants Co.
Registered July 21st 1870 at 11 O'Clock A.M.
On the Oath of Maynard Bowman.
Know all men by these presents that we the Honorable Richard Andrew McHaffey, Charles Broughton, Bowman and Goudge all of Windsor in the County of Hants Esquire as the Supervisors of Public Grounds for the Township of Windsor do stand possessed of and interested in all that piece or parcel of land bearing in part of Fort Edward Hill in Windsor aforesaid described in and devised by a certain Indenture of Lease bearing date the 1st day of May A.D. 1870 granted by Her Majesty's Principal Secretary of State for the War Department to the Supervisors of Public Grounds for the Township of Windsor for the term of nine hundred and ninety nine years (which Lease with a plan of the said land is registered in the Registry of Deeds for the said County (Book 54, Folio 552,) and we do

560

hereby declare that the Supervisors of Public Grounds for the Township of Windsor hold the said piece or parcel of land with the appurtenances upon trust for the Justices of the Peace for the County of Hants residents of the Township of Windsor and the Major part of them subject to the provisions of certain Royal Charters bearing date respectively the Sixth day of November A.D. 1767 and the third day of July A.D. 1815 for the purpose of holding Markets and Fairs therein with all other the rights, liberties and privileges granted by the said Royal Charters to such Justices of the Peace for the time being. We Witness whereof we have to these presents set our hands and caused the Common Seal of the Supervisors of Public Grounds for the Township of Windsor to be affixed here to this our tenth day of July A.D. 1870. Signed Sealed and delivered & the Common Seal of the Corporation affixed thereto in the presence of
Maynard Bowman
The Supervisors of Public Grounds for the Township of Windsor
R. A. McHaffey
C. B. Bowman
Ch. B. Goudge
Es. Es.

REQUEST

We, the West Hants Historical Society, are asking the Municipality to give us time to meet with other stakeholders to come up with a plan of action for the future of the land on Fort Edward that is currently for sale.

**Views and Observations Regarding
the former Swimming Pool Lands
at Windsor, N. S.**

by

Gary Nelson

Vice-President, West Hants Historical Society

Over Riding Consideration

As Shirley has pointed out, these lands adjacent to Fort Edward that the Council describes as surplus or “decommissioned” lands and wishes to sell, are of historical significance for the following reasons:

- these lands were a part of Fort Edward when it was constructed in 1750 – the blockhouse there being the oldest such structure in Canada**
- later these lands were the site of what is now known as the Hants County Exhibition - “North America’s Oldest Agricultural Fair”**
- this property is the subject of at least two Royal Charters**
- these lands are subject to a Declaration of Trust pursuant to which they are to held in trust for specific uses set out in that Declaration**
- these circumstances, I would submit, make this property unique and different from other surplus and decommissioned lands and thus should receive special consideration**

ROYAL CHARTERS

Review of the Royal Charters issued with respect to these lands on Fort Edward hill:

- 1. Dated November 22nd, 1766, registered February 6th, 1767 – lands to held “in trust to and for the benefit of the said Township of Windsor ...”**
- 2. Dated July 3rd, 1815 –the then current “Justices of the Peace for the said County of Hants Residents and Inhabitants of the said Township of Windsor for the time being and to the Major part of the said Justices of the Peace in trust for the benefit of the said Township the right and privilege of holding the said Markets and Fairs ...”**

NOTES

Both Royal Charters state that these lands are to be held “in trust” for the “holding of Markets and Fairs” for “the benefit of the said Township of Windsor”.

The second (1815) Charter states those for whom these lands are to be held in trust to “Justices of the Peace for the said County of Hants Residents and Inhabitants of the said Township of Windsor for the time being and to the Major part of the said Justices of the Peace”

Highlighted Sections

Declaration of Trust Supervisors of Public Grounds to

The Justices of the Peace, Hants Co.

No. 11950. Declaration of Trust.
The Supervisors of Public Grounds
To

The Justices of the Peace Hants Co.
Registered July 2nd 1870 at 11 O'Clock A.M.
On the Oath of Maynard Bowman.

Know all men by these
presents that we the
Honorable Richard Andrew
Mr. Heffey, Charles Boughton
Bowman and Thomson
Mayt George all of Windsor
in the County of Hants Esquire

as the Supervisors of Public Grounds for the Township of Windsor
do stand possessed of and interested in all that piece or
parcel of land being part of Fort Edward Hill in Windsor afore-
said described in and devised by a certain Indenture of
lease bearing date the first day of May A.D. 1870 granted by
Her Majesty's Principal Secretary of State for the War Department
to the Supervisors of Public Grounds for the Township of Windsor
for the term of nine hundred and ninety-nine years (which
lease with a plan of the said land is registered in the registry
of Deeds for the said County (Book 54, Folio 552.) and we do

560

hereby declare that the Supervisors of Public Grounds for the
Township of Windsor hold the said piece or parcel of land with
the appurtenances upon trust for the Justices of the Peace for the
County of Hants residents of the Township of Windsor and the
major part of them subject to the provisions of certain Royal
Charters bearing date respectively the sixth day of February A.D.
1767 and the third day of July A.D. 1815 for the purpose of holding
Markets and Fairs thereon with all other the rights, liberties
and privileges granted by the said Royal Charters to such
Justices of the Peace for the time being. In Witness whereof we
have to these presents set our hands and caused the Common
Seal of the Supervisors of Public Grounds for the Township of
Windsor to be affixed hereunto this nineteenth day of July A.D.
1870. Signed Sealed and
delivered & the Common
Seal of the Corporation affixed
thereto in the presence of
Maynard Bowman

Dr. R. M. Heffey
C. B. Bowman
M. H. George

So, B.

“... and we do hereby declare that the Supervisors for Public Grounds for the Township of Windsor hold the said parcel of land with the appurtenances upon trust for the Justices of the Peace for Hants County residents of the Township of Windsor and the major part of them subject to the provisions of certain Royal Charters bearing date respectively the Sixth day of February A.D. 1767 and the third day of July A.D. 1815 for the purpose of holding Markets and Fairs thereon...”

Declaration of Trust
Supervisors of Public Grounds
to
The Justices of the Peace, Hants Co.

- the date recited for the first Royal Charter is actually the registration date
- the Justices of the Peace in the Declaration of Trust are for all "Hants County" not just West Hants
- the residents are of the "Township" not the "Town" of Windsor - a much larger area

No. 11950. Declaration of Trust.
The Supervisors of Public Grounds
To
The Justices of the Peace Hants Co.
Registered July 2nd 1870 at 11 O'Clock A.M.
On the Oath of Maynard Bowman.

Know all men by these presents that we the Honorable Richard Andrew Mr. Heffey, Charles Broughton, Bowman and Thomson Mayt George all of Windsor in the County of Hants Esquire as the Supervisors of Public Grounds for the Township of Windsor do stand possessed of and interested in all that piece or parcel of land being part of Fort Edward Hill in Windsor afore said described in and devised by a certain Indenture of Lease bearing date the 1st day of May A.D. 1870 granted by Her Majesty's Principal Secretary of State for the War Department to the Supervisors of Public Grounds for the Township of Windsor for the term of nine hundred and ninety nine years (which lease with a plan of the said land is registered in the registry of Deeds for the said County (Book 54, Folio 552.) and we do

560

hereby declare that the Supervisors of Public Grounds for the Township of Windsor hold the said piece or parcel of land with the appurtenances upon trust for the Justices of the Peace for the County of Hants residents of the Township of Windsor and the Major part of them subject to the provisions of certain Royal Charters bearing date respectively the 26th day of June A.D. 1761 and the 1st day of July A.D. 1815 for the purpose of holding Markets and Fairs therein with all other the rights, liberties and privileges granted by the said Royal Charters to such Justices of the Peace for the time being. In Witness whereof we have to these presents set our hands and caused the Common Seal of the Supervisors of Public Grounds for the Township of Windsor to be affixed here to this 2nd day of July A.D. 1870. Signed Sealed and delivered & the Common Seal of the Corporation affixed thereto in the presence of Maynard Bowman

Dr. A. M. Heffey
C. B. Bowman
M. H. George

So. B.

My Commission of Public Grounds for the Township of Windsor

**Grant (Deed) from
the Crown to the
Town of Windsor for
these lands.**

Dated: _____, 196_

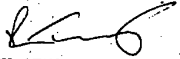
**Registered at Registry
of Deeds for Hants Co.:
January 16, 1967
in Book at Page 57.**

No. 14. -- Entry No. 9180. ----- GRANT
Registered --- 11.50 a.m. The 16th January, 1967. 57.


DEPUTY GOVERNOR

Canada

ELIZABETH THE SECOND, by the Grace of
God of the United Kingdom, Canada and Her
other Realms and Territories QUEEN, Head of
the Commonwealth, Defender of the Faith.


FOR DEPUTY ATTORNEY GENERAL



58.

TO ALL TO WHOM these Presents shall come,

GREETING:

WHEREAS the lands hereinafter described are vested in
Us in right of Canada.

AND WHEREAS the said lands are not required for
public purposes, and under and by virtue of the statutes
in that behalf and pursuant to authority duly granted by
Our Governor in Council, the said lands or the interest
therein that is or may be vested in Us for the uses of
Canada have been disposed of to the Town of Windsor in the
County of Hants, Province of Nova Scotia, a body corporate,
hereinafter called the grantee, at and for the price or sum
of one thousand five hundred dollars.

NOW KNOW YE that We do by these Presents grant,
convey and assure unto the grantee and its successors ALL
AND SINGULAR that certain parcel or tract of land situate,
lying and being in the Town of Windsor, in the County of
Hants and Province of Nova Scotia, more particularly describ-
ed as follows:

BEGINNING: at a point fifteen feet and forty-five hundredths
of a foot (15.45') from the south limit of Corbett Street
at the south-west corner of lands of the Town of Windsor,
said point being on the east boundary of the Carver Estate;

THENCE: North sixty-two degrees, thirty-three minutes East,
(N. 62° 33' E.), a distance of three hundred and sixty-three
feet and five tenths of a foot, (363.5');

THENCE: South twenty-nine degrees, thirty-three minutes East, (S. 29° 33' E.), a distance of one hundred and twenty-two feet, (122'), to the north limit of a right-of-way;

THENCE: South sixty-two degrees, seventeen minutes West, (S. 62° 17' W.), along the above-mentioned right-of-way a distance of three hundred and fifty-one feet and five tenths of a foot, (351.5'), to the Carver Estate;

THENCE: North thirty-four degrees, fifty-seven minutes West, (N. 34° 57' W.), along the Carver Estate to the place of beginning;

BEING AND INTENDED TO BE: that piece of land as shown on Plan No. 425-1, dated the 17th day of June, 1963, prepared by Hiltz & Seamone Co. Ltd., which is registered in the Registry Office for the County of Hants, at Windsor, Nova Scotia, under No. 380, a copy of which has been recorded in the Canada Lands Surveys Records at Ottawa, Ontario, under No. 53101.

PROVIDED ALWAYS and these presents are issued subject to a lease between Her Majesty the Queen in right of Canada and the Supervisors of Public Grounds for the Township of Windsor, dated the 1st day of May, 1870 and recorded at the Registry of Deeds at Windsor in Book 54, page 552, and subject further to a Declaration of Trust made by the said Supervisors of Public Grounds for the Township of Windsor and dated the 19th day of July, 1870 and recorded at the Registry of Deeds at Windsor in Book 54, page 559.

Highlighted

PROVIDED ALWAYS
that the presents are issued subject to a lease between Her Majesty the Queen in right of Canada and the Supervisors of Public Grounds for the Township of Windsor, dated the 1st day of May, 1870, and recorded at the Registry of Deeds at Windsor in Book 54, page 552, and subject further to a Declaration of Trust made by the said Supervisors of Public Grounds for the Township of Windsor and dated the 19th day of July, 1870 and recorded at the Registry of Deeds at Windsor in Book 54, page 559.

TO HAVE AND TO HOLD the said lands unto the grantee and its successors, forever; saving, excepting and reserving unto Us, Our Heirs and Successors, the free use, passage and enjoyment of, in, over and upon all navigable waters that now are or may be hereafter found on or under or flowing through or upon any part of the said lands.

GIVEN under the Great Seal of Canada.

WITNESS:

COLONEL ADOLPHE GEORGE CHERRIER, O.B.E., C.D.,
Deputy of Our Right Trusty and Well-beloved
Counsellor, General Georges P. Vanier, a member
of Our Most Honourable Privy Council, Companion
of Our Distinguished Service Order upon whom We
have conferred Our Military Cross and Our Canadian
Forces' Decoration, Governor General and Commander-
in-Chief of Canada.

AT OTTAWA, this

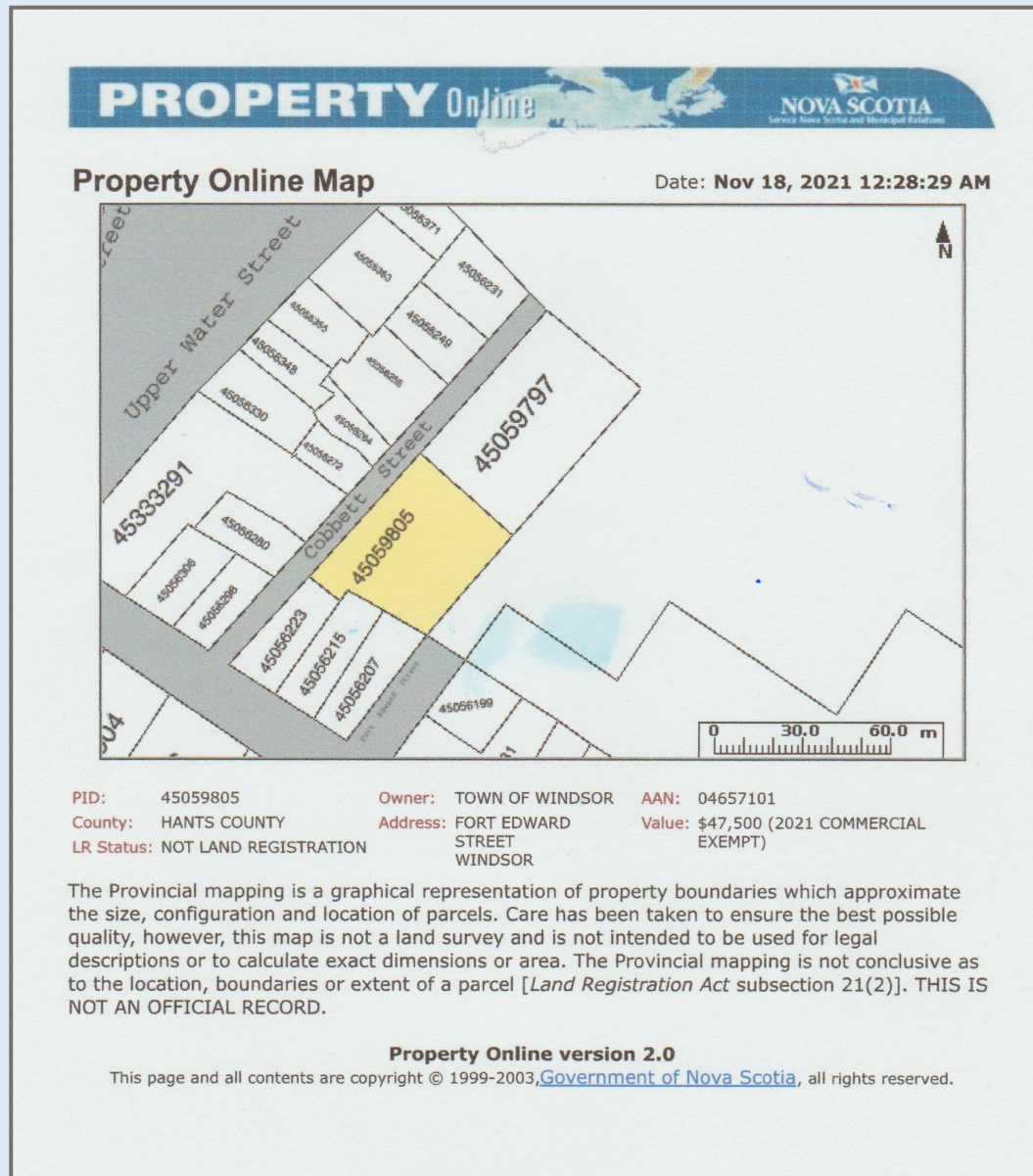
in the year of Our Lord one thousand nine hundred and sixty-

BY COMMAND,

Jean Diquel
DEPUTY REGISTRAR GENERAL
OF CANADA

J. G. D. D.
DEPUTY MINISTER OF INDIAN AFFAIRS
AND NORTHERN DEVELOPMENT

ACCESS



Lands in Question

The lands in question are made up of both PID 45059805 and PID 45059797.

Of particular note is that these lands do not have frontage on Fort Edward Street (public roads are shown in grey). As will be shown in surveys, these lands do not even meet Fort Edward Street at the corner as shown on this Property Online map.

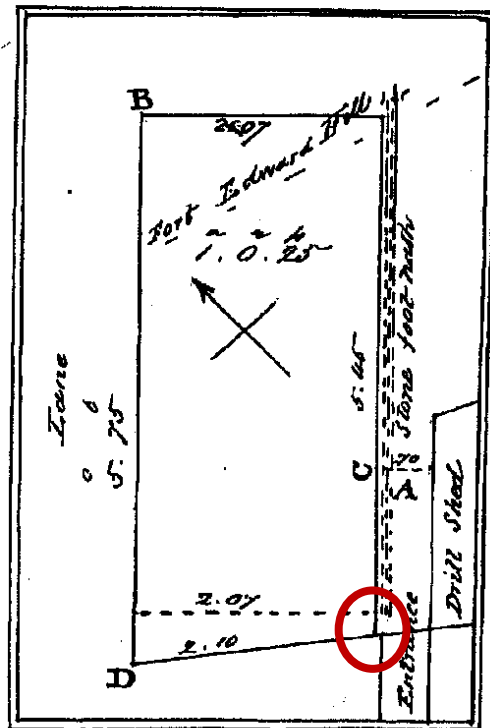
The only access by a public street is over Cobbett Street.

1870 Plan attached to Lease

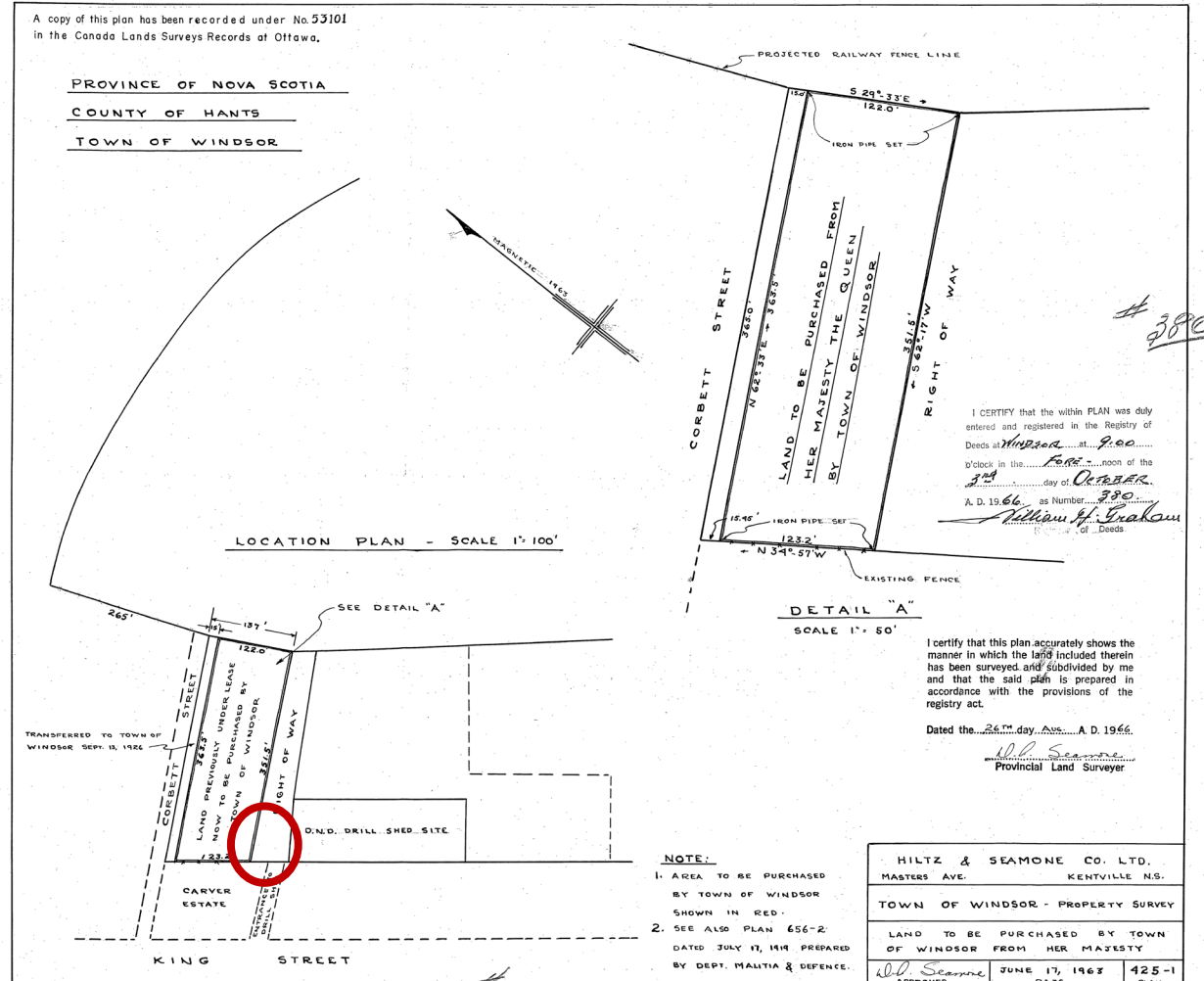
Surveys

1966 Plan referred to in Grant to the Town

*Plan of Ground Land by Her Majesty's
Secretary of State for War Department
to the Supervisors of Public Grounds for
the Township of Windsor. 1st May 1870*

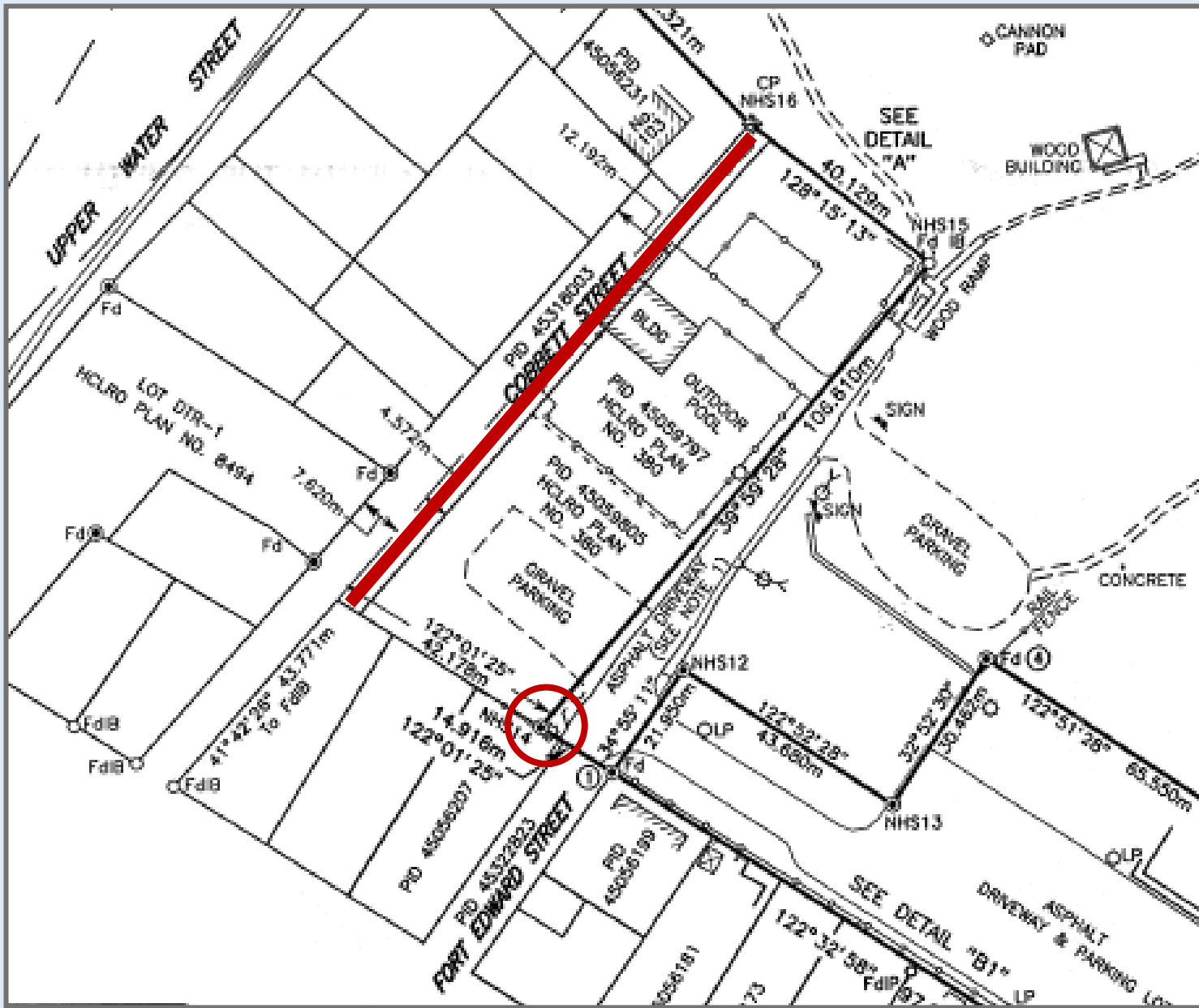


L.S. 13/66



#380.





Section of 2011 Survey of Fort Edward

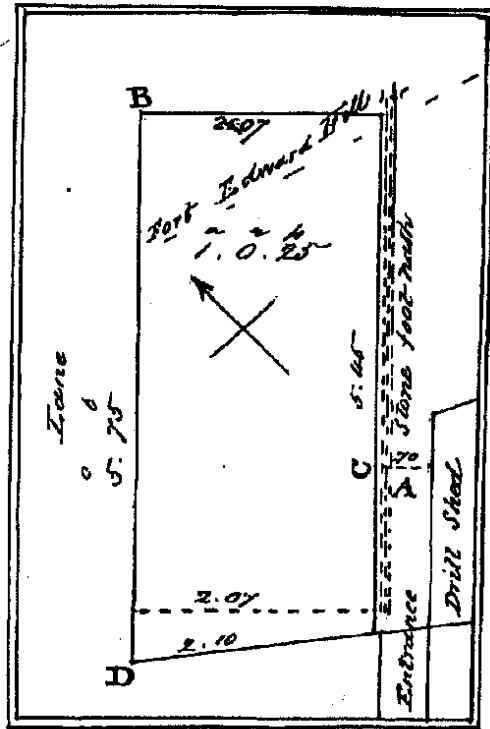
Distances mentioned in my written submission are taken from this survey:

- Cobbett Street is only 25 feet wide at King Street
- It widens to 40 feet behind the lot on the right as Crown conveyed 15 feet to the Town in 1926 for widening street

Note: the distance from the upper left corner of Fort Edward Street to the lower right corner of lands in question.

Right-of-Way

*Plan of Ground leased by Her Majesty's
Secretary of State for War Department
to the Supervisors of Public Grounds for
the Township of Windsor. 1st May 1870*



1870 Lease

This Lease grants a right-of-way which reads as follows:

“Together with the right of ingress and egress to and from the said part so described by and through the said entrance to the said Fort Edward Hill.”

This description of the right-of-way is quite vague and the survey plan attached to the Lease is not of great assistance in further defining this right-of-way. Even the terminology used for this right-of-way is open to interpretation. - does it mean the right-of-way is from the entrance along the lands leased to Fort Edward Hill, or does “by and through the entrance to Fort Edward Hill” simply identify the entrance, so that the right-of-way merely is from the entrance to (not along) the leased lands? The plan attached shows the Entrance to Fort Edward Hill at the end of what is now Fort Edward Street and a very narrow “stone foot path” from there to Fort Edward Hill.

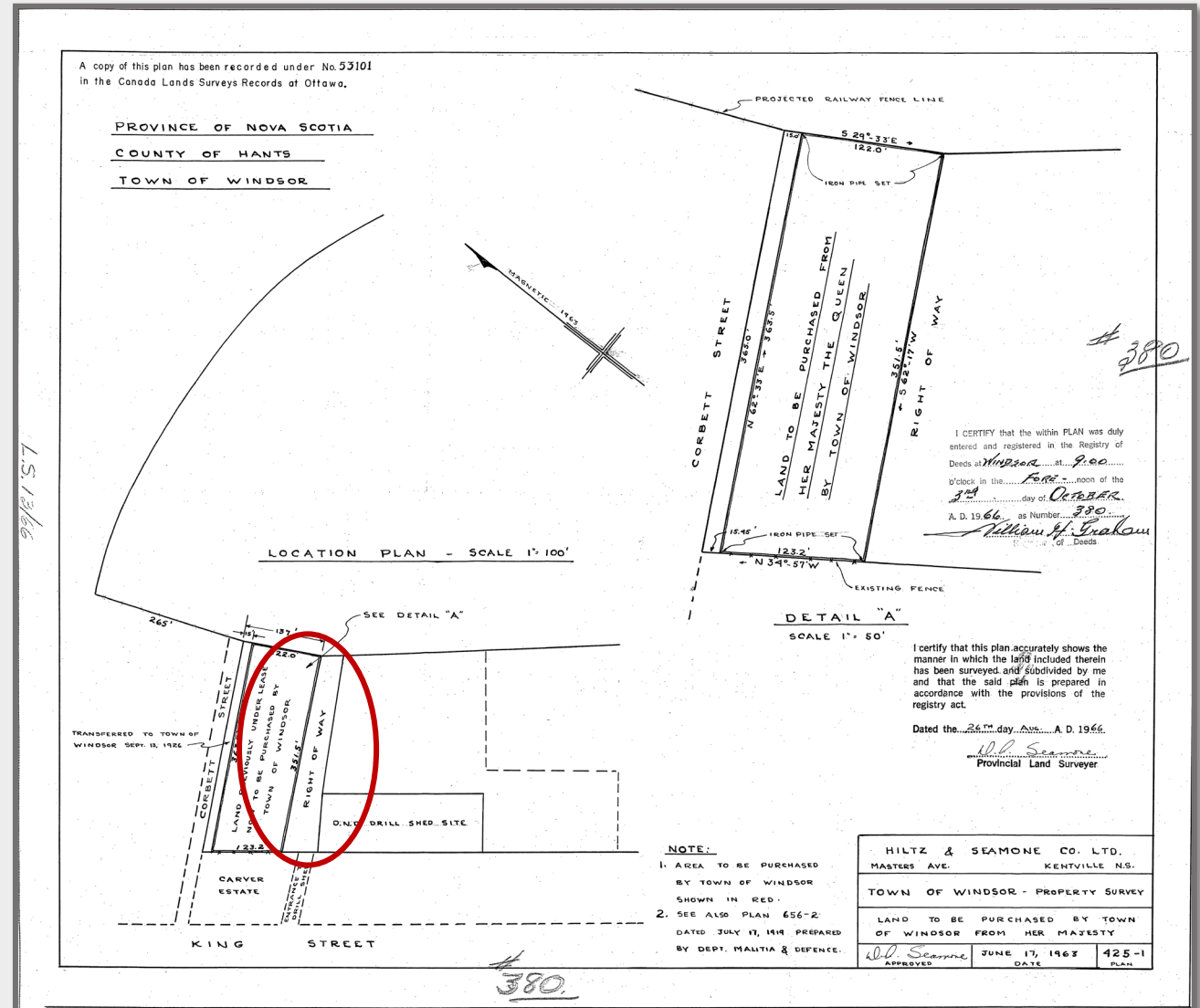
Right-of-Way

Grant to the Town in 1966

There was not any right-of-way included in this Grant, although there was one shown on the plan. However, the right-of-way shown on the plan does not have any basis in any document.

Therefore, it would appear the only right-of-way from Fort Edward Street is the one set out in the 1870 Lease.

There is also an argument that could be made that a right-of-way was no longer necessary in 1966, thus not included in the Grant, as these lands now had access from an abutting public street - Cobbett Street.

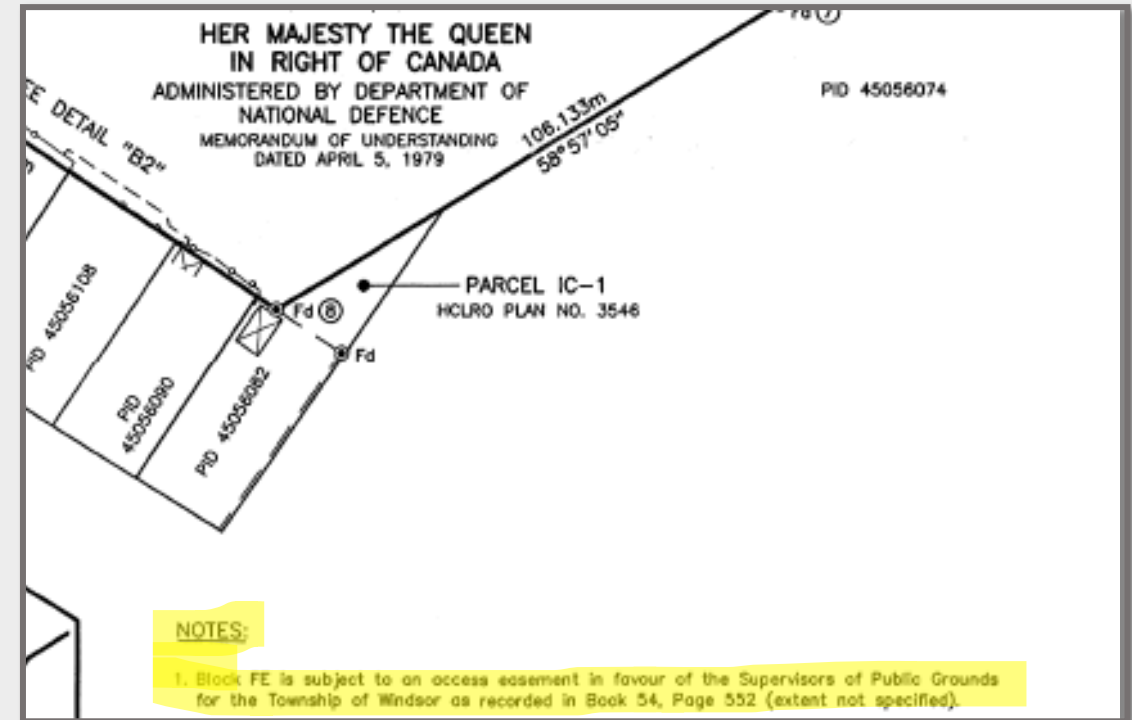


Right-of-Way (Easement)

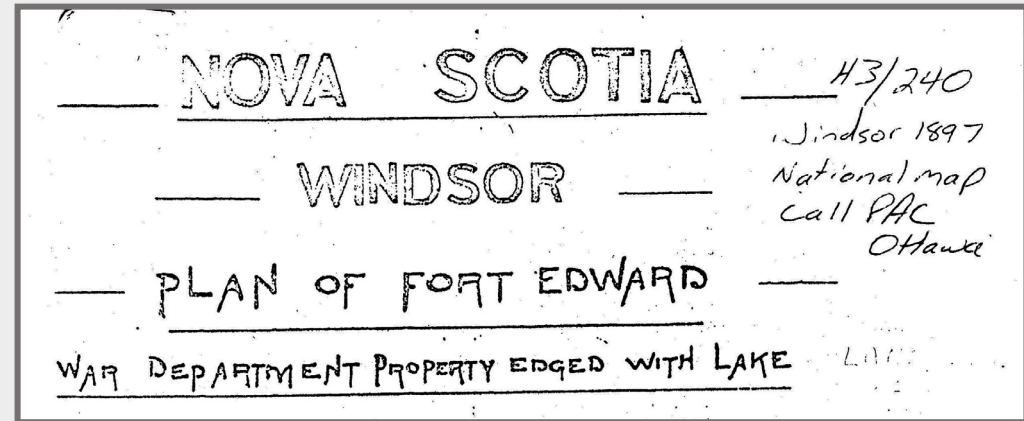
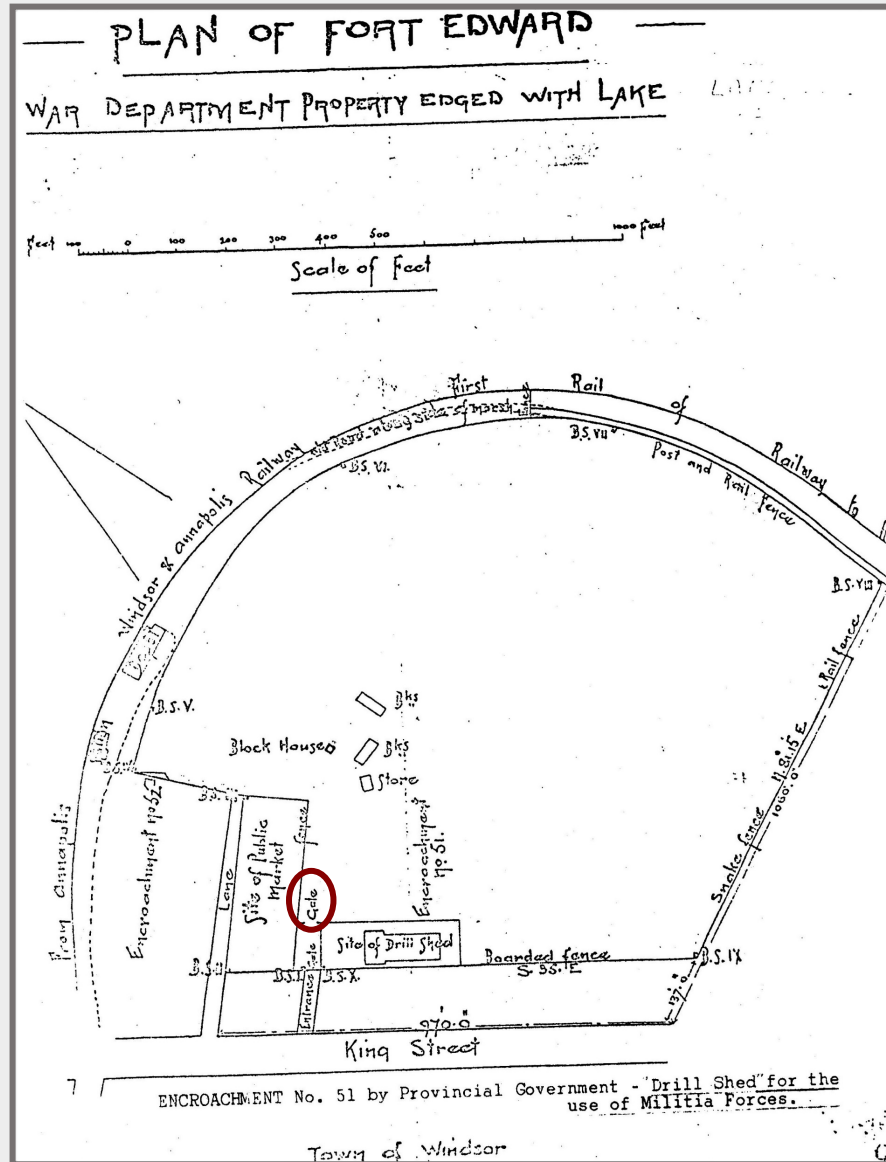
Any applicable right-of-way appears to be more accurately shown in a 2011 survey of the Fort Edward Lands (which lands are designated as Block FE in that survey) and is shown as an “asphalt driveway”, not a “right-of-way”. There is a Note on this survey which states **“1. Block FE is subject to an access easement in favour of the Supervisors of Public Grounds for the Township of Windsor as recorded in Book 54, Page 552 (extent not specified).”** That recording reference is to the 1870 Lease. A right-of-way is a specific form of easement.

Extent of a right-of-way or easement is important as “extent” cannot be arbitrarily expanded or enlarged - either as to area or use - without the agreement of both parties (the party that holds the rights and the party that gave or granted the rights). As the 2011 survey of the Fort Edward Lands was prepared for Parks Canada, it is clear that the Crown has not agreed to any extension of the right-of-way, either as to area or use, since the Lease in May, 1870 to the date of that survey.

Section of 2011 Survey of Fort Edward



Right-of-Way (Easement)



This is another Plan of Fort Edward from 1897. It may be of some value in determining the extent of the right-of-way or access easement as to area.

This Plan shows two Gates – one at the Entrance and the other at the upper edge of the “Site of Drill Shed” lot. While the latter is likely for the “Site of Drill Shed” , it could also apply to the “Site of Public Market” lot as there is adequate distance to provide access to that lot as well.

Summary

- Access to the swimming pool lands from Fort Edward Street is questionable both as to area and use. A right-of-way for a public swimming pool or a fair does not necessarily extend to access for residential or commercial use. This would be especially the case if any structure to be included on these lands was not in sympathy with the historical nature of the Fort Edward lands as Parks Canada would have some say in the extent of any such right-of-way.
- Access to these lands from Cobbett Street may require substantial upgrades to that Street. How much of the asking price, which I understand to be in the vicinity of \$300,000, would be required for any such upgrade? Access affects use and enjoyment of the lands and, therefore, the value of such lands, so without suitable access something less than the asking price could be received.
- Use of the swimming pool lands may still be limited by the Declaration of Trust dated July, 1870.

- It would appear that the Municipality has either not done, not completed or not made public its due diligence with respect to these lands, although “the residents of the Township of Windsor” are among the beneficiaries of the 1870 Trust. It would be a conflict of interest for the Municipality to be both seller and arbitrator of the interests of these “residents”.
- How can a re-zoning be contemplated and/or requested while these questions of access and usage remain unresolved? Is it not imprudent for a re-zoning to be undertaken when the uses under any such new zone may not be possible depending upon the answers to these questions?
- Why the rush to complete the re-zoning? A delay in any such application for re-zoning would allow the Municipality to resolve these questions and give WHHS time to put together a proposal for the lands.

Conclusion

Additionally, there is the historic significance of the lands in question. I would concur with the WHHS President, that Fort Edward and “North America’s Oldest Agricultural Fair” are two of the defining features of Windsor-West Hants. By re-zoning and selling these lands, a great portion of the historical part of the latter will be lost forever and the former could be adversely impacted by whatever use and structure to which these lands are subjected. However, if the West Hants Historical Society, or a similar body, could put together a viable plan to utilize these lands, then our heritage and its offshoots, such as tourism, regional identity, etc. would be enhanced.

It is also more likely that WHHS, which has a current relationship with Parks Canada in connection with Fort Edward, could negotiate suitable access to such a facility.

Conclusion



Joseph Howe

“A wise nation preserves its records, gathers up its muniments, decorates the tombs of its illustrious dead, repairs its great public structures and fosters national pride and love of country by perpetual reference to the sacrifices and glories of the past...”

- Joseph Howe

QUESTIONS

Thank You

West Hants Historical Society

Shirley Pineo, *President*

Gary Nelson, *Vice-President*

**ADDENDUM TO
VIEWS AND OBSERVATIONS REGARDING
THE FORMER SWIMMING POOL LANDS
AT WINDSOR, N. S.**

It has come to my attention just this morning that the 1870 Lease and Declaration of Trust were cancelled and rendered “null and void” by an Act of the Nova Scotia Legislature in 1964 which Act became effective upon the recording of a Grant or conveyance of the lands or any part thereof from the Crown to the Town of Windsor. That happened on January 16th, 1967. However, that does not diminish the historical aspect of these two 1870 documents. They still illustrate that these lands were historically used for and by the public. The centennial swimming pool, which is referred to in the 1964 legislation, was also for public use. It is clear this has since the Royal Charter in 1766 that the intended and actual use of these lands was for the general public.

One other result of the 1964 legislation is that upon cancellation of the 1870 Lease, the right-of-way from Fort Edward Street was also rendered “null and void”. There is not any mention in that Act that preserves that right-of-way and a right-of-way was not included in the Crown Grant recorded in January, 1967. There being no other right-of-way from Fort Edward Street, the only documented access to these lands is over Cobbett Street.

To summarize:

1. Access to the swimming pool lands from Fort Edward Street appears to been cancelled as of January 16, 1967, leaving the only access by Cobbett Street.
2. Access to these lands from Cobbett Street may require substantial upgrades to that Street. How much of the asking price, which I understand to be in the vicinity of \$300,000, would be required for any such upgrade? Access affects use and enjoyment of the lands and, therefore, the value of such lands, so without suitable access something less than the asking price could be received.
3. Would it not be prudent to further consider the historical significance of these land as well as look into this matter of access before continuing with the re-zoning?
4. Why the rush to complete the re-zoning? A delay in any such application for re-zoning would allow the Municipality to resolve the outstanding matters and give WHHS time to put together a proposal for the lands.

Respectfully Submitted,


Gary L. Nelson *Vice-President*,
West Hants Historical Society

January 11, 2022

(e) to regulate the sale of refreshments or merchandise in the park;

(f) to prevent the use of advertising in the park.

CHAPTER 91

An Act Respecting Certain Lands on Fort Edward Hill in the Town of Windsor

(Assented to the 18th day of March, A.D. 1964)

WHEREAS certain lands on Fort Edward Hill in the Town of Windsor are vested in Her Majesty the Queen in the right of Canada, and the Town of Windsor is buying the said lands from Her Majesty and a swimming pool and recreational centre are being built on the said lands as a project to commemorate the Centenary of Canada.

AND WHEREAS by Indenture dated the first day of May 1870 and recorded at the Registry of Deeds at Windsor in Book 54 Page 552 Her Majesty's Principal Secretary of State for the War Department on behalf of Her Majesty leased the said lands unto the Supervisors of Public Grounds for the Township of Windsor for a period of Nine Hundred and Ninety-nine Years from the said date in Trust for the use of the inhabitants and residents of the said Township of Windsor for holding markets and fairs thereon at a yearly rent of one shilling.

AND WHEREAS the said Supervisors of Public Grounds for the Township of Windsor executed a Declaration of Trust dated the 19th day of July 1870 and recorded at the Registry of Deeds at Windsor in Book 54 Page 559 that they hold the said land upon Trust for the Justices of the Peace for the County of Hants residents of the Township of Wind-

sor for the purpose of holding markets and fairs thereon subject to the provisions of certain Royal Charters therein referred to.

AND WHEREAS the said lands are no longer required for markets or fairs and the Minister of Northern Affairs and National Resources of Canada has consented in writing to the cancellation of the said Lease.

THEREFORE BE IT ENACTED by the Governor and Assembly as follows:

1 The said Indenture of Lease dated the first day of May 1870 and recorded at the Registry of Deeds at Windsor in Book 54 Page 552 made between Her Majesty's Principal Secretary of State for the War Department on behalf of Her Majesty and the Supervisors of Public Grounds for the Township of Windsor is hereby cancelled and the term of years thereby created is extinguished and the said Lease is henceforth null and void. Cancellation of Lease

2 The said Declaration of Trust dated the 19th day of July 1870 and recorded at the Registry of Deeds at Windsor in Book 54 Page 559 made by the Supervisors of Public Grounds for the Township of Windsor is hereby cancelled and henceforth shall be null and void. Cancellation of Declaration of Trust

3 All rights or privileges of any persons of holding markets or fairs on the said lands by virtue of the said Lease, the said Declaration of Trust, or the said Royal Charters therein referred to are hereby cancelled and extinguished. Right to hold fairs etc. extinguished

4 This Act shall come into force only when a Grant or Conveyance of the said lands or any part thereof from Her Majesty the Queen in her right of Canada to the Town of Windsor is recorded at the Registry of Deeds at Windsor. Effective date



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation X	Decision Request ☐	Councillor Activity ☐
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To: Committee of the Whole

Submitted by: Troy Burgess, Manager of Operations & Traffic Authority

Date: January 11, 2022

Subject: Traffic Calming Policy

LEGISLATIVE AUTHORITY

Temporary Opening of Edward Dr and Underwood Dr

RECOMMENDATION or DECISION REQUEST

It is recommended for Committee of the Whole to recommend to Council that:

The adoption the Traffic Calming Policy as presented on Jan 11th,2022 be implemented.

BACKGROUND

Property ☐	Public Opinion ☐	Environment ☐	Social ☐	Economic ☐	Councillor Activity ☐
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At the Sept 14, 2021, Committee of the Whole Courtney Payne from WSP (accompanied by Troy Burgess Manager of Operations and Traffic Authority) presented a Traffic Calming Memo explaining Traffic Calming and show the process involved in the implementation of Traffic Calming methods via a formal policy. As requested by Council.

DISCUSSION

On January 11, 2022 Courtney Payne from WSP presented a Draft Traffic Calming Policy to Committee of The Whole. This draft policy outlines the steps that would be needed to implement traffic calming methods on any of the West Hants Regional Municipality owned

roads. The steps outlined would direct Staff to create a consistent Traffic Calming methodology throughout the region.

NEXT STEPS

Council approval

FINANCIAL IMPLICATIONS

- None for the policy implementation
- Traffic Calming review and implementation would vary case by case

ALTERNATIVES

- Council could direct Staff to modify the draft policy
- Council could decide to do nothing, leaving traffic calming strategies without a clear direction or formal policy

ATTACHMENTS

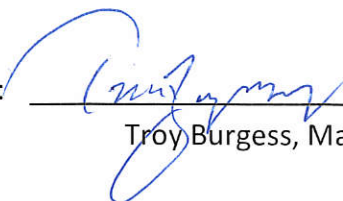
- Traffic Calming Memo West Hants Regional Municipality, September 2021
- Traffic Calming Policy – Draft West Hants Regional Municipality, December 2021

CHIEF ADMINISTRATIVE OFFICER REVIEW

The report and draft policy is in keeping with the past direction from Council. Should the policy be recommended for adoption and implementation, it would provide a consistent fair process for the residents, staff and Council. It would depoliticize matters associated with traffic calming and requests for increased community safety in relation to the roads and networks in residential areas where roads are owned or under the jurisdiction of the WHRM. In reviewing the report and draft policy Council should be particularly aware of sections 1.3 “Guidelines” and 2.1.1 “Initial Screen Criteria” as these sections display the criteria for response when requests are made.

I support the recommendation.

Report Prepared by:



Troy Burgess, Manager of Operations and Traffic Authority

Report Reviewed by: T. Richard
Todd Richard, PW Director

Report Approved by: [Signature]
Mark Phillips, Chief Administrative Officer

WEST HANTS REGIONAL MUNICIPALITY

Traffic Calming Memo



Image Source: Flickr

Traffic Calming Memo

WEST HANTS REGIONAL MUNICIPALITY

PROJECT NO.: 211-09438-00

DATE: SEPTEMBER 2021

WSP

1 Spectacle Lake Drive
Dartmouth, NS
Canada B3B 1X7

T: +1 902-835-9955

F: +1 902-835-1645

WEST HANTS REGIONAL MUNICIPALITY
PO Box 3000, 100 King Street,
Windsor, NS, B0N 2T0

Attention: Troy Burgess, Manager of Operations

Subject: Traffic Calming Memo

The purpose of this memo is to provide an overview of traffic calming and relevant Atlantic Canadian guidelines to inform on how a traffic calming program will help to address speeding and noise concerns currently being experienced within West Hants Regional Municipality.

The memo provides information on what traffic calming is, the associated advantages and disadvantages, objectives of traffic calming, the various stages of a traffic calming process (i.e. initiation, assessment, engagement and implementation), as well as describe and provide examples of various categories of traffic calming measures.

Guidelines included in this memo are intended for local and collector roadways primarily within residential neighbourhoods. While similar traffic related issues may exist on higher order roadways, their primary function is to move traffic efficiently. Traffic calming procedures and measures that may be considered for use on residential streets may not be suitable for use on arterial roadways.

Sincerely,

A handwritten signature in blue ink, appearing to read 'C. McCarthy', is positioned above the printed name.

Courtney McCarthy, P.Eng.
Traffic & Transportation Engineer, T&I

CM/jm
Encl. Traffic Calming Memo
cc: Todd Richard, Greg O'Brien
WSP ref.:211-09438-00

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1 What is Traffic Calming

Traffic calming is defined as “the combination of mainly physical measures that reduce the negative effects of motor vehicle use, alter driver behaviour and improve conditions for non-motorized street users”.¹ Traffic calming measures can be effective in addressing issues related to vehicle speed, excessive traffic volume, noise pollution and overall neighbourhood safety and comfort. Traffic calming measures combined with engineering, educational and enforcement tools, can significantly improve the liveability and safety of neighbourhoods.

Traffic calming measures can be a combination of vertical and horizontal deflections, road narrowing and access restriction. Commonly utilized traffic calming measures may include speed humps, traffic circles, curb extensions, curb radius reduction and raised median islands.

1.1 Traffic Calming Advantages & Disadvantages

Traffic calming measures can have a number of positive and negative impacts.

Some advantages that may result from implementation of traffic calming measures include:

- Reduced motor vehicle speeds
- Reduced traffic volume
- Discouraged through vehicular traffic
- Improved roadside aesthetic by using attractive materials
- Reduced noise pollution
- Reduced air pollution
- Improved neighbourhood livability
- Reduced conflict between roadway users

Some disadvantages that may result from implementation of traffic calming measures include:

- Increased travel speed between traffic calming features
- Reduced ease of vehicular access in and out of neighbourhoods
- Increased vehicular travel time and trip length
- Increased emergency vehicle response time
- Diverted vehicular traffic onto neighbouring roadways
- Decreased roadside aesthetic by using unattractive materials
- Increased noise pollution
- Cost considerations

¹ Institute of Traffic Engineers (ITE) Subcommittee on Traffic Calming, 1997

1.2 Objectives

To address undesirable traffic conditions such as speeding or excessive volume on local and collector roadways, the specific objectives of traffic calming are to:

i. Increase the Safety of Neighbourhoods

Through the use of measures to alter driver behaviour, traffic calming can improve safety on neighbourhood streets. The resulting reduction in speed and volume can promote a safer environment for all street users.

ii. Improve the Liveability of Neighbourhoods

Traffic calming is intended to uphold and restore the liveability and sense of community within neighbourhoods by minimizing the speed and volume of through traffic. With the appropriate selection of traffic calming measures, negative impacts such as excessive noise, air pollution, visual presence of numerous vehicles, and potential safety hazards can be minimized. In addition, when attractively designed, traffic calming measures can enhance the aesthetics of a neighbourhood and improve streetscapes.

iii. Restore Streets to their Intended Function

The intended function of a local roadway is to facilitate vehicle traffic into and out of residential neighbourhoods at low speeds. Local roadways provide vehicle access to residences that typically front onto these roads. Through traffic should be encouraged to utilize collector roadways to reach destinations outside of residential neighbourhoods instead of shortcutting through local streets.

iv. Preserve Access and Minimize Impact to Emergency & Maintenance Services

The operational impacts to emergency and maintenance services need to be balanced against the need to slow and/or reduce traffic. Consultation with impacted services is important in the selection of suitable traffic calming measures for the context of the location.

v. Promote Public Participation and Community Support

Traffic calming measures have a direct impact on neighbourhoods and the residents living in them. An integral part of a traffic calming program includes resident education, communication and feedback. Good community involvement can enhance understanding of specific local traffic issues and tends to lead to solutions that fit the identified concerns. Effective communication with residents provides staff with the opportunity to explain to residents the benefits of traffic calming measures while deterring them from less effective countermeasures.

2 Traffic Calming Process

The traffic calming process presented in this memo is comprised of information from both the Town of Riverview's traffic calming policy, the Halifax Regional Municipality's traffic calming policy and implementation of local street bikeways policy, and the TAC/ITE Canadian Guide to Traffic Calming. This information can be used as a guideline to develop a traffic calming policy and program within the West Hants Regional Municipality, if desired.

A key component of the process is community engagement and effective communication with residents. Keeping residents informed of the results and decisions made within each stage of the process will help establish buy-in and support for the program.

The steps within the traffic calming process are presented in Figure 1 and described further in the following sub-sections.

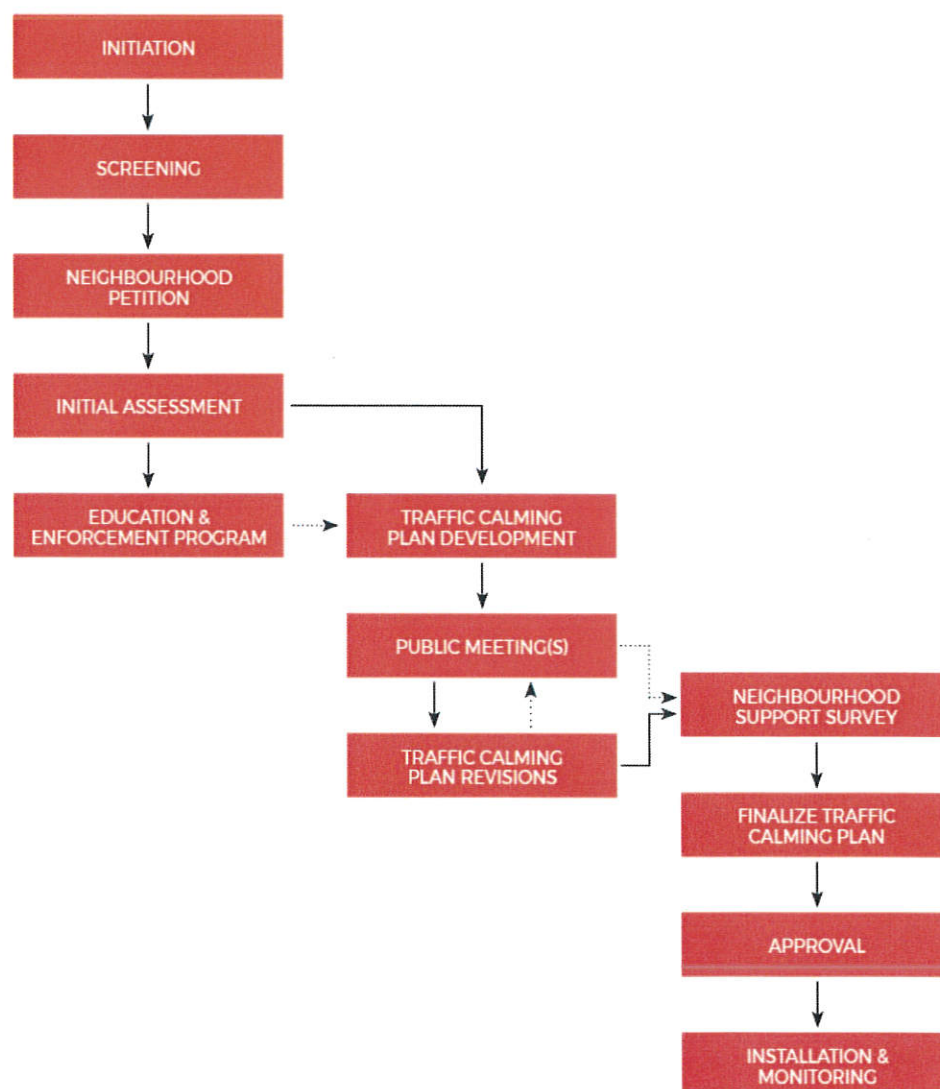


Figure 1: Traffic Calming Process

2.1 Initiation

Resident(s) or a councillor, on behalf of a resident(s), with traffic related concerns are instructed to submit a written request to investigate traffic calming within their neighbourhood to the West Hants Regional Municipality.

2.2 Screening

Municipal staff will then conduct a brief preliminary assessment to determine if the requested roadway meets initial screening criteria. Typical screening criteria include that the street:

- Be owned and maintained by the Municipality
- Be classified as either a local or collector roadway
- Not be a multi-lane roadway
- Not have a posted speed limit greater than 50km/hr
- Not be shorter in length than 150m
- Not provide direct access to an emergency services building
- Be in an area where the zoning is primarily residential

If the initial screening criteria is met, then the next step in the process is initiated; otherwise, the street is not considered for traffic calming.

2.3 Neighbourhood Petition

A neighbourhood petition is conducted to determine the level of support to initiate an investigation into the need for traffic calming on the requested roadway. Without public support, the traffic calming measures intended to alleviate traffic concerns could be met with negative public opinion and, as a result, jeopardize the outcome and potential positive impacts of the affected neighbourhood. A certain percentage of households (67% requirement from the Town of Riverview policy²) with direct frontage or flankage onto the section of roadway being considered for traffic calming, must indicate support in order to proceed with an investigation.

² Town of Riverview, 2015. *Traffic Calming Policy*. p.7

2.4 Initial Assessment

Municipal staff conduct the necessary traffic studies to quantify and qualify the traffic concerns within a neighbourhood. The data collected may include vehicle volume, vehicle speed (85th percentile), collisions, active transportation activity, on-street parking, origin/destination study (if request relates to shortcutting traffic), historical site-specific information, and roadway noise levels. Standard traffic engineering data collection methods are used for the collection of data.

Once traffic data is collected, it is assessed against assessment criteria to determine whether traffic calming measures are warranted on the subject roadway. Criteria can vary between differing jurisdictions. The table below presents the criteria for traffic calming policies for the Halifax Regional Municipality and the Town of Riverview.

Table 1: Examples of Assessment Criteria

		HALIFAX REGIONAL MUNICIPALITY ^{3,4}	TOWN OF RIVERVIEW ⁵
CRITERIA	85TH PERCENTILE SPEED	85th percentile speed must exceed 40 km/hr to consider traffic calming. Where in a school zone, 85th percentile speed must exceed 40 km/hr and/or exceed 30 km/hr during school arrival and dismissal times to consider traffic calming. Where designated a local street bikeway, 85th percentile speed must exceed 30 km/hr (or meet the traffic volume criteria below) to consider traffic calming. 85th percentile speed exceeding 45 km/hr will necessitate traffic calming.	In addition to the traffic volume criteria presented below, 85th percentile speed must be a minimum of 10 km/hr over the posted speed limit to consider traffic calming. Where 85th percentile speed equals or exceeds 15 km/hr over the posted speed limit, there is no minimum traffic volume requirement.
	TRAFFIC VOLUME	For streets that are not designated local street bikeways, traffic volumes are only assessed for project ranking purposes. Where designated a local street bikeway, traffic volumes must exceed 1,000 vpd (or meet the traffic speed criteria above) to consider traffic calming.	For residential local streets, annual average daily traffic must exceed 500 vpd. For urban collector minor roadways, annual average daily traffic must exceed 5,000 vpd.

If the criteria are met, then the next step is to develop a traffic calming plan; otherwise, the traffic calming process will be discontinued. Municipal staff may decide to first consider engagement and enforcement techniques to determine if the identified concern can be addressed without investing the time, money and resources into the development of a traffic calming plan.

³ Halifax Regional Municipality. 2019. *Administrative Order Number 2015-004-OP Respecting Traffic Calming*. p.4

⁴ Halifax Regional Municipality. 2016. *Administrative Order Number 2016-002-OP Respecting the Implementation of Local Street Bikeways*. p.9

⁵ Town of Riverview. 2015. *Traffic Calming Policy*. p.6

2.5 Education and Enforcement Program

Municipal staff conduct an education and/or enforcement program over a period of one to six months and monitor the effectiveness of the techniques used in the program in addressing the identified issue.⁶ Some education and enforcement techniques identified within the Canadian Guide to Traffic Calming include:

- **Active and Safe Routes to School Program** – “a community-based initiative that promotes the use of active transportation for the daily trip to school while addressing traffic safety issues.”
- **Pace Car Program** – “a community awareness strategy where drivers sign a pledge to drive within the speed limit, effectively becoming mobile traffic calming devices. Bumpers are placed on the vehicles to alert other drivers of their presence in the community.”
- **Vehicle activated signs** – “are electronic roadside warning signs equipped with radar speed detectors and an illuminated display... The purpose is to alert drivers with the aim that they reduce their travel speed as they approach specific conditions or hazards ahead.”
- **Targeted education campaigns** – “are initiatives to raise awareness of road safety issues. Education campaigns can address multiple types of driver awareness, including speeding (other types include impaired driving, distracted driving, seatbelt awareness, aggressive driving, etc.).”
- **Mobile speed enforcement** – “involves radar photography units that are mounted in a mobile vehicle or trailer that can be moved depending on the need for speed enforcement.”

If data collection results indicate that the issue was not resolved through education and/or enforcement techniques, then the traffic calming process continues to the Traffic Calming Plan Development stage.

2.6 Traffic Calming Plan Development

Based on location context, appropriate traffic calming measures are selected based on a toolbox of traffic calming measures (Refer to Traffic Calming Toolbox on pg.9 for examples). A plan could include one or more different types of traffic calming techniques. Once municipal staff have prepared concept drawings of the traffic calming measures, consultation with emergency and maintenance services is conducted to solicit feedback to identify any concerns relating to how the plan may impact their operational requirements. Modifications to the plan are made to address concerns. If the concerns cannot be remedied, the traffic calming process will be discontinued.

⁶ Solomon, H., Malone, B., Garcia, J. et al. 2017. *Canadian Guide to Traffic Calming, Second Edition*. Ottawa, ON: Transportation Association of Canada. p.25

2.7 Public Meeting(s)

Municipal staff host a public information meeting or open house to present the traffic calming plan and explain the rationale behind the specific preferred traffic calming treatment(s). The public meeting provides residents with an opportunity to become involved in the process, learn more about the proposed traffic calming treatment(s) and to provide their feedback.

2.8 Traffic Calming Plan Revisions

Modifications to the plan may be made to address feedback received from the public. If major changes are made to the plan, additional consultation with emergency and maintenance services and another public meeting may be required.

2.9 Neighbourhood Support Survey

A neighbourhood support survey is completed to determine the level of support for the traffic calming plan and to provide an opportunity for the most directly affected residents to support or oppose any modifications to the road. A certain percentage (typically 50-70%⁷) of total surveys submitted must be in favour of the traffic calming plan to proceed with installation. If the support rate is not met, the traffic calming process will be discontinued.

2.10 Finalize Traffic Calming Plan

Staff finalize the traffic calming plan by developing detailed engineering drawings that consider aspects such as geometric roadway design, surface drainage, utility locations, signage placement, cost and adherence to municipal specifications. Alterations to the traffic calming plan may be necessary if limitations are identified that make the original plan not feasible. Additional consultation with emergency and maintenance services and the public may be required if significant modifications have been made to the plan.

2.11 Approval

Upon completion of the detailed engineering drawings and the calculation of a construction cost estimate, approval by the municipal council is requested. If approved, installation of the traffic calming measures is completed; otherwise, the traffic calming process is discontinued.

⁷ Solomon, H., Malone, B., Garcia, J. et al. 2017. *Canadian Guide to Traffic Calming, Second Edition*. Ottawa, ON: Transportation Association of Canada.

2.12 Installation & Monitoring

Traffic calming measures are installed. Municipal staff may decide to utilize interim and/or temporary treatments (e.g. pavement markings, flexible bollards, planters, jersey barriers, etc.) based on budget constraints and/or to provide time to examine the impacts of the measures prior to permanent installation.

Monitoring of traffic calming treatments is conducted to determine the effectiveness and impact to the subject road and surrounding road network. Monitoring programs may include, but are not limited to, assessments of:

- Before and after 85th percentile speed and traffic volumes on the subject road
- Traffic diversion to other local and/or collector roadways
- Before and after traffic noise levels
- Before and after collision frequency and severity
- Before and after active transportation user activity
- Impacts to emergency and maintenance services
- Resident feedback

If data collection results indicate that traffic calming objectives (e.g. reduction in traffic speed) were not met, municipal staff may consider implementing additional measures and/or discuss potential enforcement alternatives with police services, if deemed appropriate.

If traffic calming objectives are met and there were no associated operational and/or safety impacts, no further action is required if permanent installations were already implemented. If temporary treatments were installed, permanent installations can be pursued.

Removal of the measures may be warranted if the installation of traffic calming measures resulted in unforeseen operational and/or safety impacts and/or there is support for removal from residents in the associated neighbourhood.

3 Traffic Calming Toolbox

The subsections provide a brief introduction of four different categories of traffic calming measures (see TAC/ITE Canadian Guide to Traffic Calming for more detailed information).

3.1 Horizontal Deflection



Horizontal deflection traffic calming measures create a lateral shift in the vehicular travel path of a roadway corridor. Depending on the selected measure, it can discourage speeding and/or shortcutting. Examples of horizontal deflection traffic calming measures include chicanes, curb radius reductions, lateral roadway shifts and traffic circles.

Image Source: National Association of City Transportation Officials (NACTO) Urban Street Design Guide

3.2 Vertical Deflection



Vertical deflection traffic calming measures create a vertical upward movement for vehicles to encourage drivers to slow down on the approach in order to avoid damaging the vehicle and/or experiencing an unpleasant sensation. Examples of vertical deflection traffic calming measures include raised active transportation crossings, raised intersections, speed cushions and speed humps.

Image Source: New York City DOT Street Design Manual

3.3 Road Narrowing



Narrowing a road (both physically and perceived) can help to calm traffic by increasing a driver's feeling of confinement to encourage them to slow down and be more aware of their surroundings. Examples of road narrowing measures include curb extensions, painted lane narrowing, on-street parking, tree planting and raised median island.

Image Source: Wikimedia Commons

3.4 Access Restrictions



Access restrictions help to calm traffic by reducing the number of vehicles traveling along a street by prohibiting all or a few vehicular turning movements into and/or out of a street. This can be done through signage and/or physical obstruction. Examples of access restrictions include directional closures, diverters, full closures, raised median through intersection and right-in / right-out island.

Image Source: Flickr

4 Recommendation

It is recommended that West Hants Regional Municipality develop a traffic calming policy and program that includes public participation to address traffic concerns relating to traffic speeds and noise on residential streets.



Traffic Calming Policy - DRAFT

WEST HANTS REGIONAL MUNICIPALITY



(Source: Wikipedia)

December 2021

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Appendix A - Traffic Calming Request: Resident Petition

1 Introduction

The purpose of this policy is to provide guidelines, procedures and criteria for the initiation, investigation, and implementation of traffic calming measures within residential neighbourhoods to address safety concerns primarily related to speeding, but with consideration of excessive traffic volume, in a fair and consistent manner. Guidelines included in this policy are intended for local and collector roadways primarily within residential neighbourhoods. This policy does not apply to arterial roadways.

While similar traffic related issues may exist on higher order roadways, their primary function is to move traffic efficiently. Traffic calming procedures and devices that may be considered for use on residential streets may not be suitable for use on arterial roadways.

1.1 What is Traffic Calming

Traffic calming is defined as “the combination of mainly physical measures that reduce the negative effects of motor vehicle use, alter driver behaviour and improve conditions for non-motorized street users”.¹ Traffic calming measures can be effective in addressing issues related to vehicle speed, excessive traffic volume, noise pollution and overall neighbourhood safety and comfort. Traffic calming measures combined with engineering, educational and enforcement tools, can significantly improve the liveability and safety of neighbourhoods.

Traffic calming measures can be a combination of vertical and horizontal deflections, road narrowing and access restriction. Commonly utilized traffic calming measures may include speed humps, traffic circles, curb extensions, curb radius reduction and raised median islands.

¹ Institute of Traffic Engineers (ITE) Subcommittee on Traffic Calming, 1997

1.1.1 Traffic Calming Advantages & Disadvantages

Traffic calming measures can have a number of positive and negative impacts. This policy attempts to provide a balance such that the improvements recognized exceed the negative impacts of added costs and potential inconvenience for street users.

Some advantages that may result from implementation of traffic calming measures include:

- Reduced motor vehicle speeds
- Reduced traffic volume
- Discouraged through vehicular traffic
- Improved roadside aesthetic by using attractive materials
- Reduced noise pollution
- Reduced air pollution
- Improved neighbourhood livability
- Reduced conflict between roadway users

Some disadvantages that may result from implementation of traffic calming measures include:

- Increased travel speed between traffic calming features
- Reduced ease of vehicular access in and out of neighbourhoods
- Increased vehicular travel time and trip length
- Increased emergency vehicle response time
- Diverted vehicular traffic onto neighbouring roadways
- Decreased roadside aesthetic by using unattractive materials
- Increased noise pollution
- Cost considerations

1.2 Objectives

To address undesirable traffic conditions such as speeding or excessive volume on local and collector roadways, the specific objectives of traffic calming are to:

- **Increase the Safety of Neighbourhoods**

Through the use of measures to alter driver behaviour, traffic calming can improve safety on neighbourhood streets. The resulting reduction in speed and volume can promote a safer environment for all street users.

- **Improve the Liveability of Neighbourhoods**

Traffic calming is intended to uphold and restore the liveability and sense of community within neighbourhoods by minimizing the speed and volume of through traffic. With the appropriate selection of traffic calming measures, negative impacts such as excessive noise, air pollution, visual presence of numerous vehicles, and potential safety hazards can be minimized. In addition, when attractively designed, traffic calming measures can enhance the aesthetics of a neighbourhood and improve streetscapes.

- **Restore Streets to their Intended Function**

The intended function of a local roadway is to facilitate vehicle traffic into and out of residential neighbourhoods at low speeds. Local roadways provide vehicle access to residences that typically front onto these roads. Through traffic should be encouraged to utilize collector roadways to reach destinations outside of residential neighbourhoods instead of shortcutting through local streets.

- **Preserve Access and Minimize Impact to Emergency & Maintenance Services**

The operational impacts to emergency and maintenance services need to be balanced against the need to slow and/or reduce traffic. Consultation with impacted services is important in the selection of suitable traffic calming measures for the context of the location.

- **Promote Public Participation and Community Support**

Traffic calming measures have a direct impact on neighbourhoods and the residents living in them. An integral part of a traffic calming program includes resident education, communication and feedback. Good community involvement can enhance understanding of specific local traffic issues and tends to lead to solutions that fit the identified concerns. Effective communication with residents provides staff with the opportunity to explain to residents the benefits of traffic calming measures while deterring them from less effective countermeasures.

1.3 Guidelines

The following guidelines will be taken into consideration when investigating, selecting, and implementing traffic calming measures. This will ensure that the appropriate measures are considered fully, and the potential negative impacts are minimized. Following these guidelines, will maximize the effectiveness of traffic calming while building community acceptance and support for the final recommendations.

Traffic calming measures will:

- Be considered only after education or enforcement efforts have failed to produce the desired results.
- Be considered when there is a demonstrated safety, speed or short-cutting traffic concern and acceptable alternative measures have been exhausted.
- Include consideration as to whether an area-wide plan versus a street-specific plan is more suitable: an area wide plan should be considered if a street-specific plan would likely result in displacement of traffic onto adjacent streets.
- Not impede non-motorized, alternative modes of transportation and be designed to ensure pedestrian and cycling traffic is unaffected.
- Not impede Emergency services access unless alternate measures are agreed upon.
- Maintain reasonable automobile access to WHRM roadways.
- Only be installed after engineering staff has investigated existing traffic conditions and the necessary approvals have been received.
- Be monitored; follow-up studies will be completed to assess effectiveness and the results may be communicated to the community and Council.

1.4 Appropriate Streets for Traffic Calming

This policy defines the types of roadways that are suitable for traffic calming in WHRM. Traffic calming will only be considered on local and collector streets where WHRM is the road authority. This policy does not include roads that are under Provincial or on arterial roadways in WHRM. Through application of this policy and by applying good engineering judgment, installed traffic calming measures will be done in a manner which will ensure that they provide the most effective solutions while continuing to support the intended function of the roadway.

Local Roadways

The primary function of local roadways is to provide access to adjacent properties. Local streets are not intended for use as through routes or as important links to move traffic within an area's overall road network. The local roadways carry traffic volumes in the lower range of less than 2,000 vehicles per day.

Collector Roadways

Collector roadways balance access to adjacent properties with the need to collect and distribute residential traffic travelling into and out of a neighbourhood. Collector roadways carry traffic volumes in the range of 1,000-7,000 vehicles per day. Collectors help circulate traffic within individual neighbourhoods.

2 Traffic Calming Process

The following process will be used when proceeding with a request for traffic calming. An established and formal process for investigating roads provides consistency and equality in the determination of traffic calming. A key component of the process is community engagement and effective communication with residents. Keeping residents informed of the results and decisions made within each stage of the process will help establish buy-in and support for the program.

The steps within the traffic calming process are presented in Figure 1 and described further in the following sub-sections.

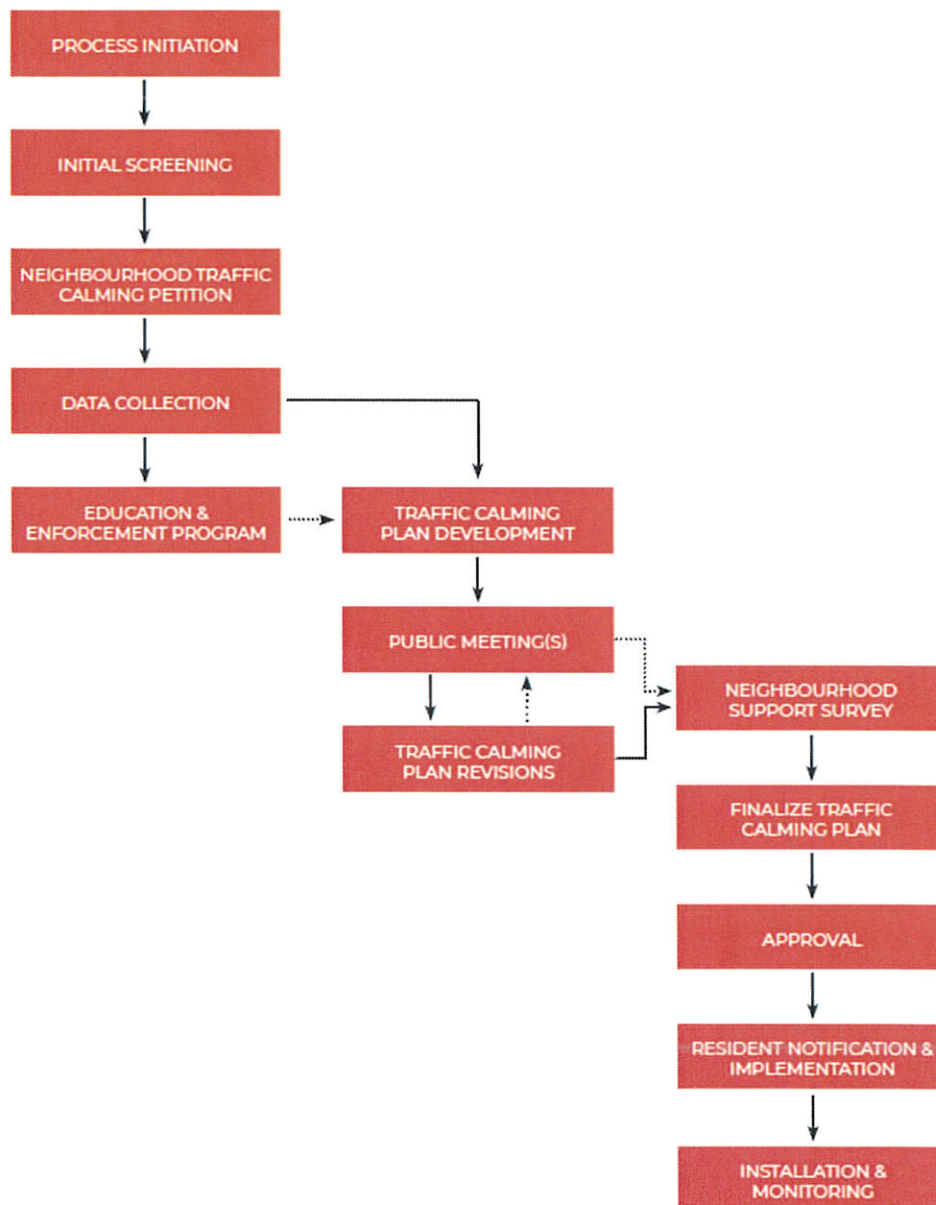


Figure 1: Traffic Calming Process

2.1 Process Initiation

Resident(s) or a councillor, on behalf of a resident(s), with traffic related concerns are instructed to submit a written request to investigate traffic calming within their neighbourhood to WHRM. The WHRM Traffic Calming Request Form can be found in Appendix A.

2.1.1 Initial Screening Criteria

When requests are received, a review of the roadway(s) is made to determine if the following initial screening criteria are met:

- a) Must be a local or collector roadway through a primarily residential area;
- b) Vehicle 85th percentile speeds:
 - 85th percentile speed must exceed the posted speed limit by 15% to consider traffic calming in this policy;
- c) Daily traffic volumes exceeding:
 - 500 vehicles per day Annual Average Daily Traffic (AADT) for residential local streets;
 - 5,000 vehicles per day AADT for a collector roadway;
 - Where the 85th percentile speeds are 15 km/hr or more over the posted speed, there will be no minimum volume requirement;
- d) The posted speed limit shall not be greater than 50 km/h;
- e) The roadway must be owned and maintained by WHRM;
- f) The roadway must not be a multi-lane roadway;
- g) The roadway shall not provide direct access to an emergency services building;
- h) The zoning should be primarily residential in nature; and
- i) The requested street or section of street must be a minimum of 150m in length.

Following this initial review, the Municipal will inform the residents as to whether or not their location meets the initial screening criteria. Residents with requests that meet the above-noted initial screening criteria will receive information about the traffic calming process, as well as a copy of WHRM's Neighbourhood Traffic Calming Petition. The residents will appoint a neighbourhood liaison that will be responsible for coordinating the petition and returning to WHRM. Roadways that do not meet the above-noted criteria may still be eligible for other mitigating measures and/or police enforcement initiatives.

2.1.2 Neighbourhood Traffic Calming Petition

Restoring neighbourhood streets to their intended function and improving overall liveability are primary objectives of traffic calming. In order to achieve this goal, community involvement and support is paramount. Throughout the process, residents are encouraged to participate in the development of the traffic calming plan suitable to the neighbourhood and the concerns within it.

Communication with residents is made at various stages throughout the process as the traffic calming plan is developed and implemented. Traffic calming plans should be developed with an understanding of current and historical traffic patterns within the area under investigation. For a traffic calming program to be successful, the community must support and be committed to the solution. The only means of gaining this commitment is to involve the residents by informing them of the study location being considered for traffic calming measures.

The benefit of community involvement is that it generates support for a traffic calming program and assists in the implementation of a plan without significant opposition upon completion. Community involvement also enhances the credibility of the traffic calming program, particularly when it is eventually presented to Council for approval.

In order to obtain a working partnership with the community, meetings will be scheduled, and surveys delivered by the neighbourhood liaison to residents affected by the implementation of traffic calming measures. These forms of contact will provide the community with opportunities to offer input into the development of the plan, as well as to publicize and increase the awareness of the study.

The review and implementation of traffic calming measures can be a time consuming and expensive process requiring many resources. Without public support, the traffic calming measures intended to alleviate traffic concerns, could be met with negative public opinion, and as a result, jeopardizing the outcome and potential positive impacts to affected neighbourhoods.

After it has been determined that the requested location meets the initial screening criteria, the proponent will be informed and required to complete the Neighbourhood Traffic Calming (NTC) Petition. Staff will provide a copy of the petition to the neighbourhood liaison which can also be found in Appendix A. The focus of the petition will centre on whether or not there is neighbourhood support for WHRM to initiate an investigation into the need for traffic calming on the requested roadway.

The petition must contain an indication of support from at least 67% of the households with direct frontage or flankage onto the section of roadway that has been identified as the location for the potential implementation of traffic calming measures, as defined by Public Works Staff. Each household is represented by one signature, regardless of the number of people in the household. This step in the process is crucial in determining the level of concern from the residents.

2.2 Data Collection

If the requested location meets the initial screening criteria and petition results indicate that there is at least 67% support, data collection and analysis will commence. The collection of traffic data, as deemed necessary by Public Works Staff, will serve to provide a better understanding of the current traffic conditions and to prioritize locations for the investigation of traffic calming.

WHRM Staff will conduct the necessary traffic studies to quantify and qualify the traffic concerns within a neighbourhood. The data collected may include vehicle volume, vehicle speed (85th percentile), collisions, pedestrian activity, origin/destination study (if request relates to short-cutting traffic), and historical site-specific information. Standard traffic engineering data collection methods will be used for the collection of data.

Once traffic data is collected, it is assessed against assessment criteria (Section 2.1.1) to determine whether traffic calming measures are warranted on the subject roadway.

If the criteria are met, then the next step is to develop a traffic calming plan; otherwise, the traffic calming process will be discontinued. WHRM staff may decide to first consider engagement and enforcement techniques to determine if the identified concern can be addressed without investing the time, money, and resources into the development of a traffic calming plan.

2.3 Education and Enforcement Program

WHRM staff conduct an education and/or enforcement program over a period of one to six months and monitor the effectiveness of the techniques used in the program in addressing the identified issue.² Some education and enforcement techniques identified within the Canadian Guide to Traffic Calming include:

- **Active and Safe Routes to School Program** – “a community-based initiative that promotes the use of active transportation for the daily trip to school while addressing traffic safety issues.”
- **Pace Car Program** – “a community awareness strategy where drivers sign a pledge to drive within the speed limit, effectively becoming mobile traffic calming devices. Bumpers are placed on the vehicles to alert other drivers of their presence in the community.”
- **Vehicle activated signs** – “are electronic roadside warning signs equipped with radar speed detectors and an illuminated display... The purpose is to alert drivers with the aim that they reduce their travel speed as they approach specific conditions or hazards ahead.”
- **Targeted education campaigns** – “are initiatives to raise awareness of road safety issues. Education campaigns can address multiple types of driver awareness, including speeding (other types include impaired driving, distracted driving, seatbelt awareness, aggressive driving, etc.).”
- **Mobile speed enforcement** – “involves radar photography units that are mounted in a mobile vehicle or trailer that can be moved depending on the need for speed enforcement.”

If data collection results indicate that the issue was not resolved through education and/or enforcement techniques, then the traffic calming process continues to the Traffic Calming Plan Development stage.

² Solomon, H., Malone, B., Garcia, J. et al. 2017. *Canadian Guide to Traffic Calming, Second Edition*. Ottawa, ON: Transportation Association of Canada. p.25

2.4 Traffic Calming Plan Development

The data collected combined with site visits, historical information, future maintenance, and construction plans, as well as resident feedback will be taken into consideration to determine potential traffic calming measures.

Appropriate traffic calming measures will be determined based on the list of traffic calming measures outlined in the TAC/ITE Canadian Guide to Neighbourhood Traffic Calming. The traffic calming design could include one or more different types of traffic calming techniques. The proposed traffic calming measures will be in accordance with the design guidelines outlined in the Canadian Guide to Neighbourhood Traffic Calming and the engineering judgement and experience of staff.

WHRM Staff will prepare concept drawings outlining the traffic calming measures. Once WHRM Staff have prepared concept drawings of the traffic calming measures, consultation with emergency and maintenance services is conducted to solicit feedback to identify any concerns relating to how the plan may impact their operational requirements. Modifications to the plan are made to address concerns. If the concerns cannot be remedied, the traffic calming process will be discontinued.

2.4.1 Public Meeting(s)

WHRM Staff will host a public information meeting or open house to present the traffic calming plan and explain the rationale behind the proposed traffic calming treatment(s). The public meeting provides residents with an opportunity to become involved in the process, learn more about the proposed traffic calming treatment(s) and to provide their feedback.

2.4.2 Traffic Calming Plan Revisions

Modifications to the plan may be made to address feedback received from the public. If major changes are made to the plan, additional consultation with emergency and maintenance services and another public meeting may be required.

2.5 Neighbourhood Support Survey

Using the proposed concept design, a community support survey will be completed to determine the level of support for the traffic calming design and to provide an opportunity for the most directly affected residents to support or oppose any modifications to the road. It is intended to measure the support of the preferred design proposed to the residents.

Using summarized comments from the submitted petition and preliminary information about the roadway and surrounding area, staff will define the survey canvas area. As part of this process, surrounding roads may be identified as part of the investigation. As a minimum, households with direct frontage onto the roadway to be investigated will be surveyed, in addition to each property whose side yard abuts the subject roadway section. Households that do not directly front the subject roadway, but who have no other option but to use the section of roadway where traffic calming is being proposed (e.g. in the case of a cul-de-sac), will receive the survey.

2.5.1 Survey Scope

Surveys will be delivered by registered mail and at a minimum, will contain:

- A brief description of traffic calming, including its advantages and disadvantages;
- The results of the traffic studies undertaken by staff;
- A survey question asking if residents are in favour, opposed or neutral to the implementation of traffic calming measures in the identified location(s);
- The preferred traffic calming design;
- A request for comments and feedback; and
- An indication that this is the final opportunity to modify the preferred design to address any outstanding concerns and to incorporate resident input.

2.5.2 Measuring Community Support

In order for the process to continue, a minimum of **51%** of total surveys delivered must be in favour of implementation the traffic calming measures³. This reinforces that community support is vital for the ultimate success of traffic calming.

If this support rate is not met, the process will cease and a notification of failure to meet the community support levels will be sent to the residents on the mailing list.

³ Canadian Guide to Neighbourhood Traffic Calming (1998) recommends minimum of 50-70% support from respondents, Page 2-6.

2.6 Finalize Traffic Calming Plan

Using technical data, community feedback, and in keeping with the goals, objectives and principles set out in this policy, staff will finalize the preferred traffic calming design to be put forward as the recommended preferred traffic calming plan. In finalizing the preferred traffic calming plan, general consideration will be given to the various aspects of road design such as utility placement, landscaping, sign requirement and drainage.

2.6.1 Detailed Traffic Calming Design

With a recommended preferred traffic calming plan in hand, detailed engineering drawings are required. These drawings will provide a high level of detail taking into consideration but not limited to the following:

- Surface drainage
- Sub base requirements (i.e. granular type and thickness)
- Roadway Grade
- Driveway and intersection locations
- Adherence to Guide to Neighbourhood Traffic Calming, Transportation Association of Canada, Standard Municipal Specifications
- Utility locations or relocations
- Surface type (asphalt, concrete, decorative concrete)
- Sightlines and sight distances
- Cost considerations
- Requirements for warning signs and pavement markings

At this point, the preferred traffic calming measures will be evaluated in detail. If, during the detailed design stage, limitations are identified which challenge the feasibility of the plan, alternatives will need to be considered. This may include alterations to location of devices or a re-development of the preferred plan. If significant or major changes to the plan are required due to design constraints, residents on the mailing list will be notified of the required changes. If staff believe that the required modifications to create the detailed design result in a significantly different final design from that which was presented to residents as part of the survey, staff may recommend additional consultation, another survey and/or public meeting.

2.7 Approval

With design of the plan and information on construction cost estimates available, a report recommending the implementation of the recommended preferred traffic calming measures will be submitted to the WHRM Council for approval.

If the Traffic Calming plan is not approved by WHRM Council, WHRM Staff should await direction from Council.

If approved, installation of the traffic calming measures is completed; otherwise, the traffic calming process is discontinued.

2.8 Resident Notification and Implementation

Notices will be delivered to residents to inform them that traffic calming has been either approved or not approved by the WHRM Council on the subject roadway. The notice will be sent to the same mailing list used to deliver the traffic calming survey and any other persons having requested notification throughout the process.

If the traffic calming plan is approved, the notice will include information about the traffic calming review process for the subject roadway and will include a copy of the approved Traffic Calming Plan clearly showing locations of treatments as well as the anticipated implementation timeframe.

2.9 Installation & Monitoring

Traffic calming measures are installed. WHRM Staff may decide to utilize interim and/or temporary treatments (e.g. pavement markings, flexible bollards, planters, jersey barriers, etc.) based on budget constraints and/or to provide time to examine the impacts of the measures prior to permanent installation.

Monitoring of traffic calming treatments is conducted to determine the effectiveness and impact to the subject road and surrounding road network. Monitoring programs may include, but are not limited to, assessments of:

- Before and after 85th percentile speed and traffic volumes on the subject road;
- Traffic diversion to other local and/or collector roadways;
- Before and after traffic noise levels;
- Before and after collision frequency and severity;
- Before and after active transportation user activity;
- Impacts to emergency and maintenance services; and,
- Resident feedback.

If data collection results indicate that traffic calming objectives (e.g. reduction in traffic speed) were not met, WHRM Staff may consider implementing additional measures and/or discuss potential enforcement alternatives with police services, if deemed appropriate.

If traffic calming objectives are met and there were no associated operational and/or safety impacts, no further action is required if permanent installations were already implemented. If temporary treatments were installed, permanent installations can be pursued.

Removal of the measures may be warranted if the installation of traffic calming measures resulted in unforeseen operational and/or safety impacts and/or there is support for removal from residents in the associated neighbourhood.

3 TRAFFIC CALMING MEASURES

The Canadian Guide to Neighbourhood Traffic Calming identifies traffic calming techniques that are commonly used in Canada. However, the Guide notes that not all measures that have been used for traffic calming purposes are appropriate as traffic calming measures. Some measures, such as stop signs and maximum speed signs, for example, should not be used for traffic calming purposes. Although effective for other purposes, these measures have proven to be less effective for traffic calming and are therefore not recommended for use as traffic calming techniques in WHRM. WHRM Staff will provide a list of techniques that may be appropriate to consider for the street or area.

Appendix A – Traffic Calming Request: Resident Petition



Department of Public Works

Traffic Calming Request Form (Residents Petition)

*Neighbourhood Liaison: _____

Phone: _____

Address: _____

Date: _____

Specific Location (i.e. streets) and Summary of Traffic Concern:

The “Neighbourhood Liaison**” is the person in a particular neighbourhood who has shown a willingness to play a leadership role and liaise with Municipal staff relative to the traffic calming issue.*

The attached petition should be circulated by the Neighbourhood Liaison to **all** residents living adjacent to the street segment noted above. Residents who are not at home should be contacted by the **Neighbourhood Liaison** for signatures prior to submitting the petition to WHRM. Properties without signatures shall be counted as “**no**” responses.

The completed petition should be submitted to: **Troy Burgess, Manager of Operations, West Hants Regional Municipality Department of Public Works at:**

**PO Box 3000, 100 King Street
Windsor, NS
B0N 2T0**



Traffic Calming Request Form (Residents Petition)

Each resident who signs this petition should recognize the following:

1. To qualify for traffic calming, the street in question shall meet at least the following established traffic calming guidelines:
 - Must be a local or collector roadway through a primarily residential area
 - Vehicle 85th percentile speeds:
 - i. 85th percentile speed must exceed the posted speed limit by 15% to consider traffic calming in this policy
 - Daily traffic volumes exceeding:
 - i. 500 vehicles per day (vpd) for residential local streets
 - ii. 5000 vehicles per day (vpd) for residential collector streets
 - iii. Where the 85th percentile speeds are 15 km/h or more over the posted speed, there will be no minimum volume requirement
 - The posted speed limit shall not be greater than 50 km/h
 - The roadway must be owned and maintained by West Hants Regional Municipality (WHRM)
 - The roadway must not be a multi-lane roadway
 - The roadway shall not provide direct access to an emergency services building
 - Zoning should be primarily residential in nature
 - Requested street or section of street must be a minimum of 150 m in length
2. If a street meets the established traffic calming guidelines (based on preliminary traffic studies performed by WHRM), one or more traffic calming devices may be recommended, including associated pavement markings and signage.
3. Traffic calming devices and/or signs may be installed at the locations deemed most feasible, based on studies performed by WHRM. It should be understood that a traffic calming project may be terminated if too many residents do not agree to traffic calming devices fronting their property.

4. This petition must be signed with a “Yes” vote by a minimum of two thirds (67%) of the neighbourhood street residents (**one signature per household**) before WHRM moves forward with a preliminary traffic study to determine if the street (s) in question meets the established guidelines for traffic calming.
5. If it is determined that the street(s) meet the established guidelines for traffic calming, WHRM will proceed with a detailed traffic calming study which will include public consultation as part of the process. The preferred design will be presented to neighbourhood residents, where the most affected residents will have the opportunity to support or oppose the recommended traffic calming plan. This will be accomplished through a Community Support Survey. In order for the process to continue, a minimum of 50% of total surveys delivered must be returned with a minimum of 60% of these supporting the proposed traffic calming plan. If this support rate is not met, the process will cease and a notification of failure to meet the community support levels will be sent to the residents on the mailing list.
6. Using technical data, community feedback and in keeping with the goals, objectives and principles set out in this policy, staff will finalize the preferred traffic calming design to be put forward as the recommended preferred traffic calming plan.
7. With the design of the plan and information on construction cost estimates, a report recommending the implementation of the recommended preferred traffic calming measures will be submitted to WHRM Council for approval.
8. Notices will be delivered to residents to inform them that traffic calming has been either approved or not approved by WHRM Council on the subject roadway.



Traffic Calming Request Form (Residents Petition)

Question 1: Do you agree that traffic calming devices should be considered for your neighbourhood? (67% of residents must respond “yes”)

Question 2: Do you agree to have traffic calming devices fronting your resident?

[illegible]

West Hants Regional Municipality
January 11, 2022
Chief Administrative Officer Report



The following report captures activities and events between December 7, 2021 and the date of the report.

Governance

- Covid protocols have reversed the attendance capacity of Chambers at Morison Drive back to the November 2021 conditions. The capacity of the room has been set at 17 persons. All persons must be masked while in attendance. All Council meetings will continue to be ZOOMED.
- Human Rights Training – Training with the Human Rights Commission is confirmed in late January and February of 2022 for staff and Council. It is very likely these sessions will be conducted virtually due to Covid protocols. Please watch for virtual invites.
- Accessibility Advisory Committee – An Accessibility Plan Workshop for Staff and Council was held on Monday, January 10th from 2:00-4:00pm. Additionally, there is a link to the website which has both the digital survey and an interactive map to gather feedback from the community and staff: <https://www.westhants.ca/online-surveys.html>
- Dashboard “Capped Assessment” – We are looking for direction from Council as it relates to the requested Capped Assessment report noted on the Dashboard. The Minister of Municipal Affairs and Housing has stated the CAP Program is not on this government’s agenda and the impacts of the program have been minimized due to the high real-estate activity and home renovations. Overall, the assessment role for the municipality is anticipating a significant increase for the 2022 to be confirmed and reviewed during budget deliberations. Staff will remove the item for the dashboard unless advised not to.

Administration

- Martock Fresh Water Project – The project is completed for this season. There remains the possibility to install the second riffle downstream, but at this time all federal and provincial government departments, contractors, the engineer, Martock representatives and I are satisfied with the work that’s been carried out. All systems have performed as designed to-date and freshwater is being supplied to Martock for snow making. ACOA representatives have been communicated with and an extension of the project deadline

to allow for corrections on the ground or the second riffle installation have been accounted for.

- Human Rights Training – Training with the Human Rights Commission is confirmed in late January and February of 2022 for staff and Council.
- The Municipal Complexes / Offices – The small working group met on January 10th to work together on “next steps”. The group is comprised of Mayor Zebian, Councillor Hartt and Murley, Director Richard, Customer Service Representative Jessie Drysdale and I.
- Holiday Operations – Resident drop-ins were moderate over the month of December and over the Holidays. Planning and Development continue to be busy with permit administration and inspections. I did take some vacation time over the holidays along with much of staff.

Finance

- 2022/23 Budget Deliberations – Director Rochon has started the internal budget process and released budget templates to departments for their review and input. Meetings with Council will be scheduled this year in late February or March.

Community Development

- Public Facilities - We continue to respond to the changing Covid protocols in our public facilities such as the Sports Complex, Libraries and Community Center. We thank the Sport Organizations, volunteers and participants for their cooperation and participation in adhering to the protocols.

Planning and Development

- 36 and 65 Fort Edward Street Lands – The rezoning process for the 65 Fort Edward property continues through the planning process. The Phase 1 Archeological Assessment is currently being carried out as part of our due diligence for both the real estate process as well as the interest in historical knowledge of the area. The West Hants Historical Society continues to advocate for the preservation of the space for historical purposes.
- 368 Nesbitt Street (Former Textile Mill) – The planned demolition of the western portion of the former mill has been completed. The site remains fenced encompassing the remaining section which the owner hopes to redevelop due to its improved structural conditions when compared to the sections demolished. Senior Building Officer, Tim Leslie continues to monitor the site and communicate with the owner’s representative ongoingly. The “dangerous” component of dangerous and unsightly has been satisfied to-date with ongoing oversight by our staff. The “unsightly” component remains subjective and somewhat challenging to address with the developers intend to redevelop. I spoke with representatives on January 10th and they are working on revised drawing for the redevelopment. They have not been submitted to the Planning Department yet for review.

Economic Development

- Seasonal Decorations – Seasonal decorations for the Regional Municipality, and specifically within our growth centers, continue to grow with displays provided by the municipality as well as the business community.

Public Works and Infrastructure

- Hantsport Fire Station – As reported via email on December 25th and in the media, a portion of the newly erected trusses at the new station collapsed on Christmas Day due to high winds. The contractor and their insurance adjustor were on site for inspection and assessment. Construction will continue the project as there are multiple areas and trades engaged. Replacement trusses have been ordered for those damaged.

Protective Services

- RCMP Budget Planning – An operational meeting to review ¾ quarter financials and to review 2022 budget pressures will be held on January 12th. The PAB and Council will be updated as part of the regular reporting or budget deliberations.
- REMO – Covid meetings occur monthly with the following stakeholders and representatives; Incident Commander, REMO Coordinator, Nova Scotia EMO, Finance, Community Development, Planning, Public Works, NSTIR, Fire, RCMP, IT, Department of Community Services, Hants Community Hospital, Glooscap 1st Nations, Communications, Safety and Logistics.
- Covid – The municipality continues to adapt in response to changing Covid protocols. As reported through emails, operations have been modified to respond to Covid impacts. Masks will continue to be required as well as social distancing as added measures. A Covid Workplace Screening Program has been initiated for staff.
 - <https://novascotia.ca/coronavirus/workplace-testing-resources/>
- Fire Chiefs Meeting – Budget meetings will be held with the Chief over the coming weeks. Progress has been made in uniform service costs between departments due to the collaboration of the Chiefs. A uniform honorarium policy is being explored to promote fairness and equity for all volunteers serving in the departments.

Sincerely,

Mark Phillips

Mark Phillips
Chief Administrative Officer
West Hants Regional Municipality

2021-22 WEST HANTS REGIONAL OPERATING BUDGET UPDATE
EIGHT MONTH ENDING NOVEMBER 30, 2021

REVENUE	2021-22 BUDGET	% OF THE BUDGET	FORECAST MARCH 31, 2022	% OF FORECAST VARIANCE	VARIANCE (Budget Vs. Forecast)	Actuals November 30, 2021	% OF BUDGET REMAINING
TAXES	\$ 19,447,857	71%	\$ 19,309,696	-0.7%	\$ (138,161.00)	\$ 19,309,696	0.7%
SEWER	\$ 2,123,977	8%	\$ 2,163,134	1.8%	\$ 39,156.85	\$ 1,096,305	48.4%
BUSINESS PROPERTY / DEED TRANSFER TAX	\$ 1,823,157	7%	\$ 2,681,910	47.1%	\$ 858,753.00	\$ 2,020,351	-10.8%
GRANTS	\$ 85,521	0%	\$ 85,521	0.0%	\$ -	\$ 13	100.0%
1SERVICES PROVIDED TO OTHER GOVERNMENTS	\$ 1,289,847	5%	\$ 1,234,494	-4.3%	\$ (55,353.14)	\$ 406,182	68.5%
SALES OF SERVICES	\$ 892,617	3%	\$ 660,094	-26.0%	\$ (232,522.64)	\$ 321,599	64.0%
2OTHER REVENUE	\$ 662,484	2%	\$ 871,202	31.5%	\$ 208,718.11	\$ 468,958	29.2%
UNCONDITIONAL TRANSFERS	\$ 558,915	2%	\$ 1,121,623	100.7%	\$ 562,708.00	\$ 933,201	-67.0%
TRANSFERS FROM FED OR PROV GOVT.	\$ 156,502	1%	\$ 163,092	4.2%	\$ 6,590.00	\$ 163,092	-4.2%
TRANSFERS FROM OTHER LOCAL GOVERNMENTS	\$ 180,036	1%	\$ 131,091	-27.2%	\$ (48,945.00)	\$ 68,788	61.8%
TOTAL	\$ 27,220,913	100%	\$ 28,421,857	4.4%	\$ 1,200,944.18	\$ 24,788,185	8.9%
EXPENSES							
3GENERAL GOVERNMENT SERVICES	\$ 3,443,035	13%	\$ 3,598,136	4.5%	\$ 155,101.19	\$ 2,283,358	33.7%
4PROTECTIVE SERVICES	\$ 8,423,017	31%	\$ 9,173,017	8.9%	\$ 750,000.00	\$ 4,790,418	43.1%
TRANSPORTATION	\$ 1,803,835	7%	\$ 1,803,835	0.0%	\$ -	\$ 837,218	53.6%
5ENVIRONMENTAL HEALTH SERVICES	\$ 3,647,580	13%	\$ 3,359,559	-7.9%	\$ (288,020.82)	\$ 1,690,323	53.7%
6PUBLIC HEALTH SERVICES	\$ 214,993	1%	\$ 226,081	5.2%	\$ 11,088.00	\$ 128,139	40.4%
PLANNING	\$ 799,375	3%	\$ 778,778	-2.6%	\$ (20,597.00)	\$ 405,816	49.2%
RECREATION	\$ 2,739,956	10%	\$ 2,647,505	-3.4%	\$ (92,450.64)	\$ 1,696,175	38.1%
EDUCATION	\$ 4,855,570	18%	\$ 4,623,046	-4.8%	\$ (232,524.00)	\$ 3,082,032	36.5%
PRINCIPAL INSTALLMENTS	\$ 1,673,452	6%	\$ 1,688,117	0.9%	\$ 14,665.00	\$ 660,621	60.5%
NET TRANSFERS*	\$ -	-1%	\$ (964,122)	152.8%	\$ (582,688.00)	\$ -	100.0%
TOTAL	\$ 27,219,379	100%	\$ 26,933,953	-1.0%	\$ (285,426.27)	\$ 15,574,100	42.8%
SURPLUS / DEFICIT	\$ 1,534		\$ 1,487,904			\$ 9,214,085	
DOUBLE EQUALIZATION TO OPS RESERVE			(562,708)				
SURPLUS / DEFICIT			925,196				

Please note that if revenue and expenditures were incurred evenly over the year approximately 66.7% of the budget would be used. This percentage provides a guideline when reviewing the attached. However, it is important to keep in mind that account variances (up or down) will occur throughout the fiscal year. For example, seasonal activities such as summer programs and facility maintenance as well as winter snow removal will influence the budget in a non-uniform manner throughout the year. Items such as transfers from reserves, will also impact budget to actuals throughout the year as they occur at fiscal year end.

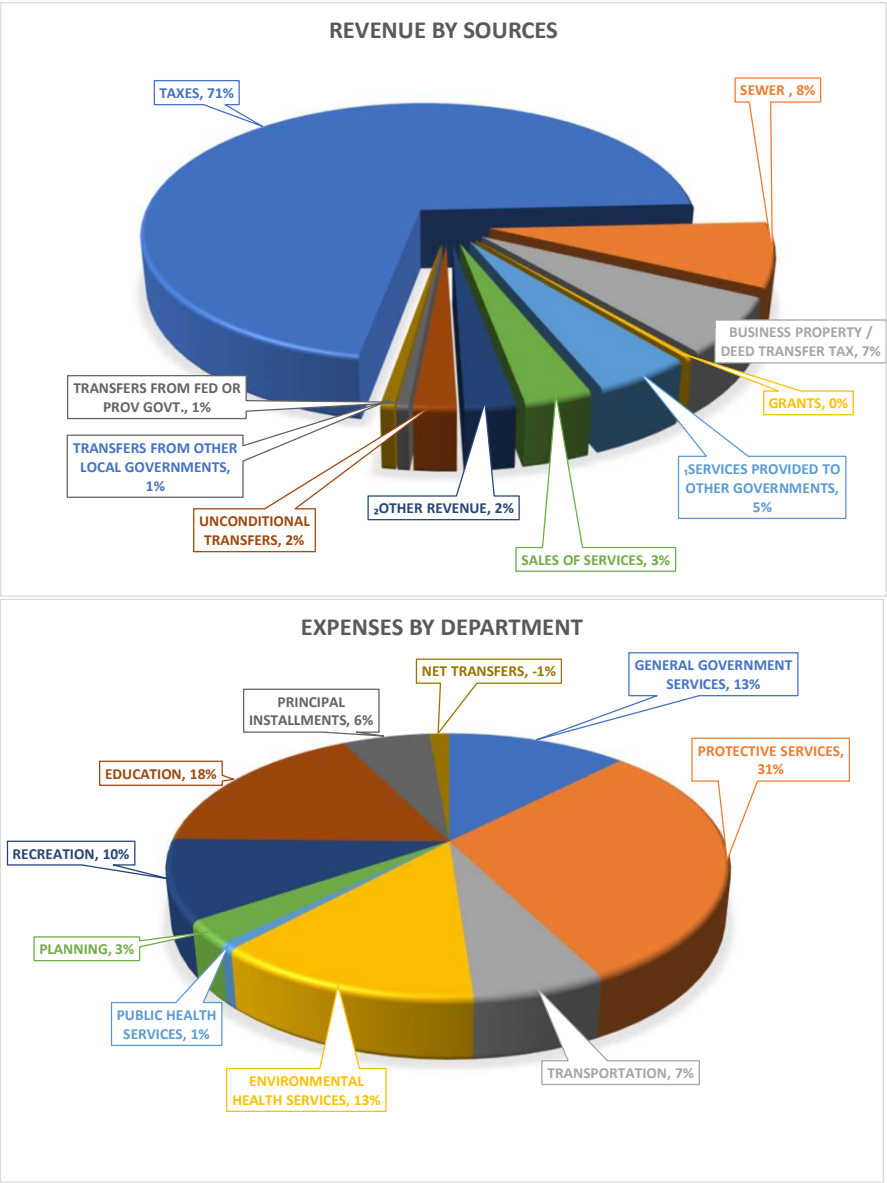
The overall projected surplus based on the variance analysis for the general fund is \$925,196. These remaining funds will be moved to the Operating Reserve as per the Reserves policy.

LEGEND:
1 SERVICES PROVIDED TO OTHER GOVERNMENTS INCLUDES: RECYCLING/ENFORCMENT, HOST COMMUNITY FEES, ADMINISTRATION FEES, COURTHOUSE
2 OTHER REVENUE INCLUDES: INTEREST & PENALTIES, RETURN ON INVESTMENTS, ADMINISTRATIVE RENTALS AND LEASES, FINES, LICENSES & PERMITS
3 GENERAL GOVERNMENT SERVICE INCLUDES: LEGISLATIVE, ADMINISTRATION, FINANCIAL SERVICES, FACILITIES, LIBRARIES
4 PROTECTIVE SERVICES INCLUDES: RCMP, FIRE, REMO, BY-LAW, COURTHOUSE, BUILDING INSPECTION
5 ENVIRONMENTAL HEALTH SERVICES INCLUDES: SEWER, WASTE COLLECTION, WASTE DIVERSION, LANDFILL
6 PUBLIC HEALTH SERVICES INCLUDES: CEMENTERIES, PUBLIC HOUSING

RECOMMENDATION

It is recommended for Committee of the Whole to recommend to Council that:

Council approve the transfer of the second provincial payment of equalization of \$562,708 to the Regional Operating Reserve.



Avon River Causeway Correspondence
(aka Hwy. 101 Twinning, Aboiteau, Causeway, Lake Pisiquid)

<u>First Name</u>	<u>Last Name</u>	<u>Correspondence Date</u>	<u>Meeting / logged</u>
Danny	Dill	2020-06-30	2020-07-14 COTW
Quentin	Davison	2020-07-06	2020-07-14 COTW
Alyson	Bremner	2020-07-07	2020-07-14 COTW
Cecil	Rolfe	2020-07-13	2020-07-14 COTW
Pat	Porter	2020-07-13	2020-07-14 COTW
Nikki-Marie	Lloyd	2020-08-02	2020-09-08 COTW
Heather	Boylan (Martock)	2020-09-01	2020-09-08 COTW
Greg	O'Leary	2020-09-03	2020-09-08 COTW
Dr. Abby	Kirumira	2020-09-02	2020-09-08 COTW
Dean	Manning	2020-09-08	2020-09-08 COTW
David & Michelle	Rideout	2020-09-08	2020-09-08 COTW
Colleen	Walsh-Bouman	2020-09-08	2020-09-08 COTW
Nicholas & Alyson	Juurlink/Bremner (Linked Farms)	2020-09-08	2020-09-22 Council
Tasha	Rogers	2020-09-08	2020-09-22 Council
Brad	Carrigan	2020-09-23	2020-10-13 COTW
Karen	Carrigan	2020-09-23	2020-10-13 COTW
Elaine	Morehouse	2020-09-24	2020-10-13 COTW
Gary	Morehouse	2020-09-24	2020-10-13 COTW
Dr. A	Kirumira	2020-09-24	2020-10-13 COTW
Blake	Sarsfield	undated	2020-10-13 COTW
Greg	Webster	2020-10-01	2020-10-13 COTW
Bobby	Kidston	2020-10-02	2020-10-13 COTW
NSTIR	(Province of NS)	2021-01-13	2021-01-26 Council
Darren	Porter	2021-03-19	2021-03-23 Council
Rylan	Carrigan	2021-03-29	2021-04-13 COTW
Robin	Bremner-Popma (Hants Co Fed of Agri)	2021-03-29	2021-04-13 COTW
Roslyn	MacDuff	2021-03-29	2021-04-13 COTW
Darlene	Taylor	2021-03-23	2021-04-13 COTW
Daniel	Oulton	2021-03-26	2021-04-13 COTW
Karen	Carrigan	2021-03-26	2021-04-13 COTW
Marie & Andrew	Connolly	2021-03-26	2021-04-13 COTW
Robin	Thomson (Atlantic Division Canoe Kayak Canada)	2021-03-30	2021-04-13 COTW
Barbara	Hughes	2021-03-29	2021-04-13 COTW
Laura	Fisher	2021-04-01	2021-04-13 COTW

Avon River Causeway Correspondence
(aka Hwy. 101 Twinning, Aboiteau, Causeway, Lake Pisiquid)

<u>First Name</u>	<u>Last Name</u>	<u>Correspondence Date</u>	<u>Meeting / logged</u>
Nikki-Marie	Lloyd	2021-04-06	2021-04-13 COTW
Ken	Donnelly (Hwy 101 Twinning CLC)	2021-04-01	2021-04-13 COTW
Darren	Porter	2021-04-06	2021-04-13 COTW
Karen	Lynch	2021-04-09	2021-04-13 COTW
Carilee	Eddy	2021-04-15	2021-04-27 Council
Nikki-Marie	Lloyd	2021-04-19	2021-04-27 Council
Sheldon	Hope	2021-04-19	2021-04-27 Council
Adrienne	Wood	2021-04-22	2021-04-27 Council
Magda	Montgomery	2021-04-22	2021-04-27 Council
Sheldon	Hope	2021-04-26	2021-04-27 Council
Andrew	Smiley	2021-05-02	2021-05-11 COTW
Carrilee	Eddy	2021-05-03	2021-05-11 COTW
Denise	Forand	2021-04-27	2021-05-11 COTW
Erin	Naugler	2021-05-02	2021-05-11 COTW
Janet	Comeau	2021-05-02	2021-05-11 COTW
Kristyn	Anderson	2021-05-02	2021-05-11 COTW
Laura	Fisher	2021-04-01	2021-05-11 COTW
Nick	Rafuse	2021-05-03	2021-05-11 COTW
Nicole	McLeod	2021-05-02	2021-05-11 COTW
Robyn	Cook	2021-05-02	2021-05-11 COTW
Sheldon	Hope	2021-05-02	2021-05-11 COTW
Tammy	Hilden	2021-05-02	2021-05-11 COTW
Tracey	Sexton	2021-05-03	2021-05-11 COTW
Ginette	Pitcher	2021-05-03	2021-05-11 COTW
Greg	Miller	2021-05-05	2021-05-11 COTW
David & Michelle	Rideout	2021-05-05	2021-05-11 COTW
Sylvia & Vince	Burgess	2021-05-05	2021-05-11 COTW
Scott (Adrienne)	Miniau (Wood)	2021-05-03	2021-05-11 COTW
Barbara	Sullivan	2021-05-06	2021-05-11 COTW
Sandra & Skip	Hogan	2021-05-06	2021-05-11 COTW
Marie & Andrew	Connolly	2021-05-06	2021-05-11 COTW
Karen	Carrigan	2021-05-07	2021-05-11 COTW
Adrienne	Wood (Petition)	2021-05-07	2021-05-11 COTW
Lisa	Hines	2021-05-07	2021-05-11 COTW

Avon River Causeway Correspondence
(aka Hwy. 101 Twinning, Aboiteau, Causeway, Lake Pisiquid)

<u>First Name</u>	<u>Last Name</u>	<u>Correspondence Date</u>	<u>Meeting / logged</u>
Cam	Hartley	2021-05-07	2021-05-11 COTW
Troy & Vicki	Harvie	2021-05-07	2021-05-11 COTW
Jenn	McDermott	2021-05-08	2021-05-11 COTW
Jennifer	Daniels	2021-05-09	2021-05-11 COTW
Krista & Colin	Duncan	2021-05-09	2021-05-11 COTW
Robin	Bremner-Popma	2021-05-07	2021-05-11 COTW
Roslyn (Darlene) [Barb]	MacDuff (Taylor) [Hughes]	2021-05-08	2021-05-11 COTW
Wayne & Dianne	Hines	2021-05-09	2021-05-11 COTW
Bob & Sandra	Langdon	2021-05-10	2021-05-11 COTW
Brad	Hood	2021-05-10	2021-05-11 COTW
Ed & Cathy	Kerr	2021-05-10	2021-05-11 COTW
Ann	MacArthur	2021-05-10	2021-05-11 COTW
Carole Anne	Casey	2021-05-10	2021-05-11 COTW
Sarah	MacDonald	2021-05-10	2021-05-11 COTW
Andre & Donna	Arsenault	2021-05-11	2021-05-11 COTW
Aaron	Leblanc	2021-05-12	2021-05-25 Council
Adrian	Rooney	2021-05-19	2021-05-25 Council
Adrienne	Wood	2021-05-12	2021-05-25 Council
Barb	Sullivan	2021-05-16	2021-05-25 Council
Barbara	Beck	2021-05-15	2021-05-25 Council
Bethany	Rozee	2021-05-12	2021-05-25 Council
Carl	Siler	2021-05-12	2021-05-25 Council
Carol	Bradley	2021-05-16	2021-05-25 Council
Carol	McKinley	2021-05-12	2021-05-25 Council
Chad	Pothier	2021-05-18	2021-05-25 Council
Chris	Cann	2021-05-21	2021-05-25 Council
Connie	Shay	2021-05-15	2021-05-25 Council
Conrad	Mullins	2021-05-18	2021-05-25 Council
Darlene	Taylor	2021-05-15	2021-05-25 Council
Darren	Porter	2021-05-12	2021-05-25 Council
Darren	Woods	2021-05-13	2021-05-25 Council
Dawson	Sheehy	2021-05-16	2021-05-25 Council
Deanna	Hamilton	2021-05-15	2021-05-25 Council
Debbie	Porter-Wood	2021-05-13	2021-05-25 Council
Debbie	Siler	2021-05-15	2021-05-25 Council
Denise	Forand	2021-05-13	2021-05-25 Council

Avon River Causeway Correspondence
(aka Hwy. 101 Twinning, Aboiteau, Causeway, Lake Pisiquid)

<u>First Name</u>	<u>Last Name</u>	<u>Correspondence Date</u>	<u>Meeting / logged</u>
Devan	Archibald	2021-05-18	2021-05-25 Council
Diane	Ogilvie	2021-05-13	2021-05-25 Council
Erin	Naugler	2021-05-13	2021-05-25 Council
Ernest	Eddy	2021-05-15	2021-05-25 Council
Gerry	Young	2021-05-15	2021-05-25 Council
Gina	Cochrane	2021-05-12	2021-05-25 Council
Harry	Ullock	2021-05-15	2021-05-25 Council
Hope	Moon	2021-05-12	2021-05-25 Council
Ian	Shaw	2021-05-16	2021-05-25 Council
J	Davis (and J Griffith)	2021-05-17	2021-05-25 Council
Jacqueline	Farvacque	2021-05-12	2021-05-25 Council
Jayne	Murray	2021-05-16	2021-05-25 Council
Jeff	Redden	2021-05-17	2021-05-25 Council
Jennifer	Shaw	2021-05-16	2021-05-25 Council
Jocelyne	Marchand	2021-05-12	2021-05-25 Council
John & Sarah	Monette	2021-05-19	2021-05-25 Council
Jordan	Macumber	2021-05-12	2021-05-25 Council
Josette	Dugue	2021-05-12	2021-05-25 Council
Judy	Lynch	2021-05-13	2021-05-25 Council
June	Pedersen-LaPierre	2021-05-15	2021-05-25 Council
Justin	Cochrane	2021-05-12	2021-05-25 Council
Karen	Lynch	2021-05-18	2021-05-25 Council
Kathryn	Bergeron	2021-05-16	2021-05-25 Council
Kathy	Veinot	2021-05-15	2021-05-25 Council
Kyle	Pellegrini	2021-05-12	2021-05-25 Council
Lachlan	Riehl	2021-05-12	2021-05-25 Council
Laura	Stewart	2021-05-19	2021-05-25 Council
Lee	Billington	2021-05-12	2021-05-25 Council
Lee	Millett	2021-05-12	2021-05-25 Council
Lexie	Barkhouse	2021-05-12	2021-05-25 Council
Linda	Card	2021-05-11	2021-05-25 Council
Monique	Wood	2021-05-16	2021-05-25 Council
Nancy	Sheehy	2021-05-16	2021-05-25 Council
Nancy	Sheehy	2021-05-18	2021-05-25 Council
Nikki-Marie	Lloyd	2021-05-12	2021-05-25 Council
Nikki-Marie	Lloyd	2021-05-17	2021-05-25 Council

Avon River Causeway Correspondence
(aka Hwy. 101 Twinning, Aboiteau, Causeway, Lake Pisiquid)

<u>First Name</u>	<u>Last Name</u>	<u>Correspondence Date</u>	<u>Meeting / logged</u>
Olena	Kharytonova	2021-05-15	2021-05-25 Council
Pat	Porter	2021-05-12	2021-05-25 Council
Paula	Lake	2021-05-12	2021-05-25 Council
Robert	Bowkett	2021-05-18	2021-05-25 Council
Roslyn	MacDuff	2021-05-15	2021-05-25 Council
Ruth	Angevine	2021-05-13	2021-05-25 Council
Scotch Village	Farm	2021-05-19	2021-05-25 Council
Shirley	Pineo	2021-05-12	2021-05-25 Council
Stephen	Brooks	2021-05-12	2021-05-25 Council
Trudy	Sheehy	2021-05-17	2021-05-25 Council
Steven	Bouman	2021-05-17	2021-05-25 Council
Sue	Sheehy	2021-05-14	2021-05-25 Council
Susie	Smith	2021-05-12	2021-05-25 Council
Tasha	Rogers	2021-05-12	2021-05-25 Council
Tera	Brommit	2021-05-17	2021-05-25 Council
Toni-Lee	Burns	2021-05-12	2021-05-25 Council
Tony	Wood	2021-05-18	2021-05-25 Council
Tracey	Sexton	2021-05-16	2021-05-25 Council
Trevor	Levy	2021-05-12	2021-05-25 Council
Tricia	Brommit	2021-05-17	2021-05-25 Council
Vince & Sylvia	Burgess	2021-05-16	2021-05-25 Council
Loretta	MacEachern	2021-05-20	2021-05-25 Council
Tim & Jennifer	Bayers	2021-05-21	2021-05-25 Council
Darlene	Taylor	2021-05-25	2021-06-08 COTW
Darlene	Taylor	2021-05-25	2021-06-08 COTW
Darren	Porter (forwarded email from/to another source)	2021-05-27	2021-06-08 COTW
Dawn	Allen	2021-05-25	2021-06-08 COTW
John	Monette	2021-05-25	2021-06-08 COTW
Richard	Dunham	2021-05-25	2021-06-08 COTW
Carrilee	Eddy	2021-06-06	2021-06-22 Council
Darlene	Taylor	2021-06-09	2021-06-22 Council
Darren	Porter	2021-06-06	2021-06-22 Council
Lisa	Bland	2021-06-08	2021-06-22 Council
Krista & Scott	Lloy	2021-06-07	2021-06-22 Council
Nancy	Sheehy	2021-06-06	2021-06-22 Council
Karen	Beazley	2021-07-06	2021-07-13 COTW

Avon River Causeway Correspondence

(aka Hwy. 101 Twinning, Aboiteau, Causeway, Lake Pisiquid)

[illegible]

Correspondence Received

[illegible]

Correspondence Received

From: [MacLeod, Katherine M](#)
To: [Todd Richard](#)
Subject: RE: Action Plan - Combined Sewer Overflows
Date: Thursday, October 28, 2021 8:05:03 AM

Caution

This email comes from an outside sender. Verify the sender and use caution with any requests, links or attachments.

Thanks for the info Todd.

Best regards,
Katherine

From: Todd Richard <trichard@westhants.ca>
Sent: October 27, 2021 4:56 PM
To: MacLeod, Katherine M <Katherine.MacLeod@novascotia.ca>
Cc: Mark Phillips <MPhillips@westhants.ca>; Troy Burgess <tburgess@westhants.ca>; Karrie Ritchie <KRitchie@westhants.ca>; Shelleena Thornton <SThornton@westhants.ca>; Martin Kehoe <MKehoe@westhants.ca>; Ashley Smith <ASmith@westhants.ca>
Subject: Action Plan - Combined Sewer Overflows
Importance: High

**** EXTERNAL EMAIL / COURRIEL EXTERNE ****

Exercise caution when opening attachments or clicking on links / Faites preuve de prudence si vous ouvrez une pièce jointe ou cliquez sur un lien

Hi Katherine,

Please see attached letter and information report for notification to a change in our standard operating procedure related to combined sewer overflows (CSO's) for the Windsor Cunnabel Creek system.

As always please reach out if you require more information or if you would like to discuss.

Regards,

Todd



**Public Works
Office of the Minister**

PO Box 186, Halifax, Nova Scotia, Canada B3J 2N2

DEC 9 2021

His Worship Abraham Zebian
Mayor of West Hants Regional Municipality
PO Box 3000
76 Morrison Drive
Windsor, NS B0N 2T0

Dear Mayor Zebian:

Thank you for your letter dated November 8, 2021, regarding removal of remaining bridge piers, adjacent to Trunk 1 where it joins the communities of Windsor and Falmouth.

Our research shows the remaining piers are from old railway bridges and, hence, would have been the responsibility of the railway to remove. Additionally, it is outside the scope of the Public Works Highway 101 Twinning Project to remove these piers. There is the potential the piers maybe addressed through the assessment of Public Safety around the new aboiteau structure; however, this would need to be addressed through the Department of Agriculture.

Thank you once again for bringing your concerns forward. If there are immediate safety concerns or road hazards you wish to report, please contact our 24-hour Operations Contact Center at 1-844-696-7737 or via email at dpw-occ@novascotia.ca to discuss specific problems that need attention, and they will assign to the appropriate Public Works staff for follow up.

Yours sincerely,

Kim D. Masland
Minister

c: Gary Rafuse, A/District Director, Central
Robyn Homans, Area Manager, Hants
Melissa Sheehy-Richard, MLA Hants West
WHRM Council and Mark Phillips, Chief Administrative Officer

Deanna Snair

From: Abraham Zebian
Sent: Friday, December 17, 2021 10:54 AM
To: Deanna Snair
Subject: Fwd: Lots abutting Fort Edward

Correspondence for council meeting.

Abraham Zebian
Mayor
West Hants Regional Municipality
(902)790-1566

West Hants Regional Municipality acknowledges that we are in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq People.

Begin forwarded message:

From: Lisa Bland <lisadyanbland@gmail.com>
Date: December 17, 2021 at 10:51:23 AM AST
To: PublicOnlyCouncilEmail <allcouncil@westhants.ca>
Subject: Lots abutting Fort Edward

Caution

This email comes from an outside sender. Verify the sender and use caution with any requests, links or attachments.

To the Hon Mayor Zebian, Dep Mayor Morton, and all Councillors:

My name is Lisa Bland, and I am a concerned citizen in district 5. I am also a member of the Planning and Heritage Advisory Committees.

I write to you with concern about the vote made by council last night, as many councilors do not seem to heed the concerns of the citizens in regards to selling this lot.

I therefore reach out to you as a citizen, and encourage you to consider value added to the area in terms of tourism, and not just building more unaffordable housing - it is a fact that new developments are saying (as quoted in a recent PACHAC meeting), that their rental prices would be set with the market. That's not affordable for most.

Councillor Francis, we have lots right in our district already approved for housing as R2 (e.g., off McLeod Ct) which have recently sold to developers, and ground has been broken on apartments by the Lawtons. The site near Fort Edward would not be useful as residential space.

Personally, please consider that if we let go of this land we won't see it again, and all for greed selling well above what the land was granted to the Windsor Township for. This is personally and historically important to me as my Acadian ancestors were expelled or imprisoned on the site, and we do not have the full story of what occurred there.

I truly wish council would follow the recommendations of committees which consist of both citizens and councilors. We exist to represent the voice of the people and last night the majority of council did not do that.

I hope that all councilors will consider the recommendations of their committees and special interest groups like the West Hants Historical Society.

Sincerely,
Lisa Bland

**VIEWS AND OBSERVATIONS REGARDING
THE FORMER SWIMMING POOL LANDS
AT WINDSOR, N. S.**

I am the Vice-president of West Hants Historical Society (WHHS). Throughout this presentation I will attempt to identify what is opinion and what is fact, although in some instances there may be an overlap.

To begin with, some opinion. While housing and economic development are important and in some cases, vital, that does not always apply to all lands and occasions. There are other circumstances to consider. In my view, a community that ignores its past and does not preserve its history does a great disservice to its citizens - present, past and future. Its heritage is the basis for any community. In my opinion, Municipal Council should take great care, thought and foresight with respect to the lands in question. It is no ordinary property. These lands adjacent to Fort Edward that the Council describes as surplus or "decommissioned" lands and wishes to sell, are of historical significance. These lands were a part of Fort Edward when it was constructed in 1750 and later was the site of what is now known as the Hants County Exhibition - "North America's Oldest Agricultural Fair". WHHS has on file a map of that area of Windsor from the 1930's which shows the location of the horse and cattle barns for the fair/exhibition on what later became these swimming pool lands. And as will be noted in the next paragraph, this property is the subject of at least two Royal Charters. These circumstances, I would submit, make this property unique and different from other surplus and decommissioned lands and thus should receive special consideration.

Now for some facts. These lands were leased by "Her Majesty, the Queen" (herein referred to as the "Crown" and it would have been Queen Victoria) to the "Supervisors of Public Grounds for the Township of Windsor" by lease dated May 1st, 1870. Note: the Lease was to the "Township of Windsor" as it would be another 8 years before the Town of Windsor was incorporated. Furthermore, there was a Declaration of Trust dated July 19th, 1870 made by the Supervisors of Public Grounds for the Township of Windsor that these lands be held in trust for the "Justices of the Peace for the County of Hants, the residents of the Township of Windsor and the major part of them subject to the provisions of certain Royal Charters bearing the date respectively the Sixth day of February, A.D., 1767 and the third day of July, A.D., 1815 for the purpose of holding markets and Fairs thereon with all other rights, liberties and privileges granted by said Royal Charters to such Justices of the Peace for the time being". Note: the Justices of the Peace in the Declaration of Trust are for all "Hants County" not just West Hants, and the residents are for the "Township" not the "Town" of Windsor. The former covers a larger area than the latter. Unfortunately, I have not had sufficient time to research these Royal Charters, so in that regard whatever I say here is subject to those Charters. It was not until sometime after World War II that the fair/exhibition moved to its present location on what was formerly the army camp on Wentworth Road. So from at least 1767 (there are documents that state the first such fair was held in 1765) to the mid-twentieth century, these lands in question were the site of North America's Oldest Agricultural Fair.

These lands were granted (deeded) to the Town of Windsor by Crown Grant dated _____, 1966 and registered at the Registry of Deeds for Hants County on January 16th, 1967. My understanding

is that the Grant was so that a “centennial” swimming pool could be constructed on the lands granted for the use of the public of the Town of Windsor and West Hants. That was the use of these lands until a few years ago when the “new” pool was built at Elmcroft Playground on Stannus Street.

On to the technical bit, these former swimming pool lands (referred to herein as the “swimming pool lands”) do not have any street frontage on Fort Edward Street. Their only street frontage is on Cobbett Street, which I would suggest is wholly insufficient (for reasons illustrated later) for the additional traffic that is likely to be generated by the future use which could occur from the re-zoning and sale of these swimming pool lands. Fort Edward Street ends at or near the southeasterly corner of the lands in question. Cobbett Street, at least in its present form, as it is described as a “lane” in the Lease, did not exist in 1870, so a right-of-way was included in that Lease. That right-of-way is described in the said Lease as: “Together with the right of ingress and egress to and from the said part so described by and through the said entrance to the said Fort Edward Hill.” [“Ingress” and “egress” basically means “going in” and “going out” or more simply “to” and “from”.] This description of the right-of-way is quite vague and the survey plan attached to the Lease is not of great assistance in further defining this right-of-way. Even the terminology used for this right-of-way is open to interpretation - does it mean the right-of-way is from the entrance along the lands leased to Fort Edward Hill, or does “by and through the entrance to Fort Edward Hill” simply identify the entrance, so that the right-of-way merely is from the entrance to (not along) the leased lands? That plan shows the Entrance to Fort Edward Hill at the end of what is now Fort Edward Street and a very narrow “stone foot path” from there to Fort Edward Hill.

The 1966 Grant to the Town of Windsor does not include a right-of-way, although there is a somewhat larger right-of-way shown on a plan referred to in the Grant. However, neither that right-of-way nor any other right-of-way is included in the Grant. Therefore, the only possible right-of-way from Fort Edward Street to the swimming pool lands would be the one in the 1870 Lease. There is also an argument that could be made that a right-of-way was no longer necessary in 1966, thus not included in the Grant, as these lands now had access from an abutting public street - Cobbett Street. Any applicable right-of-way appears to be more accurately shown in a 2011 survey of the Fort Edward Lands (which lands are designated as Block FE in that survey) and is shown as an “asphalt driveway”, not a “right-of-way”. There is a Note on this survey which states “1. Block FE is subject to an access easement in favour of the Supervisors of Public Grounds for the Township of Windsor as recorded in Book 54, Page 552 (extent not specified).” That recording reference is to the 1870 Lease. A right-of-way is a specific form of easement.

Extent of a right-of-way or easement is important as “extent” cannot be arbitrarily expanded or enlarged - either as to area or use - without the agreement of both parties (the party that holds the rights and the party that gave or granted the rights). As the 2011 survey of the Fort Edward Lands was prepared for Parks Canada, it is clear that the Crown has not agreed to any extension of the right-of-way, either as to area or use, since the Lease in May, 1870 to the date of that survey.

There are a couple of other matters of interest that came to light from that 2011 survey. The first is that earlier I stated that “Fort Edward Street ends at or near the southeasterly corner of the lands in question”, however, it was apparent from the 1870 plan and clearly shown in the 2011 survey that

the correct description is “near”. There is definitely a gap of a few feet (no distance shown on either the 1870 plan or the 2011 survey) between the northwesterly corner of Fort Edward Street and the southeasterly corner of the swimming pool lands. The intervening area would be part of the Fort Edward Lands owned by “Her Majesty, the Queen in Right of Canada, Administered by Parks Canada Agency”.

The other matter of note is the width of Cobbett Street. The 2011 survey shows that at its intersection with King Street, Cobbett Street is 25 feet wide (7.620 m). 15 feet (4.572 m) was taken from that side of the swimming pool lands in order to widen Cobbett Street (transferred in 1926 by the Crown) as for most of the length of those lands Cobbett Street is 40 feet (12.192 m) wide, narrowing to 15 feet (4.752 m) at the upper part of the street along PID 45056231. As stated previously this narrow Cobbett Street is the only street access to the swimming pool lands and I would submit is quite inadequate to handle any additional traffic arising from the proposed development on these lands.

So what can be drawn from these facts. To summarize:

1. Access to the swimming pool lands from Fort Edward Street is questionable both as to area and use. A right-of-way for a public swimming pool or a fair does not necessarily extent to access for residential or commercial use. This would be especially the case if any structure to be included on these lands was not in sympathy with the historical nature of the Fort Edward lands as Parks Canada would have some say in the extent of any such right-of-way. Also, if Fort Edward Street is used as part of the access to these lands, during any construction on the lands, there would likely be interference with tourists and visitors getting to and from the Fort Edward Blockhouse property.
2. Access to these lands from Cobbett Street may require substantial upgrades to that Street. How much of the asking price, which I understand to be in the vicinity of \$300,000, would be required for any such upgrade?. Access affects use and enjoyment of the lands and, therefore, the value of such lands, so without suitable access something less than the asking price could be received.
3. Use of the swimming pool lands may still be limited by the Declaration of Trust dated July, 1870. When the lands were granted by the Crown to the Town of Windsor in 1966, they were transferred subject to the Lease dated May, 1870 and the Declaration of Trust dated July, 1870. The parties to the Lease were the Crown and the Supervisors of Public Grounds for the Township of Windsor, so when the lands were transferred to the Town of Windsor in 1966, it is likely that the Town became both lessor and lessee of the lands. Thus title would merge in the Town and the Lease essentially would no longer be of any effect. However, that is not the case with the Declaration of Trust. The Crown is not a party to this Declaration - it is from the Supervisors of Public Grounds for the Township of Windsor for the “Justices of the Peace for the County of Hants, the residents of the Township of Windsor and the major part of them”. Without a further document or court order since July, 1870, it is doubtful there was a merger of the interests of these parties. Thus, the Declaration of Trust may still be in effect which would limit the future uses to which these swimming pool lands could be put. Again,

if a potential purchaser is paying somewhere near \$300,000 for these lands, they will need an answer to this question.

4. It would appear that the Municipality has either not done, not completed or not made public its due diligence with respect to these lands, although "the residents of the Township of Windsor" are the among the beneficiaries of the 1870 Trust. It would be a conflict of interest for the Municipality to be both seller and arbitrator of the interests of these "residents".
5. How can a re-zoning be contemplated and/or requested while these questions of access and usage remain unresolved? Is it not imprudent for a re-zoning to be undertaken when the uses under any such new zone may not be possible depending upon the answers to these questions?
6. Why the rush to complete the re-zoning? Is there a potential purchaser or interested party?
7. In the "Inspired, December 2021" newsletter provided by the West Hants Regional Municipality (WHRM) it states under the title "Right-to-Know" that "At WHRM, we believe in transparency ...". Does the Municipality's handling of this matter dealing with these swimming pool lands pass the transparency test?

Additionally, there is the historic significance of the lands in question. I would concur with the WHHS President, that Fort Edward and "North America's Oldest Agricultural Fair" are two of the defining features of Windsor-West Hants. By re-zoning and selling these lands, a great portion of the historical part of the latter will be lost forever and the former could be adversely impacted by whatever use and structure to which these lands are subjected. However, if the WHHS, or a similar body, could be put together a viable plan to utilize these lands, then our heritage and its offshoots, such as tourism, regional identity, etc. would be enhanced. It is also more likely that WHHS, which has a current relationship with Parks Canada in connection with Fort Edward, could negotiate suitable access to such a facility. A delay any such application for re-zoning would allow the Municipality to resolve these questions and give WHHS time to put together a proposal for the lands.

I would close with this quote that was provided to me by John D. Wilson, former President of the West Hants Historical Society:

"A wise nation preserves its records, gathers up its muniments, decorates the tombs of its illustrious dead, repairs its great public structures and fosters national pride and love of country by perpetual reference to the sacrifices and glories of the past..."

- Joseph Howe

Respectfully Submitted,



Gary L. Nelson *Vice-President*,
West Hants Historical Society

December 15th, 2021

Her Majesty's Justices of the Peace for the County of Huron personally came and appeared Mary Tomlinson wife of the within named Frederick Tomlinson and whose names are subscribed to the foregoing indenture who being by me examined separately and apart from her said husband did acknowledge that she had signed the said deed freely and voluntarily without compulsion from her said husband and thereby relinquished all right of dower to the premises therein described. Robert French J.P.

No. 11944. Lease.

Her Majesty's Secretary
of State for War Department
to

The Supervisors of Public
Grounds for the Township
of Windsor. Registered
July 13th 1870. at 2 O'clock
P.M. in the Certificate of
Hon. G. Ritchie (Bar & Not. Pub)

This Indenture made this first day
of May in the Year of our said one
thousand eight hundred and
seventy, Between Her Majesty's
Principal Secretary of State for the
War Department on behalf of Her
Majesty, of the first part and the
Supervisors of Public Grounds for
the Township of Windsor in the Province
of Nova Scotia of the second part
Witnesseth that Her Majesty's Principal

Secretary of State for the War Department for and in considera-
tion of the rents and covenants hereinafter reserved and con-
tained on the part of the Supervisors of Public Grounds for the
Township of Windsor to be paid kept and performed hath
demised lease and to farm let and by these presents doth
demise lease and to farm let unto the Supervisors of Public Grounds
for the Township of Windsor and their Successors all that lot piece
or parcel of land being part of Fort Edward Hill at Windsor afore-
said containing one acre and twenty five perches or thereabouts
as delineated in the Margin of these presents abutting on the South West side upon
land and premises of the Estate of Isaac Barnes and measuring
two chains and ten links from the Western corner or angle D. of
the fence separating the said Fort Edward Hill from the said
Estate and bounded on the North West side thereof by the fence
of the said Fort Edward Hill separating the same from a certain
lane running by the side thereof and measuring ^{along} by the said
fence five chains and seventy five links and abutting on the
North East side thereof on the other part of the said Fort Edward
Hill on a line at right angles with the fence last mentioned
and measuring two chains and seven links thereon and
abutting on the South East side thereof upon other part of
the said Fort Edward Hill by a line running parallel to the
fence running along the lane before mentioned and on the
North West side of a stoned foot path leading from the South
West entrance of the Fort Edward Hill towards the Fort a Block
House

house situate thereon and measuring in the direction of the said
 line towards the said entrance five chains and forty five links.
 Together with the right of ingress and egress to and from the said
 part so described by an alleyway to the said entrance to the said
 Fort Edward &c. To Have and to Hold the same unto the Super-
 visors of Public Grounds for the Township of Windsor and their
 successors with all the appurtenances thereto belonging for and
 during the period of nine hundred and ninety nine years to be
 computed from the first day of May one thousand eight hun-
 dred and seventy and unless determined as hereinafter mention-
 ed. As Trust for the use of the inhabitants and residents of
 the said Township of Windsor for holding markets and fairs
 thereon holding and paying license to Her Majesty's Principal
 Secretary of State for the War Department or his successors in
 Office or to such person or persons as they may appoint for
 that purpose and at such place the yearly rent or sum of
 one shilling Sterling of lawful money of Great Britain payable
 on the first day of May in each and every year commencing
 from the first day of May one thousand eight hundred and
 seventy one without any abatement or deduction whatsoever
 And the Supervisors of Public Grounds for the Township of
 Windsor for themselves and their successors do hereby Cove-
 nant promise and agree to and with Her Majesty's Principal
 Secretary of State for the War Department and his successors in
 Office that they or some of them shall and will well and truly
 pay or cause to be paid unto Her Majesty's Principal Secretary
 of State for the War Department or to his successors or to such
 person as shall be appointed by them to receive the same
 the said yearly rent in money and at the time above mention-
 ed and also that they the said parties of the second part and
 their successors shall at all times during the continuance of
 this lease erect keep and maintain a good and substantial
 fence around the said property subject to the approval of the
 Officer Commanding the Royal Engineers for the time being
 and keep the same in good order and condition and shall at
 the end of the said term or other sooner determination of this
 present demise yield and deliver up possession of the said
 premises hereby demise as a good order as the same now are.
 And it is further agreed that it shall and may be lawful for
 Her Majesty's Principal Secretary of State for the War Depart-
 ment and his successors in Office or such person or persons as
 they shall authorize at any time during the continuance of
 this lease to enter in and upon the said premises and inspect
 the same and it is further agreed that rates taxes or assess-
 ments to which the said demise premises shall or may be
 liable shall be paid by the said parties of the second part. And

it is further agreed by and between the parties hereto that if at any time during this demise the said above described lot of land shall be required for defence or other military purposes it shall be lawful for Her Majesty's Principal Secretary of State for the War Department his successors or assigns to resume possession thereof without notice of any kind and to have again repossessed and enjoy the same as if the representations had not been made and he or they shall not in such case be called upon or compelled to pay any compensation whatever for any buildings or improvements which may be erected or made thereon by any person or persons whomsoever. And lastly it is agreed by and between the parties hereto that if default should be made of payment of the said rent or any part thereof for the space of one year next after the day and time whereon the same ought to be paid as aforesaid after demand having been made therefor from the Supervisors of Public Grounds for the Township of Windsor or upon the Town Clerk of the said Township of Windsor for the time being or upon the nonperformance of any of the covenants herein contained then it shall and may be lawful for Her Majesty's Principal Secretary of State for the War Department his successors or assigns to annul and annul this lease and the premises hereby granted to have again repossessed and enjoy as in their first and former estate anything herein to the contrary notwithstanding. All witness whereof Her Majesty's Principal Secretary of State for the War Department has hereto his hand and seal subscribed and set and the Supervisors of Public Grounds for the Township of Windsor have hereto affixed their Corporate Seal.

Signed Sealed and delivered
by Her Majesty's Principal
Secretary of State for the War
Department in presence of
J. R. Ritchie

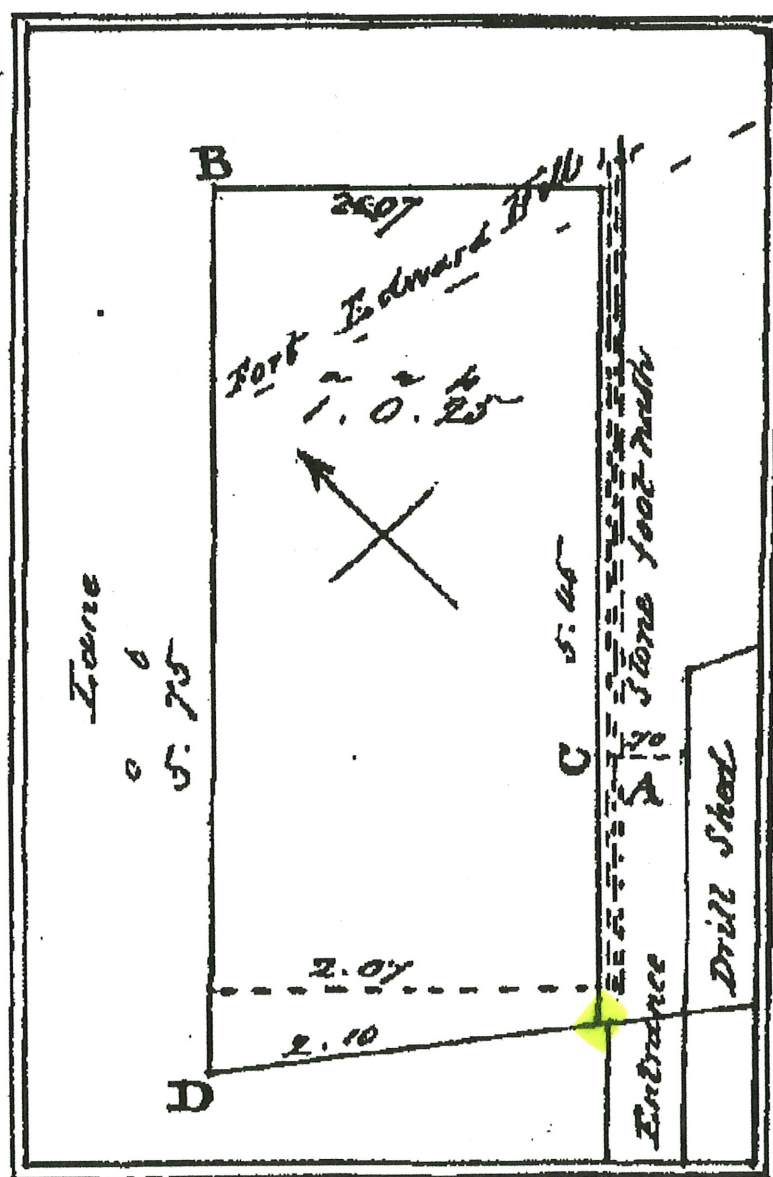
The Secretary of State for
War D. P. C. Stickleland Esq.
Deputy Controller
his Attorney

Signed Sealed and delivered
by the Supervisors of Public
Grounds for the Township of
Windsor in presence of

Province of Nova Scotia Halifax &c. On this eleventh day of July one thousand eight hundred and seventy, before me the undersigned Barrister and Notary personally came and appeared Joseph Norman Ritchie of the City of Halifax Esquire a subscribing witness to the foregoing instrument who made oath that Her Majesty's Principal Secretary of State for the War Department by his Attorney Edward Stickleland Esq. executed the same in his presence.

Thos. Ritchie Barrister & Notary Public

Plan of Ground Leased by Her Majesty's
Secretary of State for War Department
to the Supervisors of Public Grounds for
the Township of Windsor. 1st May 1870



in the County of Hants High Sheriff of said County do hereby
 Certify that the within paper writing is a true Copy of the original
 writ of Attachment in the Cause *Cumy et al vs John I Smith*
 delivered to me to be served upon the real estate of said
 Defendant situate in the Township of Falmouth in the County
 aforesaid. Dated at Windsor the 18th July A.D. 1870.

J. M. Gilest. Sheriff.

No. 11949. Appraisement.
 Mark Cumy & A. P. Shand

X vs
 John I Smith

Registered July 19th 1870.

at 12 O'clock (noon) On the
 Certificate of James M. Gilest
 (Sheriff)

Hants S.B. In the Supreme Court
 1870. Cause, Cumy et al vs
 John I Smith an absent or
 absconding Debtor. We the
 Subscribers having been called
 on by James M. Gilest High
 Sheriff of the County of Hants to
 value and appraise certain
 property taken under and by virtue of a writ of Attachment
 issued out of the Supreme Court at Windsor, lying and
 being in the Township of Falmouth in the County of Hants
 and bounded by lands of Benjamin Martin James Davis and
 William Church and having been duly sworn do value and
 appraise the same as follows that is to say - 20 Acres of Wood-
 land purchased from Allison Smith of Halifax by deed
 bearing date the twentieth day of June A.D. 1870, part of Let-
 ter B. Number 14, Second Division, at Cash Value \$80.00
 signed Benjamin Martin, James H. Hunt, Appraisers. \$8.00
 Sworn to before me this the 18th day of July A.D. 1870.

J. M. Gilest. Sheriff

No. 11950. Declaration of Trust.
 The Supervisors of Public Grounds

To
 The Justices of the Peace Hants Co.

Registered July 21st 1870. at 11 O'clock A.M.
 On the Oath of Maynard Bowman.

Know all men by these
 presents that we the
 Honorable Richard Andrew
 McHaffey, Charles Broughton,
 Bowman and Monson
 Hoyt Goudge all of Windsor
 in the County of Hants Esquires

as the Supervisors of Public Grounds for the Township of Windsor
 do stand possessed of and interested in all that piece or
 parcel of land being part of Fort Edward Hill in Windsor afo-
 resaid described in and demised by a certain Indenture of
 Lease bearing date the first day of May A.D. 1870 granted by
 Her Majesty's Principal Secretary of State for the War Department
 to the Supervisors of Public Grounds for the Township of Windsor
 for the term of nine hundred and ninety nine Years (which
 Lease with a plan of the said land is registered in the registry
 of Deeds for the said County (Book 54, Folio 552) and we do

No.

15

X

Page

at 3

writing

See Maytag Book 47, Page 21

hereby declare that the Supervisors of Public Grounds for the Township of Windsor hold the said piece or parcel of land with the appurtenances upon trust for the Justices of the Peace for the County of Hants residents of the Township of Windsor and the major part of them subject to the provisions of certain Royal Charters bearing date respectively the sixth day of November A.D. 1767 and the third day of July A.D. 1815 for the purpose of holding Markets and Fairs thereon with all other the rights & liberties and privileges granted by the said Royal Charters to such Justices of the Peace for the time being. My Witness whereof we have to these presents set our hands and caused the common seal of the Supervisors of Public Grounds for the Township of Windsor to be affixed hereto this twentieth day of July A.D.

1870. Signed Sealed and delivered & the common seal of the Corporation affixed thereto in the presence of
Maynard Bowmen

Witness
of the Township
of Windsor

Dr. A. W. Heffay
C. B. Bowmen Esq.
W. H. George

No. 11951. Release.

Thomas Weir

to

Edward W. Demock

Registered July 22nd 1870

at 3 o'clock P.M. On the

Certificate of Robert Thomas

(J.P.)

This Indenture made this twenty first day of July in the Year of our Lord one thousand eight hundred and seventy between Thomas Weir formerly of Windsor in the County of Hants and Province of Nova Scotia, Sheriff of Kings County but now of the City of Halifax in said Province of the one part and

Edward W. Demock of Windsor aforesaid Esquire of the other part. Whereas in and by a certain indenture bearing date the twenty first day of July with the Year of our Lord one thousand eight hundred and sixty four and recorded at Windsor aforesaid in Book 47, Page 2, the said Edward W. Demock and Annie Demock his wife did for considerations therein mentioned namely the sum of two thousand dollars convey by way of Mortgage to the said Thomas Weir certain lands and premises in Windsor aforesaid in said Indenture described. And whereas the said Edward W. Demock hath this day paid and satisfied unto the said Thomas Weir the principal and interest due on said Mortgage and hath requested a release of the same and of the lands and premises therein described, Now this Indenture Witnesseth that the said Thomas Weir in consideration of the premises and of the sum of one dollar of lawful money of Nova Scotia to him well and truly in hand paid at or before the execution of these presents the receipt whereof is hereby acknowledged with remise release and relinquishment and forever quit claimed and by these presents both remise

See Mortgage Book 47, Page 2

Province of Nova Scotia

County of Hants ss.

Be it Remembered, that on this 4th day of October A.D. 1926, before me, the subscriber, personally came and appeared Dorothy Curry a subscribing witness to the foregoing Indenture, who having been by me duly sworn made oath and said that George Sears one of the parties thereto signed, sealed and delivered the same in her presence.

H. W. Sangster Notary Public Nova Scotia.

Province of Nova Scotia

County of Hants ss.

Be It Remembered, that on this 4th day of October A.D. 1926 before me, the subscriber, personally came and appeared Esther Mounce a subscribing witness to the foregoing Indenture, who having been by me duly sworn made oath and said that Margaret Sears one of the parties thereto signed, sealed and delivered the same in her presence.

H. W. Sangster Notary Public Nova Scotia.

No. 226 Grant.

His Majesty The King

to

Town of Windsor N.S.

Reptd October 4th 1926 at 11am.

On Cert of G. J. Desbarat D.M. of N.S.

W. Stuart Edwards

Deputy Minister of Justice

Canada

James F. Browdy

Deputy Governor



Canada.

George The Fifth, by the Grace of God of the United Kingdom of Great Britain

and Ireland, and of the British Dominions beyond the Seas, King, Defender of the Faith, Emperor of India,

To All To Whom these Presents shall come, Greeting.

Whereas the lands hereinafter described with other lands were transferred to Canada by the Imperial authorities in the year of Our Lord one thousand nine hundred and twenty, and form part of the Port Edward Military Reserve, in the Province of Nova Scotia.

And Whereas the Town of Windsor, in the said Province, hereinafter called the grantee, has applied for a grant of the said lands which comprise a strip of land fifteen feet wide of the said Military Reservation, for the purpose of widening Collett Street in the said Town, and Our Governor in Council has authorized the said grant.

Now Know Ye that for the sum of One Dollar and for divers other good causes and considerations We thereunto moving We do by these Presents, grant, convey and assure unto the grantee, its successors and assigns all and singular that certain lot, piece or parcel of land and premises situate, lying and being in the Town of Windsor, Hants County, Province of Nova Scotia, Dominion of Canada, and more particularly described as follows:-

commencing at a point on the eastern side line of bobbett Street, so called, in the said Town of Windsor, the north-eastern angle of land, now or lately owned by the barber Estate; thence running north 67 degrees 20' east, three hundred and sixty-five (365) feet, or northwesterly along said eastern side line of said bobbett Street; thence south 29 degrees 40' east, fifteen (15) feet; thence running south 67 degrees 20' west, three hundred and sixty-three point three (363.3) feet; thence north 36 degrees 15' west, fifteen point forty-five (15.45) feet to the place of beginning, containing 5462.25 square feet more or less. Bearings by the magnetic meridian of the year 1919.

To Have And To Hold the said lands unto the grantee, its successors and assigns forever: saving and reserving unto Us, Our Successors and Assigns, the free use, passage and enjoyment of, in, over and upon all navigable waters that now are or may be hereafter found on or under or flowing through or upon any part of the said lands.

Given. Given Under The Great Seal Of Canada - Witness, James Gudge Browdy, Esquire, B.A., M.V.O., Deputy of Our Right Trusty and Well-beloved Julian Hedworth George, Baron Byng of Vimy; General on the Retired List and in the Reserve of Officers of Our Army; Knight Grand Cross of Our Most Honourable Order of the Bath; Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George; Member of Our Royal Victorian Order, Governor General and Commander-in-Chief of Our Dominion of Canada.

At Ottawa, this Thirteenth day of September, in the year of Our Lord one thousand nine hundred and twenty-six, and in the seventeenth year of Our Reign.

By Command

G. J. Desbarat

Deputy Minister Of National Defence.

Thomas Mulvey

Under-Secretary Of State

No. 227 Release Of Mortgage

George Wiley et al. (Exors).

To

Thomas S. Lunn

Reptd. October 4th 1926 at 3.31 pm

On Tent of Fredk. Curry Comm. Sht.

deceased, send greeting:

To All To Whom These Presents Shall Come.

George Wiley of Windsor in the County of Hants and Province of Nova Scotia,

Gentleman, and H. Percy Scott of Windsor

aforsaid, Barrister-at-Law, Executors

of the Last Will and Testament of Frances

McGulder late of Windsor aforsaid, Widow,

Whereas by Indenture of Mortgage

bearing date the 16th day of March, A.D. 1922 and recorded in the office for the Registry of Deeds at Windsor aforsaid in Book 134

page 181 Thomas S. Lunn of Windsor aforsaid, then of Falmouth

in the said County of Hants, Farmer, and Emma Lunn his wife,

did, subject to a proviso for the redemption thereof in the said

indenture contained, convey and confirm to the said Frances

See Mtgs
Book 134
Page 181

No. 14. -- Entry No. 9180.

GRANT

Registered.-- 11.50 a.m. The 16th January, 1967.

57.



[Signature]
DEPUTY GOVERNOR

Canada

ELIZABETH THE SECOND, by the Grace of
God of the United Kingdom, Canada and Her
other Realms and Territories QUEEN, Head of
the Commonwealth, Defender of the Faith.

[Signature]

FOR DEPUTY ATTORNEY GENERAL



TO ALL TO WHOM these Presents shall come,

GREETING:

WHEREAS the lands hereinafter described are vested in Us in right of Canada.

AND WHEREAS the said lands are not required for public purposes, and under and by virtue of the statutes in that behalf and pursuant to authority duly granted by Our Governor in Council, the said lands or the interest therein that is or may be vested in Us for the uses of Canada have been disposed of to the Town of Windsor in the County of Hants, Province of Nova Scotia, a body corporate, hereinafter called the grantee, at and for the price or sum of one thousand five hundred dollars.

NOW KNOW YE that We do by these Presents grant, convey and assure unto the grantee and its successors ALL AND SINGULAR that certain parcel or tract of land situate, lying and being in the Town of Windsor, in the County of Hants and Province of Nova Scotia, more particularly described as follows:

BEGINNING: at a point fifteen feet and forty-five hundredths of a foot (15.45') from the south limit of Corbett Street at the south-west corner of lands of the Town of Windsor, said point being on the east boundary of the Carver Estate;

THENCE: North sixty-two degrees, thirty-three minutes East, (N. 62° 33' E.), a distance of three hundred and sixty-three feet and five tenths of a foot, (363.5');

THENCE: South twenty-nine degrees, thirty-three minutes East, (S. $29^{\circ} 33'$ E.), a distance of one hundred and twenty-two feet, (122'), to the north limit of a right-of way;

THENCE: South sixty-two degrees, seventeen minutes West, (S. $62^{\circ} 17'$ W.), along the above-mentioned right-of-way a distance of three hundred and fifty-one feet and five tenths of a foot, (351.5'), to the Carver Estate;

THENCE: North thirty-four degrees, fifty-seven minutes West, (N. $34^{\circ} 57'$ W.), along the Carver Estate to the place of beginning;

BEING AND INTENDED TO BE: that piece of land as shown on Plan No. 425-1, dated the 17th day of June, 1963, prepared by Hiltz & Seamone Co. Ltd., which is registered in the Registry Office for the County of Hants, at Windsor, Nova Scotia, under No. 380, a copy of which has been recorded in the Canada Lands Surveys Records at Ottawa, Ontario, under No. 53101.

PROVIDED ALWAYS and these presents are issued subject to a lease between Her Majesty the Queen in right of Canada and the Supervisors of Public Grounds for the Township of Windsor, dated the 1st day of May, 1870 and recorded at the Registry of Deeds at Windsor in Book 54, page 552, and subject further to a Declaration of Trust made by the said Supervisors of Public Grounds for the Township of Windsor and dated the 19th day of July, 1870 and recorded at the Registry of Deeds at Windsor in Book 54, page 559.

TO HAVE AND TO HOLD the said lands unto the grantee and its successors, forever; saving, excepting and reserving unto Us, Our Heirs and Successors, the free use, passage and enjoyment of, in, over and upon all navigable waters that now are or may be hereafter found on or under or flowing through or upon any part of the said lands.

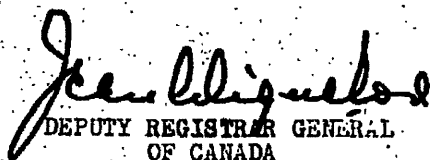
GIVEN under the Great Seal of Canada.

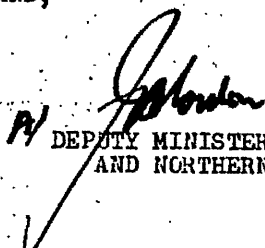
WITNESS:

COLONEL ADOLPHE GEORGE CHERRIER, O.B.E., C.D.,
Deputy of Our Right Trusty and Well-beloved
Counsellor, General Georges P. Vanier, a member
of Our Most Honourable Privy Council, Companion
of Our Distinguished Service Order upon whom We
have conferred Our Military Cross and Our Canadian
Forces' Decoration, Governor General and Commander-
in-Chief of Canada.

AT OTTAWA, this
in the year of Our Lord one thousand nine hundred and
sixty-

BY COMMAND,

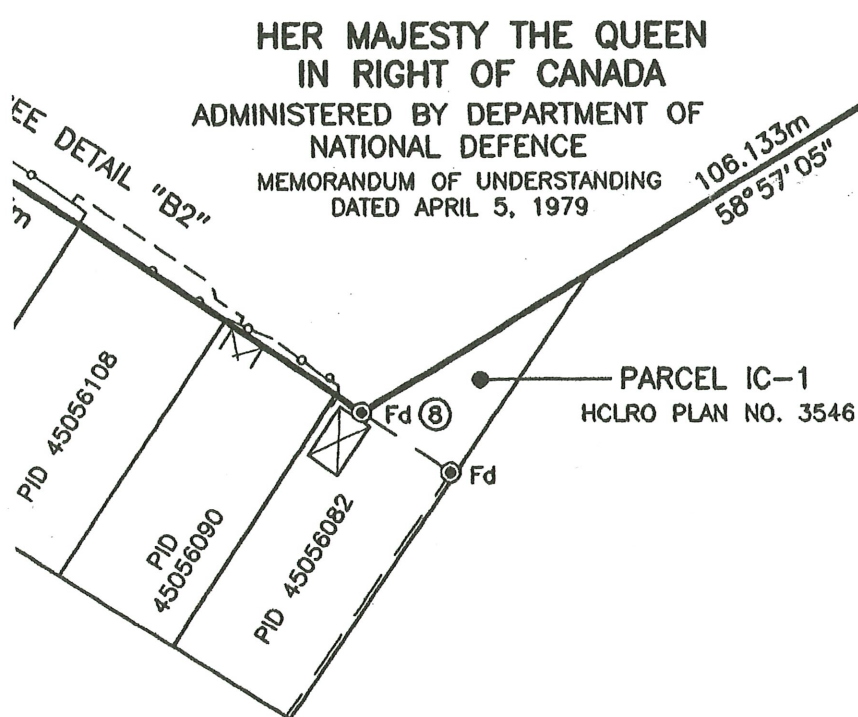

DEPUTY REGISTRAR GENERAL
OF CANADA


DEPUTY MINISTER OF INDIAN AFFAIRS
AND NORTHERN DEVELOPMENT

HER MAJESTY THE QUEEN
IN RIGHT OF CANADA
ADMINISTERED BY DEPARTMENT OF
NATIONAL DEFENCE

MEMORANDUM OF UNDERSTANDING
DATED APRIL 5, 1979

PID 45056074



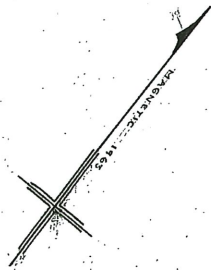
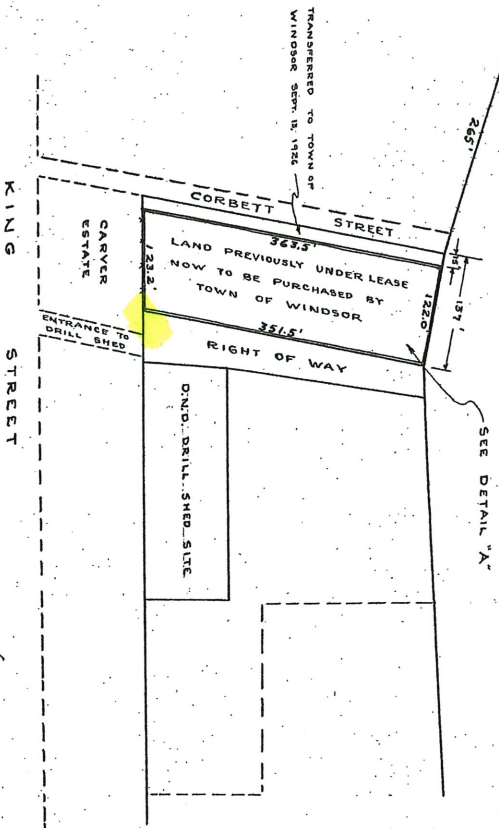
NOTES:

1. Block FE is subject to an access easement in favour of the Supervisors of Public Grounds for the Township of Windsor as recorded in Book 54, Page 552 (extent not specified).
2. Parcel 1 relates to Servant, Dunbrack, McKenzie & MacDonald Ltd. Plan No. 64-80-0 certified by Douglas K. MacDonald, NSLS on September 21, 1978.
3. Lot 2-3-B relates to Servant, Dunbrack, McKenzie & MacDonald Ltd. Plan No. 13-975-0 certified by Granville Leopold, NSLS on March 14, 1995.
4. Canadian Government Railways lands relate to Expropriation plan registered September 16, 1890.
5. Original Railroad centerline data obtained from CP Rail, Atlantic Region - Dominion Atlantic Railway, Halifax Subdivision Plan No. 75 issued March 21, 1935 and revised April 13, 1971.
6. Length of original Railroad boundary obtained from undated ICR Plan of Right of Way from Windsor Junction to Windsor.
7. Parcel B relates to Plan Showing Land to be Acquired by Province of Nova Scotia surveyed by G.B. Boylan, PLS on May 30, 1968.

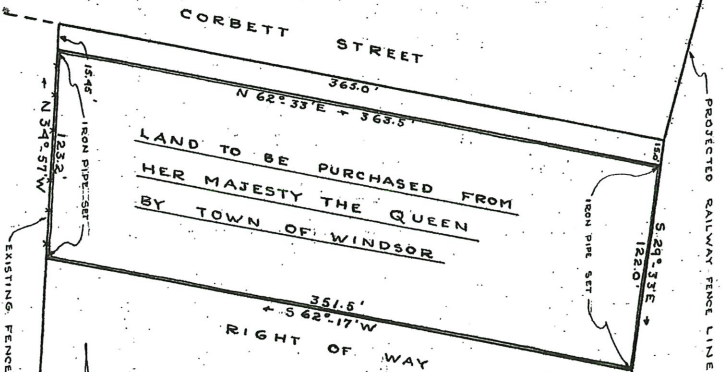
A copy of this plan has been recorded under No. 53101
in the Canada Lands Surveys Records at Ottawa.

PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS
TOWN OF WINDSOR

LOCATION PLAN - SCALE 1"=100'



DETAIL "A"
SCALE 1"=50'



- NOTE:
1. AREA TO BE PURCHASED BY TOWN OF WINDSOR SHOWN IN RED.
 2. SEE ALSO PLAN 656-2, DATED JULY 17, 1963, PREPARED BY DEPT. MAINTENANCE & DEFENCE.

HILTZ & SEAMONE CO. LTD.
MASTERS AVE. KENTVILLE NS.
TOWN OF WINDSOR - PROPERTY SURVEY
LAND TO BE PURCHASED BY TOWN OF WINDSOR FROM HER MAJESTY
DATE: JUNE 17, 1963
PLAN: 425-1

I certify that this plan accurately shows the manner in which the land included therein has been surveyed and subdivided by me and that the said plan is prepared in accordance with the provisions of the registry act.

Dated the 26th day of June, A.D. 1966.

W. S. Seaman
Provincial Land Surveyor

I CERTIFY that the within PLAN was duly entered and registered in the Registry of Deeds at Halifax, N.S., on the 24th day of June, 1966, at 1:00 P.M.

A.D. 1966, as Number 380 of Deeds.

William H. Galloway

380

99/2157

380

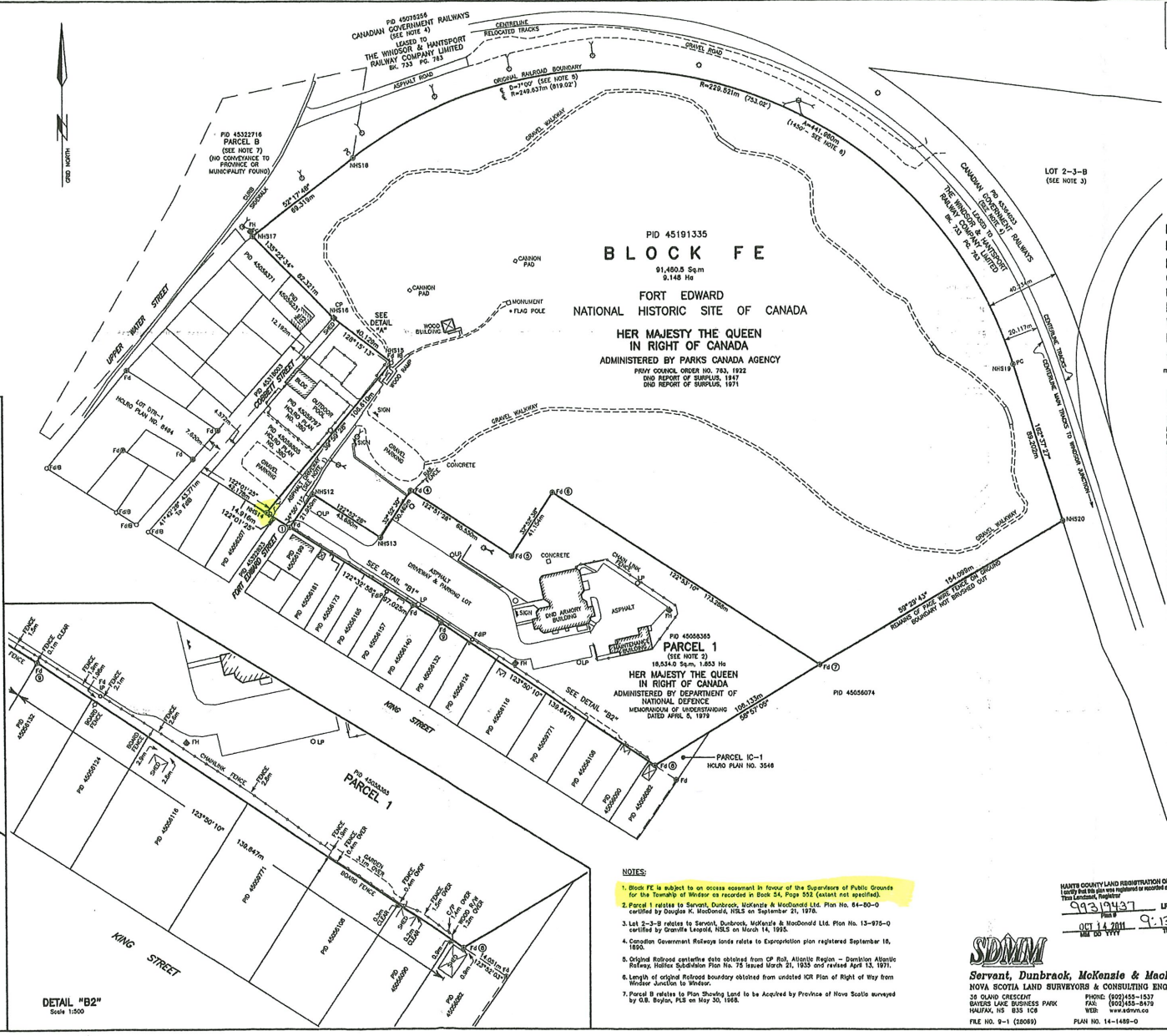
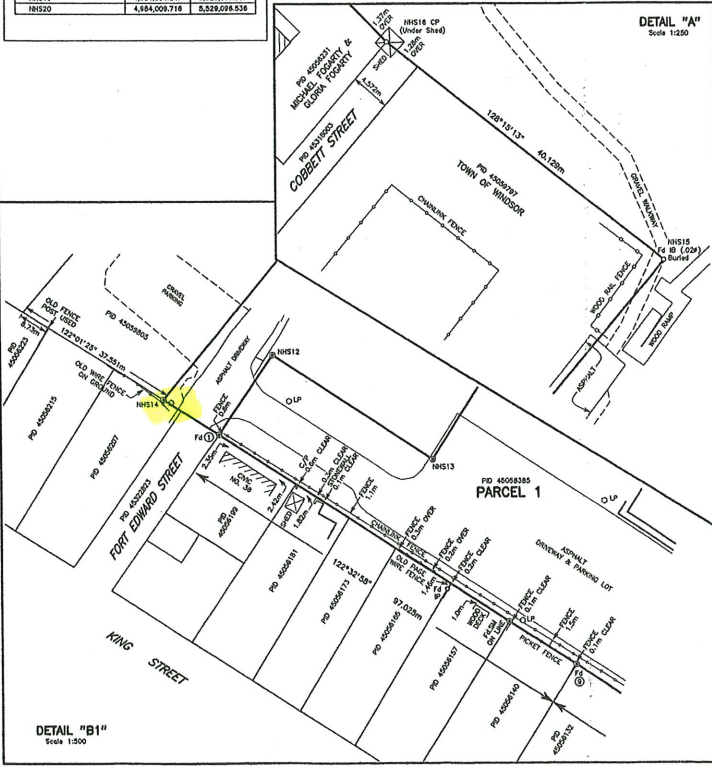
GPS CONTROL STATIONS 3' MTH PROJECTION - NAD83 (GPR) RELATIVE TO HPI 8478		
STATION	NORTHING	EASTING
N5CM 8478 (Published)	1,540,201.568	5,523,787.270
N5CM 8480 (Observed)	1,543,535.129	5,528,702.232
N5CM 8501 (Observed)	1,544,028.703	5,528,533.420

GPS CONTROL STATIONS 3' MTH PROJECTION - AT577 RELATIVE TO N5CM 8478		
STATION	NORTHING	EASTING
N5CM 8478 (Published)	1,540,201.568	5,523,787.270
N5CM 8500 (Published)	1,543,535.133	5,528,699.331
N5CM 8500 (Observed)	1,543,535.128	5,528,699.354
N5CM 8501 (Published)	1,544,028.713	5,528,530.923
N5CM 8501 (Observed)	1,544,028.701	5,528,530.953

BOUNDARY COORDINATES 3' MTH PROJECTION - AT577 RELATIVE TO N5CM 8478		
STATION	NORTHING	EASTING
1	1,544,005.714	5,528,678.059
4	1,544,028.585	5,528,740.844
5	1,543,591.031	5,528,735.505
6	1,544,025.584	5,528,810.247
7	1,543,531.424	5,528,683.767
8	1,543,578.754	5,528,687.829
9	1,543,545.512	5,528,725.914
10	1,544,024.711	5,528,657.824
11	1,544,001.002	5,528,724.309
12	1,544,014.433	5,528,652.412
13	1,544,028.302	5,528,730.920
14	1,544,121.147	5,528,676.415
15	1,544,165.501	5,528,650.840
16	1,544,207.887	5,528,710.483
17	1,544,094.547	5,528,684.997
18	1,544,000.716	5,528,698.538

ADJOINING PROPERTY TITLE INFORMATION				
PID	OWNERS NAME	H/LFO TITLE DOCUMENT	DOCUMENT DATE	REGISTRATION DATE
45056074	HOLLY A. TURNER	BC 468 PG. 318	02 MAY 2000	03 MAY 2000
45056081	ROY CURTIS WINDY	DOC. NO. 94220001	03 SEP 2009	08 SEP 2009
45056090	MELINDA TRANPHIRE	BC 1007 PG. 812	23 JUL 2003	29 JUL 2003
45056108	JUNE MARIE NEWTON	BC 449 PG. 482	20 DEC 1982	30 DEC 1982
45056116	JOHN D. ROHNS HELEN M. ROHNS	BC 455 PG. 720	27 MAY 1983	27 MAY 1983
45056124	DAVID P. RAVINORTH	DOC. NO. 94866138	14 MAY 2007	10 NOV 2009
45056132	DAVID W. CHANGCHIEL FREDERICK CHARLES CHANGCHIEL WILL A. CHANGCHIEL	BC 413 PG. 076	16 SEP 1980	10 SEP 1980
45056140	MELANIE ANN GILL	BC 698 PG. 496	10 AUG 2000	21 SEP 2000
45056157	THOMAS JAY WEBB SHARON WEBB	DOC. NO. 87748845	30 APR 2007	04 MAY 2007
45056165	J.B. AUTOMOTIVE LIMITED	BC 603 PG. 838	12 JUN 1989	28 JUN 1989
45056173	RHONDA LOUISE LYNCH	DOC. NO. 95001292	21 DEC 2009	23 DEC 2009
45056181	KELLY HANCOCK	DOC. NO. 96934394	28 SEP 2010	03 OCT 2010
45056199	CORY PAUL WALKER SHELLEY LEE WALKER	DOC. NO. 87881453	12 FEB 2007	22 FEB 2007
45056207	VALERIE HEWSON	BC 409 PG. 727	08 JUN 1980	09 JUN 1980
45056231	MICHAEL FOGARTY FOGARTY	BC 337 PG. 106	28 FEB 1975	04 MAR 1975
45056371	GLORIA MAY FOGARTY JOHN ARMA MACILLAN	BC 538 PG. 707 BC 300 PG. 625	03 DEC 1988 23 DEC 1971	17 DEC 1988 14 AUG 1972
45056771	TRUSTEES OF THE PRESBYTERIAN CHURCH WINDSOR, NS	BC 144 PG. 604	28 MAY 1927	22 JUN 1927
45056787	TOWN OF WINDSOR	BC 203 PG. 57	NOT DATED	16 JAN 1967
45076254	THE WINDSOR & HANTS RAILWAY COMPANY LIMITED	BC 733 PG. 763	28 AUG 1914	30 AUG 1914
45184023	TOWN OF WINDSOR	BC 141 PG. 498	04 OCT 1926	04 OCT 1926
45318003	TOWN OF WINDSOR	NO DOCUMENTS FOUND		
45322823	TOWN OF WINDSOR	NO DOCUMENTS FOUND		

CANADA LAND SURVEYS RECORDS



CANADA LAND SURVEYS RECORDS

99411

DATE: October 7, 2011

A copy of this plan is recorded in the Hants County Land Registration Office at 10-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-1043-1044-1045-1046-1047-1048-1049-1050-1051-1052-1053-1054-1055-1056-1057-1058-1059-1060-1061-1062-1063-1064-1065-1066-1067-1068-1069-1070-1071-1072-1073-1074-1075-1076-1077-1078-1079-1080-1081-1082-1083-1084-1085-1086-1087-1088-1089-1090-1091-1092-1093-1094-1095-1096-1097-1098-1099-1100-1101-1102-1103-1104-1105-1106-1107-1108-1109-1110-1111-1112-1113-1114-1115-1116-1117-1118-1119-1120-1121-1122-1123-1124-1125-1126-1127-1128-1129-1130-1131-1132-1133-1134-1135-1136-1137-1138-1139-1140-1141-1142-1143-1144-1145-1146-1147-1148-1149-1150-1151-1152-1153-1154-1155-1156-1157-1158-1159-1160-1161-1162-1163-1164-1165-1166-1167-1168-1169-1170-1171-1172-1173-1174-1175-1176-1177-1178-1179-1180-1181-1182-1183-1184-1185-1186-1187-1188-1189-1190-1191-1192-1193-1194-1195-1196-1197-1198-1199-1200-1201-1202-1203-1204-1205-1206-1207-1208-1209-1210-1211-1212-1213-1214-1215-1216-1217-1218-1219-1220-1221-1222-1223-1224-1225-1226-1227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MONTREAL AND TORONTO

Blackhouse

Windsor Map -
1934 - revised to 1947.

SECRET No. 15

EXHIBITION
BUILDING

Drill Hall
& Armoury

Exhibition Grounds

Horse stalls

Live Stock Sta

FOR T HILLS

QING

COBBETT

SOMERSET
HOUSE
HOTEL

Diagram of a 2x2x2 cube with labels: top face has '2 1/3', 'BA', 'BT', and 'D'; front face has 'D' and 'P'; right face has three 'x' labels.

72
P

109

15

1

P

D

D

Correspondence for next council meeting.

Abraham Zebian
Mayor
West Hants Regional Municipality
(902)790-1566

West Hants Regional Municipality acknowledges that we are in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq People.

Begin forwarded message:

From: John Wilson <jdw39@eastlink.ca>
Date: December 21, 2021 at 10:04:26 AM AST
To: Abraham Zebian <AZebian@westhants.ca>, Rupert Jannasch <RJannasch@westhants.ca>, Scott McLean <smclean@westhants.ca>, Mark McLean <mmclean@westhants.ca>, Jeff Hartt <jhartt@westhants.ca>, Debbie Francis <DFrancis@westhants.ca>, Bob Morton <bmorton@westhants.ca>, Ed Sherman <esherman@westhants.ca>, John Smith <JSmith@westhants.ca>, Laurie Murley <lmurley@westhants.ca>, Paul Morton <PMorton@westhants.ca>, Jim Ivey <jivey@westhants.ca>
Subject: PLEA TO RESEVE LOT65

Caution

This email comes from an outside sender. Verify the sender and use caution with any requests, links or attachments.

125-38 Manning Drive

Windsor, NS

B0N 2T0

21 December 2021

Dear Mayor and Councilors, West Hants Regional Municipality:

We are all personally aware that consciously, or unconsciously, it is our past with all its successes and foibles that guides our future. Such is also the case for communities. We are blessed in this community with a deep and rich history and heritage upon which, if we are wise, we can anchor our present and future.

Our leaders and the community in general would be well advised to take to heart the words of one of Nova Scotia's most illustrious leaders, Joseph Howe, who wrote: "A wise nation preserves its records, gathers up its muniments, decorates the tombs of its illustrious dead, repairs its great public structures and fosters national pride and love of country by perpetual reference to the sacrifices and glories of the past..."

There is no need for me to reiterate the many urgent and well articulated pleas from the community that have already been made respecting the rezoning of Lot 65 adjacent to Fort Edward. I wish to address this issue from a slightly different point of view based on my personal experience.

During my association with the West Hants Historical Society over the past 25 years, I had occasion to deal with several superintendents and staff of Parks Canada. This followed many years of association by others who were passionately interested in preserving the rich heritage of this community.

I do not presume to speak for Parks Canada, however, I do not believe I am violating any confidences in relating my experiences. First I wish to state that all interactions have always been cordial but firm. Parks Canada has very strict regulations with regard to the use and preservation of historic sites. From the beginning and throughout it has been clear, though perhaps not always stated, that Parks Canada's involvement in the community is conditional on the community's interest in Fort Edward. Basically - use it or lose it. There are many other communities that will happily spend funds allocated to Fort Edward.

I, and others before and after me, have endeavored to raise community

interest and involvement in this historic landmark that represents the very beginning of this community. A significant achievement was made several years ago when the West Hants Historical Society negotiated a contract with Parks Canada to provide guide service at the fort. This enabled members of the Society, guides and other members of the community to increase local participation in the interpretation of the fort's history.

You now have an opportunity to look forward, to be entrepreneurial and creative, as you did with the Sports Complex, to enhance business opportunities and visitor experience in the community. This will require leadership from you our elected representatives, the business community and the community as a whole. But we can build on the foundations already laid down by such community minded individuals and groups. I am confident that with such local involvement other levels of government will be interested in providing support.

This will take work, as do all worthwhile projects, but it will enhance the reputation of this community as the home of citizens who both celebrate our past and incorporate it when planning and building our future.

Respectfully submitted,

John D. Wilson, private citizen

Correspondence Sent

[illegible]



October 27, 2021

Katherine MacLeod, P.Eng.
Regional Engineer
Department of Environment & Climate Change
136 Exhibition Street
Kentville, NS B4N 4E5

Katherine,

Re: Increased Pumping Capacity – Windsor Lift Station #1

Please be advised of the following information related to storm surcharges in the combined sanitary / storm water system for Windsor along with our **short-term plan of action** to address and or mitigate major surcharges in our system that result in combined storm overflows (CSO's) in low lying areas of Windsor. One such event took place on July 27, 2021, the extreme localized weather event presented the Windsor area with reports in excess of 70-100mm of rain in a short duration. Low-lying areas of Windsor's combined storm water system experienced a heavy surcharge, backups, flooded basements, along with street and overland flooding on many private / public properties.

West Hants Council met on September 14th, during that meeting direction was given to staff to prepare an information report on the Windsor storm water drainage issues during heavy rain events, along with options to help prevent issues. I have attached a copy of the information report for your files and review.

The outcome of the meeting after discussion on the information report was staff recommending a short-term emergency measure to purchase a stand-by portable pump to increase the pumping capacity for a mitigating action to reduce and or eliminate the surcharge of the combined storm system that results in combined sewer overflows into public streets, low lying areas or in areas of high convergence. The increased pumping capacity objective is to discharge surplus storm water to an established pre-existing CSO and away from populated areas. This CSO is located at Windsor LS#1, Water St.

This emergency response plan would only be put into action during times of major precipitation events and is not meant to become a normal operation procedure. As indicated in the attached report, West

Hants Regional Municipality has recently released an RFP for a Flood Risk Assessment Study for the Windsor area. The high-level purpose of the study will be the following:

- Identify storm water management issues and solutions for the community of Windsor;
- Managing stormwater runoff in the most cost-effective and ecologically manner;
- Protecting citizens from the dangers of flash flooding;
- Mitigating damage to infrastructure and private property;
- Protecting the quality and quantity of groundwater resources;
- Protecting and enhancing the quality of surface water;
- Providing stormwater information for future development in the community.

After the Flood Risk Assessment has been completed a master storm water plan can be designed and ultimately construction of a vastly improved separated sewer collection and storm water system being the long-term objective.

Please reach out if you have any questions or provided additional information.

Sincerely,

A handwritten signature in blue ink that reads "J. Richard". The signature is fluid and cursive, with the first name "J." and the last name "Richard" clearly visible.

Todd Richard, Director of Public Works
West Hants Regional Municipality
trichard@westhants.ca
902 798-8391 ext. 208

c. Mark Phillips, CAO
Troy Burgess, Operations Manager



WEST HANTS REGIONAL MUNICIPALITY

To: Committee of the Whole, January 11, 2022

Date: January 6, 2022

Subject: Water Utility Communications / Notifications / Customer Interactions

PURPOSE:

To share, communicate and provide information through an educational approach ensuring Council, the Public and the Utility users are knowledgeable in the approach taken by the Municipality to communicate information to users of the Water Utilities.

DISCUSSION:

How communication / interactions between utility customers, members of the public and the West Hants Regional Municipality occur and what to expect:

Communication Methods Between the Municipality / Utility and the Customer

Method 1: Signing of the contract

- A legal agreement between the utility customer and the Municipality. This can be done online or in-person at the Municipal Complex, 76 Morison Drive.
- Outlines the obligations and responsibilities for both the utility customer and the Municipality.

Method 2: Quarterly Utility Invoices

- Utility invoices are received by the utility customer four (4) times per year. They are delivered through the mail. These are generated in January, April, July, and October and are mailed out via Canada Post.
- Reminders are mailed via Canada Post after utility invoice due date has passed to utility customers with outstanding balances.

Method 3: Payments

- Most common payment methods are in-person at 76 Morison Drive or various bill payment methods through your banking institution.

- Other payment options are available and can be found on our website or the back of the utility invoice.

Other forms of communication that the Municipality may use should the need or opportunity arise are:

Method 4: Phone Calls

- The Municipality will make courtesy calls to as many of the outstanding account holders as possible during the UARB rules and regulations ten (10) day grace period.
- Phone calls are used to book appointments following a work order request, to follow up on work order request.

Method 5: Hand Delivered Notices / “Door Hangers”

- A form of communication utilized by the Municipality to convey information in-person to the utility user. This could be a notice of extended disruption in service notification (if time permits) due to on-going repair work in the area. Most repairs are unplanned and do not allow time for this notice to be given.
- “Door Hangers” are a form of communication utilized by the Municipality to convey information to the utility user. This could be a utility disconnection notice due to non-payment or scheduled disconnection notice, equipment or read checks, and equipment replacement. Door hangers instruct utility users to contact the Municipal Office.

Method 6: Municipal Newsletter

- Quarterly newsletters are available online at www.westhants.ca as well as being sent out directly to the public via Canada Post.
- This newsletter contains generic information related to Regional Municipality and often includes payment options, contact information, helpful information about setting up and disconnecting water services. .

Method 7: Utility Inserts

- The Municipality uses utility notice inserts, to communicate helpful information and important notices regarding changes to your utility invoice or changes in services available to utility customers. These go out with the utility invoice, and are posted on Municipal social media sites as well.

Method 8: Social Media / Website

- Social media posts are used regularly to communicate when utility invoices are in the mail, bill payment reminders, and contact information. Social media is also used to highlight water service interruptions, payment options, and helpful information on various topics from water conservation, checking for leaks, seasonal usages, etc.

- Our website includes helpful resources and information, here are the most commonly used:
 - Online water contract: www.westhants.ca/residents/online-resources/west-hants-water-service-contract.html
 - Online water disconnection requests: www.westhants.ca/request-to-cancel-water-service.html
 - Regional Water Utility page: www.westhants.ca/regional-water-utility.html

CONCLUSION: The municipality strives to deliver service within a timely fashion. We encourage any Utility user to contact us should they have a question or concern regarding a utility invoice. Please call 902-798-8391, ext. 107 or by email at sbarnett@westhants.ca.

We also encourage utility users, to contact us when they have changes to their contact information (such as, phone number, address information, consent to release information, power of attorney information, etc.).

Utility concerns are a shared responsibility by both the Municipality and the utility user. The municipality strives to deliver service within a timely fashion to respond to these issues. In most cases the Municipality will not reach out to a utility customer until after a second irregular reading is identified. There could be various reasons for the irregular as listed below.

Some common reasons why consumption may vary or be irregular:

- the utility user is a vacationer (summer or winter) and has gone away, and the Municipality isn't unaware.
- the water equipment (i.e., Meter, Sensor or Electronic Radio Transmitter (ERT)) may not be working correctly resulting in a "zero" read or inaccurate volume read. The usage is then estimated by the Municipality based on past water consumption.
- there may be an unknown water leak, for example a faucet or fixture may be left on, sometimes the flapper in a toilet tank is not operating properly.
- Seasonal usage changes, for example seasonal businesses, cleanups, gardens, and pools, etc.

Should a utility user notice a discrepancy (such as, zero read, higher than normal consumption in comparison to previous invoice for the same time frame (i.e., comparing summer usage to summer usage), or system estimated reads)), we encourage all customers to be proactive and contact the Municipality as soon as possible.

We want to hear from you. Call 902-798-8391, ext. 107 or email at sbarnett@westhants.ca

Other avenues for resources are the Municipal website www.westhants.ca, the Facebook page at West Hants Regional Municipality.

Report Jointly Prepared by: _____

Deanna Snair, Executive Assistant

Report Jointly Prepared by: _____

Carlee Rochon, Director of Finance

Report Jointly Prepared by: _____

Todd Richard, Director of Public Works

Report Reviewed by:



Mark Phillips, Chief Administrative Officer